



# **REPORT no. 3**

## **Observation Mission of the New Local Elections of 20 May 2018**

Monitoring period: 1 May - 16 May 2018

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*The opinions set out in the public reports of Promo-LEX are those of the authors and do not necessarily reflect the views of the donors.*

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## INTRODUCTION

Report no. 3, developed as a result of the activity of Observation Mission (OM) Promo-LEX of the New Local Elections of 20 May 2018, covers the period of activity of the long-term observers (LTO) between 1 May and 16 May 2018. The financial reporting of the competitors has been examined for the period 28 April 2018 - 11 May 2018.

The new local elections are held in order to elect the mayors of the following seven settlements: Chisinau mun., Balti mun., Leuseni township (Hincesti district), Volovita township (Soroca district), Jora de Mijloc township (Orhei district), Nemteni village (Hincesti district), Pirlita township (Ungheni district).

Report no.3 is an interim report, whose general mission is to ensure the overall improvement of the ongoing electoral process. The points of reference of the present interim report are: real-time diagnostic of the quality of the procedures for organizing and conducting elections for a predetermined period of time; accountability of the election stakeholders; identification of the positive and negative trends in the electoral process.

The report is prepared by the core team of OM Promo-LEX, based on the findings reported by LTOs of Observation Mission, on the activity of all the stakeholders involved in the organization and monitoring process of elections: public authorities, electoral bodies, political parties, the citizens who advance their own candidacy for the position of mayor and civil society.

The International standards used as references in this report are those developed by UN, OSCE, European Commission for Democracy through Law, European Union and Council of Europe. At the end of this report are formulated the preliminary recommendations to the public authorities, electoral authorities, electoral candidates / participants in the referendum and other stakeholders, in order to ensure the optimisation of the electoral process.

## OBSERVATION METHODOLOGY

Observation Mission (OM) Promo-LEX on the New Local Elections 20 May 2018 is a project carried out by Promo-LEX Association within the Civic Coalition for Free and Fair Elections. Promo-LEX Association is a public association, which aims to develop the democracy in the Republic of Moldova (RM), including the Transnistrian region, by promoting and protecting the human rights, monitoring democratic processes and strengthening civil society.

Monitoring the electoral process is done throughout the electoral period by eight long-term observers (LTOs) in the 7 constituencies set up for the new local elections of 20 May 2018. On the election day, Promo-LEX will delegate by one short-term observer (STO) in each of the 375 opened polling stations (PV). All the observers involved in the monitoring process are trained at the seminars organized by Promo-LEX mission and sign the Code of Conduct<sup>1</sup> of the national independent observer of Promo-LEX, committing to take immediate actions, in good faith and in a non-partisan manner. The activity of all the observers is coordinated by the central team of the Association.

As sources for developing public reports of OM are the official and public information, and also the reports, including the standardized reports of the observers, drawn up according to the Promo-LEX Methodology, based on the planned visits planned in every settlement in the area of responsibility, on the visits to the electoral bodies, and also on the reports drawn up on the events made outside the planned visits, in the cases when the observers spot events with an electoral tinge. During the planned visits, the observers analyse the information resulting from discussions, meetings with the interlocutors and consulting official documents.

OM Promo-LEX is not a political rival of the candidates involved in the election process, is not an investigative body and assumes no express obligation to prove the observed findings. However, the reports of the observers are accompanied, where possible, by photo and video evidence that can only be made available to law enforcement bodies, based on appropriate requests, and in any case cannot be made

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

available to candidates. Promo-LEX Mission manages the web platform [www.monitor.md](http://www.monitor.md), where any citizen can report activities with an electoral tinge. Citizens' alerts are verified by the observers of the Mission at the next scheduled visit to the locality in which the alert was registered.

MO Promo-LEX is held within the "Democracy, Transparency and Accountability" Programme, funded by the US Agency for International Development (USAID). Monitoring the hate and discriminatory speeches is held within the "Consolidation of a platform for the development of Human Rights of Human Rights activism and education in Republic of Moldova", funded by the Department of Justice and Human Rights of Soros Foundation Moldova. The opinions set out in the public reports of Promo-LEX are those of the authors and do not necessarily reflect the views of the donors.

## SUMMARY

During the period from 1 May 2018 to 16 May 2018, the Observation Mission (MO) Promo-LEX of the New Local Elections of 20 May 2018 activated in a team of the eight long-term observers and a national coordinator. The report is based on public and official information, and also by analysing the forms completed by Promo-LEX observers, namely: 393 visiting forms, 256 events forms and seven CECE II and I monitoring forms.

MO Promo-LEX has identified the following aspects regarding the legal framework governing the new local elections, which would need to be reviewed by the legislator: *avoiding the uncertainties regarding voting by the citizens with valid domicile and residence on the election day; the subject on the limiting the right of the voters to use the certificate for the right to vote by CEC; strict regulation of the conditions of voting for the voters who do not have domicile / residence registration, especially given the substantial increase in the number of respective voters, according to RSA data; ensuring the real possibility to verify the subscription lists, and also confirming the legal effects of the incomplete or non-compliant filing of the materials and documents for the registration of the candidates; plenary regulation phenomenon of using administrative resources in election campaigns in the interest of candidates and by them; financing the candidates by the parties they have been delegated by and the transfer of sums of money exceeding the cap fixed for legal entities.*

*To organize the new local elections of 20 May 2018, in the period 1 to 16 May 2018, CEC adopted 16 decisions, as follows:* confirmation of the persons responsible for finances (treasurer) of PUN, PAS, PNL and PPRM; amending the CECE Volovita (Soroca) componence; accreditation of the national and international observers; decision on financial reports of the candidates; examining the appeals. Mission draws the attention of CEC *on possible violations of the law by the companies that have conducted public opinion polls during the electoral campaign.*

MO Promo-LEX considers that, according to the visits carried out, *CECE were activating according to the approved working agenda.* Meanwhile, the observers have conducted 393 visits to BESV (including repeating visits to closed bodies), as a result of which it was found that, on 84 of the visits (21.37%), *BESV offices were closed during working hours.*

According to the information provided by Promo-LEX, *based on the 332 BESV verified, it was found that in at least 77 BESVs (23.19%) the legal deadlines for electing the chairman, deputy chairman and secretary were violated.* From the perspective of gender statistics, of a total of 335 verified BESV (plus 3 BESV with which communication took place, even if the offices were closed), it was found that *the management positions are occupied by 82% of women and, respectively, 18 % - by men.* Also, according to the information provided by Promo-LEX, *it was found that 52% of the SV are equipped with access ramps.*

For the monitored period, *MO Promo-LEX has identified three complaints filed to CEC (PUN - 2 and PAS - 1) and a response offered to these.* Also, the attention is drawn to *14 appeals / notification / complaints filed to 3 CECE (CECE no. 1 Chisinau - 10; CECE no. 2 Balti - 3; CECE no. 25/16 Jora de Mijloc - 1.* There were registered two appeals by the citizens and 12 appeals – by the following competitors: SPRM - 3; PPCNM - 2; PN - 2; PPŞ - 2; PUN - 2 and PDM - 1. These petitions make references to six competitors, as follows: PPŞ - 4; PUT - 3; SPRM - 3; PPPDA - 2; Silvia Radu - 1; PVE - 1. *Of the 14 requests, 11 contain the request to cancel the registration, of which: 5 complaints regarding financial reporting aspects (including subsidies from abroad); 5 cases - on the grounds of involvement of persons / images of the people who are not citizens of the Republic of Moldova; 1 request – on the grounds that can be described as a false in the documents filed for the application.*

In addition, there were found some deficiencies regarding the quality and content of the electoral lists during the 54th BESV. Thus, the largest share of shortcomings identified in the electoral lists are referring to: *registration of strangers at the residence of voters (20 BESV), incorrect addresses (17) and the existence of deceased persons (8), others (9).*

As to the activity of the electoral candidates, we specify that the quality of the candidate to the position of general mayor of Chisinau mun. was cancelled for one of the candidates - Reghina Apostolova, PPŞ. In this regard, on 10 May 2018, CECE Chisinau no. 1 submitted a request to Chisinau Court on cancelling

the of registration process of the electoral candidate. Through the decision of Chisinau Court (Center office) from 11 May 2018, the request of CECE no. 1 was accepted, and the registration of the candidate Reghina Apostolova in the election race was cancelled. This decision was upheld by the decision of Court of Appeal Chisinau from 14 May 2018 and end the closure of Supreme Court of Justice from 16 May 2018.

According to Promo-LEX observers, during the monitoring period there were registered at least 210 activities on electoral promotion, the majority - 173 (82.38%) being organised in Chisinau mun. Of all the activities, at least 68 (32%) were organized by SPRM; 48 (23%) – by C.I. Silvia Radu, and 33 (16%) – by PPS. The most commonly used promotional tools remain: meetings with potential voters - characteristic for 31% of the activities and the use of tents - in 28% of the cases. There are ongoing reported cases that can be qualified as *abusive misuse of administrative resources*. Thus, there were reported 15 cases, of which: 3 meeting with the electorate organized in the edifices of educational institutions during working hours (2 – SPRM, 1 – C.I. Silvia Radu); 4 meetings with the electorate organized in the edifices of state owned companies during working hours (2 – SPRM, 1 - PUN, 1 – CI Silvia Radu); 8 meetings with the electorate organized in health care institution during the working hours (4 – SPRM, 2 – PUN, 1 – PL, 1 - PPŞ).

Compared with the previous reporting period, the MO Promo-LEX observers identified several cases - at least 17 - *that can be qualified as offering of presents during electoral period*, involving the following candidates: PPŞ - 8 cases; Silvia Radu - 5 cases; SPRM - 2 cases; PDM - 1 case and PPPDA - 1 case.

*We draw the attention on the involvement of the Moldovan President Igor Dodon in the campaign of PSRM candidates Ion Ceban (Chisinau mun.) and Alexandr Usatii (Balti mun.) during the monitoring period.* In addition, the involvement of Moldovan president in campaigning activities in favour of a candidate can be interpreted as using administrative resources in the electoral campaign. Also, *we attest at least a situation that can be described as the involvement of a person who is not a citizen of R.M. in the electoral campaign activities of PUN candidate - Constantin Codreanu.*

Based on Promo-LEX reports, we also find 3 cases of use of the electoral advertising, without the compliance with the identification requirements submitted to printed advertising materials and two cases of placing advertising in unauthorized places.

*During the period 28 April to 11 May 2018, 13 candidates have declared campaign funds of 2,751,540.81 lei and they spent 2,392,698.65 lei, final balance – 358,842 lei.* The major share of expenditure declared is for advertising and promotional materials, which constitute 95%, expenses for meetings and events - 2%, services related to public opinion polls - 2%, expenses related to the use of transport - 1% and other expenses - 1%.

MO Promo-LEX takes notes with concern one transfer from the current account of the parties, this time on PL behalf, to the "Electoral Fund" of PL, in the amount of 970,000 lei and, in the absence of proper regulation regarding the exact limit of donations from political parties in support of their designated candidates, OM Promo-LEX qualifies it as a donation by a legal person, thus indicating the violation of the limits set for donations from legal entities.

Also, MO Promo-LEX found a poor reporting of the visible spending categories: location of the headquarters of the campaign, use of transport, use of telecommunications and voluntary work. Of the 16 registered candidates, only CI Silvia Radu and PN declared the expenditures for transport and only PN declared the amount of 16,666.66 lei for paying the rent for the headquarter of the campaign, and PPS declared the expenses for telecommunications.

The mission estimated that 8 candidates omitted the full coverage of the incurred expenses during the two weeks of the monitored electoral campaign. The total undeclared expenditures are found to be equal to at least 1,144,229 lei, most of unreported expenditures being for street advertising and promotional materials. MO Promo-LEX recalls that, during the first two weeks of the campaign, the PPS candidate Jora de Mijloc, Orhei district, has spent at least 114,100 lei, thus exceeding the maximum cap for the respective constituency – of 93,504.18 lei. Although the candidate had no legal right to spend more money, the candidate continued to organize concerts and to offer electoral presents to the voters of the electoral district Jora de Mijloc, in the amount of 80,500 lei for the period 28 April - 11 May 2018.

MO Promo-LEX continued to monitor the cases of hate and discriminatory speeches in the messages of the candidates, and also, of the sexist speeches and of other forms of intolerance publicly manifested. Based on the collected information, *there were found at least 4 cases in which the electoral candidates were the objects of such messages and 2 cases in which the candidates have generated these speeches.*

When speaking about the candidates who have been affected by various forms of intolerance, we mean two politicians, both being PPPDA candidates. Most of the hate and discriminatory messages were found to be addressed to PPPDA candidate for the position of general mayor of Chisinau - Andrei Nastase (3 cases out of 4), followed by Arina Spataru, PPPDA candidate for the position of mayor of Balti mun. (1 case).

On the other hand, Ion Ceban instigated to discrimination, suggesting that he will limit the rights of a group of people, especially the freedom of expression and assembly, on the grounds of their sexual orientation. While Pavel Verejan, PPS candidate for the position of mayor Balti mun. used gender stereotypes.

In the context of the new local elections of 20 May 2018, *Promo-LEX Association conducted the campaign "GO AND VOTE!". The aim of the campaign is to apolitically mobilize voters and promote the informed vote. The slogan of the campaign is "You Are the BOSS".* The main activities were: "door to door" campaigns, organizing public events, producing and distributing of informative materials. As part of these activities, about 33,000 voters were informed about the election and were encouraged to participate by voting.

Also, between 7 to 16 May, Promo-LEX Association, in partnership with IPNA "Teleradio-Moldova", organized 8 electoral debates at the public station Radio Moldova. In addition, during the reporting period, there were organized 2 public electoral debates in Balti and Chisinau mun.

*MO Promo-LEX generalized the information from the monitoring reports of CCA (public authority) and CJI (civil society) on the way certain TV stations are covering the electoral campaign for the new local elections of 20 May 2018.*

According to CCA, five TV stations - "Moldova-1", "TV8", "TVC 21", "PRO TV CHISINAU" and "RTR Moldova" provided an equidistant coverage of the electoral campaign. On the other hand, other 5 stations - "Accent TV", "ITV", "NTV Moldova", "Exclusive TV", "Jurnal TV" are the stations that favoured certain candidates, being publicly warned. We emphasize that, contrary to Promo-LEX recommendations, CCA did not monitor the degree of obedience of the legislation by the stations that announced that they will not provide coverage of the campaign.

CJI Reports indicate that 3 television stations - Moldova 1, Pro TV and TV 8 had a balanced performance. While in the cases of the stations "Accent TV", "NTV Moldova", "Jurnal TV" and "RTR Moldova" it is attested, with different intensity, favouring / disfavouring of certain candidates. In particular, CJI reports show that national broadcasters Prime TV, Canal 2 and Publika TV, which announced that they will not provide coverage for the electoral campaign, continued to broadcast multiple materials, directly and indirectly with an electoral character, on the news bulletin.



# I. LEGAL FRAMEWORK

*In the context of the legal framework analysis that ensures the organization and monitoring of the local elections, MO Promo-LEX:*

- *requires, repeatedly, to amend the legal framework in order to avoid the uncertainty regarding the voting by the citizens with valid domicile and residence in the election day;*
- *it disagrees with CEC on the unjustified restriction of the right of voters to use the certificate for the right to vote;*
- *believes that there is a need for a strict regulation of the voting conditions for the voters who do not have a domicile / residence registration, especially given the substantial increase, according to RSA data, in the number of voters without domicile / residence;*
- *draws the attention to the need to ensure the legal possibility to verify the subscription lists, and also to the need to clearly specify the legal effects of filing incomplete or non-compliant materials and documents for registration of the candidates;*
- *insists on the plenary regulation of the phenomenon of using administrative resources in electoral campaigns by the candidates and in their advantage;*
- *draws the attention to the financing of the candidates by the political parties who they have been delegated by, by transferring sums of money that exceed the fixed cap for legal entities.*

## 1. Issues relating to the implementation of the legal framework

### *1.1. Uncertainties regarding the votes of the citizens with the valid domicile and residence in the election day*

MO Promo-LEX emphasizes, repeatedly, an uncertain situation, subject to interpretations, that refers to the restrictions on exercising the right to vote of the voters who possess their domicile and residence simultaneously. We regret that, in the context of the operated amendments to the Electoral Code and its republication, the existing uncertainties regarding the subject of voting based on domicile and residence were not clarified.

We refer to the contradictions of the general provisions stipulated in art. 9 and art. 44 par. (1) of the Election Code and special provisions of art. 134 par. (2) on Special restrictions on the right to vote in local elections.

Thus, on the one hand, the norm of the Code provides that, in the case when the voter has a domicile and residence, during the period of the validity of the residence, he / she votes in the locality in which he / she resides, being registered in the electoral list of SV in whose jurisdiction he / she resides.

On the other hand, however, the Code prescribes as a special restriction on voting rights to vote in local elections, the fact that, at the election of the local council and of the mayor, the voters who do not have their domicile in the respective administrative-territorial jurisdiction do not participate, which means that the voters that have their valid residence in the given UAT, would not have the right to vote.

In its quality of the electoral authority, to order to present its own position on situations of concern, including those raised in present context, CEC has a habit, before the election day, to distribute circulars through which is trying to clarify the problematic situations. Thus, by Circular no. CEC 8/2251 dated on 2 May 2018, the Commission reiterated its position, expressed in the context of previous elections, according to which, if the voter has both domicile and residence, in the period of the validity of the residence, he will vote in the locality in which they reside, *thus, giving priority to residence* when determining the jurisdiction for voting.

