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pentru alegeri libere și corecte

FINAL REPORT

**Observation Mission
New Local Elections of 20 May (3 June) 2018**

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Chisinau 2018

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INTRODUCTION

The elections of 20 May (3 June) 2018 were held to elect mayors of the following seven settlements: the municipalities of Chisinau and Balti, villages of Leuseni, Hincesti district, Volovita, Soroca district, Jora de Mijloc, Orhei district, Nemteni, Hincesti district, and Pirlita, Ungheni district.

The Final Report aims at presenting a general overview of the entire electoral process. The report was prepared by the Central Team of the Promo-LEX Observation Mission (OM), based on the observers' findings on the activity of all actors involved in the process of organizing and conducting the elections: electoral and law enforcement bodies, public authorities, political parties, independent candidates and civil society.

International standards referred to in this Report are those developed by the UN, OSCE, the European Commission for Democracy through Law, the European Union and the Council of Europe. Recommendations for public authorities, electoral bodies, potential electoral contenders and other parties concerned are made at the end of this Report to ensure the optimization of the electoral process.

OBSERVATION METHODOLOGY

The Promo-LEX Observation Mission (OM) of May 20, 2018 elections is a project implemented by the Promo-LEX Association within the Civic Coalition for Free and Fair Elections. Promo-LEX is a public association that aims at developing democracy in the Republic of Moldova, including the Transnistrian region, by promoting and protecting human rights, monitoring the democratic processes and strengthening the civil society.

The monitoring of the election process is carried out during the election period by 8 long-term observers (LTOs) in all the 7 constituencies established. On the day of elections of 20 May 2018, Promo-LEX delegated one short-term observer (STO) to each of the 375 polling stations (PSs) and on the 3 June 2018 (second round of the elections), 306 observers were delegated in line with the number of the polling stations opened in the Chisinau constituency.

All the observers involved in the monitoring process have been trained in the seminars, organized by the Promo-LEX Mission, and signed the Code of Conduct¹ of the Promo-LEX Independent National Observatory, undertaking to act in a bold, non-partisan mode. The activity of all the observers is coordinated by the central team of the Association.

The public reports of the OM are based on the official and public information, as well as on reports, including the ones standardized by the observatories, drawn up on the basis of randomly planned visits to each settlement within the area of responsibility, visits to election bodies, as well as reports on events drawn up outside planned visits, if observers find out any events with an electoral tinge. During the planned visits, observers collect information from discussions, meetings with interlocutors and consultation of official documents.

Promo-LEX is not a political opponent of the contenders, involved in the election process, it is not an investigative body and does not undertake the express obligation to prove the observed findings. However, observers' reports are accompanied, as far as possible, by photographic and video evidence, which can only be made available to law enforcement authorities on the basis of appropriate requests and, in no case, to election contenders. The Promo-LEX mission manages the www.monitor.md web platform, where any citizen can report activities marked by an electoral tinge. Citizens' information is

¹ <https://promolex.md/4689-codul-de-conduita-al-observatorilor-electorali-promo-lex/>

verified by the Mission's observers during the next planned visit to the settlement, targeted in the notification.

Promo-LEX carried out the Observation Mission under the Democracy, Transparency and Responsibility Program, funded by the United States Agency for International Development (USAID). Monitoring of hate speech and incitement to discrimination is being carried out within the project aiming at the Consolidation of the Platform for the Development of Human Rights Activism and Education in the Republic of Moldova, financed by the Justice and Human Rights Department of the Soros-Moldova Foundation. The opinions expressed in the Promo-LEX public reports belong to their authors and do not necessarily reflect the views of the funders.

SUMMARY

The final report on the new local elections of 20 May (3 June) 2018 is based on the analysis of the forms completed by the Promo-LEX observers, namely: 526 visit forms, 1027 event forms and 28 forms filled out following the visits to Constituency Councils of level I and II.

Elections were organized in 7 constituencies, 5 level I and 2 level II constituencies. Only the registration of independent candidates was conditioned by the collection of signatures on subscription lists. Promo-LEX OM believes that this task should be mandatory for all the nominated contenders, including those nominated by political parties or electoral blocs.

31 electoral contenders registered for the position of mayors, of which only 2 were independent candidates (Gritco Elena – municipality of Balti and Silvia Radu – municipality of Chisinau) and 29 were appointed by political parties. The most active parties were: the PSRM - 6; PDM - 5; PPS and PPPDA - 3 each. Out of the 31 electoral contenders, 12 were candidates for the mayoralty of Chisinau, and 8 - for that of Balti. During the campaign, the registration of a candidate, Reghina Apostolova (PPS, municipality of Chisinau) was cancelled due to the fact that financing coming from foreign sources was revealed.

Following the election, in 6 settlements, mayors were elected on 20 May 2018, and in the Chisinau constituency, the second round of voting was organized on 3 June. Despite the fact that the contenders, electoral bodies and observation missions acknowledged the results of the voting, the court did not confirm the lawfulness of the new local elections of the mayor general of the municipality of Chisinau, held on 20 May 2018 (Round I) and 3 June, 2018 (Round II). The courts of appeal – the Chisinau Court of Appeal and the Supreme Court of Justice - upheld the decision of the first instance. The judgment of the court was based on the argument that the *electoral campaign* that was *illegally carried out on the election day, addressed to a number of persons, undoubtedly larger than the difference of votes among the candidates, attests to the fact that the elections, in their final stage, were corrupted by the behavior of the electoral candidates.*

In the opinion of the Promo-LEX OM, the findings and reasoning claimed by the court are flawed and inconclusive as, *a fraud cannot be established on the basis of assumptions.* Starting from the spirit and content of the Constitutional Court Decision no. 34 of 13.12.2016, *Promo-LEX considers that violations reported by observers during the electoral campaign for the position of mayor general of municipality of Chisinau and on the day of the elections were not likely to change the results of the elections, and the arguments put forward by the court are not sufficiently substantiated. On the contrary, there is no evidence to prove them.*

In addition, even on the assumption that there was electoral campaigning on the election day, Promo-LEX emphasizes the disproportionate nature of the sanctions imposed by the legislation and the fact that more than 240 000 voters, who participated in the second round of elections and about 226 000 of voters that took part in the first round were actually punished. We remind the reader that for carrying out an illegal electoral campaign, the candidate/ candidates shall be subject to a contravention sanction in the form of a fine of maximum 1500 lei. De facto, by invalidating the elections, the court punished hundreds of thousands of voters, none of whom challenged the legal nature of the suffrage.

On the other hand, in the case of Jora de Mijloc, Promo-LEX OM found that the candidate Maria Tauber (PPS) exceeded the spending limit allowed to be made from the electoral fund, which could also have led to the cancellation of the candidate's registration.

Promo-LEX OM notes that the new local elections generally have an explicit legal framework. At the same time, there are several problematic issues, repeatedly emphasized by the Promo-LEX OM and which, we

consider, could be solved by the legislator or the electoral authority to exclude the interpretability of the normative framework: *exaggerated number of signatures necessary to be collected for the registration of a candidate for mayor's office in the municipalities of Balti and Chisinau; limiting the voters' right to use the voting certificate in local elections; uncertainties regarding the voting of citizens with a valid domicile and with a residence permit valid on the day of local elections; unfair attitude towards independent women candidates to the position of mayor compared to independent candidates for the position of a deputy, etc.*

The Mission also identified in the legal framework a number of shortcomings that could have an impact on future national elections, including: *extensive interpretation of the use of the image and symbolism of international organizations or official personalities from abroad; lack of effective legal mechanisms to monitor the verification of subscription lists by observers and other competitors; the use of the image of public authorities for electoral purposes; uncertainties regarding the status and quality of circulars issued by the CEC; insufficient regulation on the use of administrative resources in electoral campaigns, etc.*

In order to organize the new local elections of 20 May 2018 (3 June 2018), the CEC adopted 96 decisions, aimed at observing the provisions of the Electoral Code and the Calendar Program. *The new local elections stirred an increased interest among the observers, the CEC accrediting a total of 796 observers, including national (740) and international (56). Of these, 522 were delegated by the Promo-LEX OM. Also, according to the information provided by the Observation Mission, the district councils accredited 858 observers. Contextually, Promo-LEX OM emphasizes the dangerous precedent, in its opinion, of the systematic obstruction of the Promo-LEX observers by CC no.1 Chisinau, which prohibited making photocopies of electoral documents, including of electoral contenders' files, or refused to offer copies thereof in the way provided for by the legislation on the protection of personal data.*

Constituencies, as well as CCs, were constituted respecting the legal time limits. The work program has been respected, with a few exceptions (CC I Leuseni and Nemteni). In terms of gender statistics, the CC membership is relatively unbalanced: out of a total of 53 members, 64% were women and 36% were men. The imbalance of gender statistics, is even more evident in the EBPSs - 72% are women and 28% - men.

The polling stations and EBPS have been set up respecting the legal deadlines, the time limits for the election of the EBPS management and the work program have been satisfactorily respected. Thus, the OM found that at least 81 EBPSs (21.60%) violated the legal deadlines for the election of management boards. Also, of the 472 visits made to the EBPS headquarters, in 104 cases (22%), the offices were closed during the working hours. Accessibility of the PSs for persons with locomotor impairments or for parents with prams remains a problem, with only 52% of the PSs being equipped with access ramps.

The content of voters' lists, respectively, the quality of the data in the State Register of Voters (SRV), remains, on the one hand, a problem which poses a high risk of violating the electoral process. On the other hand, it serves as an indicator of insufficient activity of the CEC and other responsible public institutions. First, the Promo-LEX OM found that the deadlines for transmitting the voters' lists to the EBPSs were not respected in the case of at least 75 EBPSs (20%). Also, based on discussions with the members of the bureaus, some shortcomings of the quality and content of the voters' lists were revealed in at least 54 EBPS (14.40%), in particular: registration of foreign persons at the domicile of voters (20 EBPSs), incorrect addresses (17 EBPSs) and presence of deceased persons on the lists (8 EBPSs), etc. Last but not least, on the election day, the most reported incidents (37.74% of the incidents in both rounds) related to the deficiencies in the voters' lists. In addition, considering the management of the SRV, the OM emphasized an unusual and unclear dynamics of data on the number of voters in constituencies and the number of non-resident voters.

Promo-LEX OM has found an increased activity of the election contenders using the mechanism of challenging the actions / inactions of the contenders or the decisions of the electoral bodies. According to the Mission, a total of 28 appeals were filed during the election period, including on the election day.

Most complaints were filed by the PPPDA (5 appeals), PSRM (4 appeals), PUN (3 appeals) and PPCNM (3 appeals). The most contested actions of the election contenders were those of the PSRM (4 appeals), PUN (3 appeals) and PPPDA (3 appeals). Most alleged violations were: *non-reflection of expenditures in the financial reports (7 appeals), involvement in any form of electoral campaigning of non-citizens of the Republic of Moldova (6), irregularities in the organization and conduct of elections (3), the use of foreign financial means by the election contenders (2), etc.*

In the new local elections, the local public authorities (LPA) were in charge of the organization of the elections. The Promo-LEX OM notes that *most LPA fulfilled their obligations, contributing to a proper organization of the process.*

Election contenders were particularly active in the Chisinau constituency. Out of the total of 1028 political / campaigning activities identified, 859 events (83%) fall for the municipality of Chisinau. *The most active political party was the PSRM with a share of about 45% (465 activities). The most used promotional tools in the new local elections were those involving direct contact with voters: tents (25%) and meetings with citizens (25%).*

Promo-LEX OM identified 71 cases of misuse of administrative resources. Such a large number is due to the meetings with voters held in public institutions (hospitals, schools, municipal enterprises, etc.) during working hours. *Additionally, at least 33 cases that can be qualified as offering of electoral gifts have been reported.* Most of them - 13 cases (about 40%) are related to the activity of the PPS, followed by the PSRM (27,27%) and the I.C. Silvia Radu (21,21%).

An important issue for both these elections and the subsequent national suffrages is the use of the image of foreign persons in electoral campaigning. If the prohibitions are too broad, inappropriate and practically inapplicable, the legislator may consider the possibility of repealing them. Another issue with perspectives of violating the integrity of the electoral process is *campaigning using the image of public authorities, referring to the open support for a certain candidate in the electoral campaign, displayed by the Moldovan President.*

In the electoral campaign, 13 contenders reported incomes of 10 608 701 lei and expenses of 10 585 629 lei; with a final balance of 23,072 lei. The revenues come from donations of individuals – 6 846 193 lei (64.53%); donations of legal entities - 2 172 506 lei (20,48%); other means - 1 590 002 lei (14.99%) and donations in commodities - 174 841 lei.

Contextually, Promo-LEX emphasizes the following important issues. Firstly, with regard to the heading of *donations from legal entities*, an election contender – the LP - registered transfers from the party's account to the Electoral Fund account, amounting to 1 650 000 lei, thus exceeding the allowed ceiling of donations from legal entities. These transactions can be qualified as donations from the party (legal entity) and presume violation of the maximum allowed limit of the donations - 100 average salaries per country for the current year, i.e. maximum 615 000 lei. Secondly, in the *other means* heading, another electoral contender- the PSRM - recorded transfers from the party to the Electoral Fund account amounting to 955 940 lei, which also exceeded the allowed ceiling of donations from legal entities.

Promo-LEX also notes that an electoral competitor (the PN), for the first time ever, indicated in the heading of donations in commodities / services the contribution of 115 volunteers / observers made on the election day (round I) in the amount of 28 585 lei.

According to the reports submitted to the CEC, *the largest share of expenditures declared by election contenders was for advertising and promotional materials, in the amount of 6 990 110 lei (95%).* The other 5% or 440 775 lei constituted expenses for events and electoral meetings, transportation of persons and goods, additional maintenance costs and bank fees.

The Mission's findings indicate that, in the current elections, the practice of not declaring all the contenders' expenses in the financial reports submitted by them to the CEC continued. According to the field observations, the Promo-LEX OM found that the candidate from the PPS in Jora de Mijloc, Orhei district, exceeded by almost three times the legal level of revenues for the respective constituency – 93 504,18 lei, with estimated expenses of at least 256 200 lei. At the same time, the total estimated amount for undeclared expenses amounts to 2 146 070 lei for 11 election contenders (both round I and II): PAS - 720 lei; PDM – 8 227 lei; PN – 11 405 lei; PNL – 16 186 lei; PPRM – 21 793 lei; PUN – 59 829 lei; PPPDA – 145 522 lei; PL - 172 749 lei; I.C. Silvia Radu - 180 390 lei; PPS - 391 789 lei; PSRM - 1 137 460 lei.

In the context of the new local elections of 20 May 2018, Promo-LEX continued to record cases that could be described as hate speech. The candidate most affected by hate speech was Andrei Nastase (PPPDA) - 10 cases or 71.43% of the total of 14 cases that have been documented. The most active candidate that resorted to hate speech was Ion Ceban, 3 reported cases (37.50%) of the total of 8 documented cases.

The Promo-LEX Association organized for the fifth time the Civic and Electoral Education Campaign "IESI la VOT!" (Come and Vote!), With the slogan "Tu esti ȘEF/Ă!". (You're the BOSS!). The campaign was implemented in all the 7 settlements. Thus, in order to raise the awareness of about 5200 citizens entitled to vote in the 7 settlements where elections were to be held, the Promo-LEX Association involved 64 volunteers and 8 local coordinators. Promo-LEX organized 4 public debates in the municipality of Balti and Chisinau.

On the election day, the opening and closing of the polling stations were carried out in compliance with the regulatory requirements. At the same time, on 20 May 2018, Promo-LEX OM reported 236 cases qualified as incidents (375 PSs) and on 3 June 2018 - 135 cases (306 PSs). Of these, the biggest number falls for the deficiencies in the main voters' lists - at least 140 cases (37.73%). Other important violations were unjustified presence in the premises or within 50 m of the polling station of unauthorized persons and photographing of ballot papers.

The parallel vote counting, carried out by the Promo-LEX OM, shows that the differences from the final data presented by the CEC are insignificant and have no impact on the final results.

OBSERVATION OF ELECTORAL CAMPAIGN

I. LEGAL FRAMEWORK

Promo-LEX OM notes that the new local elections generally have an explicit legal framework. At the same time, there are several problematic issues, repeatedly emphasized by the Promo-LEX OM and which, in our view, could be solved by the legislator or by the electoral authority to exclude the interpretability of the normative framework: exaggerated number of signatures necessary to be collected for the registration of a candidate for mayor's office in the municipalities of Balti and Chisinau; limiting the voters' right to use the voting certificate in local elections; uncertainties regarding the voting of citizens with a valid domicile and with a residence permit valid on the day of local elections; unfair attitude towards independent women candidates to the position of mayor compared to independent candidates for the position of a deputy, etc.

Additionally, the Mission identified in the legal framework a number of shortcomings that could have an impact on future national elections, including: extensive interpretation of the use of the image and symbolism of international organizations or official personalities from abroad; lack of effective legal mechanisms to monitor the verification of subscription lists by observers and other competitors; the use of the image of public authorities for electoral purposes; uncertainties regarding the status and quality of circulars issued by the CEC; insufficient regulation on the use of administrative resources in electoral campaigns, etc.

1.1. Legal context

On the basis of the legal grounds for organizing the new local elections stipulated in art. 150 par. (1) of the Electoral Code, the CEC took note of the circumstances found in some settlements and adopted resolutions on setting the day of 20 May 2018 as the day for holding the new mayoral elections in 7 settlements. With regard to the circumstances found, it should be mentioned that out of 7 mayors whose positions have become vacant, 5 submitted resignation letters or quitted for various reasons, and two mayors died.

1.2. Issues in the implementation of the legal framework, revealed during the electoral period

Promo-LEX OM has identified a number of questionable issues in the electoral law, both with direct reference to local elections and relevant to any other type of election. We consider that the legislator and the CEC have sufficient time to intervene in the legal framework of general local elections, as well as that of other types of elections, in order to optimize them.

1.2.1. Issues related to the legislation on local elections

a) *Excessive legal requirements related to the number of signatures required to be collected by independent candidates intending to register as a candidate for mayor's office in the constituencies of Balti (5 516) and Chisinau (10 000), stipulated in art. 138 par. (1) of the Electoral Code. For comparison, a candidate for the position of a deputy in a uninominal constituency shall submit subscription lists containing at least 500 signatures and no more than 1 000 supporters with the right to vote. Additionally, the Code of Good Practice in Electoral Law clearly establishes that the law should not require collection of signatures exceeding 1% of voters in that constituency. In other words, for the municipality of Chisinau, the ceiling should be about 6 320 signatures and for the municipality of Balti - about 1 049.*

b) *Unfair attitude towards independent women candidates to the position of mayor, compared to the independent candidates for the position of a deputy. According to art. 86 par. (1) of the Electoral Code, to register for the parliamentary elections a candidate from a uninominal district shall present subscription*

lists, containing at least 500 signatures and up to 1000 supporters. By way of derogation, a female candidate may be registered, if she has collected at least 250 and not more than 500 signatures of supporters with the right to vote in the constituency where she is a candidate. We consider that the legislator should treat the elections equally and modify the Electoral Code to allow women candidates to the mayor's office to collect twice as few signatures.

c) *Limiting the voters' right to use the voting certificate in local elections.* Based on the provisions of art. 33 clause (b), Article 44 par. (7) and 58 par. (2) clause a) and par. (5) of the Electoral Code, Promo-LEX found, in fact, lack of a clear definition of this voting mechanism, its role in the electoral process and the subjects to which it is intended. Also, in the opinion of the Mission, voters are entitled to use the voting certificates to express their choice in local elections within a certain constituency.

d) We reiterate the following issues that had been identified by the Mission in the previous local elections, which have not been addressed by the legislator and / or the CEC and persist in the current local elections: *uncertainties regarding the voting of citizens with the domicile and residence valid on the day of local elections; modification of the Electoral Code in order to offer the possibility to participate in the election process to serving soldiers, who serve in a unit deployed in the same settlement, where they are domiciled and respectively, where the local elections are held; the beginning of the electoral campaign for the second round.*

1.2.2. Legal issues related to the electoral process in general

a) *Use of the image and symbolism of international organizations or official personalities from abroad.* The provisions of art. 52 par. (3) and par. (8) of the Electoral Code limit, in a very comprehensive, or even generalizing manner, the possibilities for electoral campaigning to be conducted by competitors with the involvement of actors outside the country. There is a situation, where limitations can be interpreted very extensively. The Promo-LEX OM believes that the legislator should review the content of these prohibitions to make them more nuanced and take into account the subtleties expressed above and the general framework governing freedom of expression.

b) *The necessity to monitor by the Audiovisual Coordination Council (ACC) of the broadcasting institutions that claimed they would not reflect the election campaign.* According to the Concepts on the coverage of the election campaign by the broadcasting institutions, during the election campaigns, the ACC monitors only the broadcasters, who have officially announced the institution about their intention to reflect the campaign, and those who declared that they would not reflect it are not monitored. Promo-LEX has found situations where broadcasters, who have declared that they will not reflect the election campaign have organized shows, including debates with representatives of election contenders. In this regard, we consider that it is necessary to amend the legal norm in order to ensure a plenary monitoring of broadcasters, both those who have committed to reflect the campaign and those who commit that they will not reflect it.

c) *Use of the image of public authorities for electoral campaigning.* The use of the image of some personalities within the country or public authorities was a characteristic feature of the new local elections of 20 May 2018, when the President of the Republic of Moldova, a public authority according to the Constitution, officially supported and promoted an election contender. We remind you that art. 52 par. (8) of the Electoral Code provides that "images representing state institutions or public authorities, both in the country and abroad, may not be used for electoral campaigning purposes". This issue can be important and have an impact on further suffrages.

d) *Ensuring effective legal circumstances and mechanisms that would allow observers and other contenders monitor the subscription lists.* Based on the provisions of art. 48 par. (1) of the Electoral Code, point 7 of the Regulation on the activity of competitors' representatives with the right to vote, point 18 of the

Regulation on the status of observers and the procedure for their accreditation, we faced a situation where only the electoral officials know the content of the subscription lists and participate in the verification process, while other electoral actors, including observers, can only be acquainted with the results presented, without being able to verify them. In addition, it should be noted that even if the repeated verification of subscription lists would reduce below the legal limit the number of valid signatures required for registration, the Electoral Code art. 75 par. (5) does not provide for such a reason to request or obtain the cancellation of the competitor's registration.

e) *Uncertainties regarding the status and quality of Circulars issued by the CEC.* During the election campaign in the elections of 20 May 2018, the CEC issued the Circular 8/2251 of 2 May 2018, in which it determined in a discretionary manner that the provisions of art. 58 par. (2) clause (c) of the Electoral Code are not applicable to local elections. It should be noted that the annulment of the provisions of the Electoral Code by a document of this kind, whose statute is not regulated by the Electoral Code or by other normative acts, without any explanations, raises questions about the integrity of the electoral process.

f) *Insufficient regulation of the use of administrative resources in electoral campaigns.* Art. 52 par. (7) of the Electoral Code prohibits the candidates to use public funds and resources (administrative resources) in electoral campaigns, at the same time, public authorities / institutions affiliated to them cannot transfer public goods or other favors to election contenders, with the exception of contractual basis, on an equal basis for all election contenders. International standards, however, define administrative resources in a much wider way, namely - *human, financial, material, coercive and in-kind resources.*

g) *Funding of the election campaign from the "Electoral Fund" account in the period between the first and the second round of elections.* According to point 11 of the Regulation on the Financing of Electoral Campaigns, the latest payments from the Electoral Fund account shall be made no later than two days before the election day. Subsection 12 stipulates that in the case of a second round, the Electoral Fund account will be unblocked from the moment of the decision of the electoral body, at the request of the election contender. In the case of these elections, it was the CEC Decision no. 1662 of 23 May 2018. Consequently, candidates' accounts could only be unblocked after 23 May 2018. Implicitly, this implies that campaign activities could not be funded in the period between May 21-22, 2018, while according to Promo-LEX findings, they were funded.

In addition, another problem stemming from the blocking of the "Electoral Fund" account two days before the day of elections refers to the difficulty the electoral candidates face in making payments at least for the effort of the accredited observers on the election day.

II. ELECTORAL BODIES

In order to organize the new local elections on 20 May (3 June) 2018, the CEC adopted 96 decisions aimed at implementing the provisions of the Electoral Code and the Calendar Program. The new local elections stirred an increased interest among the observers, the CEC accrediting 796 observers, national (740) and international (56), of which 522 were delegated by the Promo-LEX OM. Promo-LEX emphasizes the dangerous precedent, in its opinion, of the systematic obstruction of Promo-LEX observers by CC no.1 Chisinau, which prohibited making photocopies of electoral documents, including of electoral contenders' files, or refused to offer copies thereof as provided by the legislation on the protection of personal data.

Inferior electoral bodies were constituted respecting the legal time limits. The work program has been respected virtually in all the CC visited. the time limits for the election of the EBPS management and the work program were satisfactorily respected. In terms of gender statistics, the CC membership is relatively unbalanced: out of a total of 53 members, 64% were women and 36% were men. The imbalance of gender statistics, is even more evident in the EBPSs - 72% are women and 28% - men.

The content of voters' lists, respectively, the quality of data in the State Register of Voters (SRV), remains a problem, which poses a high risk of violating the electoral process and an indicator of insufficient activity of the CEC and other responsible public institutions.

Promo-LEX OM has found an increased activity of the election contenders using the mechanism of challenging the actions / inactions of the contenders or the decisions of the electoral bodies. The most alleged violations were: non-reflection of expenditures in the financial reports (7 appeals), involvement in any form of electoral campaigning of non-citizens of the Republic of Moldova (6), irregularities in the organization and conduct of elections (3), the use of foreign financial means by the election contenders (2), etc.

