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Advancing democracy and human rights



coalitia civică pentru alegeri libere și corecte

SUMMARY OF THE FINAL REPORT

**Observation Mission for
the New Local Elections
of May 29 (June 12)**

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Promovarea democrației și a drepturilor omului

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The opinions expressed in the Report belong to the authors and do not necessarily reflect the positions of the donor. If there are any discrepancies between the text in Romanian language and its translation in another language, the Romanian version of the Report will prevail.

EXECUTIVE SUMMARY

Political context. Eight settlements elected their mayors and another two elected their local councilors in the elections of May 29 (June 12) 2022. Regarding the election of mayors, it has to be mentioned that in two cases, the positions became vacant due to the resignation of the incumbent mayors, and in six cases, following the death of the mayors.

The domestic political context was mainly determined by the effects of the war launched by the Russian Federation against Ukraine. Even if the geopolitical context did not directly influence the content of competitors' campaign messages, the effects of the war in the form of rising prices and the lack of confidence in the future, affected voters' electoral preferences. In particular, competitors' campaign messages contained solutions to the problems of the settlements in which they ran for the mayoral office. At the same time, with the cancellation of the state of emergency, the new local elections become the first elections after 2020, held without pandemic restrictions.

Legal framework. We reiterate the drawbacks of the legal framework, revealed in the course of the organization of new local elections, which are reported in this election as well: uncertainties regarding the length of the election period in setting the date of new local elections and the organization of elections during the state of emergency, by applying a rule derogating from a Parliament decision, which derogates from a norm established by the organic law. In addition, we note that the legislator made changes to the electoral legislation during the electoral period, when the constituency electoral councils were already set up and the period for appointing candidates had begun.

Electoral bodies. The CEC efficiently organized the new local elections. However, some chronic problems specific to the elections in the Republic of Moldova were still found. Thus, in the case of lower electoral bodies, the work schedule was respected differently: CECE were open in 93% of visits, and PEBs - in 55%. The composition of electoral bodies remains unbalanced from a gender perspective (CECE - 85% women and PEB - 88%). Only about 50% of the CECE headquarters and 77% of the PEBs were accessible to people with special locomotor needs. We also note the lack of compliance by the lower electoral bodies with the obligation to display information of public interest at the headquarters.

Electoral appeals. In the context of the new local elections, Promo-LEX OM identified and analyzed 9 appeals / notifications submitted to the electoral bodies: CEC (6) and CECE Ghetlova (3). They refer to the use of undeclared financial means (2), competitors' registration (2), misuse of administrative resources (2), failure to suspend from office (2), artificial migration of voters (1).

CECE 25/13 rejected all appeals/ notifications within the deadlines provided by the legislation in force. In the case of the CEC, although the transparency of the registration and handling of the complaints is still low, we appreciate the active role of the Commission in resolving the complaint on alleged voter migration and a possible risk of influencing election results in a constituency.

Designation and registration of candidates. Out of 56 parties with the right to nominate candidates, 10 political parties participated in the elections. The parties nominated 23 candidates for the position of mayors: the PAS (6); BECS (5); PLDM and the PPS 3 each; PPPDA (2); and PPN, PDM, PL and PPPO - one each. Another 7 (23%) candidates competed independently. Only 20% of the total registered candidates are women.

CECE no. 25/13 Ghetlova refused to register an independent candidate on the grounds that he had not submitted a sufficient number of signatures.

Voters' lists. The CEC provided all the stakeholders with regular information on the number of voters in the State Register of Voters (RSA). We found a slight increase in the number of citizens with the right to vote in most constituencies. The voters' lists were sent to the PEB in time, and the observers had access to them.

Electoral competitors. Promo-LEX observers reported at least 76 promotional activities carried out by 10 competitors. The most frequent were meetings with voters and door-to-door activities (54%), as well as distribution of election materials (41%). The most active competitors were representatives of: the PPS (53% of activities), followed by the PAS (26%), BECS and the PN (5% each).

The election campaign was marked by the use of electoral advertising contrary to legal provisions: at least 2 cases of distribution of materials that contained no printing information (name of the competitor, date of printing, circulation, etc.) and at least 2 cases of unauthorized placement of electoral advertisements (on pillars).