We emphasize that, in arguing its position, the Commission refers only to the provisions of art. 9 and 44, not presented and the special norm, meaning the restriction that regulates the cases of local elections in art. 134 par. (2) of Election Code.

According to MO Promo-LEX, *a clear legal regulation is required on the way of voting by the citizens with valid domicile and residence on the election day according to the norms of Election Code. Or, the CEC interpretation are not of a unique nature and represent ad hoc intervention mechanisms, without an element of sustainability and predictability. Amendments are required not only for an uniform legal*

*framework, but also to avoid the room for interpretations of the norms, and also to avoid the need to adopt decisions for a temporary settlement of a problem.*

## **1.2. Limiting the right of voters to use the certificate for the right to vote**

Article 33 letter b) of the Election Code provides that, in exercising its powers, BESV consider the requests about the errors in the electoral lists, makes the necessary amendments and *issues certificates for the right to vote to the voters who will not be at their domicile on election day*. The mentioned norm can be understood as being a general one, applicable to all the citizens that on the election day will not be at their domicile.

At the same time, according to Circular no. CEC 8/2251 dated on 2 May 2018, art. 44 par. (7) of the Election Code, providing the possibility to vote by using the certificate for the right to vote, does not apply to local elections. Additionally, MO Promo-LEX specifies that at the local elections of 2011 and those of 2015, CEC released Circulars where was set out that only the members of BESV can vote by using the certificates for the right to vote. Other cases were not allowed.

Remember that art. 44 par. (7) of the Code provides that, if the voter moves his domicile or residence in the period between the electoral lists were drawn up and the election day, BESV corresponding to the previous domicile, at the request of the voter and based on the accepted identity document for participation in the elections, releases a certificate for the right to vote. In the cases of the parliamentary elections in the nominal constituencies, the voting certificate for the right to vote is released if the new domicile is on the territory of the same uninominal constituency.

First of all, MO Promo-LEX considers necessary to extend this norm and for the local elections, including the new ones. Since the last ones take place, also, in a few constituencies, hence releasing the certificate for the right to vote is compulsory on the one hand, to guarantee the right to vote, and on the other hand, it is necessary to limit the release of these certificates only in the cases when the new domicile is on the territory of the same constituency.

Secondly, MO Promo-LEX draws the attention of CEC on the provisions of art. 58 par. (2) letter a) of the Election Code, stating that there are supplementary lists for the voters who come to the voting station with the certificate for the right to vote. In the cases of parliamentary elections in uninominal constituencies, **of the local elections or local referendums will, only will be accepted the certificates for the right to vote on the territory of the respective constituency**. The certificate for the right to vote remain at the office of the voting section and is attached to the supplementary list. The specifications for the applicability of the rule for local elections were introduced relatively recently. We believe that the electoral authority cannot neglect these.

The cited norm comes to develop the above formulated idea and reiterates that the releasing of the certificates for the right to vote in the same constituency is normal and necessary to ensure the right to vote of **all citizens, including in local elections**.

Also, we should mention that in both the old and the new wording of the Electoral Code, par. (5) of art. 58, which provides that the president and the members of the electoral office of the electoral section will vote in the section where they work, and if necessary, after being included in the supplementary lists based on the certificate for the right to vote, *has the role of a norm that ensures the right to vote of the members of the office, given the fact that they are involved throughout the day in the electoral process and would not be able to vote if they had their domicile in another constituency*. This provision in no way should be interpreted as one that would assign certificates for the right to vote only for the mentioned subjects and which would restrict the right to use of this mechanism to other categories of voters.

Therefore, it is not clear why the BESV members would be allowed, eventually, to vote by using the certificated for the right to vote, while the other voters will not be allowed, as the rights of both categories are expressly provided by the same legal norm.

*Analysing the norms of the Electoral Code per total, which refers to the certificate for the right to vote, MO Promo-LEX found, in fact, the lack of a clear definition of this voting mechanism, its role in the electoral process and on the subjects which it is intended to. Also, according to the Mission, the voters are entitled to use the certificates for the right to vote for voting on the local elections within a certain constituency.*

### **1.3. Voting by the voters who do not have a domicile / residence registration**

According to art. 58 par. (2) c) of the Election Code, voters from SV district who are not enrolled in electoral lists are included in a supplementary list after presenting a document certifying their legal domicile in the area of the concerned SV. In the same supplementary list, that will indicate voter's name and surname, date and place of birth, last place of domicile in RM, the number of state identification (IDNP), *are also enrolled the voters who do not have a domicile or residence registration.*

To develop the idea, pct. 36 letter c) of CEC regulations on the establishment, management, dissemination and updating the electoral lists establishes that the voters that were not included in the main lists of the voters because they do not have a registered domicile or residence, will be able to vote in the SV corresponding to the last registration of his/ her domicile or residence. Under the heading "domicile / residence and its term of validity" in the supplementary electoral list of the voters will be indicated the address of the last domicile or residence.

In conclusion, by Circular no. 8/4381 of 7 June 2015, CEC developed a mechanism for local elections and set up that, to participate in local elections, the respective voters will have to prove by documents confirming their last address of domicile / residence.

Contrary to the above, by Circular 8/2251 of 2 May 2018, CEC established that the provisions of art. 58 par. (2) letter c) of the Election Code do not apply to local elections. This implies that voters without domicile / residence will not be included in the supplementary lists, respectively - will not be able to vote.

*We believe that the special expression for this category of voters must be strictly regulated, especially given the substantial increase, according to RSA data, in the number of voters without a domicile / residence<sup>2</sup>.*

### **1.4. Legal uncertainties regarding the circumstances and mechanisms to ensure the verification the subscription lists**

The subject of the legal circumstances that would allow the rechecking of the subscription list, in the context of new local elections of 20 May 2018, was brought to the forefront by the examination by CEC of the appeal no. CEC-9 / ALN2018/3 of 27 April 2018 of Mr. Valeriu Munteanu, PL candidate for the position of mayor of Chisinau mun. The appellant sought, inter alia, rechecking all of the subscription lists submitted by the candidate Silvia Radu. Through CEC Decision no. 1586, the authority rejected the appeal as unfounded.

MO Promo-LEX found that the subject discussed at the CEC meeting was a very important one, because it revealed and identified some problematic situations, relevant to the integrity, transparency and fairness of the electoral processes.

The mission draws the attention on the fact that, by its decision, the Commission has created a vicious cycle, escaping from which, practically, there are no legal ways. CEC declined its task to verify the subscription lists, the main instruments of the candidate for her registration, on the grounds that the appellant failed to submit the evidence. *However, obtaining the evidence regarding the completion of infringement by a candidate is virtually impossible, given that the verification of voter's lists belongs exclusively to the electoral bodies, while the candidates only have direct access to the electoral information that refers implicitly to themselves.*

Recall that, according to art. 48 par. (1) of the Election Code, upon the receipt of the subscription lists, the electoral body shall begin to verify the authenticity of the signatures on the list, the right to vote of persons on the lists, their residence. No other participant in the electoral process - candidates, observers – cannot be involved in the verification process. According to pct. 7 of the Regulation on the activity of the representatives with the consultative right to vote of the electoral candidates, the candidate is only entitled to take notice of the materials and documentation of the electoral body regarding the candidate, being deprived of the right to gather evidence about another competitor.

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<sup>2</sup> Report no. 2 MO Promo-LEX on the New Local Elections of 20 May 2018 (p. 17) [https://promolex.md/wp-content/uploads/2018/05/RAPORT-nr.2\\_MO-Promo-LEX\\_ALN\\_20.05.2018-2.pdf](https://promolex.md/wp-content/uploads/2018/05/RAPORT-nr.2_MO-Promo-LEX_ALN_20.05.2018-2.pdf)

Uncertain remains and the possibility of observers to effectively monitor the verification process of the subscription lists, in the condition when neither the Electoral Code, nor the Regulation on the drawing, authentication, presentation and verification of the subscription lists do not expressly provide the right of the observer access the subscription lists. We recall, in this context, that pct. 18 of the Regulations on the status of the observer and their accreditation procedure, establishes the right of the observer to have access to all the information with an electoral character, to the electoral lists, to the minutes prepared by electoral authorities. *It is absolutely necessary to add to those rights and “the right to have access to the subscription list”.*

*Consequently, we get to a situation where exclusively the electoral officials have knowledge of the contents of the verification process of the subscription lists, while other actors, including the observers, can only learn the presented results, without being able to verify them.*

In addition, based on the content of a dissenting opinion signed by a member of CEC, referring to the CEC Decision no. 1586, we conclude that the request of the respective member of the Commission to take note of the contents of the subscription lists was not satisfied<sup>3</sup>.

Also, MO Promo-LEX notes that, *even if the re-verification of the subscription lists would decrease the number of valid required signatures for the registration below the legal limits (for Chisinau mun, for example, 10,000), the Electoral Code, on art. 75 par. (5) does not provide such a ground for cancellation the registration of the electoral candidate. Next, we can mention that once a candidate is registered in the race, including on insufficient, inappropriate or flawed grounds, requested the cancellation of its registration cannot be requested, as such provisions are missing in the electoral code.*

### **1.5. Insufficient regulation on the use of administrative resources in electoral campaigns**

In the general context on the problem of using administrative resources in the electoral campaign, especially from the trends evolving in the registered cases in the campaign for local elections of 20 May 2018, MO Promo-LEX emphasizes that the *phenomenon of using administrative resources is poorly regulated by the national legislation*. Most often, the administrative resources are not used directly by the candidates, but by the other public officials in the interest of candidates. Unfortunately, the legislation establishing the legal relations on public positions, and also the legislation on the activity of central and local government, does not develop the content of the term.

At the same time, art. 52 par. (7) of the Electoral Code establishes a ban for the candidates to use public means and goods (administrative resources) in the electoral campaigns, while the public authorities/institutions and the ones assimilated by the first ones only can send/make available to the electoral candidates the public goods or other favours by contract, on equal terms for all the candidates. The administrative resources are treated as resources and public goods, without developing and defining their content. In particular, the term “public funds” is a highly interpretable term, and the association of administrative resources with public goods, on the contrary, narrows the content of the first ones.

International standards, however, define the administrative resources in a more broader way - *such as human resources, financial, material and coercive in nature*. In nature resources include the benefits from the social programs, for ex. goods and institutional resources as payments of the salary in the form of facilities, the use of public spaces, including car service and other intangible resources the public officials and election candidates who have control over the personnel from the public sector have access to, the finances and allocation, and also on the state mass-media institutions, the access to public facilities.

An administrative resource can be a physical presence of a public person on public cultural events / launches of the premises / repairs of roads / openings of pre-school, schools, medical institutions / cultural events financed from public or semi-public resources, that would qualify as *prestigious* resources, arising from the political status of the presented public figures. The abuse / misuse of such resources can be defined as an “undeserved advantage obtained by some civil servants affiliated to political parties in

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<sup>3</sup> Separate opiniion. [http://www.cec.md/files/files/opinie\\_separata\\_vgaftonhcec1586din4mai2018\\_4759774.pdf](http://www.cec.md/files/files/opinie_separata_vgaftonhcec1586din4mai2018_4759774.pdf)

power, by using their official positions, goods that are available (included) or connections with the institutions of the government"<sup>4</sup>.

The abuse of administrative resources in Republic of Moldova is sanctioned only in the electoral campaigns, as stipulated in art. 181<sup>2</sup> (2) of Criminal Code, providing that the use of public resources in electoral campaigns, if damage of large amounts were caused, is punished with a fine of from 4,000 to 6,000 of conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to occupy certain positions or engage in certain activities for a period from 2 to 5 years.

Similarly, and the Administrative Code penalizes the use of administrative resources during election campaigns. Therefore, the misuse of administrative resources (public goods), including favouring or consenting to the misuse of administrative resources (public goods), during the electoral campaigns, is sanctioned with a fine from 90 to 240 conventional units, applied to the official person and with the deprivation of the right to hold certain positions or engaging in certain activities for a period up to one year.

*MO Promo-LEX considers that the legislation, including electoral legislation, must be amended in order to approach the term of administrative resources in line with international standards. This is a first systemic step in limiting the cases that could qualify as abuse of administrative resources.*

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<sup>4</sup> Joint guidelines of the Venice Commission and OSCE / BIDDG adopted by the Council for Democratic Elections at the 54th reunion (Venice, 10 March 2016) and by the Venice Commission on the 106th plenary session (Venice, 11-12 March 2016) – "Preventing and tackling the abusive use of administrative resources during the electoral processes", page 5.

## **II. ELECTORAL BODIES**

*MO Promo-LEX considers that, according to the carried-out visits, the CECE were working according to the approved working timetable. Meanwhile, the observers have conducted 393 visits to BESV (including repeated visits to electoral authorities closed), as a result of which it was found that in the cases of 84 of the visits (21.37%), the BESV offices were closed during the audience hours.*

*According to the information provided by Promo-LEX observes, based on the 332 BESV checked, we found that in at least 77 BESV were the legal deadlines for electing the chairman, deputy chairman and the secretary were violated. From the perspective of gender statistics, of a total of 335 BESV checked (plus 3 BESV with which communication existed, even though the offices were closed), it was found that the management positions are occupied in a proportion of 82% by women and 18% - by men. Also, according to the information provided by Promo-LEX observers, it was found that 52% of the SV are equipped with ramps.*

*For the monitored period, MO Promo-LEX has identified 3 appeals filed to CEC (PUN - 2 and PAS - 1) and a response provided. Also, we draw the attention on 14 appeals / notification / complaints filed to 3 CECE (CECE no. 1 Chisinau - 10; CECE no. 2 Balti - 3; CECE no. 25/16 Jora de Mijloc - 1). Two complaints were made by citizens, and 12 – by candidates, as follows: SPRM - 3; PPCNM - 2; PN - 2; PPS - 2; PUN - 2 and PDM - 1. In these requests were mentioned six candidates, as follows: PPS - 4; PUN - 3; SPRM - 3; PPPDA - 2; Silvia Radu - 1; PVE - 1. Of the 14 complaints, 11 contained the request to cancel the registration.*

*In addition, there were found some deficiencies with regard to the quality and content of the electoral lists in the 54th BESV. Thus, the largest share of shortcomings identified in the electoral lists was registering strangers at the domicile of the voters (20 BESV), incorrect addresses (17) and the existence of the deceased (8), and others (9).*

### **2.1. Activities of the Central Election Commission**

#### **2.1.1. CEC decisions. General presentation**

To organize the new local elections of 20 May 2018, in the period of 1 - 16 May 2018, CEC adopted 16 decisions, as follows: confirmation of persons responsible for finances (treasurer) of behalf of PUN, PAS, PNL and PPRM; changing the structure of the CECE Volovita (Soroca); accreditation of national and international observers; the decision on financial reports of the electorate candidates; examination of the appeals.

#### **2.1.2. CEC Circulars**

During the monitoring period, CEC issued and published a circular, the CEC document no. 8/2251 of 2 May 2018 through which were set up some specific aspects on how to vote in the new local elections of 20 May 2018: voting base on the domicile/residence; voting restrictions; voting by using the certificates for the right to vote; voting by the voters in prisons, etc.

#### **2.1.3. Appeals**

For the monitoring period, based on the information disseminated by the electoral authority, MO Promo-LEX has identified 3 appeals filed and a response provided. In addition, there were published two responses to the appeals lodged in the period of specific monitoring Report no. 2.

On 8 May 2018, CEC received an appeal no. CEC-9/ALN2018/4 from PUN regarding the annulment of the Decision no. 8 of 10 April 2018 issued by CECE no. 1 Chisinau, through which, Regina Apostolova, the PPS candidate was registered for the position of general mayor of Chisinau mun. On its appeal, PUN alleges the infringement by PUN candidate Reghina Apostolova of art. 39 par. (1) of the Electoral Code that establish the prohibition of direct and/or indirect funding and material support in any form of electoral campaigns of the candidates on elections and of electoral candidates by foreign countries, by companies, by institutions and foreign, international and mixed organizations, and also by the individuals who are not citizens of RM.

We emphasize that PUN does not require the exclusion of PPS, on whose account the money was lodged, but only of its candidate for the position of mayor of Chisinau. The action is justified by some PUN analyses presented to CEC, from which we deduce that the destination of the payments, considered as illegal by PUN, were expressly for the candidate Reghina Apostolova. The content of the documents with a public character did not allow MO Promo-LEX to confirm/infirm this information.

In this context, on 10 May 2018, CEC received a reference on the appealed filed by PUN with the no. CEC-9/ALN2018/4R through which, PPS considers the respective appeal as unfounded and devoid of factual and legal support.

*In response, on 10 May 2018 CEC submitted for review the PUN appeal and the PPS reference to CECE no. 1 Chisinau, according to its competence.*

On 8 May 2018, CEC received another appeal, no. CEC-9/ALN2018/5 from PAS, against the actions of SPRM electoral candidate. We note that the text of the appeal was not possible to be accessed on CEC website until 16 May 2018. The appellant alleges the infringement by SPRM of the provisions of art. 41 par. (2), letter e), which established that the caps of the donations from individuals and *business entity* on the "Electoral Fund" for an election campaign are 50 and 100 of average salaries in the economy respectively, set for the respective year. However, PAS refers to the fact that SPRM, a political party, has transferred on SPRM account, electoral candidate, a sum in the amount of 955,940 lei, exceeding the ceiling for business entity, as provided by law.