2.1. Activity of the Central Electoral Commission

2.1.1. CEC decisions. General presentation

In order to organize the new local elections of 20 May (3 June) 2018, the CEC adopted 96 decisions on: setting the day of elections, establishing electoral constituencies and constituency councils, confirming the persons responsible for finances (treasurers); changing the composition of the CC; accreditation of national and international observers; financial reports of election contenders; examining appeals, etc.

2.1.2. Establishing electoral constituencies and constituency councils

On 20 March 2018, observing the provisions of the Electoral Code and the Calendar Program, the CEC adopted the Decision no. 1471, which established 5 constituencies of level I for the conduct of the new local elections of 20 May 2018, as follows: Leuseni, Volovita, Jora de Mijloc, Nemteni, Pirlita. Subsequently, on 10 April 2018, by decisions no. 1521-1525, the CCs of level I were established.

By the same Decision no. 1471, the CEC set up constituencies of level II for the new local elections to be held in the municipalities of Chisinau and Balti, and on 30 March 2018, the CEC adopted the decisions no. 1486 and 1487, through which it constituted the municipal constituency council no. 1 Chisinau and the municipal constituency council no. 2 Balti, both composed of 9 members.

During the electoral period, the composition of four CCs (of the total of 7) was changed: Volovita (Soroca district), Leuseni (Hincesti district), Jora de Mijloc (Orhei district) and Nemteni (Hincesti district).

2.1.3. Accreditation of observers

According to art. 68, par. (4) of the Electoral Code, the observers shall be accredited by the decision of the CEC or CC. Thus, for the new local elections of 20 May (3 June) 2018, the CEC accredited 796 national and international observers (according to Annex no. 1).

2.1.4. Managing the State Register of Voters

With regard to the management of the State Register of Voters (SRV), in the context of the new local elections, the OM pointed out the unusual dynamics of data on the number of voters in constituencies, which as of 31 March 2018 sharply decreased by 44 536 citizens compared to 1 September 2017. There was also a sudden and unclear increase in the number of voters without a place of domicile/ residence - by 47 685 voters. Although over the last 3 years of monitoring, these figures varied on average by 3-5 thousand voters.

2.2. Activity of Constituency Councils of Level I

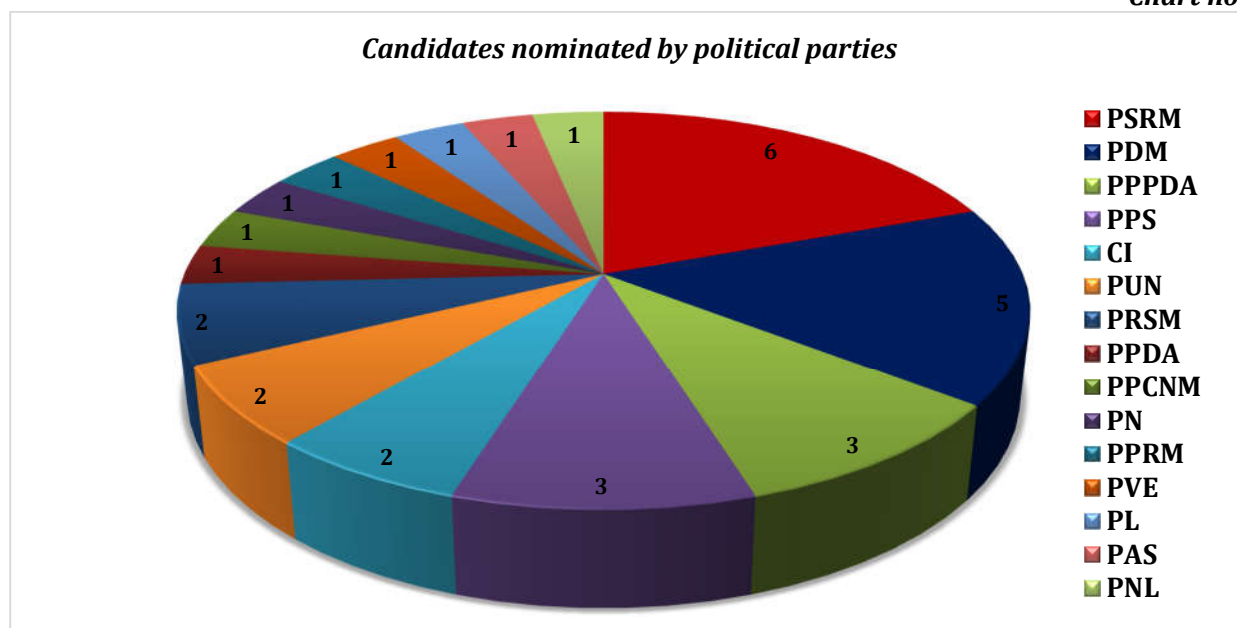
2.2.1. Work program

Over the monitoring period, with the exception of rest days, Promo-LEX observers made 28 visits to the 7 CCs of I and II levels. Following these visits, it was found that only in the case of two CCs (CC I Leuseni and Nemteni) electoral bodies did not work according to the approved work program.

2.2.2. Registering contenders for the new local elections

31 electoral candidates registered in the race for mayor's position in the new local elections of 20 May (3 June) 2018. Of these, 2 were independent candidates (Elena Gritco - mun. of Balti and Silvia Radu - mun. of Chisinau) and 29 - were nominated by the political parties (see Chart 1 and Annex no. 2). It should be mentioned that out of the 31 election contenders, 12 were for the mayoralty of the mun. of Chisinau, and 8 - for that of Balti.

Chart no. 1



The biggest number of candidates was registered by the PSRM - 6 candidates (with the exception of the constituency of Pirlita), followed by the PDM - 5 candidates (in all the constituencies I) and 3 by the PPPDA (Chisinau, Balti and Pirlita) Chisinau, Balti and Jora de Mijloc). The registration of the candidate Reghina Apostolova, PPS, who applied for the position of mayor general of mun. of Chisinau, was cancelled by decision of the Chisinau Court (central office) of 11 May 2018. This judgment was upheld by the decision of the Chisinau Court of Appeal of 14 May 2018 and the decision of the Supreme Court of Justice of 16 May 2018.

Promo-LEX has also identified 5 interpretable cases with regard to the party organization, entitled to nominate candidates. Thus, questions appear whether the organization that has the right to appoint candidates on the basis of minutes submitted after holding party meetings complies with the statutory provisions in the field².

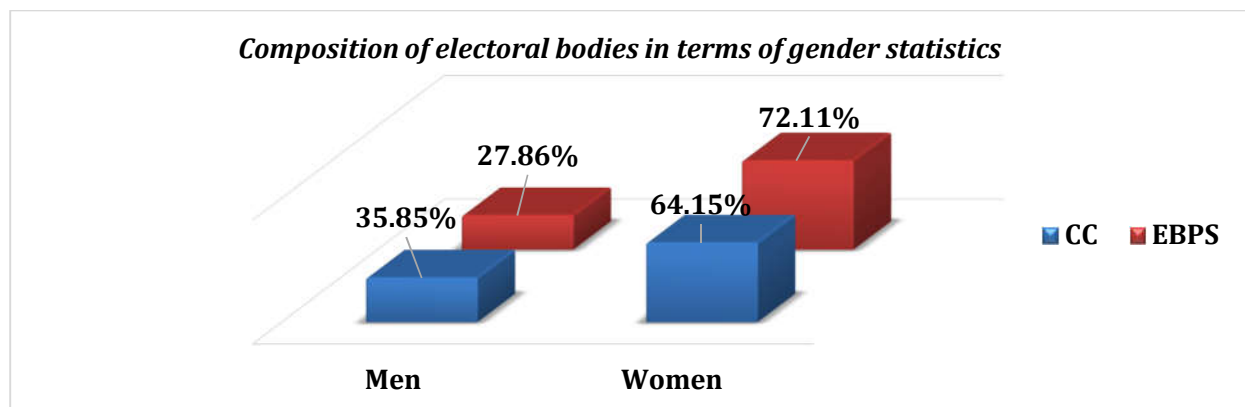
2.2.3. Establishment of EBPSs

According to art. 30 of the Electoral Code, the CC shall establish the Electoral Bureau of the Polling Station (EBPS) at least 25 days before the election day, which shall consist of an odd number of members of at least 5 and not more than 11. Based on the information provided by Promo-LEX observers, the deadline for setting up the EBPS was respected by all the CCs.

2.2.4. Composition of electoral bodies in terms of gender statistics

Promo-LEX OM has also examined the membership of the CC and EBPs from the perspective of gender statistics. Thus, in the case of the CCs, out of a total of 53 members, 64.15% were women, respectively 35.85% - men, and in the case of EBPSs, of the total number of 3801 members, the share of women was even higher - 72, 11% (see Chart no. 2).

Chart no. 2



2.2.5. Changing the membership of EBPSs

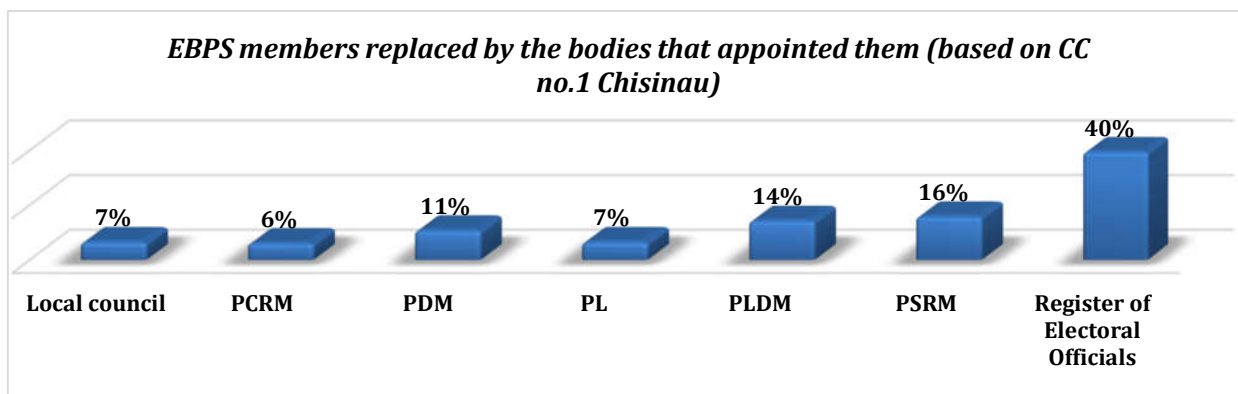
Based on the information provided by Promo-LEX observers, it was found that the composition of the EBPSs had been modified in at least 192 cases. Thus, in 157 cases, it was the EBPS of the mun. of Chisinau, and in 35 cases – the EBPS of the mun. of Balti.

Based on the modifications of EBPS membership in CC no. 1 Chisinau (258 replaced members), it was found that most of the excluded members of EBPS were from the Register of Electoral Officials - 40% of

² For more details, see Report no 2, Promo-LEX OM, p.11-12. https://promolex.md/wp-content/uploads/2018/05/RAPORT-nr.2_MO-Promo-LEX_ALN_20.05.2018-2.pdf

the replaced members (see Chart no. 3). This finding raises great concerns about the quality of Register of Electoral Officials, of the way in which it is managed and updated. Against this background, we believe that the CEC should analyze the causes of these trends and consider the effort required to redress the situation for the coming parliamentary elections.

Chart no. 3



2.2.6. Registration of representatives with the right of a consultative vote and Accreditation of observers

In accordance with art. 15 par. (1) of the Electoral Code, election contenders may delegate for the period of electoral campaign one representative with the right of a consultative vote to the electoral bodies that have registered them, as well as to lower electoral bodies. Thus, according to the Promo-LEX observers, for the period of the new local elections, the CC registered at least 13 representatives with the right of a consultative vote delegated by the candidates (according to Annex no. 3).

Art. 68 par. (1) of the Electoral Code stipulates that, at the request of election contenders, the CC shall accredit a candidate's observer for the monitoring of elections in the polling stations. According to the Promo-LEX OM, the 7 CCs have accredited 858 observers for 375 PSs (according to Annex no.3).

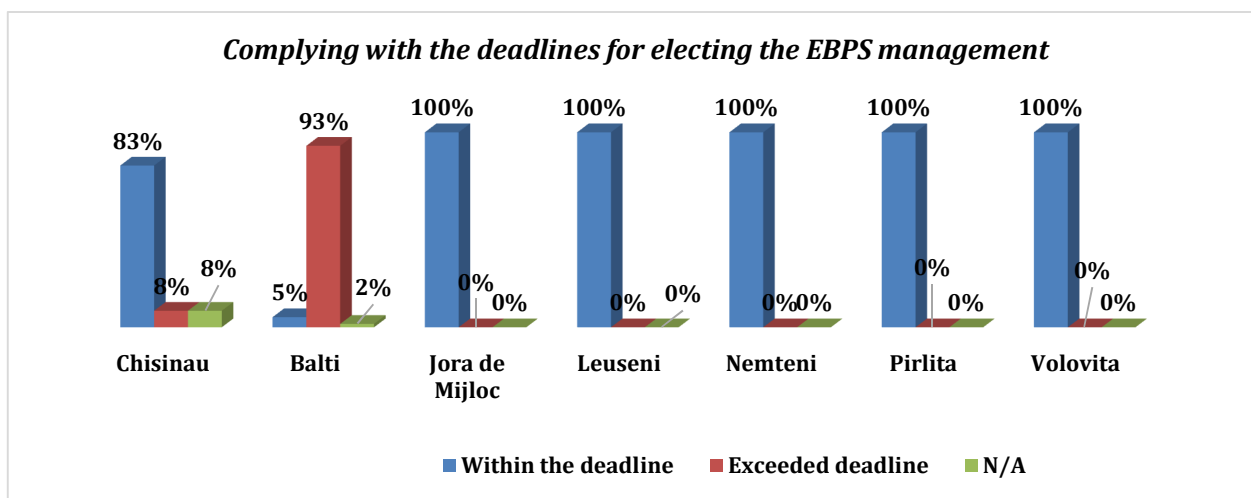
2.3. Operation of the electoral bureaus of the polling stations (EBPS)

2.3.1. Choosing the management of the EBPS

In accordance with Art. 30, par. (11) of the Electoral Code, within two days from the date of the establishment of the EBPS, its members shall elect their president, vice-president and the secretary of the office, adopt a decision in this respect, immediately informing the CC of it and announcing publicly the composition and the seat of the electoral bureau and the contact data of persons elected.

According to the information provided by the Promo-LEX observers, we found that, at least in the case of 81 EBPSs (21.60% of the total of 375 PSs), the legal terms for the election of the president, vice-president and the secretary were violated (see Chart no. 4).

Chart no. 4



Regarding the publication of the Contact Data for Relations (Working Hours), it was found, based on the Promo-LEX observers' reports, that in 83% of the total number of EBPSs, the contact data were published.

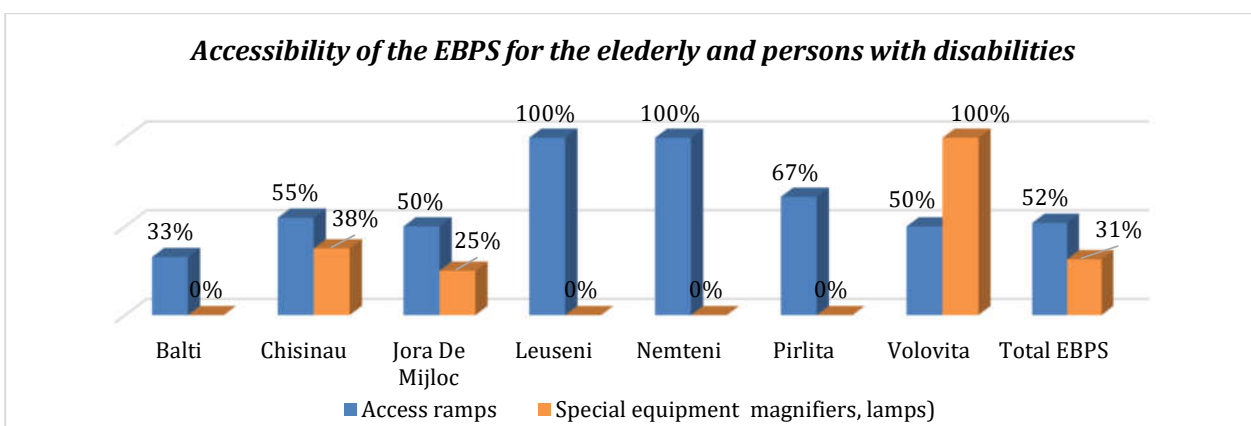
2.3.2. EBPS's compliance with the work program

Since the establishment of the EBPS, observers have made 472 visits to their offices. Following these visits, it was found that in the case of 104 EBPSs, the offices of the electoral bodies were closed during the working hours (22% of the total number of visits).

2.3.4. Accessibility of EBPS's premises

In accordance with art. 30 par. (2) of the Electoral Code, "the premises of the polling stations are usually established in publicly owned premises and are arranged in such a way as to facilitate the access of the elderly and the disabled to them". According to the information provided by the Promo-LEX observers, it was found that 52% of the PSs are equipped with access ramps and 31% own special equipment for people with disabilities (see Chart no. 5).

Chart no. 5



In the case of 6 PSs: 4 in the municipality of Chisinau (PSs no.1/118, 1/199, 1/212 and 1/307), 1 in Volovita, Soroca district (PS no. 29/73) and 1 in the municipality of Balti (PS no. 2/3), besides the lack of access ramps (except for PS no. 29/73, which has an access ramp), the headquarters are not located on the ground floor, which makes it even more difficult for the elderly and the disabled to exercise the right to vote.

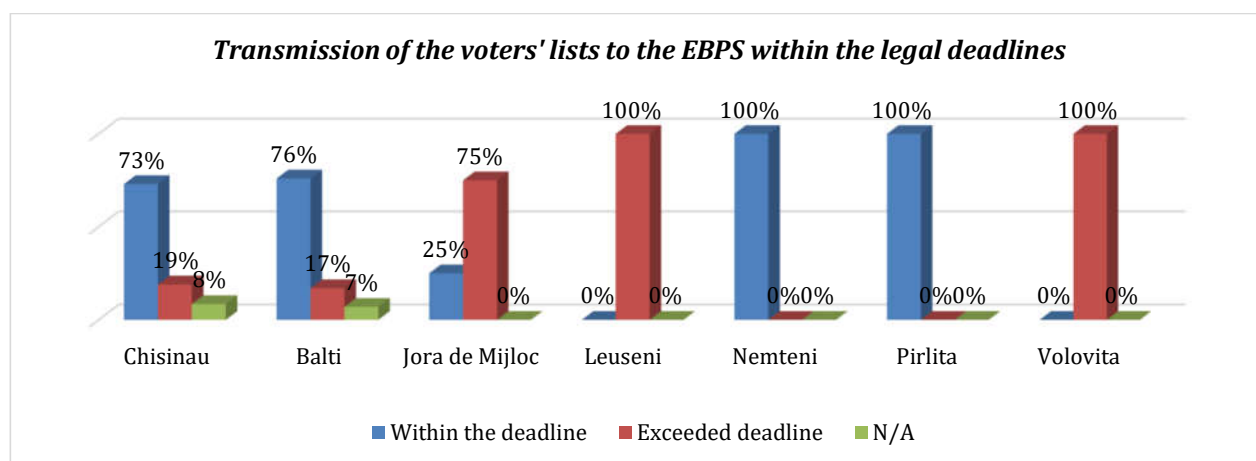
It should be mentioned that in comparison with previous elections, only 6 PSs have changed their headquarters (4 in the municipality of Chisinau: PSs no. 1/137, 1/250, 1/260, 1/261, and 2 in the municipality of Balti: PS no. 2/2 and 2/50).

2.3.5. Verification of voters' lists

According to the provisions of art. 44 par. (9) of the Electoral Code, the CEC shall send the voters' lists to the local public administration authorities at least 22 days before the election day, in 3 official copies, stamped and bearing other signs of protection on each page. Two copies of the lists shall be immediately transmitted to the electoral commission of the polling station and one copy shall be kept in the mayor's office.

In this context, Promo-LEX OM noted the failure to comply with the deadlines set for the transmission of voters' lists to the EBPS in order to ensure that voters could verify the correctness of their preparation, that was the case of at least 75 EBPSs (see Chart 6).

Chart no. 6



Also, according to the data provided by the Promo-LEX observers, obtained in discussions with members of the bureaus, there were deficiencies in the quality and content of the voters' lists in 54 EBPS (see Annex no. 4). Thus, the largest share of deficiencies identified in the voters' lists was the registration of foreign persons at the address of voters (20 EBPSs), incorrect addresses (17 EBPSs) and the presence of deceased persons in the lists (8 EBPSs).

2.3.6. Registration of representatives with the right of a consultative vote

According to art. 15 par. (1) of the Electoral Code, election candidates may appoint to the EBPS a representative with the right of a consultative vote for the period of electoral campaign. Thus, according to the Promo-LEX observers, for the period of the new local elections, 21 representatives with the right

of a consultative vote were registered by the EBPSs (19 in the mun. of Chisinau and 2 - in Volovita). However, the Promo-LEX OM points out that none of the 21 offices has taken a decision in this respect. By analogy, we mention that the CEC approves, by a decision in this respect, the representative of the candidate with the right of a consultative vote.

In the same context, contrary to the legal provisions, on the election day (20 May 2018), Promo-LEX observers reported the case, where the EBPS no. 1/4 Chisinau (Botanica district) issued the ID no. 3 into the name of Mrs. Cretu Eugenia, as a representative of the PDM's electoral contender, provided that the Democratic Party did not nominate any candidate for the position of mayor general of municipality of Chisinau.

Promo-LEX is concerned about the above mentioned case. We consider that by accrediting unauthorized persons to assist in the electoral process undermines the proper conduct of the elections. At the same time, we consider it necessary to regulate the legal terms of the accreditation of the representatives with the right of a consultative vote (the deadline for the electoral bodies to register the representatives of the competitors and the deadline for receiving the registration requests from them).

The ease with which representatives of certain parties are registered without having the status of an election contender is alarming given that the accreditation procedure for observers has become much more difficult.

2.4. Obstruction of Promo-LEX observers by the CC Chisinau and CEC's position with regard to this issue

During the electoral period, the Promo-LEX OM found that obstruction of Promo-LEX observers by CC no. 1 Chisinau has become systemic. CC no. 1 Chisinau prohibited making photocopies of electoral documents from electoral contenders' files or refused to offer copies thereof in the manner provided by the legislation on the protection of personal data.

We have witnessed a differentiated interpretation of electoral legislation by electoral bodies that are to ensure the functionality of the same system. The other CCs either allowed the observers to make photocopies or made the necessary copies by themselves.

In addition, according to the rules of the Electoral Code and the provisions of the CEC Regulations on the activity of electoral bodies and observers, only electoral officials and observers are entitled to "have access to all electoral information". Therefore, if the electoral authorities continue to obstruct the observers' access, we can come to the situation when only electoral officials will know the content of electoral documentation, in this case, of the contenders' files³.

2.5. Appeals

According to the Promo-LEX monitors, the electoral bodies – the CEC and the CCs - have been filed a total of 28 appeals during the electoral period, on the day of the elections, inclusively. Most of the appeals were filed by the PPPDA (5 appeals), PSRM (4 appeals), PUN (3 appeals) and PPCNM (3 appeals). The most contested actions of the electoral contenders were of the PSRM (4), PUN (3) and PPPDA (3).

³ For more details, please consult Report no. 1 on the New Local Elections of 20 May 2018 (p.17) carried out by the Observation Mission https://promolex.md/wp-content/uploads/2018/04/RAPORT-nr.1_MO-Promo-LEX_ALN_20.05.2018.pdf; Report no.2 on the New Local Elections of 20 May 2018 (p.15) carried out by the Observation Mission <https://promolex.md/12226-raport-nr-2-misiunea-de-observare-a-alegerilor-locale-noi-din-20-mai-2018/?lang=ro>

During the period under monitoring, the CEC received 13 appeals, out of which 12 were filed by the electoral candidates, and one by a voter. On the other hand, 15 complaints were filed with the CC, of which 13 with the CC Chisinau, 1- Balti, 1 - Jora de Mijloc.

Table no. 1. Appeal filed with the electoral bodies

Election body that has received the appeal	No.	PPDA	PSRM	PUN ⁴	PPCNM	PDM	PL	PAS	PNL	PPS	Voters	Others ⁵
CEC	13	3	2	2	1	1	1	1	0	0	1	1
CC	15	2	2	2	2	1	0	0	2	2	3	0
TOTAL	28	5	4	4	3	2	1	1	2	2	4	1

In the appeals filed, reference was made to the following **violations**: *failure to reflect all the expenditures in the financial reports (7 appeals), involvement in the electoral campaigning (in any form) of non-citizens of the Republic of Moldova (6 appeals), irregularities in the organization and conduct of the elections (3 appeals), use of financial means originating from abroad (2 appeals), etc.*

Most of the appeals (10) lodged with the CEC **concerned** the decisions of lower electoral bodies, requesting their annulment, in part or in full. In addition to the requests for annulment of the decisions issued by the lower electoral bodies, there were also requests to adopt a decision requiring the court to annul the registration of an electoral contender and complaints containing findings on violations committed on the election day, etc.

Examining the complaints about the alleged violations (including those filed with the CC), it is noted that some of the most frequent appeals in the new local elections of 2018 concern campaigning actions of electoral contenders **involving non-citizens of the Republic of Moldova**, especially on social networks.

Therefore, *in order to elucidate the cases of electoral campaigning on social networks, including involvement of non-citizens of the Republic of Moldova, and to avoid extensive interpretations, we consider it necessary to clearly regulate the activity of electoral campaigning in the virtual space, or to exempt the activity of electoral campaigning performed in the virtual space from the prohibitive rule provided in art. 52 par. (3), as this is a trend which has acquired a specific character.* It should be pointed out that art. 52 par. (10) of the Electoral Code already contains an exception to the electoral campaigning, carried out on the day of elections and the day before the elections, namely, the information that has already been placed on the Internet and the posters that have been previously exposed. It is, therefore, necessary to amend the legal norms in the sense of liberalizing the activity of electoral campaigning in the virtual space.