Election campaign funding. In the new local elections of May 29, 2022, the CEC continued the practice initiated in the election of November 21, 2021 on checking the authenticity / correctness of revenues and expenditures reported by electoral competitors. On the other hand, we have repeatedly found that the CECEs have not carried out any supervisory or control activities with regard to the financial reporting of independent candidates (ICs).

According to competitors' reports, of the total of 161,578 lei declared as revenues, the largest amount was reported by: the PAS (37%), PPs (29%) and the BECS (13%). The main sources of funding are donations from individuals (4%), funds on political party accounts (51%) and donations in goods, works or services (45%). Most of the expenses reported by competitors account for promotional materials (65%) and advertising (34%). The estimates of Promo-LEX observers also confirmed that competitors' expenses account for promotional activities and advertising.

Following the civic monitoring, the Promo-LEX OM estimated an amount of at least 51,551 lei as being undeclared by 9 competitors. The highest amounts estimated as undeclared fall for the PPS (58%); PAS (27%) and the BECS (6%). According to the estimates of Promo-LEX, the PPS incurred campaign expenses that seem to have exceeded the limit ceiling set by the CEC by 10,369 lei.

Electoral information and training activities. In the period of May 14 - 22, 2022, the Promo-LEX Association organized three public electoral debates held in Ghetlova commune, Orhei district, Glinjeni village, Falesti district and Tataresti village, Straseni district, engaging 10 candidates for the mayor's office of the 13 registered.

The actions of CICDE and CEC aimed at training electoral officials and other categories of participants in the electoral process (treasurers, observers, etc.) in order to ensure the proper organization of elections.

Election day. On May 29, 2022, mayors were elected in five constituencies, and residents of another two elected their local councilors. The second round (June 12, 2022) was organized in 3 settlements. The PSs opened and closed regularly. Voting in general was organized efficiently and everything was smooth. Observers reported 6 incidents in the first round of the local election. The counting of votes was fast and calm. At the same time, cases were reported when PEB members ignored the rule that stipulates that the ballot papers should be counted only by one member of the

PEB. The results of the parallel counting performed by the Promo-LEX OM confirm the results presented by the electoral bodies.

All the mayoral mandates (8) were occupied only by the representatives of political parties, as follows: BECS - 3 mandates, PAS, PPPO, PLDM, PPS and the PN one mayoral mandate each.

Post-election period. According to Promo-LEX observers, the confirmation of the legality of the elections and the validation of the mandates of mayors and councilors took place within 1-5 days of the election day. At the same time, in the case of Ghetlova commune, Orhei district, the Orhei District Court issued a decision confirming the legality of the elections, before the appeal filed with the CEC by an electoral contestant was resolved. Respectively, we consider that the court ruled prematurely on the legality of the elections and the validation of the mandate of the mayor of Ghetlova commune.

ABBREVIATIONS

para. – paragraph
LPA – Local Public Authorities
Art. – Article
EBCS – Electoral bloc of Communists and Socialists
PEB - Precinct Electoral Bureau
CCFFE – Civic Coalition for Free and Fair Elections
CEC – Central Electoral Commission
DEC I - level-one District Electoral Council
IC – independent candidate
CCET – Centre for Continuous Electoral Trening
LC – local council
wp. – township
SCJ – Supreme Court of Justice
IG – initiative group
let. – letter
MIA – Ministry of Internal Affairs
OM – Observation Mission
mun. – Municipality
No – number
t. – town
OSCE – Organization for Security and Cooperation in Europe
OSCE/BIDDO – OSCE Office for Democratic Institutions and Human Rights
LTO – Long Term Observer
STO – Short-Term Observer
PPAS – Action and Solidarity Political Party
p. – point
DPM – Democratic Party of Moldova
LP – Liberal Party
LDPMPP – Liberal Democratic Party of Moldova, Political Party
OPPP – Our Party, Political Party
PPPDA - ‘Dignity and Truth’ Political Party
PPVP – ‘People’s Will’ Political Party
PPSS - ‘Şor’ Political Party
M – minutes
REO – Registry of Electoral Officials
SVR – State Voter Register
v. – village
SAISE - State Automated Information System ‘Elections’
PS – polling station
ATU – Administrative Territorial Unit
USAID – United States Agency for International Development