By the reference received by CEC on 10 May 2018 under no. CEC-9/ALN2018/5R, SPRM believes that the appeal lodged by PAS is unfounded, citing: the right of the candidate to finance his campaign from his own sources; considering that the political party has a special status, governed by special rules with a different purpose than the lucrative purposes of a business entity; and arguing that, according to the financial report, the money refers to *Other funds received, and not to the monetary means received from the donations of the business entity*.

*As a result of CEC meeting of 15 May 2018, the Authority adopted the Resolution no. 1630 on the appeal no. CEC-9/ALN2018/5 of 8 May 2018 of the electoral candidate PAS. The Commission considered the appeal to be unfounded, repudiating the appeal.* In the absence of specific regulations on the limits for the donations from legal entities - political parties in support of the candidates nominated by them, the Mission described these as donation by a business entity.

On 15 May 2018, CEC received an appeal filed by PUN no. CEC-9/ALN2018/6 on the annulment of the Decision no. 13 of 11 April 2018 issued by CECE no. 1 Chisinau under which was registered the PSRM candidate for the position of mayor of Chisinau mun, Ion Ceban. The appellant alleges the infringement of pct. 13 par. (5) of the Regulation on financing the electorate campaign which provides that during the election campaign, it is strictly prohibited the use by an electorate candidate of financial funds and of undeclared materials, or the exceeding the expenditure over the general fixed cap.

*As to 16 May 2018, this appeal has not been examined.*

Also, we are presenting a summary of the responses issued by CEC in the current reporting period on two appeals that were examined in Report no. 2 of MO Promo-LEX. First, there is the CEC Decision no. 1585 on the appeal no. CEC-9/ALN2018/2 of 27 April 2018 of Mr. Andrei Munteanu, candidate for the position of mayor of Chisinau mun., on termination of its registration as a candidate. Analysing the circumstances of the case, by corroborating the arguments raised in the appeal, the Commission concludes that it must be rejected as unfounded.

In the second case, there is the Decision of CEC no. 1586 on the appeal no. CEC-9/ALN2018/3 of 27 April 2018 of Mr. Valeriu Munteanu, the PL candidate for the position of mayor of Chisinau mun., on annulling of the registration of candidate Silvia Radu. As in the previous case, the Commission rejected the complaint as unfounded.

#### ***2.1.4. Changing the composition of CECE***

On 15 May 2018, through CEC Decision no. 1626, was modified the componence of CECE I Volovita. Thus, given the consecutive unjustified absence of 2 meetings of the electoral council, Mrs Melnic

Marina - designated by PLDM, was excluded from the competence of CECE I Volovita. Since PLDM has not submitted another candidature, Mrs Melnic was replaced by an electoral official from the Electoral Officials Register.

### 2.1.5. Accreditation of observers

CEC considered the requests for accreditation of observers and has accordingly adopted 7 decisions through which were accredited 232 national and international observers (see Table no. 1).

**Table. 1. Accreditation of observers by CEC during the reporting period**

N/O	Applicant	Accredited observers
<b>International Observers</b>		
1.	French Embassy in Moldova	1
2.	Latvian Embassy in Moldova	1
3.	Congress of Local and Regional Authorities of European Council	11
4.	"Pro Democracy Club" Association Tîrgu Neamţ	1
5.	Embassy of Swedish Kingdom in Moldova	3
<b>Total international observers</b>		<b>17</b>
<b>National observers</b>		
1.	"Promo-LEX"	100
2.	"Mirad" Association	115
<b>Total national observers</b>		<b>215</b>
<b>Total observers accredited by CEC (1 to 17 May 2018)</b>		<b>232</b>

Based on the requests submitted by Promo-LEX, by 16 May 2018, CEC accredited 522 national observers of the Association.

### 2.1.6. Informing CEC on conducting opinion polls

According to art. 70 par. (10) of the Electoral Code, *during the electoral period, any opinion polls on political preferences of voters can be made only with prior notification of CEC*. The results of these polls can be published not later than five days before the election day.

The analysis of the data presented in Table no. 2 allows to deduce the following conclusions:

- based on the information posted on CEC website, a company, *Intellect Group*, violated the provision of art. 70 par. (10) of the Electoral Code and did not notified in advance;
- only in the cases of 2 companies of 6, the notifications were submitted in advance, before conducting the polls. In the cases of 4 companies, the notice, contrary to the provision of the law, was made during the data collection;
- we are drawing the attention on another case which, according to MO Promo-LEX, is an infringement of the law – the acceptance by CEC of the proposed period for conducting the polls by Simplas LTD for 11 May to 15 May 2018. However, according to the law, the results of these polls can be published not later than five days before the election day, in other words - on 14 May 2018. Therefore, in this case, it is permitted to conduct the survey and on the 15<sup>th</sup> of May;
- in fact, we find a lower regulation of online polls, respectively, further attention is required on the surveys conducted during the electoral period in the virtual space;
- in addition, we draw the attention that, on 17 May 2018, Promo-LEX observers found a survey conducted by operators that presented themselves as being from the company iData (Smart Data).

**Table no. 2**

N.O.	Company	Date of CEC Notification	Period the poll was conducted	Results presentation date
1.	Association of Sociologists and Demographers	22 March 2018	-	2 April 2018
2.	Association of Sociologists and Demographers	22 March 2018	-	7 May 2018



3.	Center for Sociological Research	7 May 2018	30 April – 9 May 2018	11 May 2018
4.	Intellect Group			14 May 2018
5.	Institute for Public Policy	11 May 2018	18 April – 9 May 2018	14 May 2018
6.	Center for Sociological Investigations and Marketing CBS AXA	8 May 2018	3 – 9 May 2018	-
7.	SRL Simpals	11 May 2018	11 May – 15 May 2018	-
8.	Magenta Consulting SRL	19 March 2018	9 March – 15 April 2018	-

We believe that the electoral authority is to monitor these cases in a more careful way and to provide its opinion regarding the existence of an infringement of the legislation on behalf of the operators of these surveys.

### ***2.1.7. Informing the citizens about the voting procedures***

Center for Continuous Training on Elections (CICDE) and Central Election Commission (CEC) opened on 14 May 2018 the open telephone information line. Thus, a call to the phone number (022) 88 01 01, the voters can learn about the voting station and voting procedure, solving various cases related to election procedures, filing appeals and verification the electoral lists.

Also, the information line comes in support of electoral officials, electoral candidate's representatives and observers. The information line is opened Monday to Friday, 08.00 - 17.00; Saturday, May 19th: 08.00 - 18.00 and on the election day, Sunday, May 20th: 05.00 - 24.00.

## **2.2. The activity of the Electoral Councils of the Electorate Constituencies of degrees I and II**

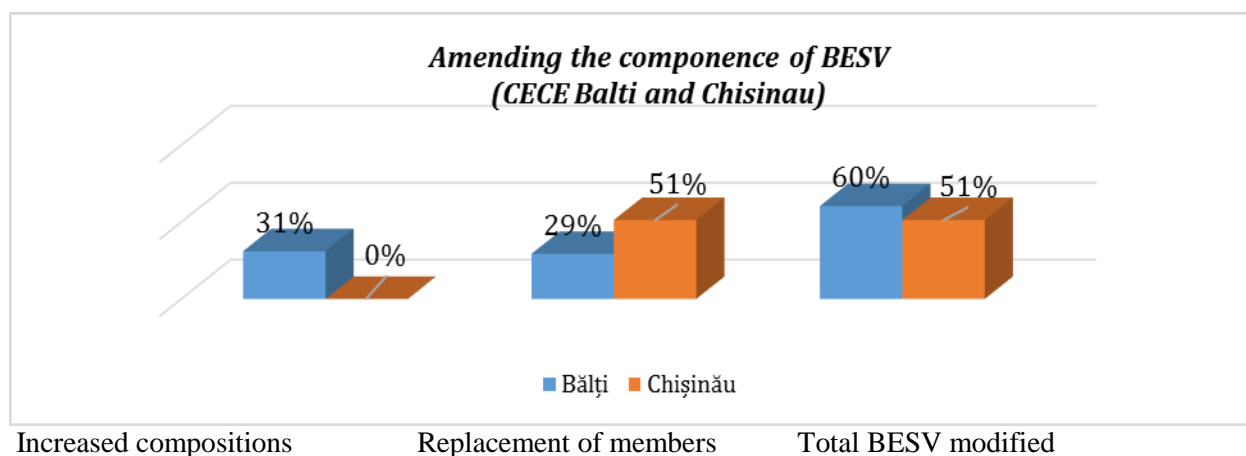
### ***2.2.1. Compliance with the program of work***

During the period 1 to 16 May 2018, except weekends, Promo-LEX observers made one visit to each of the 7 CECE I and II. Following these visits, it was found that the electoral bodies were working according to the approved working timetable.

### ***2.2.2. Amending the compenence of BESV***

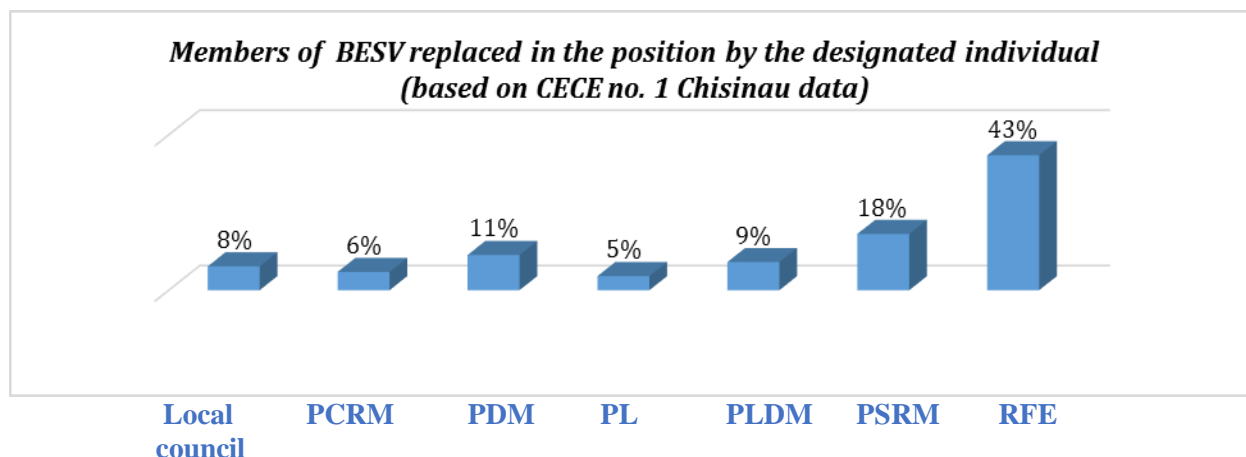
Based on the information presented by Promo-LEX observers, it was found that the compenence of BESV (their members) was amended in at least 192 cases. Thus, in 157 cases it is about the BESV of Chisinau mun., and in 35 cases – BESV of Balti mun. (see Chart no. 1).

***Chart no.1***



Based on BESV of CECE no.1 Chisinau, whose compentence was amended, it was found that most of the members excluded from BSEV were from the Register of Electoral Officials (RFE) - 43% of the replaces members (see Chart no. 2). These findings raise serious questions about the quality of RFE, of its management, including the updating. We ask CEC to examine the causes of those trends, including from the perspective of the effort required to be submitted for parliamentary elections.

*Chart no. 2*



### ***2.2.3. Some uncertainties related to CECE decisions on the compentence of BESV, accreditation of observers and the appointment of the representatives with the consultative right to vote***

In monitoring process of the activity of CECE and the decisions made by them, there were found some uncertainties about the decisions/resolutions adopted by them, most of them of a technical nature.

Thus, in the cases of the approved persons with the consultative right to vote and of the observers appointed by the electoral candidates, it was found that at least CECE Volovita has not made a decision on the matter. For better records of their members, the designated CECE members introduced the names of the designated person in a register (free form, non-standardized), indicating the organization/party that appointed him and to which SV is assigned beside each name of the. Some signatures of CECE members are missing from the register.

Simultaneously, the examination of the decisions on changing the composition of BESV, in the cases of the decisions of CECE no. 1 Chisinau, for example, the same person was excluded from the compentence of BESV of five different decisions. For example, Burduja Zinaida was excluded from the compentence of BESV no. 1/167 by CECE decisions no. 25, 26, 27, 31 and 35 – all of them from different days. Such cases were in at least 4 BESV.

### ***2.2.4. Registration of the representatives with the consultative right to vote***

According to art. 15 par. (1) of the Election Code, for the electoral campaign period, the candidates can appoint in the electoral bodies that have registered them by a representative with the consultative right to vote, and also at the lower level electoral bodies.

Thus, according to the findings of Promo-LEX observers, for the period of new local elections, CECE no. 2 Balti registered one representative with the consultative right to vote of the candidates, according to Table no. 3.

**Table. 3. Representatives with the consultative right to vote registered by CECE**

<b>No.</b>	<b>The electoral body</b>	<b>Political party that has designated</b>
1.	CECE II Balti	CI Elena Gritco (1)

### ***2.2.7. Accreditation of observers by CECE***

According to art. 68 par. (1) of the Electoral Code, at the request of the electoral candidates, CECE may accredit one observer for monitoring the elections in SV. According to the reports presented by the Promo-LEX observers, by the date of the publication of the report, 7 CECE performed the accreditation of observers (see Table no. 4).

**Table. 4. Accreditation of observers by CECE**

<b>N/O</b>	<b>CECE I/II</b>	<b>Political party that has designated</b>
1.	Chisinau mun.	PSRM (306); PL (296); PPPDA (56)
2.	Balti mun	PSRM (58); PN (58); PPS (58)
3.	Volovita, Soroca district	PDM (2); PSRM (2)
4.	Nemteni, Hincesti district	PDM (1); PSRM (1)
5.	Leuseni, Hincesti district	PDM (1); PSRM (1)
6.	Pirlita, Ungheni district	PDM (3); PPPDA (3)
7.	Jora de Mijloc, Orhei district	PDM (4); PSRM (4); PPS (4)
<b>Total observers accredited by CECE</b>		<b>858</b>

### **2.2.8. Requests / Complaints / Appeals submitted to CECE**

Some generalizations following the analysis of the filed complaints:

- *In total, during the monitoring period, Promo-LEX identified 14 requests/complaints/appealed filed to 3 CECE. According to territorial jurisdiction, CECE no. 1 Chisinau received 10 requests; CECE no. 2 Balti - 3; CECE no. 25/16 Jora de Mijloc – 1.*
- *Were received 2 complaints from the public and 12 – from the candidates as follows: SPRM - 3; PPCNM - 2; PN - 2; PPS - 2; PUN - 2 and DPM – 1.*
- *In the requests were mentioned the names of six candidates as follows: PPS - 4; PUN - 3; SPRM - 3; PPPDA - 2; Silvia Radu - 1; PVE – 1.*
- *Of the 14 requests, 11 contained the request to cancel the registration, on the following points of law: the aspects of financial reporting (including subsidies from abroad) - 5 complaints; on the grounds of involvement of persons/images of persons who are not citizens of RM - 5 cases; on the grounds that can be described as false in the documents filed for registration (aspect which, incidentally, is not provided in the Electoral Code in terms of reason for cancellation of registration) - 1.*

#### *a. Submitted to CECE no. 1 Chisinau*

On May 4, 2018, application no. 114 was filed by the citizens Bezobrazov Dmitrii was filed, addressed to CECE no. 1 Chisinau requesting the annulment of the PVE electoral candidate for the position of mayor of Chisinau mun for the new local elections of 20 May 2018. The citizen draws the attention to the fact that, according to the RSON data (state register of non-commercial organizations), the mandate of Prohnitchi Anatolie, the president of the party, expired in 2016. Therefore, according to the applicant, the documents signed by him are no longer valid. Mr Bezobrazov attaches and a letter from the Ministry of Justice stating that the mandate of the leader of the organisation expired on July 15, 2016.

*By his answer, no. 60 of 10 May 2018, CECE no. 1 Chisinau specified that the potential PVE candidate presented a complete set of documents for registration, while on the quality of the leader of the party of Prohnitchi Anatolie, in response of CECE is stated that “by accessing the official website of the Ministry of Justice, it is confirmed the registration of PVE, with Prohnitchi Anatolie as the head of it”.*

On 8 May 2018, CECE received an appeal no. 119 from PUN on the annulment of the decision no. 8 of 10 April 2018, issued by CECE no. 1 Chisinau, through which, for the position of mayor of Chisinau mun. was registered the PPS candidate Apostolova Reghina. By its appeal, PUN alleges the infringement of the provisions of art. 39 par. (1) of Electoral Code by the candidate Reghina Apostolova.

On the same day (8 May 2018), PUN filed and a complaint with to CECE, no. 125, requiring the initiation of the procedure of annulment of the registration of the candidate Reghina Apostolova on grounds of infringement of art. 52 par. (3) , through which is prohibiting to candidates to engage in any form of electoral agitation the persons who are not citizens of the Republic of Moldova, meaning the electoral message of the singer from the Russian Federation Jasmin in a concert organized under the patronage of Ilan Sor, PPS President.