It should be noted that considering the complaints about the involvement in electoral campaigning of persons from abroad, CC Chisinau decided to warn the election contenders about the necessity to observe the legal provisions during the electoral campaign, even if they state that the examination of violations of art. 52 par. (3) is within the jurisdiction of the court⁶.

Also, in the case of the appeal filed with the CC Chisinau by the PPCNM on 14 May this year, containing a request to send to court a request to cancel the registration of the competitor Ion Ceban on grounds of violation of the provisions of art. 52 par. (3) of the Electoral Code, namely, alleging involvement of foreign

⁴ In the case of PUN, an appeal was simultaneously filed with the CEC and the CC, being examined by both bodies, respectively being considered as 2 separate appeals.

⁵ Appeal filed by Andrei Munteanu against the Decision of the CC Chisinau no. 24 of 25 April, 2018, declining the registration of his candidacy, nominated by the Party of the Progressive Society for the position of mayor of Chisinau.

⁶ Decision of CC Chisinau no. 53 of 16.05.2018; Decision of CC Chisinau no. 54 of 16.05.2018

performers in electoral campaigning activities, who attended the festive concert of 8 May 2018 dedicated to the Victory Day announced as being organized "under the aegis of the President of the Republic of Moldova, Igor Dodon", the CC Chisinau concludes that they cannot be qualified as electoral campaigning actions and rejects the claim as unfounded and unjustified⁷.

Please note that according to art. 75 par. (5) clause d) of the Electoral code, violation of the provisions of art. 52 par. (3) by the electoral contender shall be established by a final court decision. Therefore, there is a **non-uniform practice of settling complaints** with the same demands.

As a result of the above, the CEC is required to take the necessary measures to unify the practice of solving complaints by the lower electoral bodies.

Also, in the new local elections, actions regarding the candidate's failure to include some expenses in the financial report were claimed.

By the Decision no. 52 of the CC Chisinau dated 15 May 2018, in response to the complainant's request to oblige the electoral competitor Silvia Radu to include in her financial reports the expenses related to the coverage of events in the media, the CC Chisinau decided to reject the appeal, referring to the provisions of art. 43 par. (5) and 29 clause g) of the Electoral Code, mentioning the CC's obligation to publish reports on the financing of electoral campaigns and the right to challenge the actions / inactions of electoral contenders to court (Article 71 para. (1) Electoral Code).

We consider that the rejection of the stated request is unjustified, since, according to art. 71 par. (6), appeals concerning the funding of electoral campaigns are filed with the CC, in the case of independent candidates in local elections, and should therefore be resolved by them. Also, the Council itself expressly states that the request derives from the deviations of the alleged coverage of the events, which are under the jurisdiction of the ACC. Therefore, logically and naturally, after the decision of the ACC on the complainant's requests, CC Chisinau had to issue a decision with regard to the submitted requests.

Moreover, examining the financial report, on 17 May 2018, the CC Chisinau issued the Decision no. 58 stating that electoral competitor Silvia Radu complied with the provisions of the Regulation on the financing of electoral campaigns, without mentioning the notification submitted in this regard or without questioning the alleged deviations claimed by the complainant.

Settling the appeals filed, the **CEC adopted 8 decisions** (5 of which were rejected and only 3 were admitted in full or in part), handed down an appeal to the CC Chisinau, returned an appeal as filed by an unauthorized person, replied by letters to 3 appeals.

It is worth mentioning that the **CEC found**, among other things, acting beyond the limit of its powers in the examination of the complaints by the hierarchically inferior electoral bodies, namely, by the CC no. 2 Balti, annulling two judgments issued by the CC Balti.

⁷ Decision of CC Chisinau no. 57 of 16.05.2018

III. PUBLIC ADMINISTRATION

The role of the local public administration (LPA) in the new local elections subject to monitoring was to ensure the organization and conduct of the elections. Promo-LEX OM notes that most LPA met their obligations in the field, contributing to the proper organization of the process.

3.1. Election organization activities involving local public administration (LPA)

During the monitored period, the LPA involved in the following types of activities, provided by the legislation in force, in line with the responsibilities for the organization of the electoral process:

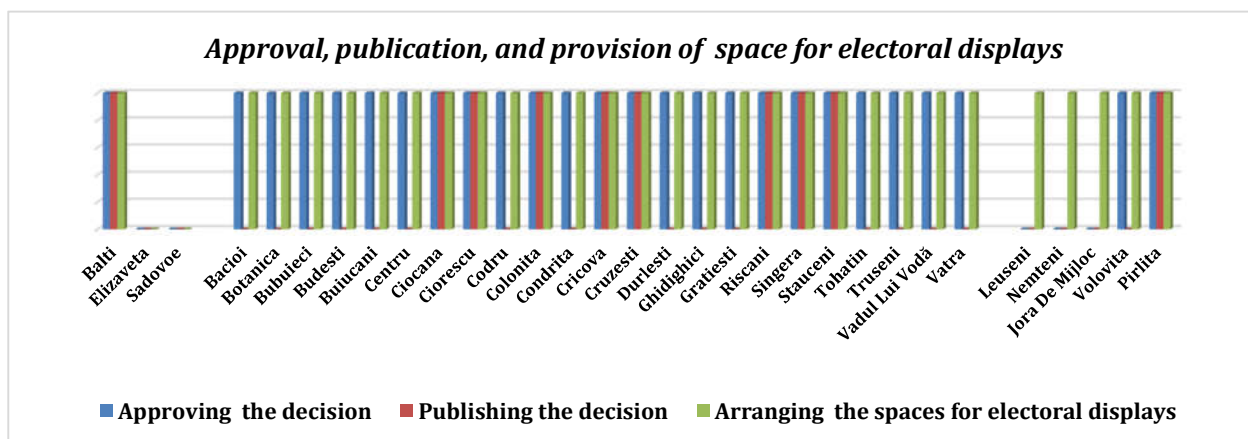
- participating in SRV data verification;
- appointment of members of the CC I and II;
- provision of special places for election displays and meetings with voters;
- participation in the identification of the PS premises, public property;
- appointment of EBPS members.

3.2. Establishing places for electoral displays and meetings with voters

According to art. 52 par. (9) of the Electoral Code, the local public administration authorities are obliged, within 3 days from the start of the electoral period, to identify and guarantee a minimum of special places for electoral displays, a minimum of premises for holding meetings with voters. These decisions / provisions are immediately displayed in the premises of these authorities and are brought to the attention of the subjects concerned through the media, other available means of communication.

The Promo-LEX observers found that out of the 31 LPAs involved, 26 adopted decisions on assigning a minimum of special places for electoral displays, and only 10 of them made the decision public. However, 29 LPAs reported to have provided spaces for the placement of electoral displays (see Chart no. 7).

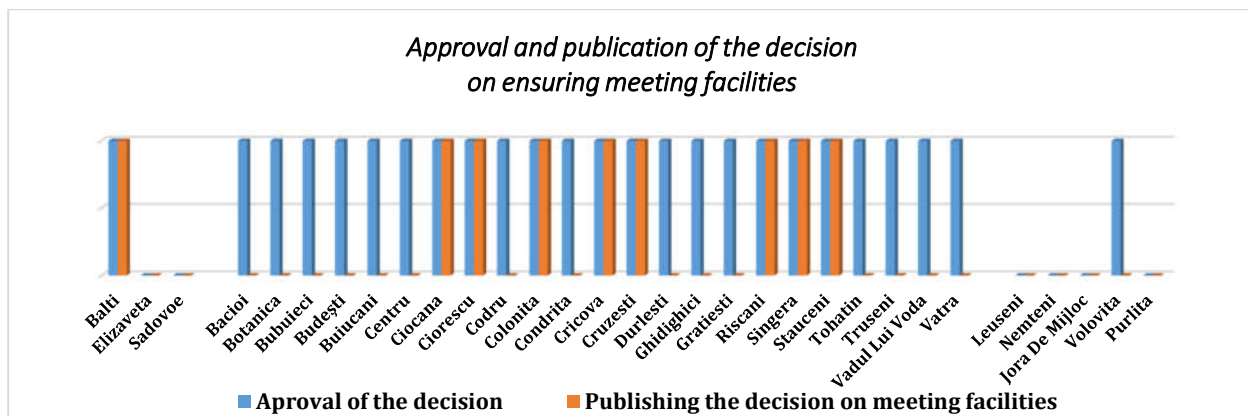
Chart no. 7



According to the provisions of the Regulation on the placement of electoral advertising and political promotion on advertising panels, 1 m² of display space is provided for each electoral contender. Of the total of 29 LPAs that provided spaces for displays, in 9 cases the space allocated was found to be insufficient for all electoral competitors (Tuseni, Cricova, Ghidighici, Ciorescu, Stauceni, Gratiesti, Vatra, Condrita and the Riscani dist.).

In the same context, according to the Promo-LEX observers, only 25 LPAs out of 31 have taken decisions on ensuring special places for candidates' meetings with voters. However, only 9 LPAs made this information public (see Chart no. 8).

Chart no. 8



IV. ELECTORAL CONTENDERS

Electoral contenders were particularly active in the Chisinau constituency. Out of the total of 1028 political / campaigning activities identified, 859 events (83%) fall for the municipality of Chisinau. The most active political party was the PSRM with a share of about 45% (465 activities). The most used promotional tools in the new local elections were those involving direct contact with voters: tents (25%) and meetings with citizens (25%).

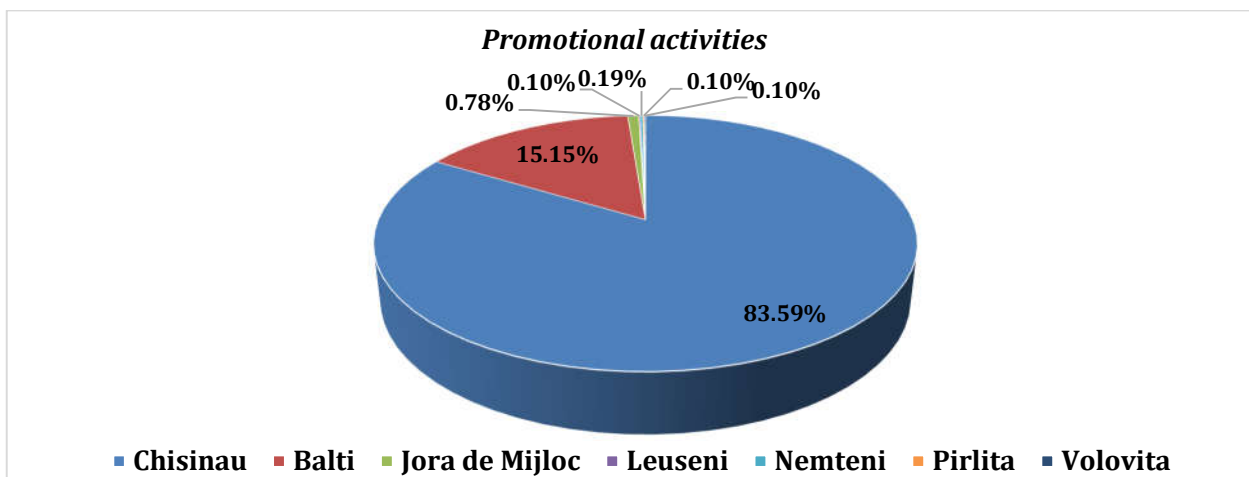
Promo-LEX OM identified 71 cases of misuse of administrative resources. Such a large number is due to the meetings with voters held in public institutions (hospitals, schools, municipal enterprises, etc.) during working hours. Additionally, at least 33 cases that can be qualified as offering of electoral gifts have been reported. Most of them - 13 cases (about 40%) are related to the activity of the PPS, followed by the PSRM (27,27%) and the I.C. Silvia Radu (21,21%).

An important issue for both these elections and subsequent national suffrages is the use of the image of foreign persons in electoral campaigning. If the prohibitions are too broad, inappropriate and practically inapplicable, the legislator may consider the possibility of repealing them. Another issue with perspectives of violating the integrity of the electoral process is campaigning using the image of public authorities, referring to the open support for a certain candidate in the electoral campaign, displayed by the Moldovan President.

4.1. Promotional activities

According to Promo-LEX observers, in the context of the new local elections of 20 May (3 June) 2018, there have been organized at least 1028 political / electoral campaigning activities. Most of the activities were organized in the municipality of Chisinau - 83% or 859 events (see Chart no. 9).

Chart no. 9



Of the total activities, at least 45% (465) were organized by the PSRM; 17% (180) - by the PPPDA, and 9% (92) - by the PPS (see Table no. 2).

The most widely-used promotional tools were the tents (25%), meetings with citizens (25%) and electoral displays (17%).

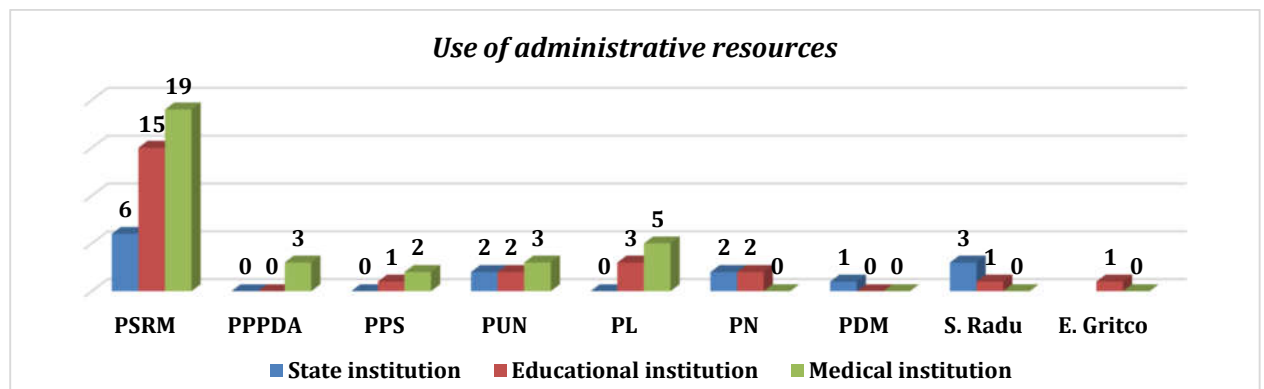
Table no. 2. Campaigning activities

<i>Campaigning event</i>	<i>PSRM</i>	<i>PP PDA</i>	<i>PPS</i>	<i>PUN</i>	<i>PNL</i>	<i>PN</i>	<i>E. Gritco</i>	<i>PDM</i>	<i>PL</i>	<i>PVE</i>	<i>PPDA</i>	<i>PAS</i>	<i>PRSM</i>	<i>PPRM</i>	<i>S. Radu</i>	<i>Total</i>
Press conferences	37	11	6	7	1	1		0	10		2	0	0	1	1	77
Tents	138	57	14	8		3		0				0	0		42	262
Concerts	0	0	9	0				2				0	0			11
Election displays	65	45	2.3	12				2	30			1	1			179
Distribution of electoral materials	57	2	4	6		5		0	11			2	1	10		98
Meetings with citizens	127	31	17	18		17	8	0	19			1	0	4	16	258
Spots / electoral debates / TV shows	22	26	4	15	1	1		0	3	1		7	0	4	1	85
Election gifts	9	2	13	0				2				0	0		7	33
Door to door visits	7	1	1	0				0	3			0	0			12
Automotive march / Flash-mob / protest	0	3	1	0		1		0	1			0	0			6
Telephone / mail surveys	1	1	0	2				0				0	0			4
Sanitation	2	1	0	0				0				0	0			3
Total	465	180	92	68	2	28	8	6	77	1	2	11	2	19	67	1028

4.2. Cases that can be qualified as use of administrative resources

In this regard, the Promo-LEX observers reported 71 situations that can be classified as misuse of administrative resources (see Chart 10 and Annex no. 5).

Chart no. 10



Thus, observers reported:

- 25 meetings with voters organized in educational institutions (high schools, schools, kindergartens) during working hours;
- 14 meetings with voters organized in state enterprises during working hours;
- 32 meetings with voters organized in medical institutions during working hours.

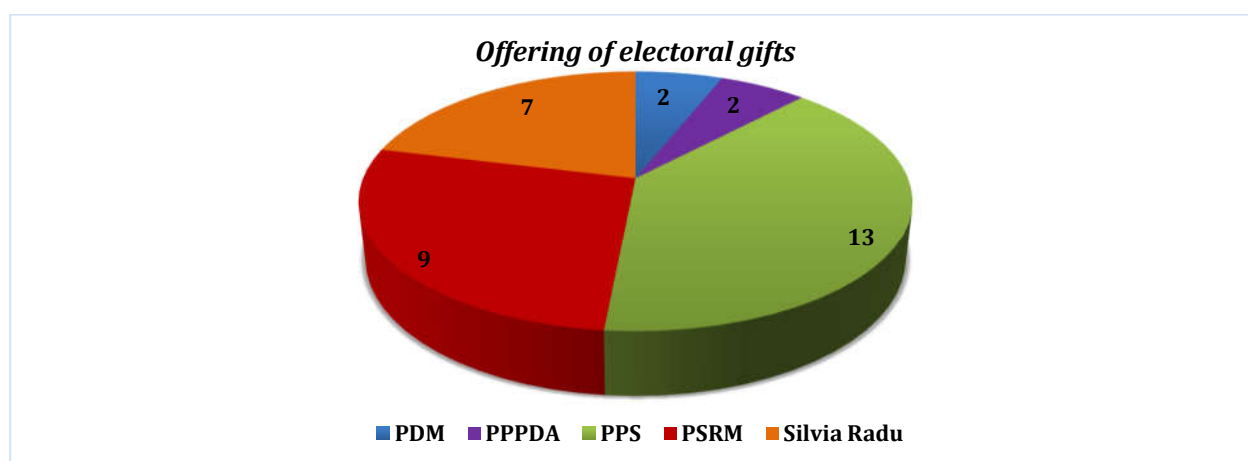
4.3. Cases that can be classified as offering of electoral gifts

According to art. 181¹, par. (1) of the Criminal Code, offering or giving money, goods, services or other benefits in order to determine the voters to exercise their electoral rights in a certain way in the

parliamentary or local elections, or in the referendum is qualified as bribery of voters. According to the same article, clause (3), the category of (electoral) material goods does not include *materials and objects of electoral campaigning, paid from the electoral fund, bearing the name and surname of the candidate, namely, the name of the political party, signs or symbols of the electoral contenders, such as: posters, leaflets, books, postcards, calendars, notebooks, pens, lighters, matchboxes, badges, CDs, DVDs, USB sticks, pennants, flags, bags, shirts, scarves, whose value for a unit does not exceed two conventional units.*

In this respect, the Promo-LEX observers reported at least 33 cases that can be qualified as offering of electoral gifts (see Chart 11 and Annex no. 6). Most of the cases - 13 (about 40%) are related to the activity of the PPS, followed by the PSRM (27,27%) and the I.C. Silvia Radu (21,21%).

Chart no. 11



4.4. Cases that can be described as campaigning using the image of personalities from abroad that are not citizens of the Republic of Moldova

In the new local elections of 20 May (3 June) 2018, at least 5 cases of use of the image of foreigners in electoral campaigning have been reported:

- publishing in social media information about the meeting of the PPPDA candidate in Balti, Arina Spataru, with German Ambassador - Julia Monar (19.04.2018);
- publishing in the social media and on the official website of the PN⁸, information about the meeting of the PN candidate (N. Grigorisin) and independent candidate Elena Gritco with the German Ambassador - Julia Monar (19.04.2018);
- publishing in the social media information about the participation of the PUN candidate for the Chisinau mayoralty, Constantin Codreanu, in the reception organized by Klaus Iohannis, President of Romania, on the occasion of the Day of Europe (09.05.2018);
- posting on the social networks, by the PPPDA candidate (A. Nastase), of a picture alongside the PNL chairman, Ludovic Orban, congratulating him on his birthday;
- online media coverage⁹ of the meeting between the PNL chairman, Ludovic Orban, and the PPPDA candidate (A. Nastase) held in Chisinau on 31.05.2018.

Additionally, the Promo-LEX observers have reported at least 3 other cases, in which images of non-citizens of the Republic of Moldova, supporting the candidacy of Andrei Nastase through messages and

⁸ <http://pnru.md/ru/noutati/zahvat-belckogo-municipalnogo-soveta-pod-strogim-monitoringom-posolstva-germanii/>

⁹ <http://unimedia.info/stiri/foto-partidului-national-liberal--in-frunte-cu-presedintele-ludovic-orban--s-a-intalnit-cu-andrei-nastase-si-maia-sandu-am-discutat-despre-parcursul-european-al-rm-155006.html>

videos appeared in the public space. However, in none of these cases, the Mission could conclusively establish that the competitor involved the above personalities in his election campaigning.

We reiterate the conclusion that the legislator should review the content of these prohibitions so that they become more punctual, more explicit and take account of the general framework, governing the freedom of expression. If the prohibitions are inappropriate and practically inapplicable, the legislator may consider the possibility of repealing them.

4.5. Cases that can be described as campaigning using public authorities' image

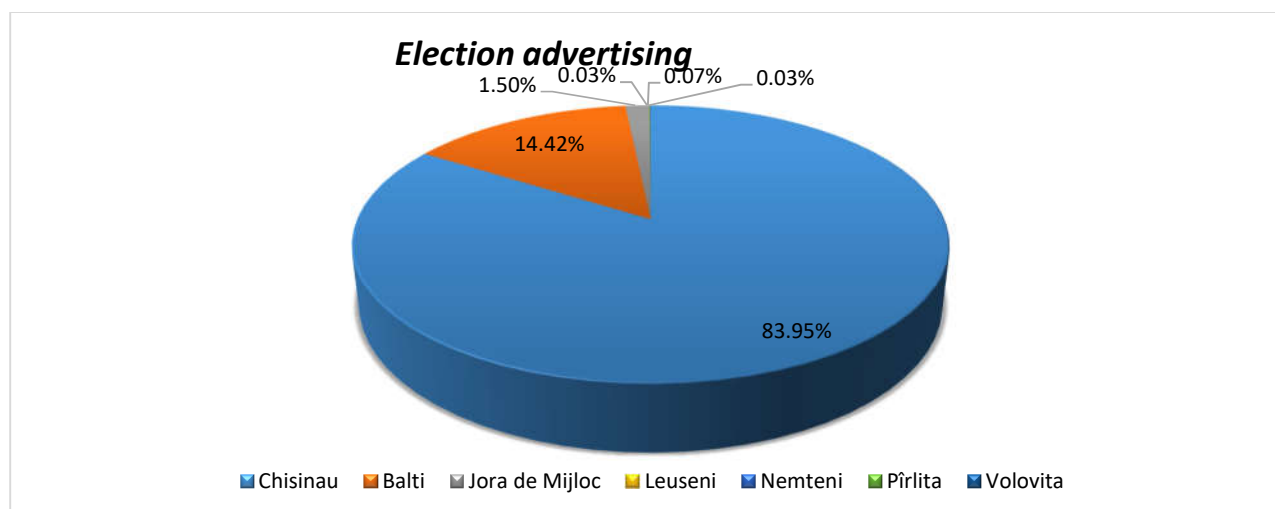
In the new local elections of 20 May (3 June) 2018, it was found that the Moldovan President has repeatedly been involved in electoral campaigning, favoring the PSRM candidate for the position of Mayor of Chisinau Ion Ceban (electoral ads, leaflets, etc.). We remind the reader that art. 52 par. (8) of the Electoral Code stipulates that "images which represent state institutions or public authorities, both from the country and abroad, or from international organizations, cannot be used for the purposes of electoral campaigning. [...]".

At the same time, we would doubt the very possibility of the President of the Republic of Moldova to be supporting an electoral contender, nominated by a political party and to favor it, as long as art. 123 par. (2) of the Electoral Code obliges the president to renounce the membership of any political party before the validation of the mandate. At the same time, it should be mentioned that the Constitutional Court through its Decision on the Control of the Constitutionality of Some Provisions of Art. 112 par. (2) of the Electoral Code (prohibiting the President of the Republic of Moldova to be a party member) no. 35 of 12 December 2017 clearly stated the *role of a "neutral power" of the head of the state and noted "that the obligation of the President to renounce membership of a political party derives from the "duty of ingratitude" towards the party that supported the president in the elections, as in the absence of this obligation, the membership of a party, the image and position of the head of the state could be used for political advantages by the political party whose member the president is and ultimately the presidential institution would be associated with a political party.*

4.6. Street / promotional / online advertising

Promo-LEX observers identified at least 3066 situations, where participants in the new local elections have used these types of advertising in their promotional activity. Most of them (84% or 2574 cases) were used in the municipality of Chisinau (see Chart no. 12).

Chart no.12



In 46% of cases, it is the PSRM advertising, the PPS- 22%, the PL- 13% and the PPPDA- 8% (see Table no. 3).

Table no. 3. Election advertising

Election advertising	PSRM	PPPDA	PPS	PUN	PNL	PN	PL	PPPRS	PAS	PDM	PPRM	S. Radu	Total
Billboards*	125	4	94	5		5	22	0	0	0			255
Street banners*	14	7	39	5	1	1	6	0	0	4	1	2	80
On-line banners	14	13	0	10		1	10	0	0	0			48
Newspapers / brochures	172	9	21	0		3	4	0	0	0	1	17	227
Vests / jackets / bags *	484	0	42	0		5		0	1	0	46		578
T-shirts and caps *	392	140	437	82		28	306	0	3	0	10	71	1469
Posters / flyers / calendars	104	63	27	28			57	2	3	3	12	2	301
Placards	74	0	1	0				0	0	0			75
On-line / written press / web pages	1	4	0	3				0	0	0			8
LED panels / City Light *	17	0	0	0				0	0	0			17
Sponsored pages	0	3	1	3				0	0	0		1	8
Total	1397	243	662	136	1	43	405	2	7	7	70	93	3066

* The table shows the actual number of units reported by Promo-LEX observers. In the case of the PSRM and PPS, the most popular type of advertising were t-shirts, vests, pens, bags, newspapers, leaflets, billboards.

4.7. Cases that can be qualified as use of election advertising in violation of legal provisions

Based on the reports of the Promo-LEX observers, there were 3 cases of use of election advertising, without complying with the requirements for advertising materials and 9 cases of placement of advertising in unauthorized places.

Thus, according to art. 70, par. (6) of the Electoral Code, the electoral contender bears the responsibility for the content of the election advertising materials, broadcast or published. Each item of advertising material shall include the name of the electoral contender, the date of printing, the print run of the material, and the name of the printing house that issued it. Election advertising shall bear the heading "Elections".

However, despite the above, Promo-LEX observers reported at least 3 cases, in which election materials that did not contain information on the date of printing, the print run of the material and the name of the printing house that issued them were disseminated:

- calendars distributed in the municipality of Chisinau by the PPS;
- congratulatory messages on May 9th distributed in the municipality of Balti by the PRSM candidate, Oleg Topolnitchii;
- calendars distributed in the municipality of Chisinau in support of the candidate of the PPRM, Maxim Braila.

At the same time, Promo-LEX monitors reported 9 cases of placement of election advertising in unauthorized places, as follows:

- a banner in support of the PSRM candidate, placed on a store window (Chisinau, Cricova);
- a PPS billboard placed on a block of flats on the bld. Moscow with the slogan "Victory Day", a concert

organized on May12th and funded by the Miron Shal Foundation;

- 2 cases of placement of the PUN electoral displays on fences and bus stations (Buiucani district and the town of Durlesti, Chisinau);
- a case of placement of PL electoral displays on fences (Buiucani district, Chisinau);
- a case of placement of the PPPDA electoral displays on fences (Buiucani district, Chisinau);
- 3 cases of placement of the PSRM electoral displays on fences and blocks of flats (Center, Buiucani and Botanica districts, Chisinau).

V. FINANCING OF ELECTORAL CAMPAIGN

In the electoral campaign, 13 contenders registered revenues of 10 608 701 lei and expenses of 10 585 629 lei; with a final balance of 23,072 lei. The revenues come from donations of individuals – 6 846 193 lei (64.53%); donations of legal entities - 2 172 506 lei (20,48%); other means - 1 590 002 lei (14.99%) and donations in commodities - 174 841 lei. Promo-LEX also notes that an electoral competitor (PN), for the first time ever, indicated, in the heading of donations in commodities / services, the contribution of 115 volunteers / observers made on the election day (round I) in the amount of 28 585 lei.

According to the reports submitted to the CEC, the largest share of expenditures declared by election contenders was for advertising and promotional materials, in the amount of 6 990 110 lei (95%). The other 5% or 440 775 lei constituted expenses for events and electoral meetings, transportation of persons and goods, additional maintenance costs and bank fees.

The Mission's findings indicate that, in the current elections, the practice of not declaring of all the contenders' expenses in the financial reports submitted by them to the CEC continued. According to the field observations, the Promo-LEX OM found that the candidate from the PPS in Jora de Mijloc, Orhei district, exceeded by almost three times the legal level of revenues for the respective constituency – 93 504.18 lei, with estimated expenses of at least 256 200 lei. At the same time, the total estimated amount for undeclared expenses amounts to 2 146 070 lei for 11 election contenders (both in round I and II): the PAS – 720 lei; the PDM – 8 227 lei; the PN – 11 405 lei; the PNL - 16 186 lei; the PPRM - 21 793 lei; the PUN - 59 829 lei; the PPPDA - 145 522 lei; the PL - 172 749 lei; I.C Silvia Radu - 180 390 lei; the PPS - 391 789 lei; the PSRM - 1 137 460 lei.

5.1. Budget of the Central Election Commission for the New Local Elections of 2018

According to the decision no. 1448 on the approval of the cost estimates for organizing and holding of the new local elections for the position of mayor general of the municipality of Chisinau and mayor of the municipality of Balti of 20 May 2018 (including round II), the CEC's budget was set at 22 516 630 lei¹⁰ for 375 polling stations (about 60 044 lei per PS). By comparison, in 2015, the cost estimates for general local elections were 44 406 900 lei¹¹ for 1981 polling stations (about 22 416 lei per PS).

5.2. Regulating the financing of electoral campaign

5.2.1. Legal framework

Funding of the electoral campaign is regulated by the Electoral Code, Law no. 249 on political parties and the CEC Regulation on the financing of electoral campaigns, adopted by the CEC Decision no. 3352 of 4 May 2015.

5.2.2. Electoral funds and treasuries

According to art. 41 par. 2 (a) of the Electoral Code, in order to finance the electoral campaign, each electoral competitor has to open a bank account with the mention "Electoral Fund", to which their own financial means and those received from individuals and legal entities from the country will be transferred. According to art. 41 par. 2 a) of the Electoral Code, the electoral competitor shall announce the CEC about the person responsible for its finances. The "Electoral Fund" account may be opened prior to the registration of the electoral competitor, provided that any transactions with this account are made only after the registration of the electoral competitor; according to the same article, par. 2) c) the

¹⁰ http://www.cec.md/files/files/1448devizcheltuieli_251976.pdf

¹¹ https://promolex.md/wp-content/uploads/2016/06/doc_1432883349.pdf

electoral competitor, who does not open a bank account with the mention "Electoral Fund" shall inform the Central Election Commission about this and undertake to carry out only campaigning activities that do not involve financial expenses.

According to the data published on the official pages of the LPA II¹²¹³ and the official page of the CEC¹⁴, Promo-LEX OM found that by 11 May 2018, out of 16 registered electoral contenders, 15 confirmed their treasurers to the CEC and CC (the PPCNM, PPPDA, PL, PPS, PSRM, PDM, PN , I.C. Silvia Radu, I.C. Elena Gritco, PNL, PPRM, PUN, PAS, PRSM, PPDA) and only 12 (PPPDA, PL, PPS, PSRM, PDM, PN, C.I. S. Radu, PPNL, PPRM, PUN, PAS) opened an "Electoral Fund" account (see Table no.4). We mention that two competitors - PPCNM and PVE - could not open an Electoral Fund account on the grounds of certain inconsistencies claimed by the banking institutions in the content of the submitted documents, given that the electoral body had no objection to the set of documents submitted.

Table 4. Appointment of Treasurers and Opening of "Electoral Fund" accounts

Political affiliation of the candidates	No. of candidates in the elections	Date of candidate's registration		Date of treasurer's confirmation by the CEC/CC I	Date of opening of the "Electoral fund" accounts
PPCNM	1	10.04.2018		24.04.2018	-
PPPDA	3	11.04.2018		17.04.2018	18.04.2018
PL	1	11.04.2018		24.04.2018	18.03.2018
PPS	3	11.04.2018		17.04.2018	12.04.2018
PPDA	1	11.04.2018		15.05.2018	Application
PSRM	6	12.04.2018		17.04.2018	12.04.2018
PDM	5	13.04.2018		17.04.2018	18.04.2018
PVE	1	17.04.2018		-	Application
PN	1	21.04.2018		24.04.2018	18.04.2018
PNL	1	21.04.2018		04.05.2018	03.05.2018
PPRM	1	21.04.2018		04.05.2018	04.05.2018
PRSM	2	21.04.2018		15.05.2018	25.04.2018
PUN	2	21.04.2018		04.05.2018	03.05.2018
PAS	1	21.04.2018		04.05.2018	26.04.2018.
I.C. Silvia Radu	1	21.04.2018		24.04.2018	27.04.2018
I.C. Gritco Elena	1	24.04.2018		01.05.2018	Application
Total	31	x		x	x

According to our findings, although the first electoral competitor was registered on 10 April 2018, the CEC did not create a special heading on its official page for the publication of reports and financial documents of the campaign by 17 April 2018 and only when Promo-LEX published its first intermediate report, it was created. Under these circumstances, the Promo-LEX OM drew the authorities' attention to the breach of legislation by those competitors, who entered the race without opening accounts. They either incurred expenses outside the "Electoral Fund" account, or these expenses were not reflected due to the negligence of the CEC, which did not publish this data.

5.2.3. Maximal revenue collection ceiling

According to art. 41 par. (2) d) of the Electoral Code, as well as the CEC Decision no. 1488 of 30 March 2018 on the establishment of a general ceiling for the financial means that can be transferred to the

¹² Official page of the LPA II Chisinau, <https://bit.ly/2w10Gi4>

¹³ Official page of the LPA II Balti, <https://bit.ly/2I5nMc1>

¹⁴ Official page of the CEC, heading Decisions, <https://bit.ly/2Kwfb0u> and Financial support of the election campaign <https://bit.ly/2HI1Fco>

“Electoral Fund” account of the electoral contender, participating in the new local elections of 20 May 2018, a coefficient multiplied by the number of voters in the constituency, in which the new local elections take place, shall be taken as the basis for the calculation. The average salary in the country for the year preceding the year of the new local elections – 2017 was taken as a reporting basis, the coefficient size being 0.5% of the average salary (5 697.10 lei)¹⁵.

The ceilings in the table no. 5 have been calculated by multiplying the coefficient of 28.49 lei (0.5% of the average salary in the country in 2017 or 5 697.10 lei) by the number of voters in the 7 CCs - 2 CCs of level II and 5 CCs of level I (see Table no. 4. Maximum revenue collection ceilings per constituency).

According to the Promo-LEX OM, the current calculation basis is applied to independent candidates as well, thus, the established ceilings for financial means place them in the same conditions with candidates representing political parties.

Table no. 5. Maximum revenue collection ceilings per constituency

No.	Constituency	Registered candidates	Ceiling coefficient, lei	No. of voters	Maximum ceiling set, lei
1.	Municipality of Chisinau	PSRM, PPPDA, PL, PPS, PPDA, PPCNM, PVE, PNL, PPRM, PRSM, PUN, I.C. Silvia Radu	28,49	632687	18 025 252,63
2.	Municipality of Balti	PSRM, PPPDA, PPS, PN, PUN, PAS, PRSM, I.C. Elena Gritco	28,49	105340	3 001 136,60
3.	Leuseni, Hincesti dist.	PDM, PSRM	28,49	1858	52 934,42
4.	Nemteni, Hincesti dist.	PDM, PSRM	28,49	1489	42 421,61
5.	Jora de Mijloc. Orhei dist.	PDM, PPS, PSRM	28,49	3282	93 504,18
6.	Volovita, Soroca dist.	PDM	28,49	1646	46 894, 54
7.	Pirlita Ungheni dist.	PDM	28,49	4376	124 762,24

5.2.4. Submission of the report on financial means existing in the party's account as of the beginning of the electoral period

According to art. 43 par. (7) of the Electoral Code, as of the date of commencement of the electoral period, political parties intending to register as electoral contenders and to transfer to the Electoral Fund account their own financial means, held in their accounts, are obliged to submit to the CEC a financial report, drawn up in accordance with the model set out by the Commission in par. (1), art. 43.

The Promo-LEX OM notes that only on 19 April 2018, 6 parties (PPS, PL, PPPDA, PSRM, PDM, PPCNM) submitted reports on their own financial means accumulated prior to the beginning of the electoral period - 20 March 2018, indicating revenues, expenses, and donors¹⁶.

5.3. Financial reporting of electoral contenders

According to art. 43 par. (1) of the Electoral Code, in the electoral campaign, political parties and electoral blocs, initiative groups, as well as independent candidates in the case of parliamentary and presidential elections, undertake to submit to the CEC, within 3 days from the opening of an “Electoral Fund” account and, subsequently, on a weekly basis, a report on the financial means accumulated and on expenses

¹⁵ According to the data of the National Bureau of Statistics, the average salary in the country in 2017 was 5697.10 lei

¹⁶ Reports on financial means on the party's account as of the beginning of the electoral period, <https://bit.ly/2HGxJND>

incurred in the electoral campaign, both in electronic format and on paper, bearing the signature of responsible persons. The model of the report is approved by the CEC. Independent candidates in the local elections shall present to the relevant constituency council, within 3 days from the opening of the "Electoral Fund" account, and every two weeks thereafter, reports on the revenues accumulated and the expenditures incurred during the electoral campaign, according to the model report, approved by the CEC. According to art. 43, par. 4 of the Electoral Code and point 18 of the Regulation on the Financing of Electoral Campaigns, the reports received by the CEC are to be placed within 48 hours of receipt on the CEC's website.

The Promo-LEX OM notes that over the entire electoral campaign¹⁷, 2 contenders out of 16 registered filed 8 weekly reports each on campaign financing (round I and II) (PPPDA, PSRM). Two others submitted 6 weekly reports each (PL, PPS). Four competitors submitted 4 reports each (PN, PAS, PDM, PUN). Three competitors submitted three weekly reports (PPRM, PNL, I.C. Silvia Radu). Two competitors submitted 2 weekly reports (PDA, PRSM) and 2 other competitors filed applications declaring no expenses incurred (PPCNM, PVE). At the same time, it is worth mentioning that 7 competitors (PPPDA, PDM, PL, PN, PSRM, PPS, PAS) have complied with the legal norm to submit primary reports, within 3 days of the opening of the Electoral Fund account.

According to the Promo-LEX OM, the CEC published in due time the reports submitted after 20 April 2018 and delayed the publication of the first reports that had to be submitted immediately after the opening of the "Electoral Fund" account.

Promo-LEX notes the failure to comply with the requirement to present the aggregate reporting by two electoral contenders (PPS and PSRM). In the case of the PPS¹⁸, the aggregate report presented on 18 May provides reporting for only 2 weeks, thus failing to reflect the entire campaign. In the case of the PSRM¹⁹, neither the aggregate report for the financing of round I nor the final report for funding of round II reflects all the revenue and expenditure shown in the weekly reports submitted to the CEC during the electoral campaign.

5.4 Electoral contenders' revenues and the expenses reflected in the reports on the financing of electoral campaign

5.4.1. Sources of funding declared in the weekly reports

According to the reports for the 6 weeks of the campaign, including the second round, the volume of the revenues declared by 13 competitors for the period of 13 April - 1 June 2018 is 10 608 701 lei and the amount of expenses is 10 585 629 lei, the final balance being 23 072 lei.

Thus, the PPS accumulated 2 721 300 lei, PSRM - 3 875 945 lei, PL - 1 772 506 lei, PPPDA - 552 030 lei, PN - 622 329 lei, PDM - 74 010 lei, PPRM - 29 160 lei, PRSM - 20 600 lei, PNL - 2 500 lei, PPDA - 4 000 lei, PAS - 11 734 lei, PUN - 625 555 lei, I.C. Silvia Radu - 297 032 lei. The total amount of the revenues declared represents 57% of the ceiling, set for a single electoral competitor in the municipality of Chisinau, which represents 18 025 253,63 lei. According to the reports, submitted to the CEC, no competitor has exceeded the maximum set by the Central Election Commission in any constituency²⁰. The revenues of the electoral contenders were made up of:

- donations of individuals in the amount of 6 846 193 lei;
- donations of legal entities in the amount of 2 172 506 lei;
- other means in the amount of 1 590 002 lei;

¹⁷ Reports on the financing of election campaign for the New Local Elections 2018, <http://cec.md/index.php?pag=page&id=2124&l=ro>

¹⁸ <https://bit.ly/2v1rT11>

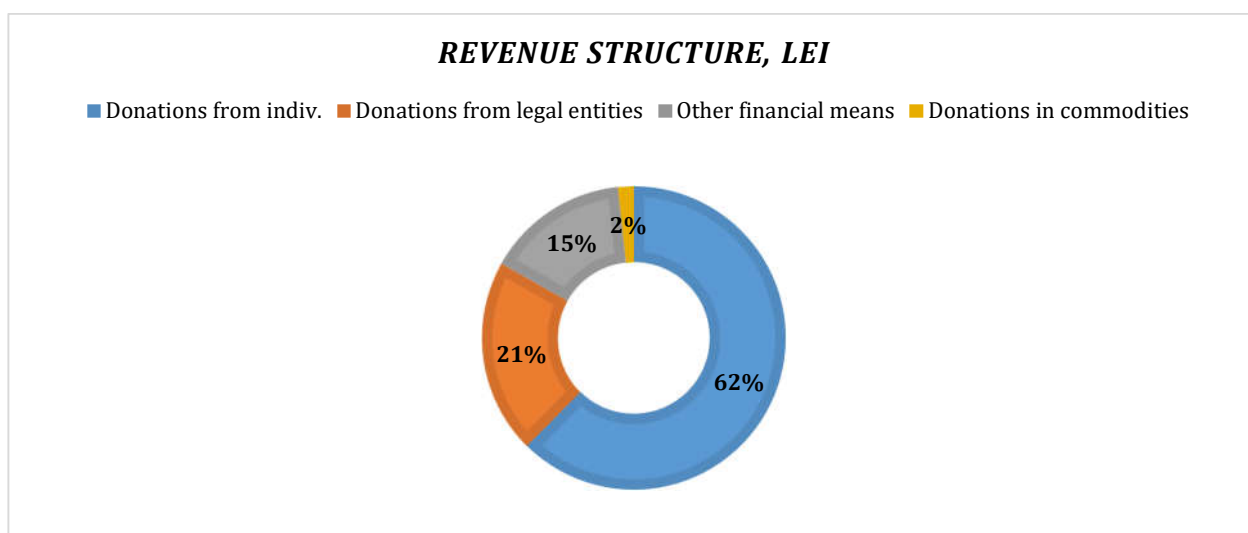
¹⁹ <https://bit.ly/2xvE6yz>

²⁰ OM Report no. 1 on the New Local Elections of 20 May 2018, p. 30, Chart. 11, <https://bit.ly/2HNwLen>

- donations in commodities worth 174 841 lei.

At the same time, 3 competitors (the PN, PRSM, PUN, PPPDA, I.C. Silvia Radu, PAS) registered material donations amounting to 174 841 lei, of which an electoral competitor (PN) for the first time in the history of reporting on the financing of electoral campaigns in the Republic of Moldova indicated in the heading of donation in goods / services, the contribution of 115 volunteers / observers in the amount of 28 585 lei made on the election day (round I) (see Chart no.13).

Chart no. 13



Referring to the legal norm on the ceiling of donations made by legal entities²¹, which cannot exceed 100 average salaries for the current year, in this case, 615 000 lei²², the Promo-LEX OM notes that during the reporting period, 2 electoral contenders (the PSRM and PL) registered transfers from the party account to the Electoral Fund account exceeding the ceiling of donations from legal entities. These transactions can be qualified as donations from the party (a legal entity) and presume violation of the donation limit by the legal entity. The Promo-LEX OM reminds you that, according to art. 75 of the Electoral Code, for the violation of electoral legislation, the CEC and constituency councils has the authority to apply to the candidates a range of sanctions²³.

With this regard, on 8 May 2018, the candidate of PAS lodged with the CEC an application, registered under no. CEC-9 / ALN2018/5. Following the examination of the application in the CEC's meeting of 15 May 2018, the Authority adopted the Decision no. 1630, by which it considered the contestation to be unfounded, and therefore, rejected it. However, the Promo-LEX OM considers that, in the absence of

²¹ Art. 41, par. (2), clause e) of the Electoral Code stipulates that the ceilings for donations from individuals and legal entities to the "Electoral Fund" account for an election campaign are of 50 and 100 monthly average monthly salaries for the current year.

²² According to the Decision no. 54 of 17.01.2018 on the approval of the average monthly salary per country, projected for 2018, it is 6 150 lei.

²³ a) warning; b) cancellation of the registration of the initiative group; c) initiation of contraventional proceeding according to the legislation; d) depriving the candidate of the allocations from the state budget, as a main or complementary sanction; e) requesting the cancellation of the electoral contender's registration.

(5) Cancellation of the registration shall be applied at the request of the Central Election Commission, and in the case of local elections, and at the request of the constituency council, by a final court decision finding: a) the use by the electoral contender of financial and material funds not declared or exceeding expenditures over the ceiling of funds available on the Electoral Fund account;

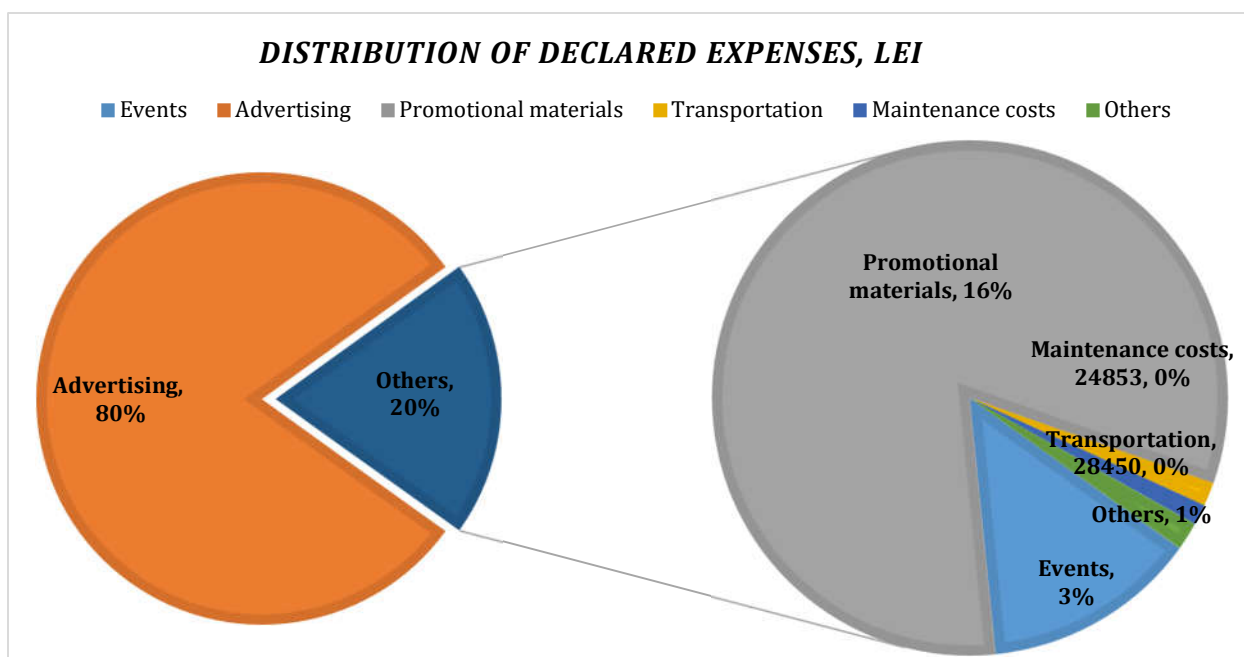
precise rules on the limitation of donations from legal persons, i.e. from political parties in support of the candidates nominated by them, the Mission qualifies them as a donations made by a legal entity.

According to the analysis made by the Promo-LEX OM, 4 electoral contenders (PUN, PPS, PPPDA, I.C. Silvia Radu) recorded donations marked as "large" - from 75 thousand to 1 million lei. PUN - from 2 funders, individuals, PPS - 15 funders, PPPDA - 1 funder, I.C. Silvia Radu - 1 funder. These funders fall under the scope of point 20 of the CEC Regulation on financing of electoral campaign, in this case, the need for the State Tax Service (STS) to check the source of the financial donations made to the accounts of electoral competitors. According to the Decision no. 1706 of 19 June on the financial statements of electoral contenders in the electoral campaign of the new local elections of 20 May and 3 June 2018²⁴, the CEC asked the State Tax Service to verify the origin of the financial contributions made in the form of donations, exceeding 75 000 lei, received by 3 electoral contenders - PPS, PPPDA and PUN. It is worth mentioning that the I.C. Silvia Radu, being a funder herself, was not summoned because her reports were verified by the CC Chisinau.

5.4.2. Expenditures reported in weekly reports

The largest share of expenditures declared by electoral competitors fell for advertising and promotional materials, in the amount of 6 990 110 lei or 95% of the total expenses incurred. The other 5% or 440 775 lei were the expenses for events and electoral meetings, transportation of persons and goods, additional maintenance costs and bank fees (see Chart no. 14)

Chart no. 14



a. Expenses for organizing meetings and events

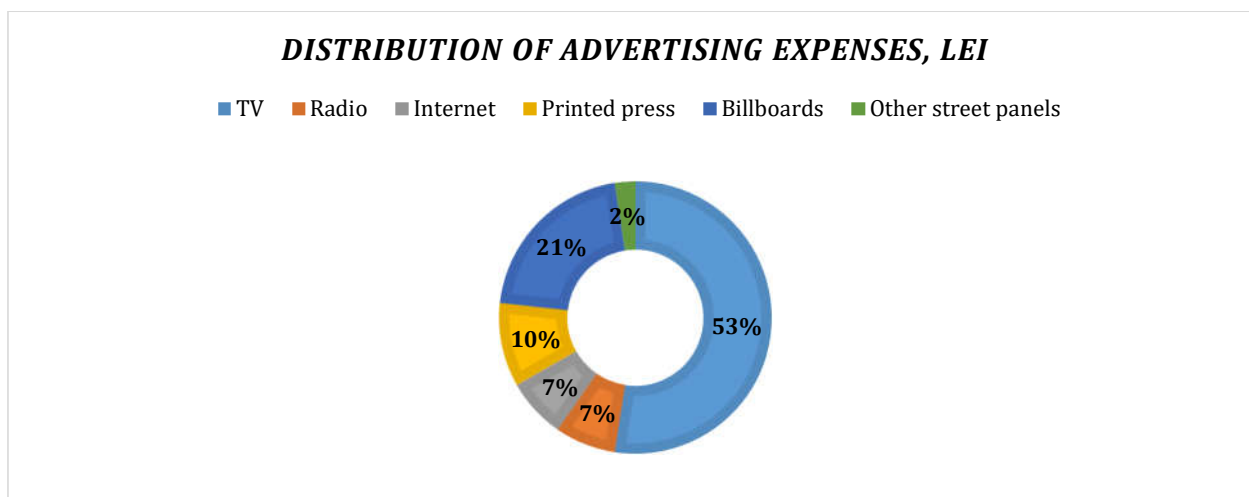
According to the financial reports, 7 electoral contenders reflected expenses in the amount of 336 248 lei for organizing meetings and events: the PPD - 204 167 lei; PPPDA - 19 033 lei; PDM - 57 142 lei; PN - 45 500 lei; PL - 6 048 lei; PPRM - 3 865 lei; PNL - 300 lei; PSRM - 193 lei.