*According to the Decision no. 37 of 10 May 2018, CECE decided to accept the requests from the Executive Chairman of PUN, Anatolie Salaru, made in the appeal no. 119 and notification no. 125 of 8 May 2018. Also, if the case when the infringement of the legislation is established, the Chisinau Court, Center, was asked to order the annulment of registration of the candidate Reghina Apostolova.*

On 8 May 2018, CECE no. 1 Chisinau, received the notification no. 121 from Nicolae Fomov, representative with the consultative right to vote in CECE no. 1 on behalf of SPRM. The appellant warns on the fact that, the news platform - [www.jurnal.md](http://www.jurnal.md) - published a story stating that the PPPDA candidate for the position of mayor of Chisinau mun. is supported by the European People's Party leader, Joseph Daul. In this way, the applicant believes that this candidate infringed art. 52 par. (3) of the Electoral Code and calls for the annulment of the registration.

*On 16 May 2018, CECE no. 1 Chisinau issued the decision no. 53 on the notification no. 121 through which: a) warns the candidate Andrei Nastase on the compliance with the Electoral Code, by avoiding the images to association with the persons who are not citizens of RM; b) on the part of request to establish the infringement of art. 52 par. (3) of the Electoral Code, the notification is sent for examination to Chisinau Court, Center, based on the competences; c) at the part of request on asking the Chisinau Court to call the annulment of the registration, at this stage, is rejected, in the absence of a final decision of a judge that would establish the infringement of art. 52 par. (3) of the Electoral Code.*

Another observation from Nicolae Frolov, a representative with the consultative right to vote in CECE no. 1 on behalf of SPRM, was filed on 10 May 2018, under no. 136. The appellant called for the establishment of the infringement of art. 52, par. (3) of the Electoral Code, by the PUN candidate for the position of mayor of Chisinau - Constantin Codreanu, with the subsequent notification of the Court with the request to cancel the registration of the candidate. The invoked reason is the engaging in the campaign of electoral agitation activities using the image of the President of Romania, Mr Klaus Iohannis.

*On 16 May 2018, CECE no. 1 Chisinau issued the decision no. 54 on the notification no. 136 through which: a) warns the candidate Constantin Codreanu on the obeying the provisions of Electoral Code, by avoiding the images of association with the persons who are not citizens of RM; b) at the request of establishment the infringement of art. 52 par. (3) of the Electoral Code, the notification is sent to Chisinau Court, Center, based on competences; c) on the request to call the Chisinau Court to cancel the registration, at this stage is rejected, in the absence of a final decision of a judge, that would established the infringement of art. 52 par. (3) of Electoral Code.*

On 10 May 2018, CECE no. 1 Chisinau received the complaint no. 131 from the citizen Calmic Ion, requesting the intervention of CECE in the case of PUN candidate Constantin Codreanu, which, according to the appellant, even though on 27 April 2018 did not have the "Electoral Fund" opened, he found PUN leaflets dated on 26 April 2018, on which we specified that were paid from the Electoral Fund.

*On the request of the citizen Calmic Ion, on 10 May 2018, CECE no.1 Chisinau issued the Decision no. 49, through which the request was transmitted to CEC to be reviewed, according to the competences.*

The PPCNM candidate for the position of mayor of mun. Chisinau from, Alexandr Rosco submitted to CECE 2 appeals, no. 150 of 11 May 2018 and, respectively, no. 182 of 14 May 2018. In his request of 11 May 2018, the candidate signals the violation of art. 75 par. (5) letter a) by the candidate Silvia Radu and requests the annulment of the registration of Silvia Radu, on the grounds of using undeclared financial funds and materials or exceeding the expenditures beyond the cap of the electoral fond means. The appellant refers to the fact that the candidate did not indicated in the financial reports the promoting ads on TV channels: Prime, Publika, Canal 2, Canal 3.

*CECE examined the appeal no. 150 of 11 May 2018 and issued the CECE decision no. 52 of 15 May 2018. Through this, the electoral body, first of all, transmitted, according to competences, to CCA the part on the reflection of the electoral campaign by broadcasters, followed by which, through point 2, rejected the request to oblige the candidate Silvia Radu to introduce in her financial reports during the election campaign of the expenditures related to service of covering the events.*

Through the appeal no. 182 of 14 May 2018 Rosco Alexandr requested to cancel the registration of PSRM candidate for the position of mayor of Chisinau mun, Ion Ceban, on the grounds of breaking the same legal rules - art. 75 par. (5) letter a). The appeal refers to the electoral character of the festive

concert of 8 May 2018, respectively, the failure to present information about this in the financial report submitted to the CEC.

*At the meeting on 16 May 2018, CECE approved the decision no. 57, through which the request to cancel the registration of the candidate Ion Ceban as unfounded and unjustified.*

On 12 May 2018, the PPS candidates lodged two appeals to CECE, no. 151 and 152. Through the appeal no. 151, PPS requires from CECE to adopt a decision on submitting a request to the court for the annulment of decision no. 11 of 10 April 2018 issued by CECE no. 1, through which was registered the PPPDA candidate for the position of mayor of Chisinau mun., Andrei Nastase. The appellant alleges the infringement by Andrei Nastase of art. 52 par. (3) and par. (8) by using the image of the President of European People's Party Joseph Daul for electoral purposes. Under the same grounds, through the appeal no. 152 of 12 May 2018, PPS calls for the cancellation of registration of PUN candidate for the position of mayor of Chisinau mun., Constantin Codreanu. The invoked reason was the use of the image of the Romanian President Klaus Iohannis in electoral agitation purposes.

*Regarding the request no. 151, CECE no. 1 Chisinau issued the decision no. 50 through which rejected the PPS appeal, signed by Ilan Sor as a chairman of the party, as lodged by an applicant who is not entitled to notify the electoral bodies. The same response is present on appeal no. 152.*

*b. Submitted to CECE no. 2 Balti*

On 7 May 2018, the CECE no. 2 Balti, received the request with an informing title from the Inspectorate of Police (IP) Balti, according to which, on 7 May 2018, the OT PSRM Secretary, Gradinari Vera, submitted a complain to police about the legality to install the mobile tent of PPS next to the monument representing the Soviet tank. *CECE decided that examining the cases regarding legal or illegal aspects regarding the instalment of electoral tents by the electoral candidates is not one of its competences.*

On 7 May 2018, PN candidate for the position of mayor of Balti mun, Nicolae Grigorisin, filed an appeal and a notification to CECE. The notification filed to CECE, under no. 86 on contesting the existence/nonexistence of permits that would allow the placement of campaign posters on private billboards on the territory of Balti mun. and aims at the posters of PSRM candidate Alexandr Usatii (10 billboards) and the panels of PPS candidate, Paul Verejanu (3 billboards).

*Examining the appeal was postponed two times on the grounds of the need for additional information (in particular, the contracts between SPRM and the businesses that own the billboards Balti mun). On 16 May 2018, the decision has not been approved yet.*

The appeal filed by CECE Balti, no. 87 of 7 May 2018, also refers to PSRM candidate for the position of mayor of Balti mun., and refers to the use in electoral publicity purposes of the images representing both, national public authorities and national symbols of the Republic of Moldova, including images with historical figures of RM namely - the monument of Stefan cel Mare and Balti City Hall (Moldovan Coat of Arms and Moldovan Flag).

*Through CECE Balti decision, the appeal was transmitted to the court for consideration, by competence. The Judicial Authority remitted back to CECE Balti the examination of it and, on 16 May 2018, CECE Balti decided to apply the sanction of warning the PSRM candidate. It should be noted that this notification was not included on the agenda of the meeting of 16 May 2018 of CECE Balti.*

*c. Submitted to the CECE no. 25/16, Jora de Mijloc*

On 12 May 2018, CECE no. 25/16 Jora de Mijloc registered the appeal of the PDM candidate for the position of mayor of Jora de Mijloc township, Lucia Terentii, on the annulment of decision no. 9 of CECE 25/16, through which has been registered the PPS candidate for the position of mayor, Marina Tauber.

The appeal contains the following alleged violations: involvement in the campaign of charity organizations (Miron Sor Foundation); corruption of voters by offering money and organizing festive dinners; funding of PPS candidate from exterior funds; exceeding the expenditure beyond the cap of the means from the election fund.

On the other hand, PPS political participant, invokes the fact that the appellant does not have evidence to support its allegations.

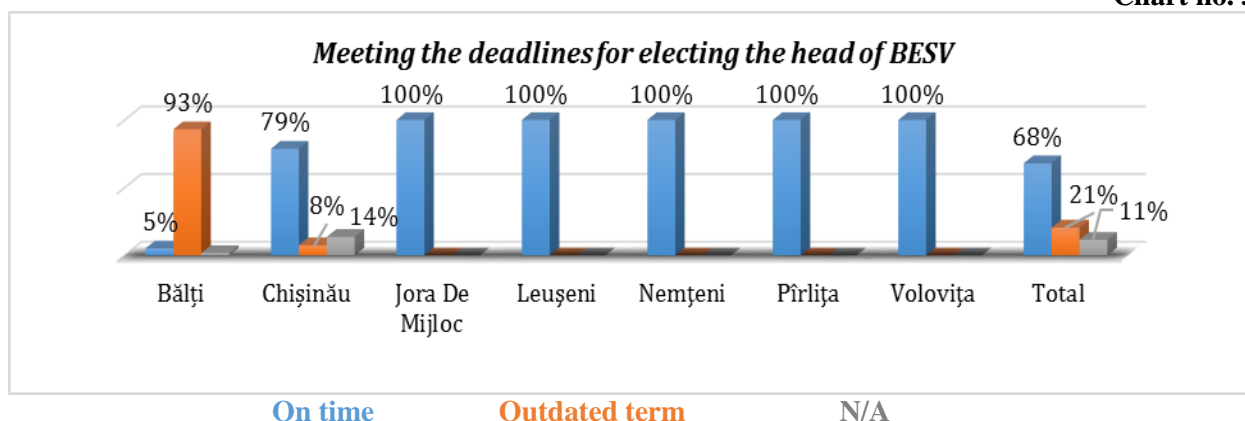
*CECE no. 25/16 Jora de Mijloc accepted the appeal and transmitted the appeal for consideration Orhei Court, based on the competences. On 14 May 2018, Orhei Court considered it and rejected the appeal as unfounded.*

## 2.3. The activity of Electoral Offices of Voting Sections

### 2.3.1. BESV leadership election. Publication of working hours timetable

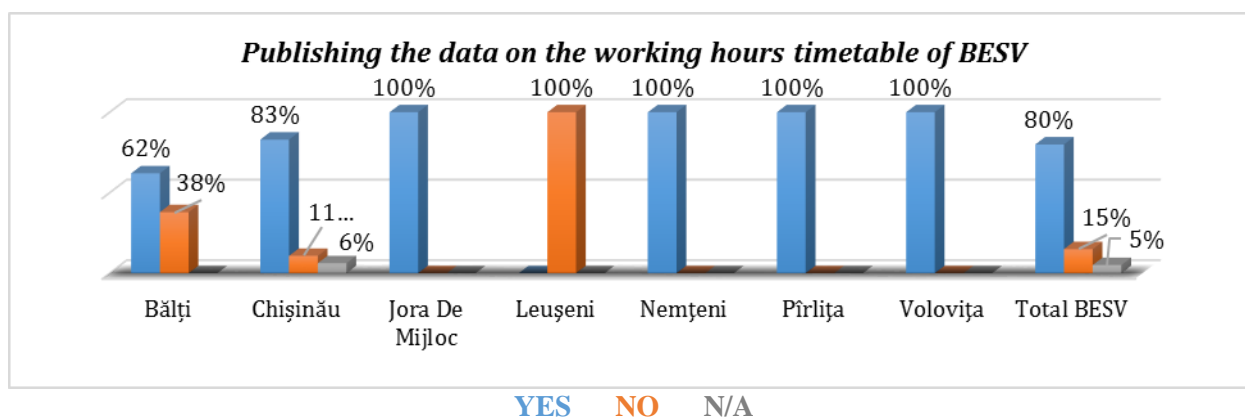
According to the information provided by Promo-LEX observers, of the 332 verified BESV, was found that in at least 77 of BESV were violated the legal deadlines for electing the chairman, deputy chairman and the secretary (see Chart no. 3).

**Chart no. 3**



Regarding the publication of data on how and the ways to keep in touch (working hours timetable), based on Promo-LEX reports, was found that if 80% of BESV data was published (see Chart no. 4).

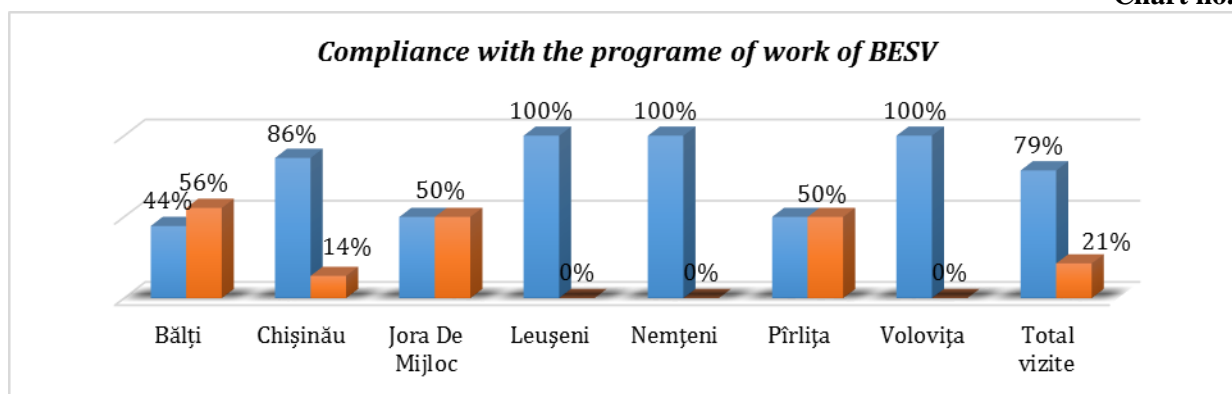
**Chart no. 4**



### 2.3.2. Compliance with the program of work

From the moment of BESV establishment, the observers conducted 393 of visits to the offices (including repeated visits to the closed BESV), after which it was found that, in the cases of 84 visits, the headquarters of the electoral bodies were closed during the hours of audience (see Chart no. 5).

Chart no. 5

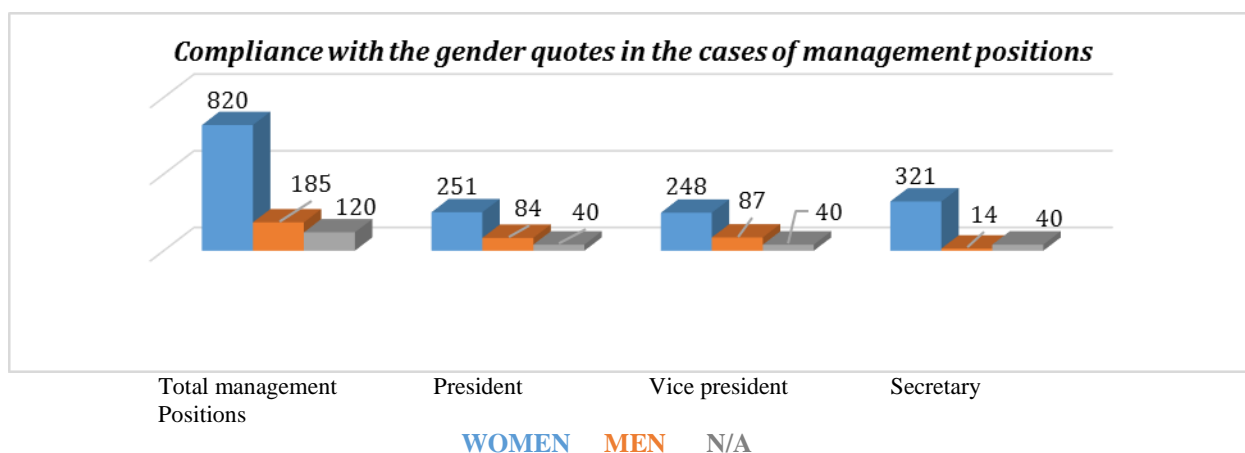


OPEN CLOSE

### 2.3.3. Management positions in BESV in terms of gender statistics

In appointing the members for the management positions in BESV, MO Promo-LEX assessed the level of compliance with the Law on Equal Opportunities for Women and Men. Thus, within the 335 BESV verified (the offices were open, and if the cases of 3 BESV that were closed the communication with their members was possible), it was found that the management positions are occupied in the proportion of 82% by women and 18% - by men (see Chart no. 6).

Chart no. 6



WOMEN MEN N/A

### 2.3.4. Registration of the representatives with the consultative right to vote

According to art. 15 par. (1) of the Election Code, for the electoral campaign, the electoral candidates can appoint in the electoral bodies that have registered them, as well as in the lower level electoral bodies, by one representative with the consultative right to vote.

Thus, according to the findings of Promo-LEX observers, for the period of the new local elections, in 14 of SV from CECE no. 1 Chisinau, PPPDA candidate - Andrei Nastase appointed by a representative with the consultative right to vote (SV no. 1/151; 1/152; 1/155; 1/262; 1/263; 1/264; 1/266; 1/295; 1/80; 1/81; 1/85; 1/93; 1/95 and 1/99).

The candidates for the position of mayor of Volovita, Soroca district – Nistean Ghenadie (PDM) and Cerchez Alexandru (SPRM) have appointed a representative with the consultative right to vote in the 2 SV (SV no. 29/72 and 29/73).

In the meantime, there were noted some uncertainties about the decisions/resolutions adopted by the BESV on approving the representatives with the consultative right to vote. For example, in the cases

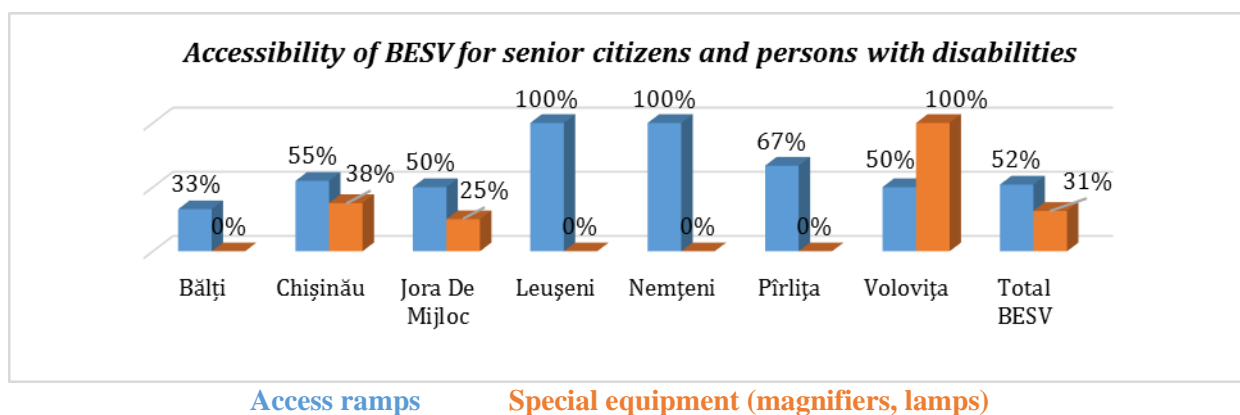


when approving the persons with the consultative right to vote is made by the electoral candidates, it was found that at least 14 BESV from the constituency Chisinau have not adopted a decision on the matter (e.g., the approval of 14 representatives with the consultative right to vote appointed by PPPDA was not made by a decision signed by the members of the 14 BESV). By analogy, we note that CEC approves through a decision the persons with the consultative right to vote of the electoral candidates.

### 2.3.5. Accessibility of BESV offices

According to the information provided by Promo-LEX observers, it was found that 52% of SV are equipped with ramps, and 31% have special equipment for people with disabilities (see Chart no. 7).

Chart no. 7



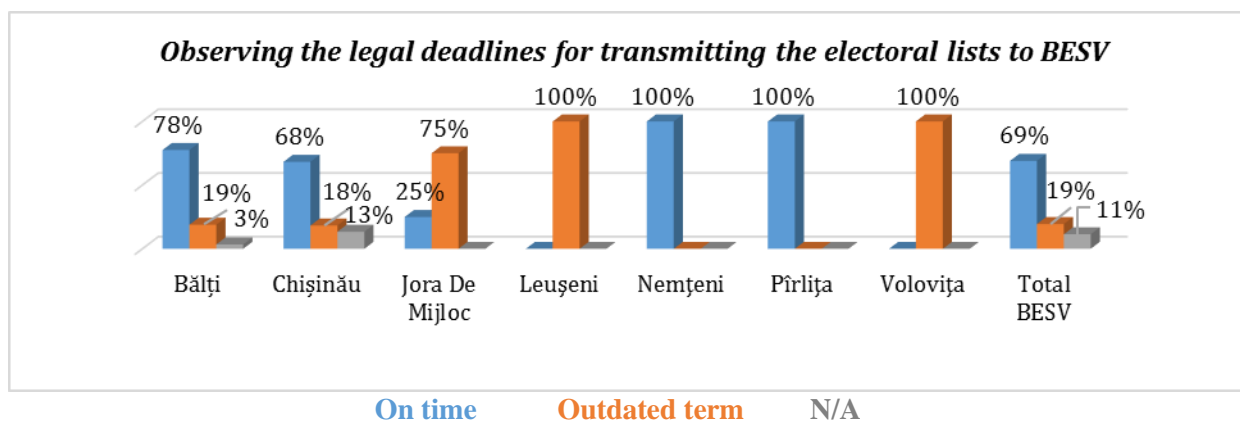
In the case of 6 SV: 4 from Chisinau mun. (SV no. 1/118, 1/199, 1/212 and 1/307), 1 from Volovita, Soroca district (SV no. 29/73) and 1 from Balti mun (SV no. 2/3), in addition to the lack of access ramps (except SV 29/73, which has an access ramp), their office is not located on the ground floor - which makes it even more difficult to perform the right to vote for the senior citizens and persons with disabilities.

We note that, reported to the last elections, only 6 SV and have moved the premises (4 from Chisinau mun.: SV no. 1/137, 1/250, 1/260, 1/261, and two from Balti mun.: SV no. 2/2 and 2/50).

### 2.3.6. Verification of voters' lists

MO Promo-LEX found the failure to observe the deadlines for transmitting the electoral lists to BESV, in the aim to ensure the possibility of voters to verify the correctness of their preparation for at least in 73 BESV (see Chart no. 8).

Chart no. 8





Also, according to the data provided by MO Promo-LEX observers, based on the discussions with members of the offices, there were found some deficiencies in terms of quality and content of electoral lists in 54 BESV (see Chart no. 9). Thus, the largest share of identified shortcomings in the electoral lists was the registering of strangers at the domicile of the voters (20 BESV), incorrect addresses (17 BESV) and the existence of deceased persons (8 BESV).

**Chart no. 9**

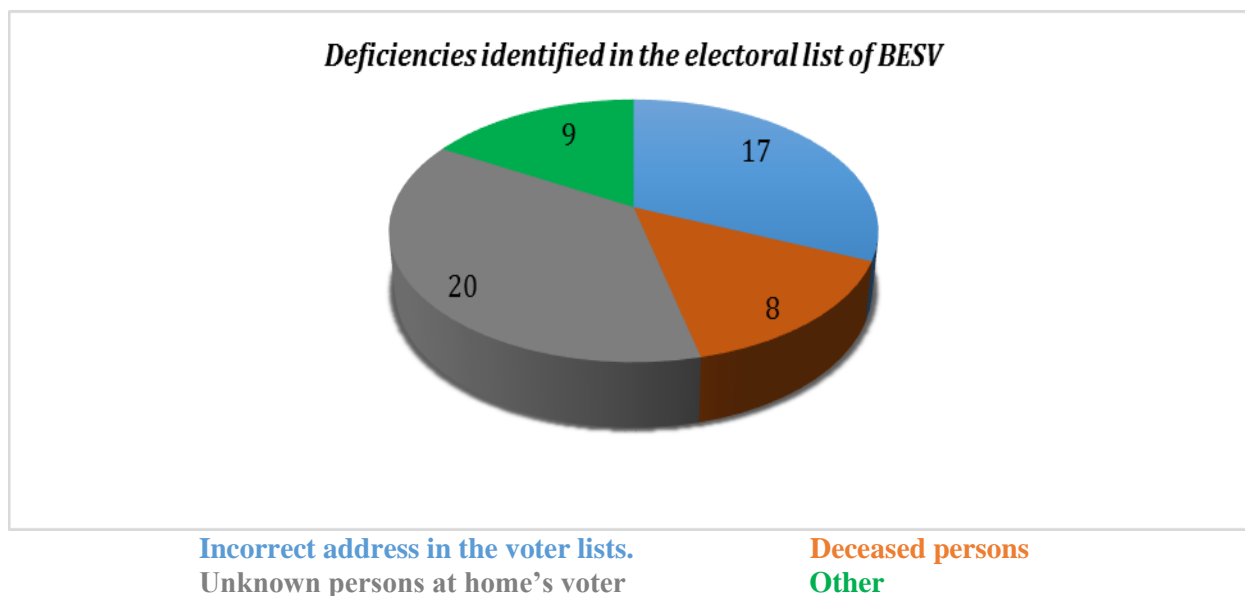


Table no. 5 contains detailed deficiencies identified in each BESF.

**Table no. 5. Deficiencies in the lists of voters**

CECE	Deficiencies in the lists of voters	BESV No.
Chisinau	non-eradiating the old owners from the address of the new owners of the building	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 in the main list of the voters who have valid residence address	1/296; 1/298; 1/260; 1/259
	repeated inclusion (2 times) of a voter (2 addresses)	1/258;
	22 people radiated on previous elections were re-included in the list	1/133;
	at least one dead person (maximum 3)	1/215; 1/304; 1/130; 1/296; 1/261
	mixing up of Bujorilor street from Codru City, Chisinau mun. with the one from Chisinau mun., sect. Center (about 20 persons included in the list)	1/255;
	Used to different name for one street: M. Costin and Costin M., indicated as two different addresses	1/238;
	1 person enrolled on M. Costin with an inexistent block	1/237;
	confusion between Studentilor street with the Studentilor stradela	1/233;
	no streets names in Hulboaca village and Gratiesti village cause confusions of voters residing on the same addresses, different SV	1/296; 1/298;
	1 person ascribed to another SV, separated from the whole family	1/244;

	Used two different names for one street: N. Dimo and str. Dimo N., indicating two different addresses	1/217;
	2 persons recorded on str. M. Eminescu, while the street is already registered as Eminescu M., which is why these people are registered in different lists	1/261;
Balti	about 100 students who do not live in dormitories anymore but have registered their residence; the existence of students with valid residence visa in dormitories, but not included in the main electoral lists.	2/10;
	Including in the lists of the persons without a domicile / residence	2/4;
	exclusion from the list of 135 persons declared by court decision as incapable to vote	2/19;
	2 dead people	2/44;
	Pavel Botu street, 104, which, in fact, is only numbered to 87 Have been identified at least six such addresses.	2/44;
	Cailor street, which, in fact, does not exist.	2/47;
	Puskin street no. 41 – does not exist	2/31;
	including of the voters of Cosmonautilor street, that is not ascribed to SV 2/4	2/4;
	For the voters on the Independence street, initially was indicated the number of the flat, then building / house no; registration of the same street under two different names - Mira and Pacii.	2/9;
	errors caused by re-naming of the Lesnaia street in Rediului street	2/19;
Pirlita	Since there are no street named in Pirlita township, many voters reside in the same range of SV (family members), are enrolled in different lists, for which reason a large number of voters are included in the supplementary lists.	35/59; 35/60;
	2 deceased people (in the Russian Federation, acts of death are missing).	35/59;
Volovita	2 deceased people (22.04.2018 and, respectively, 05.01.2018).	29/72;
<b>Total BESV</b>		<b>54</b>

### III. ELECTORAL CANDIDATES

According to Promo-LEX observers, during the monitored period at least 210 electoral promotion activities were organized, most of them – 173 (82,38%) being organized in Chisinau. Of the total activities, at least 68 (32%) were organized by PSRM; 48 (23%) - by C.I. Silvia Radu, and 33 (16%) – by PPŞ. The most used promotional tools remain to be: meetings with potential voters – characteristic for 31% of the activities and, respectively, the use of the tents - in 28% of cases.

Continue to be reported situations that can be qualified as misuse of administrative resources. Thus, 15 cases were reported, of which: 3 meetings with voters organized in the premises of educational institutions during working hours (2 - PSRM, 1 – C.I. Silvia Radu); 4 meetings with voters organized in the premises of state-owned enterprises during working hours 2 – PSRM, 1 – PUN, 1- C.I. Silvia Radu); 8 meetings with voters organized in the premises of medical institutions during working hours (4 – PSRM, 2 - PUN, 1 – PL, 1 - PPŞ).

Compared with the previous reporting period, the MO Promo-LEX observers have identified several cases that can be qualified as the granting of gifts during the election period – at least 17, with the involvement of the following candidates: PPŞ – 8 cases; Silvia Radu – 5 cases; PSRM – 2 cases; PDM – 1 case and PPPDA – 1 case.

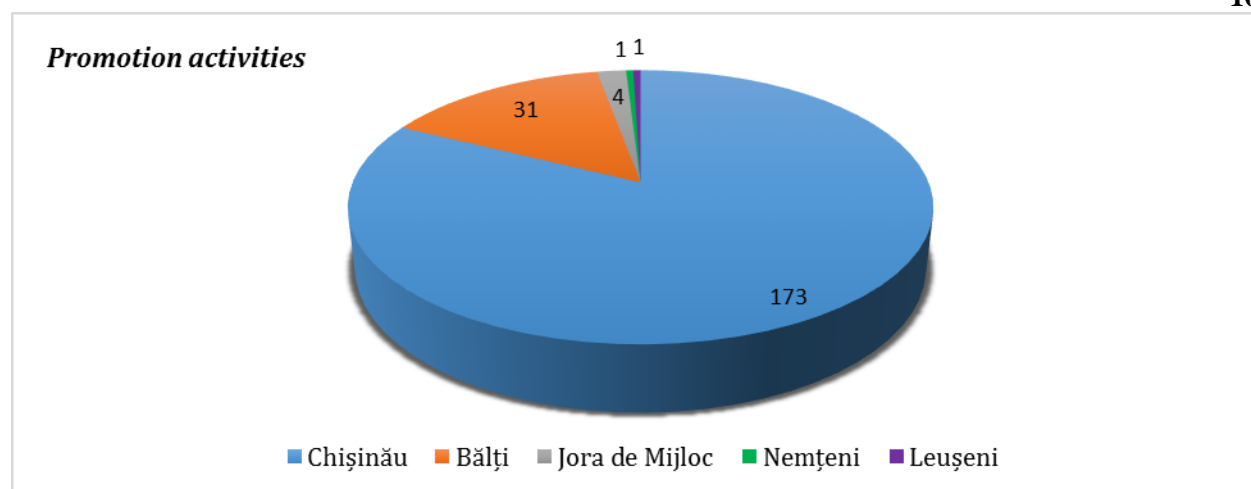
We draw attention to the involvement during the reporting period of the President of the Republic of Moldova Igor Dodon in the campaign of the PSRM candidate for the position of general mayor of Chişinău Ion Ceban., but also of the candidate for the position of mayor of Bălţi municipality, Alexandr Usatii. In addition, the involvement of the President of the R. M. in campaigning activities in favour of a competitor can be interpreted as use of administrative resources in the election campaign. Also, it was found at least a situation that can be qualified as involvement of the person who is not a citizen of the Republic of Moldova in actions of the electoral propaganda of the candidate PUN – Constantin Codreanu.

Based on the reports of the observers of Promo-LEX, we see, also, 3 cases of the use of electoral advertising without compliance with the requirements of the identification forwarded to the advertising printing materials and 2 cases of placing of advertising in unauthorized places.

#### 3.1. Promotional activities

According to Promo-LEX observers, during the monitored period at least 210 election campaign activities were organized in the context of the new local elections held on 20 May 2018. Most activities were organized in Chisinau - 173 (see Chart 10).

Chart no.  
10



Of these, at least 32% (68 activities) were organized by PSRM; 23% (48 activities) – C.I. Silvia Radu, and 16% (33 activities) - CPS (see Table 6).

The most used promotional tools are: meetings with potential voters - characteristic of 31% of activities and use of tents - in 28% of cases.

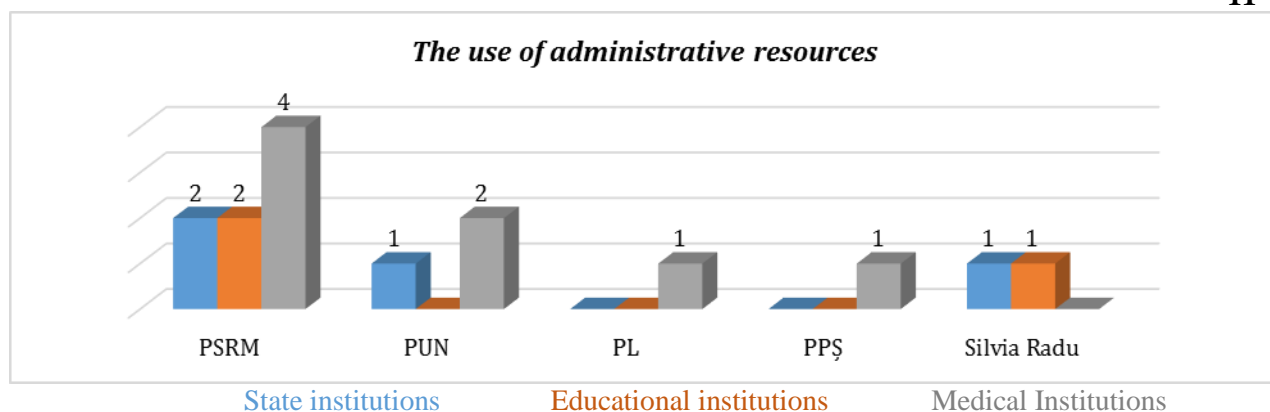
**Table no. 6. Electoral activities**

<i>Electoral Event</i>	<i>PSRM</i>	<i>PPDA</i>	<i>PPŞ</i>	<i>PUN</i>	<i>PN</i>	<i>PL</i>	<i>PNL</i>	<i>PPDA</i>	<i>PPRM</i>	<i>PAS</i>	<i>PRSM</i>	<i>PDM</i>	<i>S. Radu</i>	<i>Total</i>
Press conference	6	1	1			4	1	1					1	15
Tents	26	8	7	2									16	59
Concerts	0		4									1		5
Distribution of electoral materials	5	1	1		4	2					1		18	32
Meetings with citizens	24	5	10	12	2	4				1			8	66
Spots / electoral debates / TV shows	5		1	4		1			1	1	1			14
Election gifts	2	1	8									1	5	17
From door to door			1											1
Official events														0
Motor-car march/ Flash-mob		1												1
Telephone survey				1										1
<b>Total</b>	<b>68</b>	<b>17</b>	<b>33</b>	<b>19</b>	<b>6</b>	<b>11</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>48</b>	<b>210</b>

### 3.2. Cases that can be qualified as use of administrative resources during election / electoral campaign

On this subject, Promo-LEX observers reported 15 situations that can be qualified as use of administrative resources in favor of candidates (see Chart 11 and Table 7).