²⁴ Decision no. 1706 on the financial statements of electoral contenders in the electoral campaign of the new local elections of 20 May and 3 June 2018, <https://bit.ly/200Yuz3>

b. Advertising expenses

According to the financial reports, 10 electoral contenders reflected advertising expenses in the amount of 6 899 401 lei: PDM - 8 058 lei; PPPDA – 187 551 lei; PL -9 000lei; PPRM – 9 000 lei; PN - 479 720 lei; PRSM – 17 650 lei; PPS - 2 371 533 lei; PUN - 499 476 lei; PSRM - 2 622 260 lei, I.C. Silvia Radu - 39 448 lei (see Chart no.15).

Chart no. 15



c. Expenses on promotional materials

According to the financial reports, 13 electoral contenders reflected expenditures for promotional materials in the amount of 1 241 762 lei: PL - 318 996 lei; PPPDA - 328 245 lei; PPS – 96 640 lei; PSRM – 40 070 lei; PN – 50 410 lei; PDM – 8 658 lei; PPRM - 16 220 lei; PUN – 122 500 lei; PRSM – 2 900 lei; PNL – 2 000 lei; PAS - 11 722 lei, I.C. Silvia Radu - 242 401 lei, PPDA - 3 000 lei.

d. Expenses on transportation of persons and goods

According to the financial reports, only 3 electoral contenders reflected expenses in the amount of 43 450 lei for electoral trips in the Republic of Moldova: PPS – 13 450 lei; PSRM – 15 000 lei, I.C. Silvia Radu – 15 000 lei.

e. Expenses on public opinion polling services

According to the financial reports, no electoral competitor reflected spending on public opinion polling services.

f. Additional maintenance costs

According to the financial reports, only one electoral contender reflected additional maintenance costs in the amount of 24 853 lei.

k. Other expenses

According to the financial reports, 13 candidates reflected other expenditures in the amount of 51 357 lei: the PDM - 125 lei, PPPDA - 17 193 lei, PL - 10 lei, PPRM - 35 lei, PN - 21 699 lei, PRSM – 50 lei, PNL - 19 lei, PAS - 6 lei, PPS – 10 830 lei, PUN - 579 lei, PSRM - 652 lei, PPDA - 27 lei, I.C. Silvia Radu - 132 lei.

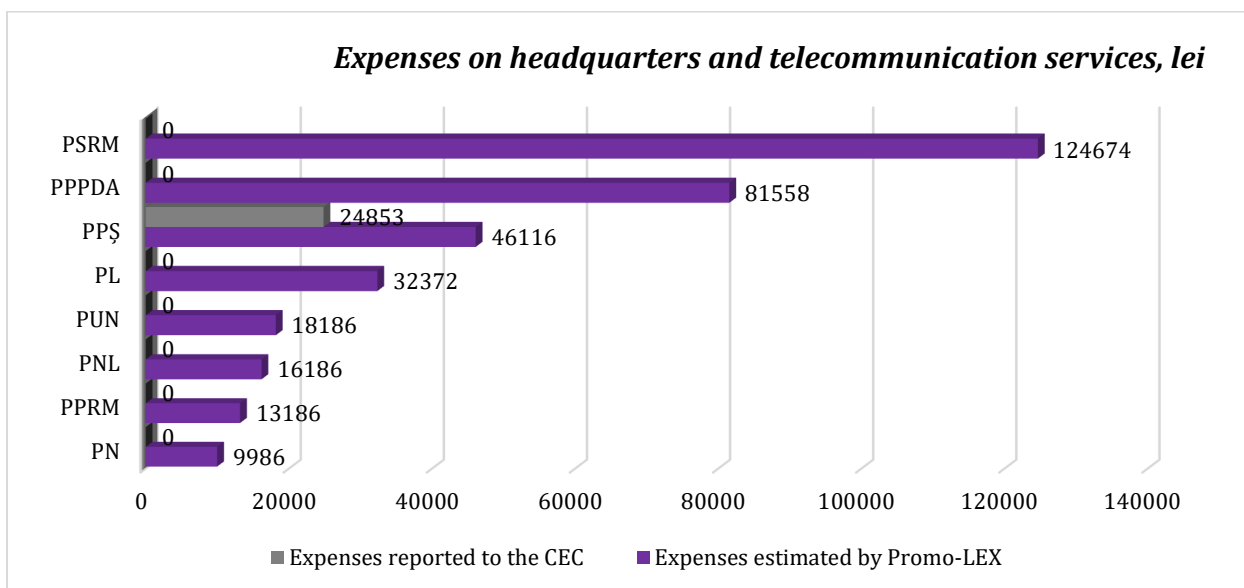
5.5 Expenses of the electoral competitors ascertained and estimated by Promo-LEX that were not reflected in the financial statements²⁵

²⁵ The calculation methodology is presented in Annex 7.

a) Additional maintenance costs (headquarters and telecommunication services)

According to the Promo-LEX findings, only one electoral competitor reported maintenance expenses (PPS) in the amount of 24 853 lei. For 24 headquarters of 8 electoral candidates, the Promo-LEX observers estimated a minimum amount of 342 264 lei, at the same time, electoral contenders reported to the CEC 24 853 lei. Comparing the estimated data to the reported data per party, we found that 7 electoral competitors did not report any expenses for this budget line. Thus, the NP did not report at least 9 986 lei; PPRM – 13 186 lei; PNL – 16 186 lei; PUN – 18 186 lei; PL – 32 372 lei; PPS- 21 263 lei; PPPDA – 81 558 lei; PSRM - 124 674 lei (see Chart no.16).

Chart no. 16

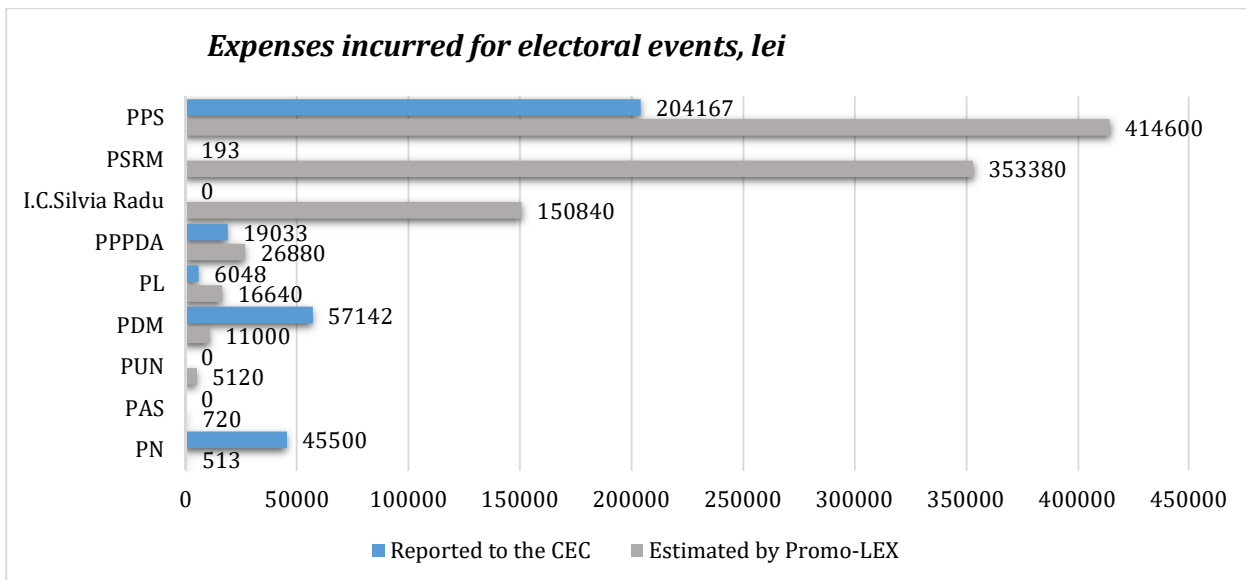


b) Expenses on public events and their coverage

According to the Promo-LEX observers, at least 9 electoral contenders (the PPS, PDM, PSRM, PPPDA, PUN, PL, PNP, I.C. Silvia Radu, PAS) have incurred expenses to organize at least 50 press conferences, 11 concerts using mobile stages, sound and lighting systems, 5 entertainment events for children with the involvement of animators and offering of food, 6 sports competitions, free medical consultations, sanitation services, landscaping services, festive dinners, electoral gifts. At least 18 performers, 14 animators and 12 moderators were involved in the events. According to the Promo-LEX estimates, the total amount of expenses for the organization and coverage of the events is at least 979 693 lei, while the total expenses reported by the 7 electoral contenders is 332 084 lei. Thus, the PAS did not reflect at least 720 lei; PUN - 5 120 lei; PL – 10 591.65 lei; PPPDA -7 847 lei; I.C. Silvia Radu – 150 840 lei; PSRM - 353 187 lei; PPS - 210 432.62 lei (see Chart no. 17).

The Promo-LEX OM reminds that, according to its estimates, the PPS candidate from Jora de Mijloc, Orhei dist., made expenses of at least 256 200 lei, thus exceeding by almost 3 times the maximum ceiling established for the respective constituency of 93 504,18 lei.

Chart no. 17

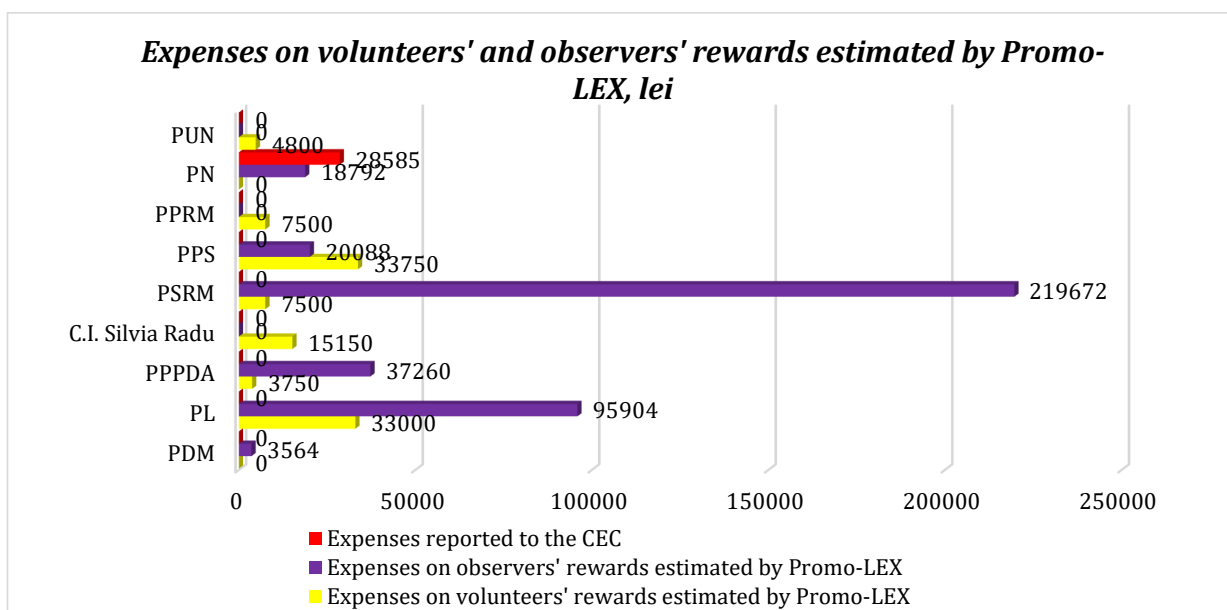


b) Expenses on volunteers' / agitators' rewards²⁶

According to the estimates of Promo-LEX OM, the total estimated reward for 733 volunteers / agitators for a day of electoral agitation is at least 105 450 lei, while for 1220 observers involved on the day of elections (Round I and II) is at least 376 488 lei. Thus, the PDM did not report at least 3 564 lei; PL – 128 904 lei; PPPDA – 41 010 lei; I.C. Silvia Radu - 15 150 lei; PSRM - 227 172 lei; PPS - 53,838 lei; PPRM – 7 500 lei; PUN – 4 800 lei (see Chart no.18).

Chart no. 18

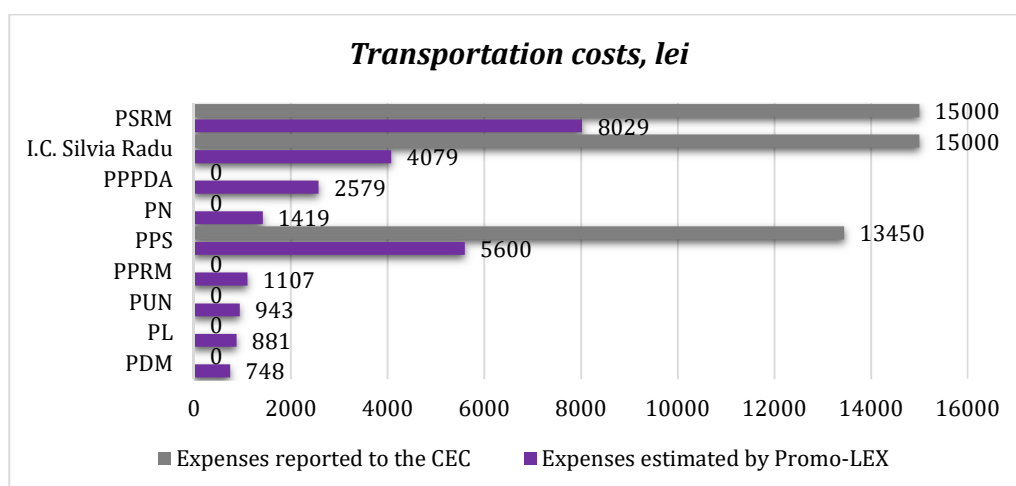
²⁶ Promo-LEX OM reminds that, according to art. 43, par. (10) of the Electoral Code, [...] all volunteer actions [...] performed during the electoral campaign in favor of a candidate or an electoral contender shall be assessed by [...]the electoral competitor and shall be mandatory indicated in the financial report according to the procedure established by the regulation approved by the CEC.



c) Transportation costs

Promo-LEX observers reported the use of cars, minibuses and coaches in the Republic of Moldova for electoral purposes by at least 9 competitors. Only 3 of them indicated such expenditures in the reports submitted to the CEC (the PSRM, I.C. Silvia Radu and PPS), others failed to report a cumulative amount of at least 8 559 lei: the PDM - 748 lei, PL - 881 lei, PUN - 943 lei, PPRM - 1 107 lei, PN - 1 419 lei, PPPDA - 2 579 lei) (see Chart no. 19).

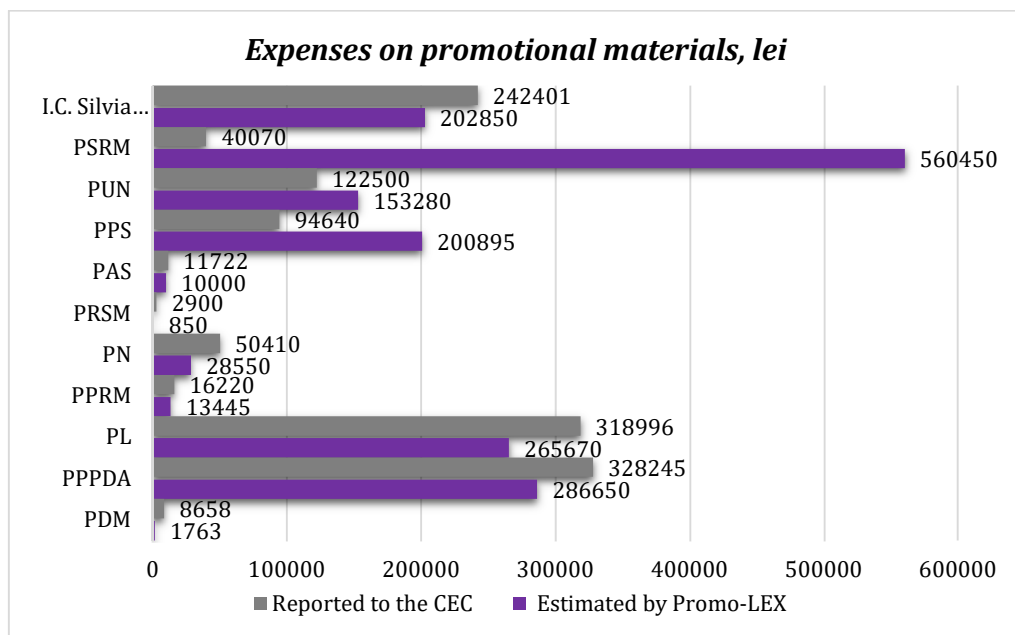
Chart no. 19



d) Expenses on promotional materials

According to the Promo-LEX observers, 3 competitors failed to reflect certain expenditures on promotional materials in their financial reports submitted to the CEC (the PPD - 106 255 lei, PUN - 30 780 lei, PSRM - 520 380 lei). Having compared the expenditures reported to those estimated by Promo-LEX, the estimated unreported expenses on promotional materials are at of least 657 415 lei (see Chart no.20).

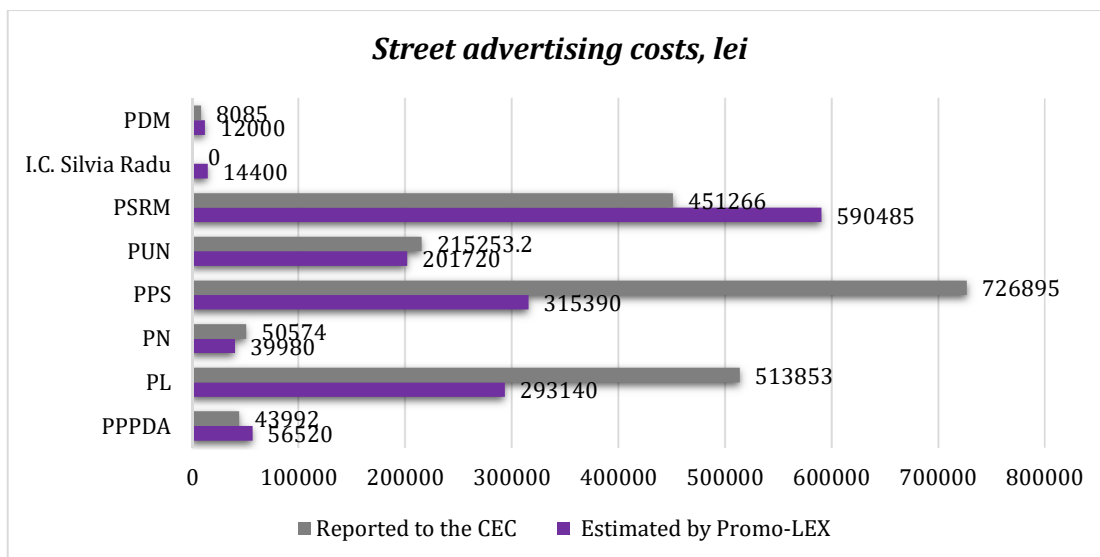
Chart no. 20



e) Street and mobile advertising costs

According to the findings of the Promo-LEX OM, at least 8 competitors (PSRM, PPS, PL, PPPDA, PUN, I.C. Silvia Radu, PN, PDM) incurred expenses on street billboards. According to the estimates of the Promo-LEX OM, 4 competitors did not fully reflect their street advertising spending. The competitors concerned are the following: the PSRM, which did not reflect at least 139 219 lei, PPPDA – 12 528 lei, PPP – 134 610 lei, I.C. Silvia Radu – 14 400 lei, PDM – 3 915 lei (see Chart no.21).

Chart no. 21

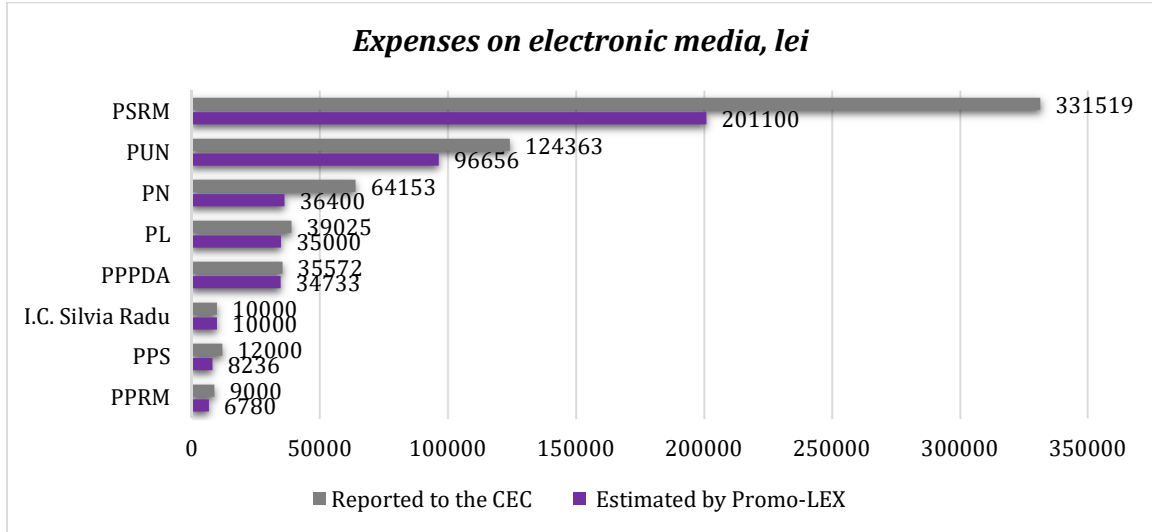


f) Internet advertising costs

The Promo-LEX OM found cases of online advertising - sponsored pages in the Facebook social network and online banners on several portals in favor of 8 electoral contenders (PSRM, PL, PN, PPPDA, PUN, I.C.

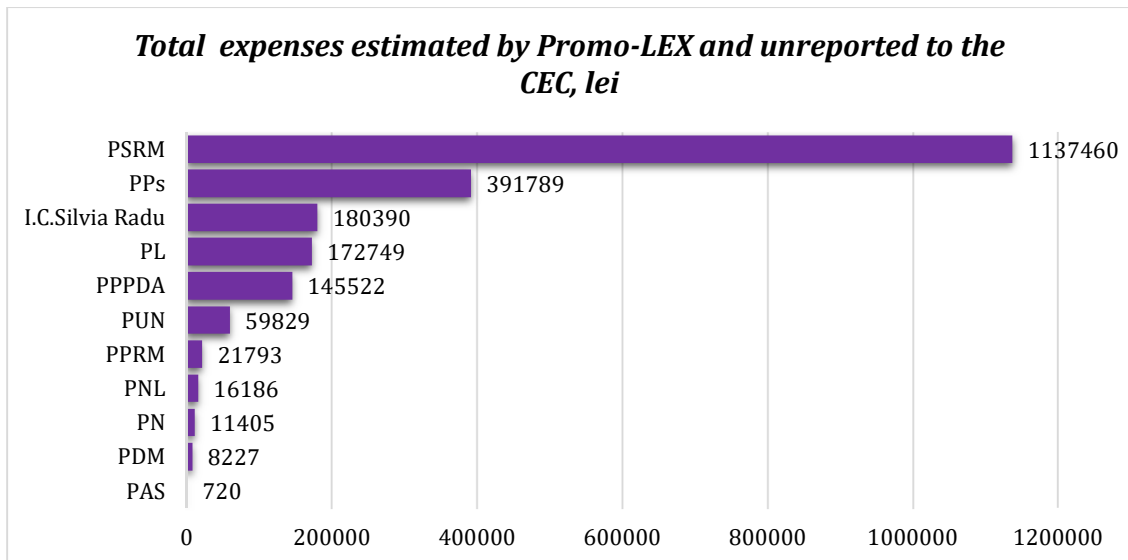
Silvia Radu, PPS, PPRM). All electoral contenders have indicated expenditures that correspond to the estimates of the Promo-LEX OM (see Chart no. 22).

Chart no. 22



In conclusion, the Promo-LEX OM notes that eleven electoral contenders failed to fully reflect the expenses incurred during the 6 weeks of electoral campaign for the new local elections of 2018 (round I and II). The total unreported amount is of at least 2 146 070 lei: the PAS - 720 lei; PDM - 8 227 lei; PN - 11 405 lei; PNL - 16 186 lei; PPRM - 21 793 lei; PUN - 59 829 lei; PPPDA - 145 522 lei; PL - 172 749 lei; I.C. Silvia Radu - 180 390 lei; PPS - 391 789 lei; PSRM - 1 137 460 lei (see Chart no.23).

Chart no. 23



VI. HATE SPEECH

In the new local elections of 20 May 2018, Promo-LEX continued to register cases that could be described as examples of hate speech. The candidate most affected by hate speech was Andrei Nastase (PPPDA) - 10 cases, or 71.43% of the total of 14 cases identified. The candidate that most often resorted to hate speech was Ion Ceban - 3 cases reported, or (37.50%) of the total of 8 cases.

5.1. Monitored forms of intolerance

Under Article 3 (5) of the Law on Freedom of Expression, the guarantees of freedom of speech do not extend to speeches that incite hatred or violence²⁷. Subsequently, the forms of expression that fall under hate speech, set out in Articles 2 and 3 (3-5), are prohibited by law.