**Chart no. 11**



Thus, it has been reported:

- 3 meetings with voters organized in the premises of educational institutions during the working hours (2 - PSRM, 1 – C.I. Silvia Radu);
- 4 meetings with voters organized in the premises of state- enterprises during the working hours (2 – PSRM, 1 – C.I. Silvia Radu);
- 8 meetings with voters organized in the premises of medical institutions during the working hours (4 – PSRM, 1 – PL, 1 - PPŞ)

**Table no. 7. Cases that can be qualified as use of administrative resources in favour of candidates**

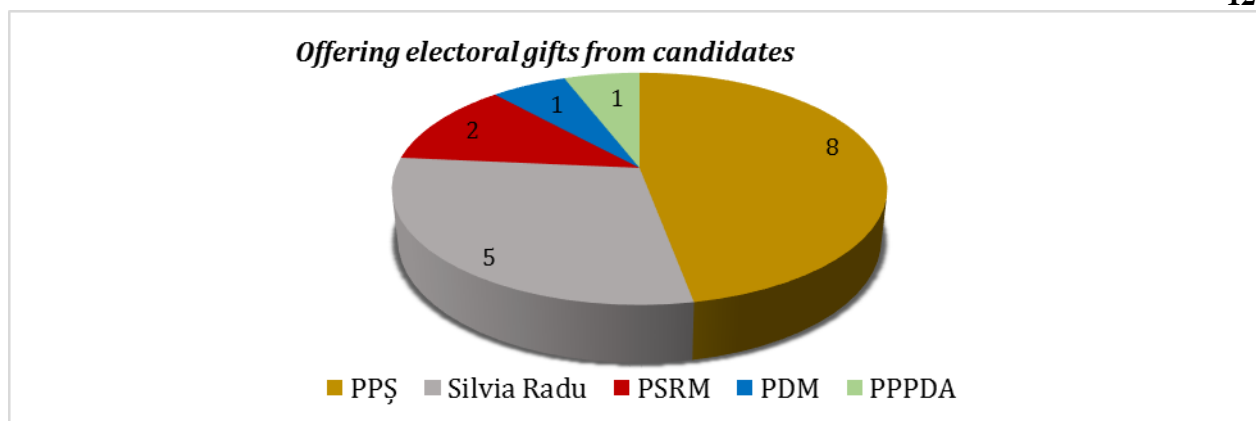
<i>N/O</i>	<i>Candidate</i>	<i>Date</i>	<i>Activity</i>	<i>Notes</i>
1	I. Ceban, PSRM	05.05.18	Meeting with employees from Î.M. Regia „Autosalubritate”	During working hours

2		04.05.18	Meeting with employees of the Hospital of Dermatology and Communicable Diseases	During working hours
3		03.05.18	Meeting with the teachers and students of the Theoretical Lyceum "N. M. Spatarul"	During working hours
4		04.05.18	Meeting with employees of the Municipal Clinical Hospital of Phisiopneumology	During working hours
5		08.05.18	Meeting with the staff of the Lyceum M. Berezovschi	During working hours
6		03.05.18	Meeting with voters at the Municipal Clinical Hospital for contagious diseases of children	During working hours
7		08.05.18	Meeting with the employees of the Green Spaces Chisinau	During working hours
8		02.05.18	Meeting with the voters at the Children's Municipal Clinic Hospital V. Ignatenco	During working hours
9	V. Munteanu, PL	03.05.18	Meeting with the medical staff at AMT Rîșcani	During working hours
10	R. Apostolova, PPȘ	04.05.18	Meeting with the staff of the Republican Medical Diagnostic Centre	During working hours
11	C. Codreanu, PUN	08.05.18	Meeting with employees from Î.M. Regia „Autosalubritate”	During working hours
12		04.05.18	Meeting with employees of the Institute of Emergency Medicine	During working hours
13		16.05.18	Meeting with the staff of the Advisory Centre Diagnostic Centre	During working hours
14	Silvia Radu, CI	02.05.18	Meeting with teachers in Hyperion High School, attended by mayor of Durlesti	During working hours
15		02.05.18	Meeting with employees from Î.M. Regia „Autosalubritate”	During working hours

### 3.3. Cases that can be qualified as the granting of goods during the electoral period

The MO Promo-LEX observers reported at least 17 cases that can be qualified as gifts during the electoral period (according to Chart 12).

**Chart no. 12**



**The PPȘ electoral candidate – 8 cases .** During the monitored period , Promo-LEX observers reported at least 4 events organized by PPȘ candidates, under the generic „Feast of the Court”: 2 in Chișinău on May 1 and 6, respectively, 2 –in Bălți on May 13. At these events, at least 3 animators disguised in the cartoon hero's costumes have entertained children around the dwelling blocks where the event was held(dances, balloons). Immediately after the show was finished, the candidates had the opportunity to discuss with the voters in the respective area.

In another case, on May 15, 2018, PPȘ organized "Family Day" on the Vasile Alecsandri Theater Square in Bălți. The PPȘ candidate also participated in the event as Mayor of Bălți. Two slides were placed for

organizing the event with free access, also there participated 5 animators and a moderator and about 100 balloons with PPŞ symbol were offered.

The other 2 cases performed with the financial support of PPŞ (from interviews with local residents) are: the installation of at least 4 WiFi routers with public access in the 4 localities of the composition Jora de Mijloc com., Orhei district (05.05.2018) and the organization of sports competitions in the same commune. At these competitions have been donated 15 bikes and a ram.

Also, for the residents of Jora de Mijloc commune, Orhei district, on 13.05.2018, the Miron Şor Foundation organized an event where at least 300 people have been transported with at least 10 minibuses and 2 buses to the Sidney Restaurant of the Orhei city. There, a Buffet was organized for those people.

**Independent Candidate Silvia Radu – 5 cases.** On social networks, Silvia Radu promotes the campaign "Do something good for Chişinău", asking for the contribution of businessmen / legal persons to various actions aimed at improving the situation in Chişinău. The main message of the candidate is that this contribution should be made directly for specific causes and not for the financial support of its election campaign.

As a result of this campaign, the following actions were taken:

- setting up a playground for children in Bubuieci, Chişinău municipality(10.05.2018);
- planting a "carpet" of about 12 thousand flowers in the Ştefan cel Mare Public Garden (May 12, 2018);
- setting up a kindergarten in Chisinau: painting playgrounds, sanitation, etc. (15.05.2018);
- Air conditioning equipment of the Tohatin Cultural House ,Chisinau (15.05.2018);
- setting up a children's playground in the Buiucani sect., 8 Alba Iulia Street, Chisinau (16.05.2018).

We mention that the expenses incurred for the activity of 10.05.2018 are not included in the applicant's Financial Report. However, the described actions are strongly promoted by the candidate as a result of the personal campaign "Do Something Good for Chisinau".

**Electoral candidate PSRM – 2 cases.** On 03.05.2018, in Chisinau municipality, PSRM candidate Ion Ceban, together with deputy Elena Hrenova, organized a festive dinner at the „Plovdiv” restaurant for 35 veterans.

On May 13, 2018, the First Lady Foundation, Galina Dodon - "From the Soul", organized the Family Festival (Vasile Alecsandri Square) in Bălţi. The event was attended by the PSRM candidate for the mayor of the Balti municipality- Alexandr Usatii, as well as the deputies Al. Nesterovschi and Zinaida Greceanii. Special guests were the band's soloists „Lume”. For children's entertainment, about 5 slides were placed. All the entertainments organized at the festival were free - jumping on the inflatable mattress, shooting, ice cream, cotton candy, hover board, etc.).

**Electoral candidate PDM – 1 case.** On 07.05.2018, in Nemţeni village, Hincesti district, at the Health Center in the locality, there were 6 specialists (3 from Chisinau and 3 from Hînceşti) who offered medical consultations for at least 100 patients from Nemţeni village. The event was attended by the president of Hînceşti and representatives of the Ministry of Health who held speeches, using a PDM banner.

**Electoral candidate PPPDA – 1 case.** On 05.05.2018, in Balti, PPPDA candidate Arina Spataru organized the sports competition for football with the generic title – The Cup for "Balti – social capital". The competition was exclusively for mini football teams participating in the USARB Spartachiada. About 20 students from the student hostels attended it. About 10 players wore T-shirts with the slogan Arina Spataru - DA Primar. The PPPDA candidate offered as a gift a cup and seven medals and awarded diplomas for winning places.

### **3.4. Cases that can be qualified as campaigning using the image of personalities from abroad**

On May 9, 2018, PUN candidate Constantin Codreanu attended the reception given by Klaus Iohannis, Romanian President, on the occasion of Europe Day. This information has been distributed and promoted by the candidate on social networks (including tagging the page created as a candidate for the mayor's position).

### 3.5. Cases that can be qualified as campaigning using of the image of the public authorities

In Report no. 3 we reiterate the finding of the involvement of the President of R.M. in the electoral campaigning of the PSRM candidates Ion Ceban and Alexandr Usatîi in the positions of mayor of Chisinau and respectively of the mayor of Balti. We remind 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, can not be used for electoral advertising purposes. [...] ". At the same time, we would question the very possibility of the President of the Republic of Moldova to engage in supporting an electoral competitor, nominated by a political party, as long as the article. 123 para. (2) of the electoral Code obliges him to withdraw from membership of any political party still at the stage of validation of the mandate.

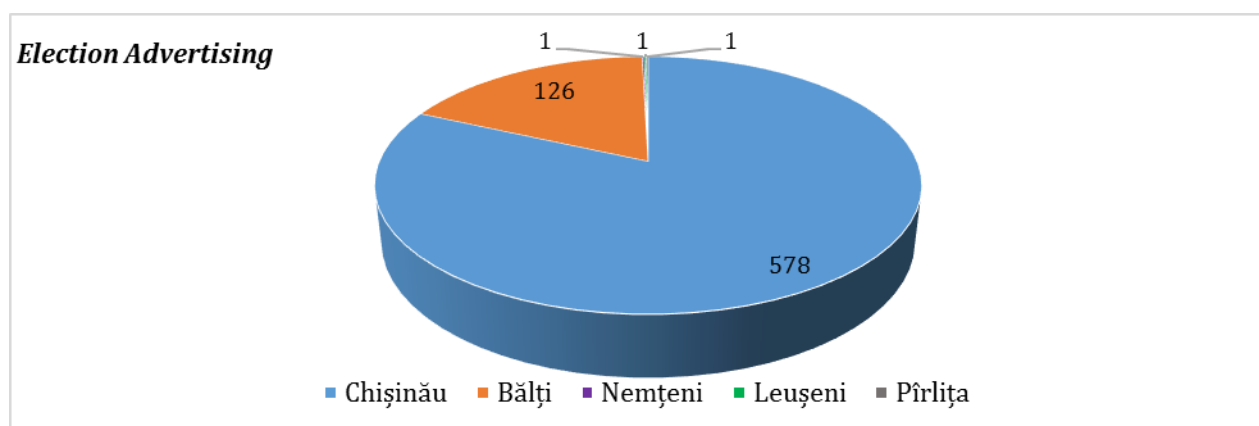
Thus, we mention that on May 11, 2018, on online networks (youtube) have been published, 2 video spots (in Romanian and Russian) in which the country's President, Mr. Igor Dodon, declared that on 20 May, 2018 will vote for the Ion Ceban, arguing that only PSRM fought with corruption and only Ion Ceban together with the team, fought for justice, with the support of the inhabitants of Chisinau municipality. In the end, Mr. Dodon urges citizens to vote correctly, for Ion Ceban, nominated by PSRM. Also, on May 16, 2018, during a press conference at the State Residence, the President Igor Dodon has made electoral propaganda in favour of the PSRM candidate for mayor general of Chisinau, Ion Ceban.

Additionally, the involvement of the President in the campaigning activities in favour of a candidate can be interpreted as use of administrative resources in the election campaign.

### 3.6. Street / promotional / online advertising

Promo-LEX observers have identified at least 707 situations where participants in the new local elections have used these types of advertising in their promotional activity. Most were used in Chisinau - 578 (see Chart 13).

Chart no. 13



In 219 cases, the PSRM Publicity, 143 cases – PPȘ, 95 – PPPDA, and 92 cases – PL (see Table no. 8) are reported.

Table no. 8. Election Advertising

<i>Election Advertising</i>	<i>PSRM</i>	<i>PPPD A</i>	<i>PP Ș</i>	<i>PU N</i>	<i>P N</i>	<i>P L</i>	<i>PN L</i>	<i>PPR M</i>	<i>S.Radu</i>	<i>PA S</i>	<i>PRS M</i>	<i>PD M</i>	<i>Total</i>
Billboard*	16	3	8	2	1	3							33
Street Banners*	2	1	10	3			1					1	18
On-line Banners	6	1	0	8	1	6							22
Newspapers / booklets	47	5	12		1				18				83
Vests / jackets / bags *	47		17		1								65
T-shirts and caps (cumulative) *	74	52	84	29	31	68			28				366
flags *	0		0		2		6						8
Sponsored pages	0	3	0	3					1				7



leaflets//Calendars/ Cards/Posters/Invitations	10	5	3	4	1	4		1			1	2	<b>31</b>
Posters	0	7	0										<b>7</b>
Electoral Posters	12	18	9	10		11				1	1		<b>62</b>
LED / City Light panels	5		0										<b>5</b>
<b>Total</b>	<b>219</b>	<b>95</b>	<b>143</b>	<b>59</b>	<b>38</b>	<b>92</b>	<b>7</b>	<b>1</b>	<b>47</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>707</b>

\* The table shows the actual number of units reported by Promo-LEX monitors.

In the case of PSRM, the most popular type of advertising was the PSRM visual slogan with party's name (shirts, vests, caps, bags, etc.), newspapers and placards. In the case of PPŞ, as in the case of PSRM, the most used were the visual labels PPŞ, newspapers / booklets and street banners.

### 3.7. Cases that can be qualified as use of electoral advertising in violation of legal provisions

Based on Promo-LEX observers' reports, we find a case of using electoral advertising without complying with the requirements for advertising materials and 4 cases of placement of advertising in unauthorized places.

- Promo-LEX observers have reported at least 3 cases in which the distribution of the electoral material was identified without data on the date of printing, the printout of the material and the name of the printing house that printed them as follows:
- calendars distributed in Chişinău municipality by PPŞ;
- message of congratulations for 9 May holiday distributed in Bălţi on behalf of PRSM candidate, Oleg Topolniţchi;
- calendars distributed in Chişinău municipality in support of PPRM candidate, Maxim Braila.

Also, Promo-LEX monitors reported 2 cases of placement of electoral advertising in unauthorized places, as follows:

- a banner placed on the window of a store in support of PSRM candidate (Chisinau, Cricova);
- a PPŞ billboard placed on a block of flats on the bd. Moscow with the slogan "Victory Day", a concert organized on 12 May and funded by "Miron Şor" Foundation.

### 3.8. Cancelling the registration of the electoral competitor

On the date of 16 May 2018, by its decision, the Supreme Court of Justice rejected the appeal and upheld the decision of the first courts on the exclusion of the candidate PPŞ to the position of general mayor of Chisinau municipality, Reghina Apostolova. In this way, for the post of mayor of Chisinau municipality, according to the information, the date of 16 May 2018, will compete against 11 candidates.

We mention that the petition for the cancellation was requested by the PUN on the basis of the Appeal submitted to CEC(no.CEC-9/ALN2018/4) and CECE(no.119) on 8 May 2018. Through its appeal, PUN alleges violation by Reghina Apostolova of the provisions of Art. 39 par. (1) of the Electoral Code establishing the prohibition of direct and / or indirect financing, as well as the material support in any way of election campaigns of the candidates for election and of the electoral competitors by other states, by foreign enterprises, institutions and organizations as well as by non-citizens of the Republic of Moldova

According to the Decision no. 37 on 10 May 2018, the CECE has decided to accept the requests made by PUN Executive Chairman Anatolie Şalaru, exposed in the appeal no. 119 and the notification no. 125 of May 8, 2018. The Chisinau Court, the Centre's headquarters, was also asked to cancel the Reghina Apostolova's registration if the violation was found.

The First instance, Chisinau Court, Centre (Judge Natalia Mămăligă), following examination of file no. 3a-900/18 dated 11 May 2018 has accepted the request for cancellation of the registration submitted by CECE no. 1 Chisinau.