Law on Equality regulates another form of forbidden expression - incitement to discrimination, which according to Article 2 of the Law is any behavior, by which a person exercises pressure or displays intentional conduct, aimed at discriminating against a third person on the basis of the criteria set out in this law²⁸.

In addition to hate speech and incitement to discrimination, Promo-LEX has monitored sexist speeches and other forms of public intolerance.

5.2. Candidates targeted by hate speech and messages inciting discrimination

Table no. 6. Candidates targeted by hate speech

No.	Candidate	Number of cases	Form of intolerance
1.	Andrei Nastase (PPPDA)	10	- intolerance based on ethnic and confessional grounds (3); - gender bias and support for violent behavior, based on political affiliation (3); - denigrating information (2); - messages that incite violence against an electoral competitor; - prejudices related to people with psychosocial disabilities; - differentiating candidates according to geographic criteria.
2.	Silvia Radu (I.C.)	2	- differentiating candidates according to geographic criteria; - gender bias, sexist speech that perpetuates clichés related to the social roles of men and women, and promotes gender stereotypes.
3.	Valeriu Munteanu (PL)	1	- prejudices related to people with psychosocial disabilities
4.	Ion Ceban (PSRM)	1	- incitement to hatred was based on the hostile attitude towards his political position and affiliation
	TOTAL	14	

²⁷ [Law no. 64 of 23.04.2010 On Freedom of Expression](#)

²⁸ [Law no. 121 of 25.05.2012 On Equality](#)

5.3. Candidates that have resorted to hate speech and messages inciting discrimination

Table no. 7. Candidates that use hate speech

No.	Candidate	Number of cases	Form of intolerance
1.	Ion Ceban (PSRM)	3	- discriminatory statements about some social groups, limiting the rights of a group of people, in particular of the right to expression and assembly, in this case, with regard to unionist supporters and LGBT community.
2.	Valeriu Munteanu (PL)	2	- incitement to discrimination against both ethnic Russians, Russian speakers and residents of the Transnistrian region, as well as against the PSRM candidate Ion Ceban; - speech that promotes age-related stereotypes.
3.	Pavel Verejanu (PPS)	1	- gender-related stereotypes.
4.	Andrei Nastase (PPPDA)	1	- incitement to violence against an electoral opponent.
5.	PPS	1	- discriminatory messages and gender-related stereotypes.
	TOTAL	8	

VII. INFORMATION AND CIVIC EDUCATION

The Promo-LEX Association organized for the fifth time the "IESI la VOT!"(COME and VOTE!) Civic and Electoral Education Campaign with the slogan "You are the BOSS!". The event was implemented in all the 7 settlements engaged in electoral campaigns. Thus, in order to raise apolitical awareness of about 5200 citizens entitled to vote from the 7 settlements where elections had to be held, the Promo-LEX Association involved 64 volunteers and 8 local coordinators. Promo-LEX also organized 4 public debates in the municipalities of Balti and Chisinau.

7.1. Raising voters' apolitical awareness in the context of the new local elections

The Promo-LEX Association organized for the fifth time the "COME and VOTE!" Campaign for Civic and Electoral Education with the slogan "You are the BOSS!" The campaign aimed at informing voters about the election process and raising apolitical awareness of the citizens with the right to vote, especially of the young people. This was implemented in the context of the New Local Elections of 20 May 2018 and was organized in all the 7 settlements engaged in the campaign. In the municipality of Chisinau, the campaign was also held in its suburbs: towns of Singera, Cricova, Vadul lui Voda, Durlesti, Vatra and Codru.

Thus, the Promo-LEX Association involved 64 volunteers and 8 local coordinators to raise apolitical awareness of about 5200 citizens entitled to vote in the 7 campaign settlements.

7.1.1. Partnership for a knowledgeable voter in the municipality of Chisinau

Promo-LEX, in partnership with My City Hall Association, organized in Chisinau the "TU ESTI SEF/A!"(YOU'RE THE BOSS!) Campaign, which included both public events and online information activities for the city inhabitants. Thus, 5 public events took place in the Chisinau districts of Riscani, Botanica, Ciocana, Buiucani and Center, within which My City Hall Association distributed brochures containing solutions offered by the candidates to office of General Mayor of Chisinau to the 7 most important problems of the city: poor quality of roads / sidewalks; lack of parking facilities; unauthorized constructions, poor conditions of underground pipes, unattractive aspect of the city and public transportation.

As part of the online campaign, carried out by My City Hall info charts, video recordings, articles aimed at urging young people to vote and informing citizens about candidates' solutions to the issues faced by Chisinau were presented. Following these activities, which involved 15 volunteers, about 33 000 citizens were informed and urged to participate in the elections.

7.1.2. Electoral public debates

Of the 31 candidates of political parties enrolled in the electoral race for the mayoralty, 15 did not attend or refused to participate in the public debates, organized by the Promo-LEX Association. Within the same campaign, the Promo-LEX Association proposed to hold 10 electoral debates in both rounds in all the 7 settlements where elections were held.

The purpose of the debates was to create a platform for dialogues between citizens and candidates for the mayoralty, focusing on Main Issues and Community Development. However, in the first round of elections, in the period of 15-18 May, only 3 debates were organized, 2 in Chisinau and 1 in the municipality of Balti. In the second round held in the municipality of Chisinau, the Promo-LEX Association held a single debate on 29 May 2018.

However, in all the other settlements, most of the candidates declined the invitation of the Promo-LEX Association, depriving the citizens of the opportunity to discuss the solutions proposed by them to the real problems of their settlements. The electoral public debates in the municipalities of Chisinau and Balti were available online and were watched by 4 945 people and about 220 people participated in them directly.

Table no. 8. Candidates' availability to participate in the public debates organized by Promo-LEX

No.	Candidate's name / Constituency	Confirmed availability/ attended		Confirmed availability / failed to attend	Refused participation	Participation was confirmed, but the debates were not organized ²⁹
		personally	by a representative			
Chisinau constituency						
1.	Costiuc Vasile (PPDA)	<input checked="" type="checkbox"/>				
2.	Nastase Andrei (PPPDA)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
3.	Rosco Alexandr (PPCNM)	<input checked="" type="checkbox"/>				
4.	Munteanu Valeriu (PL)	<input checked="" type="checkbox"/>				
5.	Ceban Ion (PSRM)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
6.	Stratila Victor (PVE)		<input checked="" type="checkbox"/>			
7.	Can Alexandra (PNL)	<input checked="" type="checkbox"/>				
8.	Braila Maxim (PPRM)	<input checked="" type="checkbox"/>				
9.	Radu Silvia (I.C.)				<input checked="" type="checkbox"/> ³⁰	
10.	Mitu Alexandru (PRSM)			<input checked="" type="checkbox"/>		
11.	Codreanu Constantin (PUN)		<input checked="" type="checkbox"/>			
Balti constituency						
12.	Spataru Arina (PPPDA)	<input checked="" type="checkbox"/>				
13.	Usatii Alexandru (PSRM)			<input checked="" type="checkbox"/>		
14.	Verejanu Pavel (PPS)			<input checked="" type="checkbox"/>		
15.	Grigorisin Nicolai (PN)			<input checked="" type="checkbox"/>		
16.	Burlacu Serghei (PUN)			<input checked="" type="checkbox"/>		
17.	Gritco Elena (I.C.)				<input checked="" type="checkbox"/>	
18.	Gutu Simion (PAS)	<input checked="" type="checkbox"/>				
19.	Topolnitschii Oleg (PRSM)			<input checked="" type="checkbox"/>		
Jora de Mijloc constituency, Orhei dist.						
20.	Terentii Lucia (PDM)				<input checked="" type="checkbox"/>	
21.	Tauber Marina (PPS)					<input checked="" type="checkbox"/>
22.	Morozan Serghei (PSRM)				<input checked="" type="checkbox"/>	
Pirlita constituency, Ungheni dist.						

²⁹ We refer to the cases, where the debates were not organized because the availability of only one participant was confirmed.

³⁰ Independent candidate Silvia Radu did not answer the calls of the Promo-LEX Association representatives.

23.	Babutac (PDM)	Stanislav				<input checked="" type="checkbox"/>	
24.	Andriuta (PPPDA)	Galina					<input checked="" type="checkbox"/>
Volovita constituency, Soroca dist.							
25.	Nistrean (PDM)	Ghenadie				<input checked="" type="checkbox"/>	
26.	Cerchez (PSRM)	Alexandru				<input checked="" type="checkbox"/>	
Leuseni constituency, Hincesti dist.							
27.	Dragan Ion (PDM)					<input checked="" type="checkbox"/>	
28.	Bujeac Ion (PSRM)					<input checked="" type="checkbox"/>	
Nemteni, constituency, Hincesti dist.							
29.	Ghitu Maria (PDM)						<input checked="" type="checkbox"/>
30.	Sindila Timofei (PSRM)					<input checked="" type="checkbox"/>	

7.1.3. Electoral public debates held at Moldova 2 Radio Station

Additionally, in the period of 7-31 May 2018, the Promo-LEX Association, in partnership with the National Public Broadcaster "Teleradio-Moldova", organized 13 electoral public debates hosted by the Moldova 2 Public Radio Station. The debates were broadcast live by the Privesc.eu portal and were followed by a total of about 15 791 people.

ELECTION DAY ROUND I. ROUND II

The monitoring was based on the findings of 375 short-term observers (STO) of Promo-LEX, made on the day of elections (20 May 2018), as well as the findings made in the second round (3 June 2018) by 306 observers. The second round of elections was organized only in the Chisinau constituency.

On the election day, the opening and closing of the polling stations were carried out in compliance with the regulatory requirements. On 20 May 2018, Promo-LEX OM reported 236 cases qualified as incidents (375 PSs) and on 3 June 2018 - 135 cases (306 PSs). Of these, the biggest number falls for the deficiencies in the main voters' lists - at least 140 cases (37.73%). Other important violations were unjustified presence of unauthorized persons in the premises or within 50 m of the polling station and photographing of ballot papers.

Parallel vote counting, carried out by the Promo-LEX OM, shows that the differences in the final data presented by the CEC are insignificant and have no impact on the final results.

1. Opening and closing of polling stations

According to their reports, Promo-LEX OM found the following (see Table no. 9):

Table no. 9. Opening and closing of the PSs

	Total number of PS	Opening of the PS	Free access to the PS	Requests for voting at the place of stay	Closing of the PS
Round I	375	a. before 7:00 - 6,93% (26 PSs); b. at 7:00 - 86,67% (325 PSs); c. between 7:01 and 7:15 - 6.4% (24 PSs).	YES - 100% (375 PSs);	1581	Regularly - 100% (375 PSs)
Round II	306	a. before 7:00 - 8.17% (25 PSs); b. 7:00 - 90,20% (276 PSs); c. between 7:01 - 7:15 - 1.63% (5 PSs).	YES - 100% (375 PSs);	1418	a. at 21:00 - 302 PSs (98.69%); b. shortly after 21:00 - 4 PSs (1.31%).

2. Incidents observed during the election day³¹

2.1. Synthesis of incidents that occurred on the day of elections, 20 May 2018

236 cases qualified by the Promo-LEX OM as incidents occurred during the election day. Of these, the largest share falls for *deficiencies observed in the main voters' lists* - at least 96 cases (40.68%). Of the deficiencies registered, most of them refer to foreigners or former owners registered at the addresses of voters' domicile (37 cases), non-inclusion in the main lists of voters, who according to the data from their IDs, belong to the given PSs (33 cases). Other important violations are: *photographing of ballot papers* (36 cases) and *unjustified presence of unauthorized persons in the premises of the PS or within 50 meters of it* (19 cases).

³¹ For more information, please see: for the election day of 20 May 2018 - *Observation Mission Report No.4:* https://promolex.md/wp-content/uploads/2018/05/RAPORT-nr.4_e-Day_20.05.2018.pdf; for election day of 3 June 2018 - *Observation Mission Report No.6:* https://promolex.md/wp-content/uploads/2018/06/RAPORT-nr.6_e-Day_03.06.2018_redactat.pdf

2.2. Synthesis of incidents that occurred on 3 June 2018 (Round II)

135 cases qualified by the Promo-LEX OM as incidents occurred during of the day of 3 June 2018. Of these, the largest share falls for *deficiencies observed in the main voters' lists - at least 44 cases (32,59%)*. Of the deficiencies registered, most of them refer to foreigners or former owners registered at the addresses of voters' domicile and non-inclusion in the main voters' lists, who according to the data from their IDs, belong to the given PSs. Other important violations are: *unjustified presence of unauthorized persons in the premises of the PS or within 50 meters of it (22 cases) and photographing of ballot papers (20 cases)*.

2.3. Types and number of incidents

Compared to the first round of elections, in the second round, the number of incidents reported decreased by about 100. Largely, it is due to the smaller number of polling stations (by about 60), as well as due to the fact that the same voters' lists were used in the second round. As a result, some of the voters, who were included in the additional lists in the first round, were already on the list in the second round.

Table no. 10. Incidents observed during the election day (20 May, 3 June 2018)

No.	Type of incident	Number of cases, round I	Number of cases, round II
1.	The presence of advertising materials, posters, electoral panels within the polling station (within 100 meters from the premises of the PS)	8	2
2.	Unjustified presence of unauthorized persons in the PS or within 50 meters of it (mayor, policeman, driver of the president of the EBPS, unidentified persons)	19	22
3.	Deficiencies in the operation of the SIAS Elections system	14	3
4.	Deficiencies in the voters' lists	96	44
5.	Restricted access or obstruction of free observation in the polling station	4	1
6.	Organized transportation of voters	4	2
7.	Violence or intimidation of voters or other people: intimidation of voters (PS)	5	2
8.	Electoral campaigning or black PR in the PS and / or near the PS in order to influence the voters' choice	9	14
9.	Activities aimed at raising voters' awareness	-	2
10.	Ballot boxes have not been sealed as required by the legal procedure	15	4
11.	Photographing of ballot papers	36	20
12.	Unjustified group voting (2 or more people in the voting booth)	3	-
13.	Irregularities committed when presenting identity papers	5	6
14.	Irregular voting at the place of stay	5	3
15.	Cancellation of unused ballot papers before closing the PS	3	2
16.	Others	10	8
TOTAL		236	135

3. Final results of the vote tabulation carried out by the Promo-LEX OM for the Election Day of 20 May 2018 (Round I)

3.1. Correctness of drafting of minutes on the results of vote tabulation

As part of the Monitoring Mission of Local Election of 20 May 2018, the Promo-LEX OM analyzed the correctness of drafting of 375 minutes on vote tabulation, manually verified by observers.

According to the final findings of the Promo-LEX OM on the new local elections, of the 375 minutes, 20 were filled in with errors in one or more verification formulas. The errors were detected based on the verification formulas, established by the CEC to confirm the authenticity of the records in the minutes. Distribution of erroneous minutes based on constituencies: Chisinau (15), Balti (3), Jora de Mijloc, Orhei dist. and Volovita, Soroca dist. (1 each).

In the case of the minutes drafted by the PS 16/42 Jora de Mijloc, the Promo-LEX OM identified a *completion error, even if there were no verification formulas that would allow its identification*. The EBPS members entered the same number of voters in both (a) - voters on main voters' lists and (b) - voters on additional lists. We therefore, *propose complementing the list of verification formulas with: $b \leq c$, where (c) is the number of voters who have received ballot papers*.

Table no. 11. Type and number of errors revealed³²

TYPE ERROR	NUMBER ERRORS
$I = C + J$	10
$D = F + H$	9
$H = G1 + G2 + G3 + G4 + G5 + G6 + G7 + G8 + G9 + G10 + G11 + G12$	6
$C > D$	2
$E = C - D$	2

3.2. Comparative analysis of the data on parallel vote tabulation carried out by the Promo-LEX OM and final data announced by the CEC

The *final results* submitted by the Promo-LEX OM on the number of valid votes cast for each electoral competitor were calculated on the basis of the data from 375 minutes on the results of vote tabulation drafted by the PSs in the new local elections of 20 May 2018, handed to the observers of the Promo-LEX OM and manually verified by the Mission (see Table 12 and Annex 8).

Table no. 12. Election results of 20 May 2018 based on the final data on winning candidates provided by Promo-LEX and the CEC³³

Candidates in the municipality of Chisinau	Final data provided by Promo-LEX ³⁴		Final data provided by the CEC ³⁵		Final data, Promo-LEX / Final data, the CEC	
	Final data	Percentage	Final data	Percentage	Difference	Percentage
Participation rate	225 935	35.42%	225 930	35.74%	5	-0.32%
Nastase Andrei (PPPDA)	71 803	32.15%	71 803	32.12%	0	+ 0.03%
Ceban Ion (PSRM)	91 575	41.00%	91 575	40.97%	0	+ 0.03%

³² The table includes only the verification formulas included in the Minutes on the results of the vote tabulation, without the error identified in the minutes issued the PS 16/42 Jora de Mijloc.

³³ For more details, see Annex no. 8.

³⁴ It should be specified that for certain contenders, even if the number of votes calculated by Promo-LEX coincides with the data provided by the CEC, there are differences between the percentage points. These differences are due to the fact that the sum of votes per contender calculated by the CEC ($g1 + g2 + g3 \dots g11$) differs from the number of votes calculated by Promo-LEX (223 529 vs. 223 531).

³⁵ *REPORT on the organization, conduct and tabulation of the results of the new local elections of 20 May 2018*, p.13-14. http://cec.md/files/files/Alegeri%20Locale%20Noi/20%20mai%202018/RAPORT_ALN_20_05_2018.pdf

Candidates in the municipality Balti	Final data provided by Promo-LEX		Final data provided by the CEC		Final data, Promo-LEX / Final data, the CEC	
<i>Participation rate</i>	36 874	34.95%	36 875	35.13%	-1	-0.18%
Grigorisin Nicolai (PN)	22 490	61.74%	22 490	61.74%	0	0

Candidates in Jora de Mijloc, Orhei dist.	Final data provided by Promo-LEX		Final data provided by the CEC		Final data, Promo-LEX / Final data, the CEC	
<i>Participation rate</i>	1 732	43.48%	1732	52.79%	0	-9.31% ³⁶
Tauber Marina (PPS)	1048	61.07%	1048	61.07	0	0

Candidates in Pirlita, Ungheni dist.	Final data provided by Promo-LEX		Final data provided by the CEC		Final data, Promo-LEX / Final data, the CEC	
<i>Participation rate</i>	1 742	39.76%	1742	39.81%	0	-0.05%
Babutac Stanislav (PDM)	1470	85.61%	1470	85.61%	0	0

Candidates in Volovita, Soroca dist.	Final data provided by Promo-LEX		Final data provided by the CEC		Final data, Promo-LEX / Final data, the CEC	
<i>Participation rate</i>	771	46.90%	771	46.95%	0	-0.05%
Nistrean Ghenadie (PDM)	604	79.37%	604	79.36%	0	+ 0.01%

Candidates in Leuseni, Hincesti dist.	Final data provided by Promo-LEX		Final data provided by the CEC		Final data, Promo-LEX / Final data, the CEC	
<i>Participation rate</i>	687	37.00%	687	36.99%	0	-0.01%
Dragan Ion (PDM)	602	90.80%	602	90.79%	0	-0.01%

Candidates in Nemteni, Hincesti dist.	Final data provided by Promo-LEX		Final data provided by the CEC		Final data, Promo-LEX / Final data, the CEC	
<i>Participation rate</i>	549	36.87%	549	36.92%	0	+ 0.05%
Ghitu Maria (PDM)	441	82.58%	441	82.59%	0	-0.01%

4. Final results of vote tabulation for 3 June 2018 (Round II) carried out by Promo-LEX

4.1. Correctness of drafting of minutes on the results of vote tabulation

In an effort to monitor the second round of the new elections of 20 May (3 June) 2018, the Promo-LEX OM analyzed the accuracy of 306 minutes on voting results, manually verified by observers. According to the findings, of the 306 minutes, 6 were filled in with errors, revealed with the help of the following formulas: $I = C + J$ (4 minutes), $D = F + H$ (1 minutes) and $H = G1 + G2$ (1 minutes).

³⁶ The difference between the participation rate, as assessed by the Promo-LEX OM and by the CEC, is determined by the error identified in the minutes completed by PS 16/42.

4.2. Comparative analysis of the data on parallel vote tabulation carried out by the Promo-LEX OM and final data announced by the CEC

Table no. 13. Comparative results: data provided by Promo-LEX – CEC's data³⁷

Candidates of the municipality of Chisinau	Final data provided by Promo-LEX		Final data provided by the CEC		Final data, Promo-LEX / Final data, the CEC	
Participation rate	248 937	38.98%	248 946	39.37%	-9	-0.39%
Ceban Ion (PSRM)	116 818	47.43%	116 789	47.43%	-29	0
Nastase Andrei (PPPDA)	129 432	52.57%	129 432	52.56%	0	+ 0.01%

³⁷ When this Report was published, the final results of the CEC were not available.

POST- ELECTION PERIOD

In the new local elections of 20 May 2018 *the municipality of Balti and villages of Leuseni (Hincesti dist.), Nemteni (Hincesti dist.), Jora de Mijloc (Orhei dist.), Volovita (Soroca dist.), Pirlita (Ungheni dist.) elected their mayors in a single round.*

The legality and validation of the mandates in Balti, Leuseni, Nemteni, Volovita and Pirlita were confirmed by the courts within their constituencies, without any appeals being filed against the decisions of the electoral bodies on the tabulation of voting results and the assignment of mandates.

In Jora de Mijloc, however, on 22 May, the PAS filed an appeal against the Decision no. 25/16 of the CC Jora de Mijloc, Orhei dist. on the vote tabulation in the new local elections, carried out in Jora de Mijloc on 20 May 2018 which, according to art. 73 par. (4) is examined by the court simultaneously with the confirmation of the legality and validation of the mandate. The alleged violation refers to the fact that the winning competitor exceeded the financial means ceiling set by the CEC for the constituency of Jora de Mijloc - 93,504.18 lei by about 201 thousand lei.

The Court of Orhei found and issued the Decision of 24 May 2018 (file 3CA-2212018), that the PAS is not a subject with the right to lodge complaints as provided by Art. 71 of the Electoral Code and decided to reject the appeal lodged, confirming the legality of the new local elections of 20 May 2018 and validating the mandate of the mayor elected in Jora de Mijloc, Orhei dist.

In the municipality of Chisinau, the new local elections were carried out in 2 rounds. After the second round, on 5 June 2018, the PSRM lodged a complaint with the Chisinau Court of Appeal against the PPPDA requesting: to qualify the actions of the candidate for the mayoralty of Chisinau, Andrei Nastase, as electoral campaigning carried out on the election day and to ascertain the violation of art. 52 par. (10) of the Electoral Code, committed by the candidate for mayoralty of the capital, Andrei Nastase. The PSRM indicated that, on 3 June 2018, the candidate for the position of mayor general of Chisinau, Andrei Nastase, engaged in electoral campaigning via live video on his Facebook page. Also on 3 June, 2018, Andrei Nastase attended several polling stations, motivating his visits by the fact that he wanted to observe the electoral process.

The trial court found that the objection raised by the representative of the PSRM was unfounded and decided to reject it, arguing that by publishing several videos, urging citizens of the municipality of Chisinau to vote without indicating and asking the persons, who will watch these videos to vote for a certain electoral contender, Andrei Nastase did not carry out an electoral campaign in the sense of the notion stipulated in art. 1 of the Electoral Code.

However, the Chisinau Court of Appeal admitted the appeal lodged by the PSRM, partially dismissed the contested decision and ascertained the violation of art. 52 par. (1) of the Electoral Code, committed by the candidate for the mayor's office of Chisinau, Andrei Nastase. Thus, the court of appeal decided that on 3 June 2018 (election day), the candidate for the mayoralty of Chisinau was carrying out an electoral campaign through video recordings, posted on his Facebook page. The decision of the Court of Appeal was based on the following reasoning:

- it is the prerogative of the electoral bodies to address the voters on the day of election, urging them to vote;
- the very fact that an electoral contender addresses the voters with such an urge is, in fact, an act of campaigning in favor of his candidacy;
- in his lives on his Facebook page, the electoral candidate appeared with the same slogans he had used in the election campaign;

- without specifying the name of the counter-candidate, the electoral candidate Andrei Nastase urged voters not to vote for Ion Ceban's candidacy. In the case when only two candidates remained in the electoral race, it is obvious that the voters were directed to vote specifically for him.

On 11 June 2018, CC no. 1 Chisinau addressed the Court of Chisinau, headquartered in the Center district, requesting it to confirm the lawfulness of the new local elections of the mayor general of the municipality of Chisinau, held on 20 May 2018 (round I) - 3 June 2018 (round II) and validate the mandate of the newly-elected mayor. The court, despite the fact **that no election contender, election body, or voter challenged the results of the elections**, checking **ex officio** both the actions taken by the state authorities, in particular of the CC no. 1 Chisinau, as well as the actions of the election contenders, and based on the provisions of art.74 Electoral Code, **rejected the confirmation of the lawfulness of the new local elections of the mayor general of municipality of Chisinau, held on 20 May 2018 (Round I) and 3 June 2018 (Round II)**. The decision of the court was based on the following findings and reasoning:

- by the decision of the Chisinau Court of Appeal dated 12 June 2018, the actions of the candidate for the Chisinau mayoralty, Nastase Andrei, carried out on the day of the elections of 3 June 2018, were qualified as campaigning on the day of the elections and violation of art. 52 par. (10) of the Electoral Code;
- **messages qualified as campaigning** on election day had a total of more than 250 000 views and many distributions, which **have a large influence** on the number of voters who voted (248 946);
- the social network that electoral competitors used for **campaigning has had a particularly impressive impact on voters**, being far superior to the campaigning that could be done through newspapers, meetings, etc.
- the campaigning, illegally carried out on the day of elections, addressed to a number of people that is undoubtedly greater than the difference of votes between the candidates, certifies that ultimately, **the elections were corrupted by the behavior of the electoral candidates**.