On May 14, 2018, the Chisinau Court of Appeal, examining the appeal declared by PPŞ against the decision of the Chisinau Court, Centre headquarters, dismissed the appeal, maintaining the decision of the first instance court.



## IV. CAMPAIGN FINANCING

*Between 28 April and 11 May 2018, 13 electoral candidates have declared campaign funds of 2 751 540,81 lei and were carried out expenses of 2 392 698, 65 lei, s.f. 358,842 lei.*

*MO Promo-LEX still notes with concern a transfer from the current account of the parties, this time from the PL, on the account "Electoral Fund" of PL in the amount of 970,000 lei and qualifies it as a donation from a legal person, thus indicating the violation of the donation limit by the legal person.*

*The major share of declared expenditure is for advertising and promotional materials – 95%, expenses for meetings and events – 2%, services of public opinion polling – 2%, for the use of transport have been reported - 1% and other expenses – 1%. MO Promo-LEX finds a poor reporting for the visible spending categories: Campaign location, use of the means of transport, telecommunication use and volunteer work. Of the 16 registered candidates, only the C. I. Silvia Radu and PN have stated expenses for transport and only the PN said an amount of 16 666, 66 lei for the rent of the headquarters of the campaign, and PPŞ reported telecommunications expenses*

*MO Promo-LEX estimates that 8 electoral candidates have failed to fully reflect the expenses incurred during the 2 weeks of the monitored electoral campaign. The total amount of expenditures found to be undeclared is at least 1 144 229 lei, the major category of unreported expenses being for street advertising and promotional materials.*

*MO Promo-LEX reminds that during the first two weeks of the campaign, the PPŞ candidate in Jora de Mijloc, Orhei, had an estimated expenditure of at least 114,100, lei thus exceeding the maximum set for that constituency -93,504.18 lei. Although they did not have the legal right to spend money, he continued to organize concerts and provide electoral gifts to voters of the constituency Jora de Mijloc in the amount of 80,500 lei for the period 28 April - 11 May 2018.*

### 4.1. Electoral funds and treasuries

According to data published on the official websites of APL of level II and of the Central Electoral Commission, MO Promo-LEX notes that, until May 11, 2018, out of 16 candidates registered, 15 have confirmed their treasurers to the CEC (PPCNM, PPPDA, PL, PPŞ, PSRM, PDM, PN, C. I. Silvia Radu, C. I. Elena Griţco, PNL, PPRM, PUN, PAS, PRSM, PPDA) and only 12 (PPPDA, PL, PPŞ, PSRM, PDM, PN, C. I. Silvia Radu, PNL, PPRM, PUN, PAS) and they opened the account "Electoral Fund"(see Table no. 9).

Table no. 9. The designation of the treasurers ,and the opening of the accounts "Electoral Fund"

Political affiliation of the candidates	Nr. of candidates in elections	Date of registration of electoral candidates	Date of confirmation of the treasurers ' by the CEC/CECE	Date of opening of the accounts "Electoral Fund"
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
PPŞ	3	11.04.2018	17.04.2018	12.04.2018
PPDA	1	11.04.2018	15.05.2018	Demers
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	-	Approach
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.
C.I. Silvia Radu	1	21.04.2018	24.04.2018	27.04.2018

<b>C.I. Grițco Elena</b>	1	24.04.2018	01.05.2018	Approach
<b>Total</b>	31	x	x	x

#### 4.2. Financial reporting for candidates

MO Promo-LEX notes that for the period 28 April - 04 May 2018, 11 competitors from 16 registered submitted weekly reports on the financing of the electoral campaign (PPDA, PDM, PL, PN, PSRM, PPȘ, PUN, PPRM, PAS, PPCNM, C.I. Silvia Radu), and for the period 05 - 11 May 2018, 13 competitors submitted such reports (PPDA, PDM, PL, PN, PSRM, PPȘ, PUN, PPRM, PAS, PPCNM, PNL, PRSM, C.I. Silvia Radu). On the other hand, until May 11, 2018, three electoral candidates (PPDA, PVE, C.I. Elena Grițco) presented non-performance expenditures.

According to the MO Promo-LEX findings, the CEC published in due time the reports submitted on 5 and 11 May 2018. At the same time, notes that the reports of the C.I. Silvia Radu were published late on the official website of the APL of Level II Chisinau. With regret, it is found that the non-performance of expenditure of C.I. Elena Grițco has not been published on the APL of level II page ,no up-to-date launch of the report in question of the Promo-LEX association.

#### 4.3The income and the expenses of electoral candidates reflected in the reports on the financing of the electoral campaign

According to the reports for the period 28 April - 11 May 2018, the volume of income declared by 12 electoral competitors is 2 751 540,81 lei and the amount of expenditure - 2 392 698, 65 lei, and the final balance - 358 842 lei. Thus PPȘ has accumulated 130 146 lei, PSRM - 588 575 lei, PL - 977 444,55 lei, PPDA - 134 584,80 lei, PN - 310 383,68, PDM - 13 114 lei, PPRM - 19 000 lei, PNL - 2,500 lei, PAS - 5,684 lei. PRSM - 7,000 lei, PUN - 567,700 lei, PPDA - 7,000 lei. The amount of the declared income for this period constitutes the 15.26% set for one electoral competitor in the Chisinau municipality, which is 18 025 253, 63 lei. According to the financial reports submitted to the CEC, no competitors has exceeded the maximum set by the Commission in any electoral constituency.

##### 4.3.1. Compliance with the ceilings of revenue accumulation

At the same time, it is mentioned that, although the ceilings of electoral competitors are cumulative depending on the number of constituencies in which the candidates compete for a particular party, because of the existence of a single "Electoral Fund", Promo-LEX considers that the thresholds is substantial with the limits of the ceiling set for each constituency. According to the estimation of the PPȘ candidate's real costs in the Jora de Mijloc, for April 13-27, it had already exceeded the maximum income collection ceiling because he had expended at least 114,100 lei, higher than the applicant had reported, actually exceeded the ceiling of 93,504.18 lei.

Table no. 10. Maximum ceilings on income collection per electoral constituency

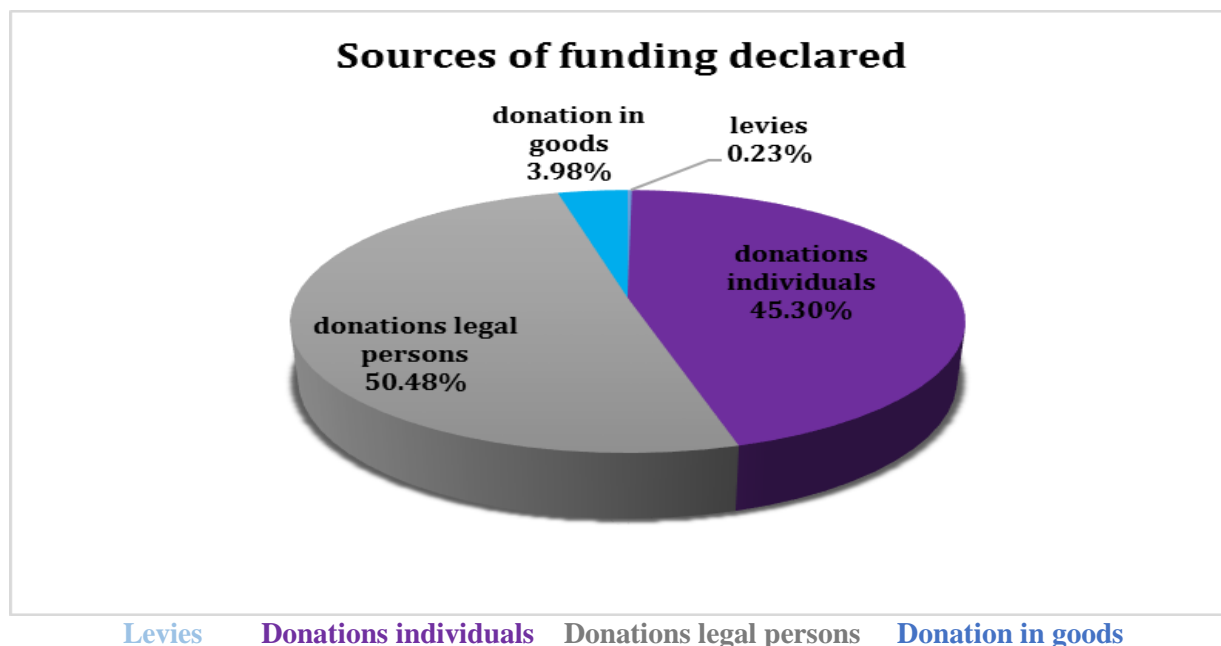
Nr.	Electoral Constituency	Registered candidates	Ceiling Coefficient ,lei	Nr. of voters	The maximum ceiling established, lei
1.	<b>Chișinău</b>	PSRM,PPDA PL,PPȘ,PPDA, PPCNM,PVE, PNL, PPRM, PRSM, PUN, C.I. Silvia Radu	28,49	632687	18 025 252,63
2.	<b>Bălți</b>	PSRM, PPDA. PPȘ, PN, PUN, PAS, PRSM, C.I. Elena Grițco	28,49	105340	3 001 136,60
3.	<b>Leușeni c., Hîncești d.</b>	PDM, PSRM	28,49	1858	52 934,42
4.	<b>Nemțeni v.,Hîncești d.</b>	PDM, PSRM	28,49	1489	42 421,61
5.	<b>Jora de Mijloc c., Orhei d.</b>	PDM, PPȘ, PSRM	28,49	3282	93 504,18
6.	<b>Volovița c., Soroca d.</b>	PDM	28,49	1646	46 894, 54
7.	<b>Pîrlîța c., Ungheni d.</b>	PDM	28,49	4376	124 762,24

##### 4.3.2. The sources of funding declared in the weekly reports

The funding sources of the electoral contestants consist of:

- membership fees/ transfer on account of a political party (PAS) in the total amount of 5 684 lei;
- financial donations of 108 individuals in the amount of 1 097 205 lei for 9 competitors (PPŞ, PPPDA, PSRM, PUN, PPDA, C.I.S. Radu, PPRM, PRSM, PDM);
- donations from 2 legal persons for 2 electoral competitors (PL, PN), transfers from the political party's account in the amount of 1 222 600 lei (PL, PN),
- material donations in a total amount of 96,336.36 lei for 5 competitors (PN, PUN PPPDA, C. I.S. Radu, PAS).

**Chart no. 14**

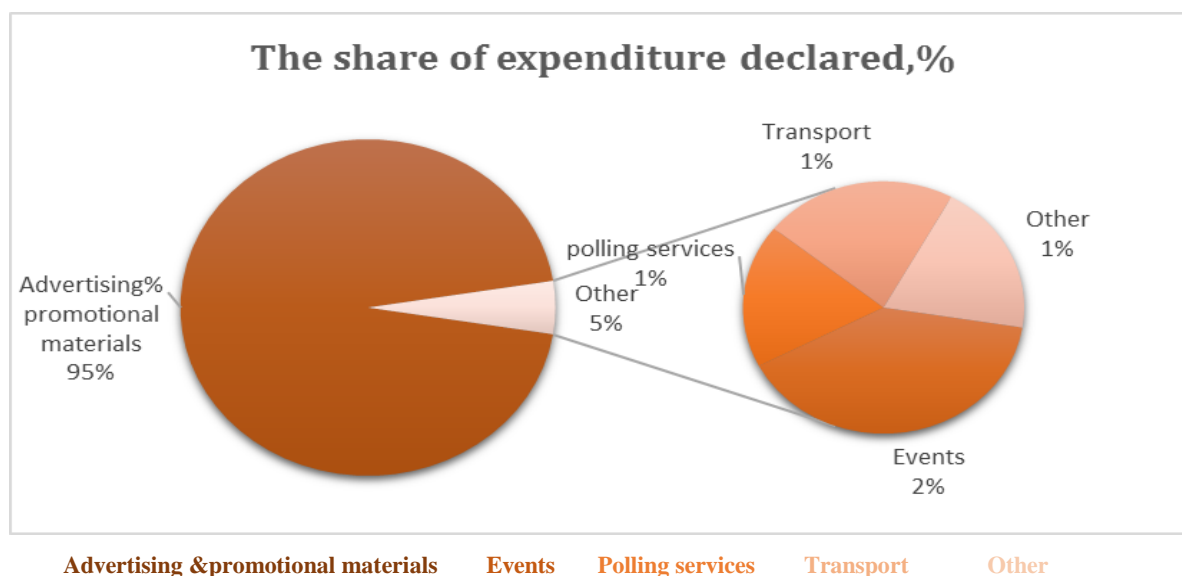


*Referring to the legal norm on the amount of donations from legal persons, which can not exceed 100 average salaries for the current year, in this case 615 000 lei, MO Promo-LEX notes that during the reporting period, PL recorded 2 transfers on behalf of the party to the Electoral Fund account, which cumulatively reach the amount of 970 000 lei. These transactions can be qualified as donations from the party (legal person) and presumed to be a violation of the donation limit by the legal person. MO Promo-LEX recalls that, according to art. 75 of the Electoral Code for violation of electoral legislation, the CEC or the constituency electoral council may apply to the electoral competitors a series of penalties.*

According to the MO Promo-LEX analysis, 1 electoral candidate (PUN) has registered donations with the index - "big" - from 75 thousand to 1 million lei, from 2 donors, individuals. They fall under Section 20 of the Funding Regulation of the electoral campaign of CEC, in the present case, under the necessity for the State Tax Service (STS) to verify the source of the financial contributions to the electoral competitors. Thus, MO Promo-LEX recommends the STS to verify the origin of the "big" donations, and the electoral authority - to notify the Court of Accounts to check the sources of income of the electoral competitors targeted in these categories of donations.

#### **4.3.3. The expenditure declared in the weekly reports**

According to the total financial reports, the major share of the declared expenditures is for advertising - 78%, for promotional materials - 17%, expenses for meetings and events - 2%, public opinion polling services - 1%, for the use of transport have been reported - 1%, other expenses - 1% (see Chart no.15).



*a. Expenditure for organizing meetings and events*

According to the financial reports, 3 electoral candidates reflected expenses for the organization of meetings and events in the amount of 53 707.59 lei: PPŞ - 43 408, 59 lei; PPPDA - 7,395 lei; PPRM - 2,904 lei.

*b. Advertising expenses*

According to the financial reports, 8 electoral competitors have reflected advertising expenses in the amount of 2,084,164.52 lei: PPŞ - 35,800, 23 lei; PSRM - 582 386, 75 lei; PL - 671 042, 72 lei; C.I. Silvia Radu - 35,232.30 lei; PN - 258 765.75 lei, PPPDA - 44 614 lei, PDM - 5120 lei, PUN - 451 203 lei.

*c. for promotional material Expenses*

According to the financial reports, 11 electoral competitors reflected the expenses on promotional materials in the amount of 444 197 lei: PPPDA - 44 310 lei; PPŞ - 12,700 lei; PSRM - 5,800 lei; PN - 16 200 lei, PDM - 7 925, PNL - 2 000 lei, PAS - 5680 lei, PPRM - 13 020 lei, C.I. Silvia Radu - 218 362 lei, PUN - 115 200 lei, PPDA - 3 000 lei.

*d. Expenses for people transport and goods*

According to the financial reports, only 2 electoral candidates reflected travel expenses for electoral purposes in the Republic of Moldova in the amount of 30 000 lei: PN - 15 000 lei, C.I. Silvia Radu - 15 000 lei.

*e. Expenses for services of public opinion polling*

According to the financial reports, an electoral candidate reflected expenses for public opinion polling services, in the amount of 24,842, 60 lei.

*k. other expenses*

According to the financial reports, only one electoral competitor reflected expenses for communications: PPŞ - 5,100 lei, only 1 competitor reflected expenses for the rent of premises - 16,667 lei. Another 12 competitors have incurred expenses for banking services in the amount of 6 261 lei.

**4.4. Candidates expenses found by Promo-LEX observers and not reflected in the financial reports**

*a) Expenses for public events*

Expenses on public events consists of media coverage and artists' fees, space renting costs, stage, sound, etc. For calculating the expenses for events / electoral concerts, it was taken as a basis for calculating the fee for each artist (market price) that evolved for a certain potential competitor at the time of de facto worked per event.

According to Promo-LEX observers, at least 4 electoral candidates (PPŞ, PDM, PSRM, PPPDA) have incurred expenses for the organization of 4 concerts, 3 children's entertainment events, 3 sports competitions and free medical consultations. At least 10 artists and 8 animators were involved in those concerts.

MO Promo-LEX reminds that the PPŞ candidate in Jora de Mijloc, Orhei, had during the first two weeks of the campaign estimated expenditures of at least 114,100 lei, thus exceeding the maximum limit set for the respective constituency - 93,504, 18 lei. This assumes that the candidate is no longer entitled to spend money in this locality. Otherwise, the resources used remain to be outside the legal norm. Promo-LEX, however, finds the following undeclared expenses including from the mentioned candidate.