In this context, we remind the reader that by the Decision no. 29 of 9 December 2014 on the confirmation of the results for the Parliamentary elections in the Republic of Moldova of 30 November 2014 and the validation of the mandates of the elected MPs, the Constitutional Court ruled that "a **fraud cannot be established on the basis of assumptions**. Whereas **various deductions, statistical calculations and estimates based on mere assumptions [...] do not constitute evidence of violation of electoral legislation**." This, given that 4 electoral contenders requested the Constitutional Court to cancel the elections, one asked for a recount of the votes and another for the redistribution of mandates.

Also, by the Decision no. 34 of 13 December 2016 of the Constitutional Court on the confirmation of election results and validation of the mandate of the President of the Republic of Moldova, being requested to ascertain the electoral fraud and to annul the results of the second round, by a counter-candidate who challenged the decision of the Central Election Commission on vote tabulation, emphasizing a series of violations, formulated 6 addresses to the Parliament of the Republic of Moldova, mandatory for execution and noted that the **validity of the elections depends on the size and the extent of the election violations, found by state authorities**. In the same context, the Court reiterated that: 1) the cancellation of elections may intervene only where the voting and influencing of the results occurred **by fraud**; 2) not any fraud in the electoral process is equivalent to electoral fraud, but only the **fraud that is likely to influence the election results**; 3) the request to cancel the elections must be **substantiated and accompanied by the evidence on which it is based**.

After the appeal against the judgment of the Chisinau Court of 19 June 2018, the Chisinau Court of Appeal and the Supreme Court of Justice upheld the decision of the first instance and the judgment of the Chisinau Court (Center district) of 19 June 2018 became irrevocable on June 25 this year.

It should be noted that the judgment of the Chisinau Court dated 19 June 2018 was challenged by both electoral contenders of the PPPDA and the PSRM, as well as **by two voters**. The courts found that **under**

the procedural rules, the voters are not entitled to file appeals / recourses, being **neither** parties nor participants in the process, having no judicial capacity in the examination of the appeal against the decision of the Chisinau Court (Center district) of 19 June 2018 / on confirming the legality of elections in the municipality of Chisinau.

Thus, by the opinion of the Chisinau Court of Appeal of 21 June 2018, the appeal procedure declared by the voters was terminated **due to the fact that the appeal was filed by persons, who are not entitled to file appeals, and by the opinion of the Civil, Commercial and Administrative College of the Supreme Court of Justice of 25.06.2018, the appeal filed was declared inadmissible pursuant to art. 443 clause c) of the Code of Civil Procedure.**

On 26 June 2018, the voters filed a request for the revision of the judgment issued by the Supreme Court of Justice on 25 June 2018, requesting to quash the judgment of the Chisinau Court (Center District) of 19 June 2018, the decision of 21 June 2018 of the Chisinau Court of Appeal and the opinion of the Supreme Court of Justice of 25 June 2018 and to issue a new decision, confirming the lawfulness of the new local elections of the mayor general of the municipality of Chisinau of 20 May 2018 (Round I) and 3 June 2018 (Round II). The voters' request for revision was motivated by the fact that:

- they were not involved in the examination of the application, filed by the CC no. 1 Chisinau on the confirmation of the lawfulness of the new local elections of the mayor of Chisinau of 20 May 2018 (round I) – 3 June 2018 (round II) and validation of the mandate of the mayor elected in the municipality of Chisinau, **thus, their rights being infringed by irrevocable court rulings.**

- **by invalidating the new local elections of the mayor general of Chisinau** of 20 May 2018 (round I) - 3 June 2018 (round II), ordered by the decision of the Chisinau Court (Center district) of 19 June 2018, upheld by the Chisinau Court of Appeal on 21 June 2018, **their voting rights were violated.** Their right under Art. 3 Protocol 1 Additional to the ECHR, which states that the High Contracting Parties undertake to organize, at reasonable intervals, free elections by a secret ballot, under conditions that they ensure free expression of the people's opinion on the election of the legislative body.

- on 20 May 2018 (round I) and 3 June 2018 (round II), **the residents of Chisinau, including themselves, expressed their voting right**, thus Andrei Nastase won the majority of the votes in the second round of elections in Chisinau.

- **no evidence was submitted that would confirm that someone had exerted pressure on the citizens, determining them to vote or not to vote, or preventing them from expressing their will independently.** No complaint was received from the voters in this respect and the judgments handed down in the present case are based only on assumptions made on the basis of erroneous estimates of the impact of broadcasts and posts made by the candidates on social networks on the election day, which violates their right to vote that had been expressed freely and independently.

On 27 June, the Civil, Commercial and Administrative College of the Supreme Court of Justice, examining the **application for review**, submitted by the voters, decided on its restitution, on the basis of Art. 170 par. (1) clause b) of the Code of Civil Procedure, in connection with the fact that the Supreme Court of Justice is not invested with substantive jurisdiction to examine the petition for review, the **substantive jurisdiction to review requests for re-examination belonging to the Chisinau Court of Appeal.**

On 28 June 2018, the voters submitted to the Chisinau Court of Appeal an application for re-examination on the same grounds and with the same requests, challenging the decision of the Chisinau Court (Center district) of 19 June 2018 and the decision of the Chisinau Court of Appeal of 21 June 2018. By the end of 3 July, the Civil, Commercial and Administrative College of the Chisinau Court of Appeal rejected the application for revision as inadmissible.

The Civil College of the Chisinau Court of Appeal **concluded with regard to the material and procedural facts that are at the basis of the voters' application** and are considered by the voters as

limitations to the examination of the application, that the circumstances and facts referred to are legal defects and not circumstances or facts within the meaning of art.449 of the Code of Civil Procedure, which would allow the retraction/ re-examination of an irrevocable decision on the case. Accordingly, the review is inadmissible, as admitting it would be a violation of the principle of legal certainty - a fundamental element of the rule of law, which states that no party may seek the review of an irrevocable and binding decision solely in order to obtain a review and a new determination of the case.

On 4 July 2018, the voters appealed against the decision of the **Chisinau Court of Appeal** of **3 July 2018**. In the grounds of the appeal, they indicated that in the re-examination, the court violated **art. 6 paragraph 1 of the ECHR, which states that any person has the right to a fair hearing** by a court that will decide on the violation of their civil rights and obligations. By the **Decision of 11 July 2018**, the Civil, Commercial and Administrative College of the Supreme Court of Justice rejected the appeal, declaring it unfounded and maintaining the conclusion of the Court of Appeal, concluding that the Court of Appeal justly considered that the application for review submitted by the voters does not fall within the legal provisions stipulated in art.449 of the Code of Civil Procedure and the judgments under review do not affect the rights or obligations of the applicants with respect to one of the parties to the proceeding, neither do they prejudice other rights and obligations derived from their capacity of voters in the constituency of the municipality of Chisinau, because the latter are not subjects of the procedural report.

On 17 July 2018, one of the voters challenged the opinion of the Supreme Court of Justice of 11 July 2018 and the decision of the Supreme Court of 11 July 2018, the hearing for the examination of the application was set for 5 September 2018, 10:00 a.m.

Concluding, the Promo-LEX OM expresses its disagreement over the exclusion of voters from the category of participants in the process examining the legality of elections in the municipality of Chisinau. Given that the voters are among the main losers of the invalidation procedure, moreover, starting from the essence of the electoral process, which is organized and carried out specifically for the citizens, the necessity of expressly establishing a legal defense mechanism for the exercised vote is natural and mandatory.

Following the court's ruling, by its decision no. 1713 of 29 June 2018, the CEC declared null and void the new local elections for the mayoralty of the municipality of Chisinau of 20 May 2018 (round I) and 3 June, 2018 (round II) and announced the necessity to finalize the procedures related to the elections of the mayor general of the municipality of Chisinau and the dissolution of the electoral bodies established for their conduct.

Therefore, in the opinion of Promo-LEX, the CEC, in a discretionary manner and contrary to the legal provisions, stopped an ongoing electoral process, sanctioning, together with the courts, all the parties involved in the elections, especially the 226 000 voters, who voted in the first round and over 240 000 voters that participated in second round, as well as all Moldovan taxpayers, who are paying taxes to the state budget, from which the new local elections were funded. We consider that the CEC deliberately and flagrantly violated the provision of Article 149 paragraph (1) of the Electoral Code, which expressly states "if in some constituencies or polling stations the elections are declared (...) null and void, the Central Election Commission has to announce a repeated voting within two weeks, on the basis of the same voters' lists, with the same candidates and with the participation of the same councils and electoral bureaus."

The Commission argued that it was impossible to establish a repeated voting in the first round due to the contradiction to Art. 150 paragraph (1) clause c) which provides for the failure to obtain more than half of the number of votes validly cast and the necessity to hold the second round. We regard such an approach as an abusive one, since the Electoral Code does not provide for the repeated voting of a single round of elections, but for the entire elections, whether it consists of a single round of elections or of two.

It should also be mentioned that the possibility that a candidate fails to obtain more than half of the validly cast votes and holding of the second round of elections, which would contradict Art. 150 par. (1) clause c), is a hypothetical and interpretative situation, which is not a ground for derogation from the mandatory rules of the legislation.

We emphasize that the above-mentioned decision was not unanimously supported, a CEC member, Sergiu Gurduza, expressed his separate opinion, disagreeing with the fact that the Commission **only declared the elections null and void, without ordering a repeated voting**, as well as with some allegations from the descriptive part of the judgment. In the opinion, he also stated that "the completion of the electoral procedure in the full swing of electing the mayor of a settlement is a **subversion of citizens' trust in the state institutions**, in particular in the electoral bodies, as well as placement *in abstracto* of the right to vote, the right to be elected, as well as the right to participate in the administration of public affairs, which distorts the concept of the rule of law."

On 2 July 2018, one of the voters, who challenged the decision of the Chisinau Court issued on 19 June 2018, addressed the Chisinau Court of Appeal, requesting the annulment of the CEC decision no. 1713 of 29 June 2018, which voided the new local elections for the mayor general of Chisinau of 20 May 2018 (round I) – 3 June 2018 (round II), qualifying it as unlawful and obliging the authority to remove the violations, admitted in the hearing of 29 June 2018, by failing to investigate her application of the same date on the exclusion of the issue from the agenda. In the grounds of the application, the applicant alleged that the authority had violated the procedure in adopting the contested decision because it was to examine her request to exclude the issue from the agenda or postpone the examination of the issue of declaring void the new local elections. The applicant considers that if her application was not examined and the CEC adopted the decision no. 1713 of 29 June 2018, without expressing its position with regard to it, the administrative act in dispute is vitiated and is to be annulled. The court concluded on the merits of the application for the initiation of a lawsuit and considered it necessary to reject it as unfounded. The court concluded that the judicial investigation confirmed the legality of the administrative act challenged and that the alleged procedural violations were not identified and established at the moment of its adoption, which motivated the action brought.

On 3 July 2018, the PSRM filed with the Chisinau Court of Appeal an application against the CEC, requesting: 1) the annulment of the CEC decision no. 1713 of 29 June 2018 in the part that declared the new local elections void and ruled the dissolution of the CC Chisinau; 2) obliging the CEC to adopt a new decision, declaring the candidate Ion Ceban the winner of the new local elections for the position of mayor general of the municipality of Chisinau, arguing that it was not determined by a court decision that the candidate was guilty of violating the provisions of the Electoral Code. By the decision of the Chisinau Court of Appeal of 4 July 2018, the appeal was rejected.

Subsequently, on 5 July 2018, the PSRM appealed against the decision of the Chisinau Court of Appeal of 4 July 2018, requesting its cassation and issuing a new decision on admitting the action in the way it was drafted. The Civil, Commercial and Administrative College of the Supreme Court of Justice rejected the appeal, **finding that the contested decision is legal in nature and it has been issued in accordance with the legal provisions applicable to the case**, the appellant's allegations concerning the annulment of the decision of the Central Election Commission in respect of voiding the elections being outside the legal framework. Regarding the request to organize repeated elections only with the participation of the candidate Ion Ceban, noting that none of the candidates was excluded from the electoral lists by a court decision, the College qualified the request as unreasonable, reiterating that the notion of "election" involves at least two electoral candidates.

In this context, to avoid future erroneous interpretations of electoral legislation and dubious or non-transparent phenomena in the electoral process, the Parliament of the Republic of Moldova adopted the Decision no. 126 of 12.07.2018 on an extensive analysis, evaluation and expertise of the electoral legislation that led to the invalidation of the new local elections in the municipality of Chisinau, in which

it mandated and asked the Legal Commission for Appointments and Immunities to carry out this analysis and to submit to the Parliament, within 60 days, its conclusions and proposals, including improvements of the relevant normative framework.

RECOMMENDATIONS

To the Parliament of the Republic of Moldova:

1. Amending the electoral legislation by obliging all the candidates (independent, representing parties and electoral blocs) to submit subscription lists of supporters for the registration as a candidate for mayor's office, by analogy with the procedure for the registration of candidates for the position of President of the Republic of Moldova.
2. Amending Art. 138 of the Electoral Code by revising the formula for calculating the number of signatures necessary for a candidates' registration for the position of mayor. We remind you that the Code of Good Practice in Electoral Matters states that the Law should not require the collection of signatures of more than 1% of voters in that constituency.
3. Supplementing Art. 138 of the Electoral Code with provisions that would allow women candidates to the mayoralty to collect twice less signatures in their support, by analogy with the derogation from the general rule made in the case of parliamentary elections.
4. Amending the Electoral Code in order to allow the soldiers, serving in a unit deployed in the same settlement in which they have their domicile, and respectively, where local elections are held, to be admitted to the electoral process.
5. Explicitly regulating in the Electoral Code the manner of voting of the citizens that on the election day hold both a valid domicile and residence and of those who have no domicile and residence on the election day. This is imperative not only to harmonize the legal framework, but also to avoid interpretations of the norms and adoption of temporary solutions that are convenient for some or other political forces.
6. Completing Art. 15 par. (2) of the Electoral Code with provisions stipulating the time limit for the registration of representatives with the right of a consultative vote.
7. Revising the provisions of art. 52, par. (3) and (8) of the Electoral Code to clarify the cases that can be interpreted as a violation of the law in terms of involvement of foreign citizens, foreign organizations and their images.
8. Strict regulation, lacking interpretations, of the status of a political party given its quality of a "voluntary association with the status of a legal entity", compared to other types of legal persons, including in the context of political / electoral funding.
9. Completing Art. 75 par. (5) of the Electoral Code with provisions, which would entail cancellation of the registration of an electoral contender, in the case of detection after re-checking of the subscription lists of a number lower than the minimum required by the legislation.
10. Completing Art. 68 par. (5) with express provisions regarding the access of the observers to the documents, submitted by the competitors for registration to the respective electoral body.
11. Ensuring factual and legal possibilities for electoral competitors to gain access to the files submitted for registration by other competitors, including ensuring the monitoring of the (re)-verification of subscription lists.
12. Amending the national law, including the electoral one, to bring it in line with the international standards of administrative resources, including: human, financial, material, coercive and in-kind.
13. Revising the provisions of art. 70, par. (6) of the Electoral Code in order to clarify the details to be found on the advertising items to ensure transparency of the expenses incurred for them. Thus, the statement [...] "Each advertising item shall include the name of the electoral contender,

date of printing, printout and the name of the publishing house that printed it", must be followed by the words "Number and date of the payment order, as well as "Invoice or contract number". Elective advertising shall be accompanied by the heading "Elections". We believe that these changes should be applied, including in the context of TV, radio, internet, and street advertising.

14. Improving the legal framework to set the exact deadlines and procedures that provide for the continuation of electoral campaign for the second round of elections, including from the perspective of its financing.
15. Completing the Electoral Code and the related legislation with provisions, requiring the court not to issue invalidation decisions on the confirmation of the legality of elections and on validation of the mandates, by checking ex officio both the actions taken by the state authorities and the actions of the electoral contenders, when no participant in the process (contender, election body, voter) contested the results of the elections, or requested the invalidation of the mandate.
16. Ensuring citizens with the legal mechanism in declaring appeals / recourses in electoral litigation procedures.
17. Excluding the provisions of art. 52 par. (10) of the Electoral Code, prohibiting electoral campaigning on the day of elections and the day before elections. Promo-LEX believes that prohibitive provisions on electoral campaigning should be maintained only for the premises where electoral councils and bureaus are located, as well as within 100 meters away from them.

To the Central Election Commission and lower electoral bodies

18. Ensuring observance of the existing legislation regulating observers' rights and renouncing the practice of creating obstacles to the process of monitoring by making secret the information of public interest alleging protection of personal data.
19. Ensuring observance of electoral legislation related to the transparency of information about candidates, respectively, ensuring public access to declarations of income and property of electoral contenders, publication of reports on the financing of electoral campaigns.
20. Complying with the legal provisions on the obligation to verify and supervise the reporting procedure, correctness and veracity of the reports on the financing of electoral campaigns.
21. Ensuring uniform access of observers to electoral documentation, by complying with the legislation on observers' rights and obligations.
22. Amending the Regulations of the CEC by expressly introducing the right of observers to make photocopies of all electoral documentation, in the manner provided by the legislation on the protection of personal data.
23. Providing sufficient information on the dynamics of data from the State Register of Voters. Managing the SRV in a transparent manner.
24. Monitoring the use of hate speech by competitors and drafting proposals for changes to the legislation that would sanction the behavior of competitors and media.
25. Completing point 18 of the Regulation on the statute of observers and the procedure for their accreditation *with the "observers' right of access to subscription lists"*.
26. Transparent and efficient management and updating of the Register of Electoral Officials.

27. Applying the provisions of art. 58 par. (2) clause a) of the Electoral Code in the context of the local elections, including the new local elections, which stipulate that the voters, who come to the polling station with the voting certificate shall be included in the supplementary lists. In the case of parliamentary elections in uninominal constituencies, *local elections or local referendums, the voting certificates will be accepted only within the respective constituency.*
28. Timely publication of financial reports and documentation on campaign funding on the official website of the CEC.
29. Developing, discussing and implementing a clear formula for determining interest-free credit granted by the state, which could be updated from polling to polling.
30. Explicit regulation in points 11 and 12 of the Regulation on the financing of electoral campaigns of the period of blocking / unblocking of the "Electoral Fund" account to bring it in line with the real situation of the electoral campaign for the second round.
31. A thorough assessment of the costs incurred by competitors and the application of appropriate sanctions in case of violations.

To the Audiovisual Coordination Council

32. Monitoring by the ACC both of the audiovisual institutions that undertook to reflect the electoral campaign and those who said they would not reflect the electoral campaign for the entire duration of the campaign.

To the electoral contenders

33. Paying greater attention to the observance of statutory provisions, regulating electoral activity, especially when appointing candidates.
34. Avoiding hate speech and incitement to discrimination, sexist discourse and other forms of intolerance in messages and speeches publicly made in the context of electoral and general political activities.
35. Presenting information on contracts for the purchase of promotional and printing materials, TV, radio, printed advertising and space rental in the financial reports in a more detailed manner so that it can be recognized in the reports.
36. Reporting the services provided by volunteers in the report submitted to the CEC under the heading of donations in goods, objects, work, services, estimated at the market price.
37. Complying with the reporting provisions in the reports on the financing of electoral campaigns, on advertising materials, and of all expenses, according to the reporting requirements: 1. - Destination of payment, 2 - Date of payment, 3 - Beneficiary, 4 -Tax code, 5 Number and date of the payment order, number and date of the supporting documents (tax invoice, contract), 6 - Amount).

LIST OF ABBREVIATIONS

LIST OF ABBREVIATIONS

ACC – Audiovisual Coordination Council
art. - article
ATU – administrative territorial unit
CC – Constituency Council
CCCM– Constituency Council of the Chisinau Municipality
CEC - Central Election Commission
Dist. - district
EBPS- Election Bureau of the Polling Station
EF - Event form
I.C.- Independent candidate
I.G. – Initiative group
LPA - Local Public Administration
LTO - long-term observer
m2 - square meter
Mr. - Mister
mun. - municipality
NIA - National Integrity Authority
no. – number
OM - Observation Mission
OSCE - Organization for Security and Cooperation in Europe
OSCE / ODIHR - OSCE Office for Democratic Institutions and Human Rights
par. - paragraph
PCRM - Party of Communists of the Republic of Moldova
PDM - Democratic Party of Moldova
PL - Liberal Party
PN - Our Party
PNL - National Liberal Party
PPCNM - Our House Moldova Political Party
PPDA - Democracy Home Political Party
PPEM - European People's Party of Moldova
PPPDA - Platform of Dignity and Truth Political Party
PPRM - People's Party of the Republic of Moldova
PPS – SOR Political Party
PRSM - The Russian-Slavic Party of Moldova
PS - polling station
PSP – Political Party of the Progressive Society
PSRM - Political Party of Socialists of the Republic of Moldova
RM - Republic of Moldova
SRV – State Register of Voters
STO - short-term observer
STS – State Tax Service
TV - Television
USAID - United States Agency for International Development
VF - Visit form

ANNEXES

Annex no. 1. Accreditation of observers by the CEC

No.	Applicant	Accredited observers
International observers		
1.	The Embassy of France in the Republic of Moldova	1
2.	The Embassy of the Republic of Latvia in the Republic of Moldova	1
3.	Congress of Local and Regional Authorities of the Council of Europe	11
4.	Pro Democratia Club Association, Targu Neamt	1
5.	Expert Forum Association from Romania	4
6.	Embassy of the Kingdom of Sweden in the Republic of Moldova	3
7.	Embassy of the People's Republic of China in the Republic of Moldova	1
8.	Embassy of the Italian Republic in the Republic of Moldova	1
9.	Embassy of the Republic of Turkey in the Republic of Moldova	3
10.	Embassy of Austria in the Republic of Moldova	1
11.	Embassy of the Federal Republic of Germany in the Republic of Moldova	7
12.	Delegation of the European Union to the Republic of Moldova	6
13.	US Embassy in the Republic of Moldova	8
14.	Embassy of the State of Qatar in the Republic of Moldova	2
15.	Embassy of the Republic of Poland in the Republic of Moldova	4
16.	Embassy of Hungary in the Republic of Moldova	1
17.	USA Representation of NDI in Moldova, PA	1
Total international observers		56
National Observers		
1.	Promo-LEX Association	522
2.	Embassy of the Federal Republic of Germany in the Republic of Moldova	1
3.	Delegation of the European Union to the Republic of Moldova	2
4.	US Embassy in the Republic of Moldova	5
5.	Mirad Association	133
6.	USA Representation of IRI in Moldova, PA	9
7.	USA Representation of NDI in Moldova, PA	13
8.	Democracy, Equality, Cooperation, Accessibility and Support, PA	55
Total national observers		740
Total observers accredited by CEC		796

**Annex no. 2. Electoral candidates to the position of mayor in the new local elections of
20 May 2018 (3 June, 2018)**

No.	Electoral candidate	Political affiliation	Settlement
1.	Costiuc Vasile	Democracy Home, Political Party	Chisinau municipality
2.	Nastase Andrei	Platform of Dignity and Truth, Political Party	
3.	Rosco Alexandr	Our House-Moldova, Political Party	
4.	Apostolova Regina	SOR, Political Party	
5.	Munteanu Valeriu	The Liberal Party	
6.	Ceban Ion	Political Party of Socialists of the Republic of Moldova	
7.	Stratila Victor	Ecologist Green Party, Political Party	
8.	Can Alexandra	National Liberal Party	
9.	Braila Maxim	People's Party of Moldova, Political Party	
10.	Radu Silvia	Independent Candidate	
11.	Mitu Alexandru	The Russian-Slavic Party of Moldova, Political Party	
12.	Codreanu Constantin	Political Party of National Unity	
1.	Spataru Arina	Platform of Dignity and Truth, Political Party	Balti municipality
2.	Usatii Alexandru	Political Party of Socialists of the Republic of Moldova	
3.	Verejanu Pavel	SOR Political Party	
4.	Grigorisin Nicolai	Our Party (PN), Political Party	
5.	Burlacu Serghei	Political Party of National Unity	
6.	Gritco Elena	Independent Candidate	
7.	Gutu Simion	Action and Solidarity Party	
8.	Topolnitchii Oleg	The Russian-Slavic Party of Moldova	
1.	Terentii Lucia	Democratic Party of Moldova	Jora de Mijloc, Orhei dist.
2.	Tauber Marina	SOR Political Party	
3.	Morozan Serghei	Political Party of Socialists of the Republic of Moldova	
1.	Babutac Stanislav	Democratic Party of Moldova	Pirlita, Ungheni dist.
2.	Andriuta Galina	Platform of Dignity and Truth, Political Party	
1.	Nistrean Ghenadie	Democratic Party of Moldova	Volovita, Soroca dist.
2.	Cerchez Alexandru	Political Party of Socialists of the Republic of Moldova	
1.	Dragan Ion	Democratic Party of Moldova	Leuseni, Hincesti dist.
2.	Bujeac Ion	Political Party of Socialists of the Republic of Moldova	
1.	Ghitu Maria	Democratic Party of Moldova	Nemteni, Hincesti dist.
2.	Sindila Timofei	Political Party of Socialists of the Republic of Moldova	

**Annex no. 3. Representatives with the right of a consultative vote registered by the CC
Observers accredited by the CC**

3.1. Registration of representatives

No.	Electoral body	Political formation that appointed the representative
1.	CC II Chisinau	PPDA (1); PL (1); PSRM (1); PPS (1); PUN (1); PVE (1); PPRM (1); PNL (1); I.C. Silvia Radu (1)
2.	CC II Balti	PN (1); PSRM (1); I.C. Elena Gritco (1)
3.	CC I Leuseni, Hincesti dist.	PDM (1)

3.2. Accreditation of observers

No.	CCI / II	Political formation that appointed the observer
1.	mun. Chisinau	PSRM (306); PL (296); PPPDA (56)
2.	mun. Balti	PSRM (58); PN (58); PPS (58)
3.	Volovita, Soroca dist.	PDM (2); PSRM (2)
4.	Nemteni, Hincesti dist.	PDM (1); PSRM (1)
5.	Leuseni, Hincesti dist.	PDM (1); PSRM (1)
6.	Pirlita, Ungheni dist.	PDM (3); PPPDA (3)
7.	Jora de Mijloc, Orhei dist.	PDM (4); PSRM (4); PPS (4)
Total observers accredited by the CC		858

Annex no. 4. Deficiencies identified in the voters' lists

CC	Deficiencies in voters' lists	No. EBPS
Chisinau	non-deletion of the former owners from the addresses of the new owners	1/155; 1/236; 1/235; 1/234; 1/232; 1/201; 1/213; 1/212; 1/211; 1/210; 1/209; 1/206; 1/205; 1/208; 1/204; 1/203; 1/202; 1/291; 1/250; 1/207.
	non-inclusion of voters who have a valid residence in the main lists.	1/296; 1/298; 1/260; 1/259
	repeated inclusion (2 times) of a voter (2 addresses)	1/258;
	22 people expunged from the lists in the previous poll were re-listed	1/133;
	at least one deceased person (maximum 3) on the list	1/215; 1/304; 1/130; 1/296; 1/261
	confusing Bujorilor street from the town of Codru, mun. Chisinau, with the one in Chisinau, Center dist. (about 20 people were not listed)	1/255;
	The street M. Costin also appears as Costin M., therefore, two different addresses are indicated	1/238;
	1 person registered at str. M. Costin with an inexistent no. of building	1/237;
	confusing Studentilor Street with Studentilor lane	1/233;
	lack of streets names in the villages of Hulboaca and Gratiesti caused distribution of the voters domiciled at the same addresses to different PSs	1/296; 1/298;
	1 person was assigned to another PS, being separated from his whole family	1/244;
	The street N. Dimo also appears as Dimo N. therefore, 2 different addresses are indicated	1/217;
	2 persons live on M. Eminescu street, while the respective street also appears as Eminescu M., therefore, these persons are registered in different lists	1/261;
Balti	about 100 students, who do not live in dormitories, although they have their residence visa there; the existence of students with a residence permit valid in dorms but not included in the main voters' lists.	2/10;
	inclusion of non-residents / persons with no domicile in the list	2/4;
	exclusion from the lists of 135 persons declared by the court in the incapacity to vote	2/19;
	2 deceased persons on the list	2/44;
	str. Pavel Boțu, 104 which, de facto, is numbered only up to 87. At least 6 such addresses were identified.	2/44;
	str. Cailor 2 and 3 which, de facto, do not exist	2/47;
	str. Pushkin nr. 41, which de facto, does not exist	2/31;
	Referring the voters from Cosmonauts str., to the PS 2/4, who in fact do not belong there	2/4;
	In the case of voters on Independence str., first, the number of apartment, then no. building / house was indicated; one and the same street registered under two different names - Mira and Peace.	2/9;
errors caused by renaming str. Lesnaia into str. Rediului	2/19;	
Pirlita	given the lack of street names in the village of Pirlita, voters residing within the same PS (family members) are enrolled in different lists, which is why there is a large number of voters on additional voters' lists	35/59; 35/60;
	2 deceased persons (they died in the Russian Federation, missing death certificates)	35/59;
Volovita	2 deceased people (22.04.2018 and 01.05.2018 respectively).	29/72;
Total EBPS		54

Annex no. 5. Cases that can be qualified as use of administrative resources

Candidate	No.	Date	Event details	Notes
PDM	1	13.04.2018	Construction of a road from the church to the cemetery, as well as the rehabilitation of the cemetery fences in the villages of Volovita and Alexandru cel Bun	Meeting with the voters during the working hours of the institution
PL	1	20.04.2018	IMSP No. 1 (Medical Institution)	Meeting with the voters during the working hours of the institution
	2	23.04.2018	Sf. Archangel Mihail Municipal Hospital	Meeting with the voters during the working hours of the institution
	3	25.04.2018	Mihai Viteazul High School	Meeting with the voters during the working hours of the institution
	4	27.04.2018	Oncological Institute	Meeting with the voters during the working hours of the institution
	5	27.04.2018	Gheorghe Asachi High School	Meeting with the voters during the working hours of the institution
	6	02.05.2018	The Holy Trinity Hospital	Meeting with the voters during the working hours of the institution
	7	03.05.2018	AMT Rascani	Meeting with the voters during the working hours of the institution
	8	11.05.2018	Doina and Ion Aldea-Teodorovici High School	Meeting with the voters during the working hours of the institution
PN	1	24.04.2018	Kindergarten no. 1, Balti	Meeting with the voters during the working hours of the institution
	2	25.04.2018	Kindergarten no. 28, Balti	Meeting with the voters during the working hours of the institution
	3	26.04.2018	Spatii Verzi, M.E., Balti	Meeting with the voters during the working hours of the institution
	4	27.04.2018	APA CANAL, M.E. Balti	Meeting with the voters during the working hours of the institution
Elena Gritco	1	25.04.2018	Kindergarten no. 28, Balti	Meeting with the voters during the working hours of the institution
PPPDA	1	19.04.2018	Sf. Archangel Mihail Municipal Clinical Hospital	Meeting with the voters during the working hours of the institution
	2	23.04.2018	Holy Trinity Municipal Hospital	Meeting with the voters during the working hours of the institution
	3	28.05.2018	Institute of Urgent Medicine, Chisinau	Meeting with the voters during the working hours of the institution
PPS	1	19.04.2018	N. Gheorghiu High School	Meeting with the voters during the working hours of the institution
	2	25.04.2018	Policlinics No. 1, Chisinau	Meeting with the voters during the working hours of the institution
	3	04.05.2018	Republican Medical Diagnostic Center	Meeting with the voters during the working hours of the institution employees of the institution
PSRM	1	12.04.2018	St. Archangel Michael and Gavriil, Municipal Clinical Hospital, Chisinau	Meeting with the voters during the working hours of the institution
	2	17.04.2018	Alecu Russo Theoretical High School, Chisinau	Meeting with the voters during the working hours of the institution
	3	18.04.2018	ATM Center	Meeting with the voters during the working hours of the institution

4	19.04.2018	Kindergarten no. 18, Balti	Meeting with the voters during the working hours of the institution
5	19.04.2018	Kindergarten no. 64, Chisinau	Meeting with the voters during the working hours of the institution
6	19.04.2018	APA-CANAL JSC, Chisinau	Meeting with the voters during the working hours of the institution
7	20.04.2018	Kindergarten, 98 Ialoveni str.	Meeting with the voters during the working hours of the institution
8	20.04.2018	Kindergarten no. 119, Chisinau	Meeting with the voters during the working hours of the institution
9	20.04.2018	Kindergarten no. 30, Balti	Meeting with the voters during the working hours of the institution
10	21.04.2018	National Center for Blood Transfusion, Chisinau	Meeting with the voters during the working hours of the institution
11	04/21/2018	Oncological Institute, Chisinau	Meeting with the voters during the working hours of the institution
12	21.04.2018	Kindergarten no. 21, Balti	Meeting with the voters during the working hours of the institution
13	24.04.2018	Emergency Hospital, Chisinau	Meeting with the voters during the working hours of the institution
14	24.04.2018	Electric Transportation Directorate, M.E. Chisinau	Meeting with the voters during the working hours of the institution
15	25.04.2018	Exdrupo, M.E. Chisinau	Meeting with the voters during the working hours of the institution
16	25.04.2018	Pushkin Theoretical High School, kindergarten no. 3, Balti	Meeting with the voters during the working hours of the institution
17	25.04.2018	Republican Clinical Hospital	Meeting with the voters during the working hours of the institution
18	25.04.2018	Holy Trinity Municipal Clinical Hospital	Meeting with the voters during the working hours of the institution
19	26.04.2018	Policlinics No. 7	Meeting with the voters during the working hours of the institution
20	27.04.2018	Kindergarten in Cricova	Meeting with the voters during the working hours of the institution
21	28.04.2018	Kindergarten no. 48, Balti	Meeting with the voters during the working hours of the institution
22	05/02/2018	National House for Social Insurance, Center	Meeting with the voters during the working hours of the institution
2.3	02.05.2018	Valentin Ignatenco Municipal Children's Hospital	Meeting with the voters during the working hours of the institution
24	03.05.2018	N.M. Spatarul Theoretical High School	Meeting with the voters during the working hours of the institution
25	03.05.2018	Municipal Clinical Hospital for Contagious Diseases of Children	Meeting with the voters during the working hours of the institution
26	04.05.2018	Auto-Salubrity Directorate, M.E.	Meeting with the voters during the working hours of the institution
27	04.05.2018	Hospital for Dermatology and Infectious Diseases	Meeting with the voters during the working hours of the institution
28	04.05.2018	Municipal Clinical Hospital of Pneumology	Meeting with the voters during the working hours of the institution
29	04.05.2018	Hospital for Dermatology and Infectious Diseases	Meeting with the voters during the working hours of the institution
30	04.05.2018	Clinical Hospital of Traumatology and Orthopedics	Meeting with the voters during the working hours of the institution

	31	08.05.2018	Spatii Verzi, M.E. , Chisinau	Meeting with the voters during the working hours of the institution
	32	08.05.2018	Children's Academy High School	Meeting with the voters during the working hours of the institution
	33	08.05.2018	Berezovschi Theoretical High School	Meeting with the voters during the working hours of the institution
	34	10.05.2018	Clinical Hospital of Psychiatry	Meeting with the voters during the working hours of the institution
	35	11.05.2018	Emilian Cotaga Children's Republican Hospital	Meeting with the voters during the working hours of the institution
	36	14.05.2018	Rehabilitation Center for children with severe disabilities of the locomotor system	Meeting with the voters during the working hours of the institution
	37	14.05.2018	Hospital for Dermatology and Infectious Diseases	Meeting with the voters during the working hours of the institution
	38	16.05.2018	Dragos-Voda Theoretical High School, Stauceni	Meeting with the voters during the working hours of the institution
	39	17.05.2018	APA CANAL, JSC, Chisinau	Meeting with the voters during the working hours of the institution
	40	17.05.2018	Ilie Fulga Kindergarten, Stauceni	Meeting with the voters during the working hours of the institution
PUN	1	20.04.2018	Village of Bacioi, meeting with the voters attended by the representatives of the LPA during their working hours	Meeting with the voters during the working hours of the institution
	2	01.05.2018	Kindergarten no. 46, Balti	Meeting with the voters during the working hours of the institution
	3	02.05.2018	Columna Theoretical High School	Meeting with the voters during the working hours of the institution
	4	04.05.2018	Institute of Emergency Medicine, Chisinau	Meeting with the voters during the working hours of the institution
	5	08.05.2018	Auto-Salubrity Directorate, M.E.	Meeting with the voters during the working hours of the institution
	6	11.05.2018	Health Center, Durlesti	Meeting with the voters during the working hours of the institution
	7	16.05.2018	Diagnostic Advisory Center, Ciocana	Meeting with the voters during the working hours of the institution employees of the institution
Silvia Radu	1	11.04.2018	Taking from the CC the subscription lists during working hours, acting as interim mayor	Meeting with the voters during the working hours of the institution
	2	27.04.2018	Attending the donation of the two buses offered by Bucharest, together with the mayoralty officials	Meeting with the voters during the working hours of the institution
	3	02.05.2018	Auto-Salubrity Directorate, M.E.	Meeting with the voters during the working hours of the institution
	4	02.05.2018	Hyperion High School, where the Mayor was also present. Durlesti	Meeting with the voters during the working hours of the institution employees of the institution
Total events			71	

Annex no. 6. Cases of electoral gifts offered

Candidate	No.	Date	CC	Gifts offered
PDM	1	07.05.2018	Nemteni	Free medical consultations given by 3 specialists brought from Chisinau and 3 other specialists from Hincesti;
	2	18.05.2018	Volovita	Installation of a new playground for the Prichindel Kindergarten in the village of Alexandru cel Bun, Volovita;
PPPDA	3	18.04.2018	Balti	Offering 220 flower pots to be planted in front of the City Hall. Balti (Arina Spataru);
	4	05.05.2018	Balti	Organization of a football match, where 10 t-shirts with the slogan "Arina Spataru" were worn, a cup, 7 medals, as well as prizes for the winners were offered.
PPS	5	05.04.2018	Chisinau	Opening a Social Store in Sculeni, Chisinau (Reghina Apostolova);
	6	29.04.2018	Chisinau	Organization of a Feast, with the participation of animators, offering of balloons (Riscani Park);
	7	30.04.2018	Chisinau	Organization of a Feast, with the participation of animators, offering of balloons (Center dist.);
	8	30.04.2018	Chisinau	Organization of a Feast, with the participation of animators, offering of balloons (Buiucani dist.);
	9	01.05.2018	Chisinau	Organization of a Feast, with the participation of animators, offering of balloons (Riscani. M. Costin str.);
	10	05.05.2018	Jora de Mijloc	Installation of at least 4 WIFI routers in the four localities of Jora de Mijloc;
	11	06.05.2018	Chisinau	Organization of a Feast, with the participation of animators, offering of balloons (Buiucani dist.);
	12	09.05.2018	Jora de Mijloc	Organization of sports competitions, where 15 bicycles and a ram were donated;
	13	13.05.2018	Balti	Organization of a Feast, with the participation of animators, offering of balloons (18 Suceava str., Balti).
	14	13.05.2018	Jora de Mijloc	Organization of a festive dinner with the participation of at least 300 people from the village of Jora de Mijloc to Orhei and taking them on at least 10 minibuses and 2 coaches to Sidney Restaurant.
	15	13.05.2018	Balti	Organization of Feast, with the participation of animators, offering of balloons;
	16	15.05.2018	Balti	Organization of a Family Day (Balti). There were 2 playground slides with the participation of 5 animators and a moderator, about 100-150 balloons were offered.
	17	15.05.2018	Balti	Organization of a Feast, with the participation of animators, offering of balloons;
PSRM	18	06.04.2018	Balti	DIN SUFLET Foundation granted donations to veterans and pensioners in Balti - Easter gifts offered by the PSRM candidate;
	19	10.04.2018	Balti	Offering bags with food to veterans at the Veterans' House in Balti (DIN SUFLET Foundation);
	20	26.04.2018	Chisinau	Planting 200 trees by PSRM volunteers near the Eternity Memorial;
	21	03.05.2018	Chisinau	A festive meal at the PLOVDIV restaurant for 35 veterans (Chisinau);
	22	13.05.2018	Balti	DIN SUFLET Foundation organized the Family Festival (Balti), with the performance of LUME band, installing about 5

			playground slides. Everything was free of charge: shooting, ice cream, cotton candy, hoverboard, darts, etc.	
	2.3	26.05.2018	Chisinau	Setting up a playground for children by the PSRM activists (Center dist.);
	24	26.05.2018	Chisinau	Setting up a playground for children by the PSRM activists (Codru);
	25	29.05.2018	Chisinau	The PSRM activists painted the bus stations in Codru
	26	29.05.2018	Chisinau	The PSRM activists set up a playground on Str. Drumul Schinoasei;
Silvia Radu	27	10.05.2018	Chisinau	The campaign "Do Something Good for Chisinau": Setting up a playground for children in Bubuieci. 6 benches, 2 chairs and a children's table were installed;
	28	12.05.2018	Chisinau	The campaign "Do something good for Chisinau": planting flowers in the Stefan cel Mare Public Garden
	29	15.05.2018	Chisinau	The campaign "Do something good for Chisinau": donation of air conditioners to the Cultural House in Tohatin, Chisinau;
	30	15.05.2018	Chisinau	The campaign "Do something good for Chisinau": painting the children's playground in the kindergarten no. 47, Riscani dist.
	31	16.05.2018	Chisinau	The campaign "Do something good for Chisinau": the restoration and repair of a playground in the Ciocana dist., M. cel Batran bld.
	32	17.05.2018	Chisinau	The campaign "Do something good for Chisinau": a playground installed on 75 Alba Iulia str.
	33	18.05.2018	Chisinau	The campaign "Do something good for Chisinau": Playground installed in the Kindergarten no. 133, Chisinau.

Annex no. 7. Calculation methodology used to estimate the expenses of electoral competitors found by the Promo-LEX observers and not reflected in the financial reports

a) Additional maintenance costs (headquarters and telecommunication)

To estimate the actual rental costs the Promo-LEX multiplied the area party headquarters, estimated by the Promo-LEX monitors, by the price of 1 m² of space in the municipality of Chisinau and Balti and by the duration of the electoral campaign period³⁸; 2 electoral contenders (the PSRM and PPPDA) used the space for 6 weeks (round I and II). Telecom expenses were added to the supplemental maintenance costs. To calculate these costs, the number of headquarters of each political party, reported by the Promo-LEX observers, was multiplied by the minimum rates for these services (fixed telephony services- the minimum fee of 6 lei, Internet per headquarter - 180 lei), all multiplied by the duration of the campaign period.

b) Expenses on public events

Expenses on public events include media coverage, performers' fees, rental costs for space, stage, sound facilities, etc. To estimate the expenses on events / electoral concerts, the fee charged by each performer / moderator / animator (market price), performing for a certain potential competitor, was multiplied by the actual time worked per event; expenses related to sound, mobile stage, sanitation, parking facilities, entertainment events for children and sports competitions were also estimated.

c) Expenses on volunteers' / agitators' rewards

When estimating the expenses on volunteers' rewards, the number of volunteers of each competitor was multiplied by the minimum reward reported by the Promo-LEX observers. To estimate the expenses on observers' rewards, the number of competitors' observers accredited by the CEC was multiplied by the amount of 324.24 lei³⁹ for 21 hours (from 06:00a.m. to 03:00 a.m. of the following day). That amount was calculated on the basis of the guaranteed minimum wage in the real sector for 2018.

d) Transportation costs

The calculation formula used provides for the multiplication of a consumption average of 9 l / 100 km (car), 10 l / 100 km (minibus), 35 l / 100 km (bus) multiplied by the distance traveled and by the fuel price of 16,6 lei (see Chart no. 19).

e) Expenses on promotional materials

To calculate these costs, each promotional material, reported by the Promo-LEX observers, was multiplied by the minimum market price. According to the Promo-LEX observers' checks, the minimum price for 1 unit of jacket with logo is 250 lei, the minimum price for 1 unit of printed T-shirt is 150 lei, the minimum price for 1 unit of printed balloon - 3 lei, the minimum price for 1 unit of 3x20m² banner is 5000 lei, the minimum price of a unit of A3 poster, glossy paper - 2.5 lei for a print run of 5 000; 1 unit of A3 calendar, color glossy paper - 2.5 lei; a unit of A4 poster, matte paper - 0.5 lei for a print run of 15 000, the cost of a booklet / book of 110 pages - 49.9 lei, the cost of a unit of newspaper (8 pages) - 1 leu for a print run of 100 000, the cost of a unit of 21x20cm² leaflet - 2 lei; 1 unit of flyer, for a print run of 200,000, glossy paper - 2,5 lei; 1 unit of 2x1cm² flyer for a print run of 300000 - 0.5 lei; 1 unit of 10x12cm² flyer for 50 000 - 1 leu, 1 balloon printed with message and logo - 2,5 lei, 1 magnet with

³⁸ The price of a 1 m² of space in Chisinau and Balti is of 200 lei/1 m²/month

³⁹ According to the Decision no. 396 of 25.04.2018, from 1 May 2018, the guaranteed minimum amount of of the salary in the real sector is 15.44 lei per hour, <https://bit.ly/2xtZCE9>

message and logo - 3,5 lei, 1 A5 flyer- 0,5 lei, 1 9x11,5cm² sticker - 3 lei, 1 video recording of 30 sec. - at least 10 000 lei, 1 vest- 190 lei, 1 cap - 110 lei.

f) Street and mobile advertising costs

To estimate the costs for street panels, the market value of the various panel samples was checked. Thus, the minimum monthly price for the placement of a 6 × 3 m² street panel is at least 6 660 lei, a street panel of 6 × 12 m² - 10 100 lei, a panel of 24 × 3 m² - at least 20 200 lei, an LED panel – 7 770 lei, a 3 × 2 m² street panel - at least 4 000 lei, a 1,5 × 2 m² banner - at least 2 000 lei, 1 tent - 800 lei, 1 unit of 30x90 cm² placard - 200 lei.

f) Internet advertising costs

The calculation formula used to estimate the cost of sponsored pages in the Facebook network provides for the multiplication of a sponsored post by 5 euro (100 lei) and the number of the days when the occurrence was observed. To estimate the cost of online banners, the number of online advertising houses that have the below mentioned platforms was multiplied by the price of 3500 euro/ month (70 000 lei).

Annex no. 8. Election results of 20 May 2018 based on the final data of Promo-LEX and the CEC

Candidates, municipality of Chisinau	Final data of Promo-LEX ⁴⁰		Final data of the CEC ⁴¹		Final data of Promo-LEX / final data of the CEC	
Participation rate	225 935	35.42%	225 930	35.74%	5	-0.32%
Costiuc Vasile (PPDA)	504	0.23%	504	0.22%	0	+ 0.01%
Nastase Andrei (PPPDA)	71 803	32.15%	71 803	32.12%	0	+ 0.03%
Rosco Alexandr (PPCNM)	443	0.20%	443	0.20%	0	0
Munteanu Valeriu (PL)	8078	3.62%	8078	3.61%	0	+ 0.01%
Ceban Ion (PSRM)	91 575	41.00%	91 575	40.97%	0	+ 0.03%
Stratila Victor (PVE)	414	0.19%	414	0.19%	0	0
Can Alexandra (PNL)	385	0.17%	385	0.17%	0	0
Braila Maxim (PPRM)	331	0.15%	331	0.15%	0	0
Radu Silvia (I.C.)	39 461	17.67%	39 460	17.65%	+1	+ 0.02%
Mitu Alexandru (PRSM)	374	0.17%	374	0.17%	0	0
Codreanu Constantin (PUN)	10163	4.55%	10163	4.55%	0	0

Candidates, municipality of Balti	Final data of Promo-LEX		Final data of the CEC		Final data of Promo-LEX / final data of the CEC	
Participation rate	36 874	34.95%	36 875	35.13%	-1	-0.18%
Spataru Arina (PPPDA)	2231	6.12%	2231	6.12%	0	0
Usatii Alexandru (PSRM)	6984	19.17%	6984	19.17%	0	0
Verejanu Pavel (PPS)	2098	5.76%	2098	5.76%	0	0
Grigorisin Nicolai (PN)	22 490	61.74%	22 490	61.74%	0	0
Burlacu Serghei (PUN)	1449	3.98%	1449	3.98%	0	0
Gritco Elena (I.C.)	434	1.19%	438	1.2%	-4	0.01%
Gutu Simion (PAS)	400	1.10%	400	1.1%	0	0
Topolnitchii Oleg (PRSM)	336	0.92%	337	0.93%	-1	-0.01%

Candidates, Jora de Mijloc, Orhei dist.	Final data of Promo-LEX		Final data of the CEC		Final data of Promo-LEX / final data of the CEC	
Participation rate	1 732	43.48%	1732	52.79%	0	-9.31%⁴²
Terentii Lucia (PDM)	653	38.05%	653	38.05%	0	0
Tauber Marina (PPS)	1048	61.07%	1048	61.07%	0	0
Morozan Serghei (PSRM)	15	0.87%	15	0.88%	0	+ 0.01%

⁴⁰ We specify that for certain competitors, even if the number of votes calculated by Promo-LEX coincides with the CEC's data, there are differences between the percentage points. These differences are due to the fact that the sum of votes per competitor calculated by the CEC ($g_1 + g_2 + g_3 \dots g_{11}$) differs from the number of votes calculated by Promo-LEX (223529 vs. 223531).

⁴¹ REPORT on the organization, conduct and tabulation of the results of the new local elections of 20 May 2018, p.13-14, http://cec.md/files/files/Alegeri%20Locale%20Noi/20%20mai%202018/RAPORT_ALN_20_05_2018.pdf

⁴² The difference between the participation rate, according to Promo-LEX, and that given by the CEC, is determined by the error identified in the minutes completed by the PS 16/42.

Candidates, Pirlita, Ungheni dist.	Final data of Promo-LEX		Final data of the CEC		Final data of Promo-LEX / final data of the CEC	
<i>Participation rate</i>	1 742	39.76%	1742	39.81%	0	-0.05%
Babutac Stanislav (PDM)	1470	85.61%	1470	85.61%	0	0
Andriuta Galina (PPDA)	247	14.39%	247	14.39%	0	0

Candidates, Volovita, Soroca dist.	Final data of Promo-LEX		Final data of the CEC		Final data of Promo-LEX / final data of the CEC	
<i>Participation rate</i>	771	46.90%	771	46.95%	0	-0.05%
Nistrean Ghenadie (PDM)	604	79.37%	604	79.36%	0	+ 0.01%
Cerchez Alexandru (PSRM)	157	20.63%	157	20.63%	0	0

Candidates, Leuseni, Hincesti dist.	Final data of Promo-LEX		Final data of the CEC		Final data of Promo-LEX / final data of the CEC	
<i>Participation rate</i>	687	37.00%	687	36.99%	0	-0.01%
Dragan Ion (PDM)	602	90.80%	602	90.79%	0	-0.01%
Bujeac Ion (PSRM)	61	9.20%	61	9.21%	0	+ 0.01%

Candidates, Nemteni, Hincesti dist.	Final data of Promo-LEX		Final data of the CEC		Final data of Promo-LEX / final data of the CEC	
<i>Participation rate</i>	549	36.87%	549	36.92%	0	+ 0.05%
Ghitu Maria (PDM)	441	82.58%	441	82.59%	0	-0.01%
Sindila Timofei (PSRM)	93	17.42%	93	17.41%	0	+ 0.01%