According to the findings, in CECE Jora de Mijloc, PPŞ organized at least one concert with the use of sound installations, a sports competition and a fun event involving 8 animators. Performed by artists Vitalie Dani and Doina Sulac as well as 8 animators. Expenses estimated for the performance of the artists / animators of at least 14,000 lei. The installation of inflatable toppings has also been reported. Medals, diplomas and trophies, 15 bicycles (30,000 lei) and one ram (4,500 lei) were handed out. A video spot of at least 14,000 lei was reported. Observers also reported the installation of WIFI routers in the four localities of the Jora de Mijloc Commune - at least 16,000 lei (1 router - 4,000 lei). We were offered approx. 200 mugs with the logo Şor - 2,000 lei. Total estimated costs of at least 80,500 lei. Moreover, on May 18, 2018, PPP plans to organize a concert involving the mobile scene and artists Anastasia Lazariuc, the band Zdob si Zdub, Ionel Istrati, Natalița Olaru, Natan, assuming expenses of at least 100,000 lei.

Concerning PPŞ, for CECE Chişinău and Balti, Promo-LEX observers have reported other 2 concerts and 2 fun events for children in the "Celebration of the Court", with the participation of artists Vitalie Dani, Margareta Ivanuş, 6 animators for 2 hours. The location of the concerts in Balti was given a rent of 6000 lei (2h). Festive meals (buffet) were organized for at least 200 people / 50 lei per person. Expenses total estimated of at least 31,000 lei.

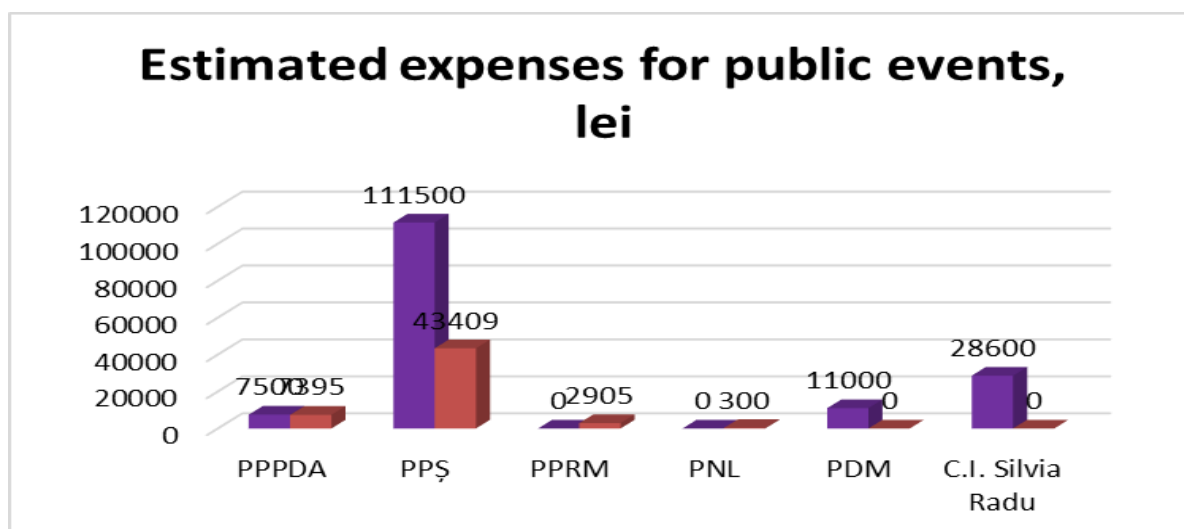
Regarding the C.I. Silvia Radu, Promo-LEX observers, reported unclaimed donations in financial reports - the material donation consisted in setting up a playground for children. There were 6 banks (chairs), 2 swings and a children's table. Estimated expenses of 28,600 lei.

Regarding PDM, the Promo-LEX observers reported a concert. They provided artists Doina Arseni, Lenuța Gheorghită and Mihai Ciobanu. The observers also reported free consultations by specialists for at least 100 patients in the Nemțeni village of 150 lei per consultation were provided. Sound installations of at least 3500 lei have been reported. Estimated expenses of at least 11,000 lei.

Regarding PPŞ, Promo-LEX observers have reported at least 3 concerts, 2 sports competitions with the use of sound systems and 3 fun children's events at the "Court Feast", with the participation of 8 animators for 2 hours. The installation of inflatable slides has also been reported. The location of the concerts in Balti was given a rent of 6000 lei (2h). Festive meals (buffet) were organized for at least 200 people / 50 lei per person. The artists Doina Arseni, Lenuța Gheorghită and Mihai Ciobanu, Vitalie Dani (2), Margareta Ivanuş and Doina Sulac performed. Estimated expenses for artist performance of at least 26,000 lei. Medals, diplomas and trophies, 15 bicycles and a ram were handed out. A video spot of at least 14,000 lei was reported. Observers have also reported the installation of WIFI routers in the four localities of Jora de Mijloc - at least 3,200 lei. There were about 200 cups with the logo of Şor - 2000 lei. Expenses total estimated of at least 100,200 lei.

Regarding PPPDA, Promo-LEX observers reported at least one sports competition with the use of sound facilities, with about 20 persons participating. 10 of them wore T-shirts with the slogan Arina Spataru – „DA Primar”. A cup and seven medals and diplomas were handed out. Estimated expenses of at least 7,500 lei.

Regarding PSRM, the Promo-LEX observers reported 1 concert and a festive meal for 35 veterans. Expenses estimated of at least 25,000 lei; PSRM - installation of a playground. Expenses estimated at least 47,000 lei. Expected total expenses of at least 72,000 lei. (See Chart 16).



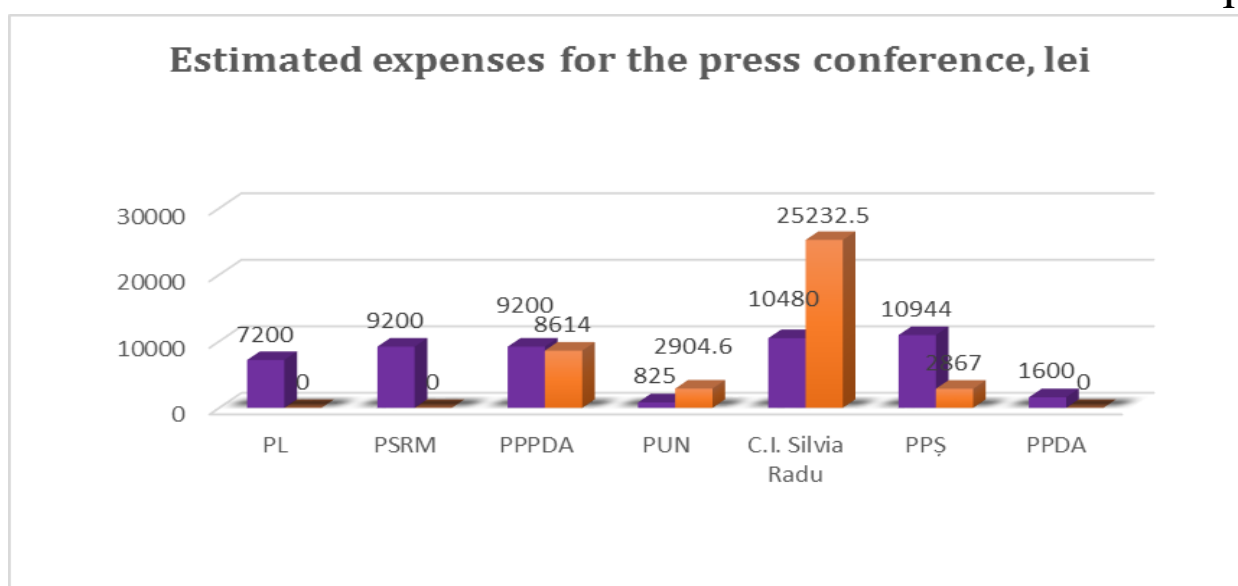
**Estimated by Promo-LEX**

**Reported to the CEC**

*Press conference*

PUN - 1 (10.39 min) - at least 831.2, PPP - 10,944 lei (136.80 min.) - at least 1,200 lei, PL - 3 (90 min.) - at least 7,200 lei; PPPDA - 5 (110 min) - at least 8,800 lei; PSRM - 7 (115 min) - at least 9 200 lei; BUT. Silvia Radu - 3 (131 min) - 10 480 lei, PPDA - 1 (20 min.) - 1600 lei. According to the MO Promo-LEX calculations, the estimated total amount for press conferences is at least 50,255.20 lei. (See Chart 17)

**Chart no.  
17**



**Estimated by Promo-LEX**

**Reported to the CEC**

*b) Expenses for rewards for volunteers / agitators*

MO Promo-LEX recalls that, according to art.43,par.(10) of the Electoral Code, [...]all volunteer actions [...] during the electoral campaign in favour of the candidate or electoral candidate shall be

assessed by[...] to the electoral competitor and shall be indicated in the financial report according to the procedure established by the regulation approved by CEC<sup>5</sup>.

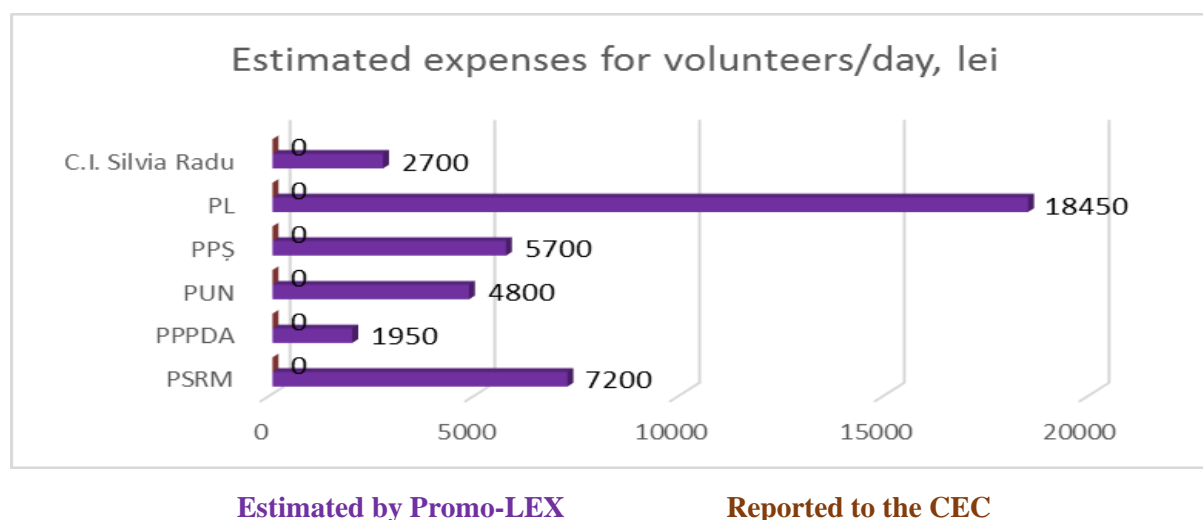
According to MO Promo-LEX's findings, no electoral competitor declared spending for such a category, although 6 of them involved volunteers in the first 2 weeks of the electoral campaign. Also, none of the electoral candidates declared these services in the list of donations in goods, objects, works or services during the electoral period, annex to the report.

When estimating the expenses for the volunteer's rewards, was taken as a calculation base no. volunteers of each competitor multiplied by the minimum reward reported by Promo-LEX observers. The involvement of at least 272 volunteers in the daily work of electoral propaganda campaign activity to 6 CE and a reward of at least 150 lei were reported.

Thus, during the PPŞ campaign, at least 38 volunteers involved (MO Promo-LEX estimated expenses of at least 5,700 lei / day); PUN - at least 32 volunteers - (4,800 lei / day); PL - 123 volunteers (18 450 lei / day); PPPDA - 13 volunteers (1,950 lei / day); PSRM - 48 volunteers (7,200 lei / day), C.I. Silvia Radu - at least 18 volunteers (2,700 lei / day).

According to MOA Promo-LEX association, the estimated total amount of rewards for the 176 volunteers / agitators for a day of campaigning is at least 40,800 lei (see Chart 18).

**Chart no. 18**



### c) Transport costs

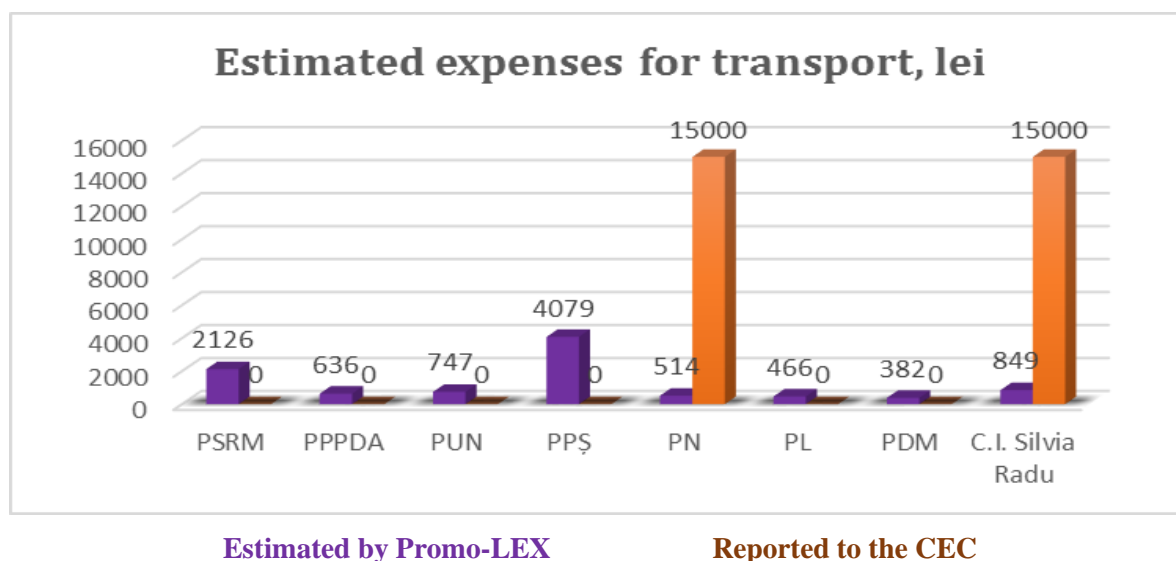
Promo-LEX observers reported the use of cars in the Republic of Moldova with an electoral purpose by at least 6 CE. Only 2 CE indicated such expenditure in the reports submitted to the CEC. Out of the 8 electoral contestants, 6 failed to report an amount of at least 22 587 lei (PUN, PSRM, PL, PPPDA, PN, PDM).

The calculation formula used reflects the multiplication of a consumption average of 9 l / 100 km (car), 10 l / 100 km (minibus), 35 l / 100 km (cubs) - multiplied by the distance travelled and multiplied by the fuel price of 16, 6 lei (see Chart 19).

PUN - 747 lei (at least 500 km); PPP - 4079 lei (at least 500 km / 5 coaches, 786 km / cars); PL - 466 lei (at least 312 km); PPPDA 636 lei (at least 426 km); PN - 514 lei (at least 344 km); PSRM - lei (at least 1 430 km), PDM - 382 lei (at least 256 km), C.I. Silvia Radu - 849 lei (at least 568 km).

<sup>5</sup> Section 141 of the Regulation on Financing of the Electoral Campaign, approved by the Decision of the Central Electoral Commission no. 3352 of May 4, 2015, stipulates that electoral competitors are obliged to indicate in the financial reports all the services and actions provided in art. 382 par. (7) of the Electoral Code, which were provided free of charge by natural and legal persons, as well as all volunteer actions during the electoral campaign in favor of electoral contestants. The procedure for assessing these services and actions shall be determined by the Central Electoral Commission





*d) Expenses for promotional materials*

According to Promo-LEX observers, in the electoral campaign funding reports submitted to CEC 6 CE, they omitted to reflect certain expenses for promotional materials. The total amount estimated for the expenses of the advertising is at least 439,885 lei (see Chart 20)

For the purpose of calculating these costs, the multiplier of each promotional item reported by Promo-LEX observers at the minimum market prices was taken as a basis for calculation. According to Promo-LEX observers' checks, the minimum price for 1 unit. jacket with logo - 250 lei, minimum price for 1 unit. T-shirt printed - 150 lei, minimum price for 1 unit of the printed balloon - 3 lei, the minimum price for 1 unit. banner 3x20m2 - 5000 lei, the minimum monthly price of a unit. poster format A3, glossy paper - 2.5 lei for a print run of 5 000; 1 unit r calendar A3 format glossy paper - 2.5 lei; of a unit. A4 poster, matte paper - 0.5 lei for a print run of 15 000, the cost of a booklet / book 110 pages - 49.9 lei, the cost of a unit newspaper (8 pages) - 1 leu per print 100 000 ex, the cost of a unit. leaflet 21x20cm2 - 2 lei; 1 unit. flyer for the handle, shooting. 200,000 ex. Glossy paper - 2,5 lei; 1 unit. folding 2x1cm2 at a shooting. 300 000ex. - 0.5 lei; 1 unit. 10x12cm2 flyer at a shooting. 50 000 ex. - 1 Ron. 1 balloon printed with message and logo - 2.5 lei, 1 magnet with message and logo - 3.5 lei, 1 flyer A5 - 0.5 lei, 1 sticker 9x11.5cm2 - 3 lei, 1 spot 30 sec - the one at least 10,000 lei, 1 shirt - 190 lei, 1 chip - 110 lei.

Regarding PPŞ, Promo-LEX observers reported at least 450 Balloons with the logo Şor, 78 shirts, 45 caps. MO Promo-LEX estimated minimum expenses of 20,895 lei.

Regarding PL, Promo-LEX observers reported 103 t-shirts, hampers - 30 units; chips - 60 units. MO Promo-LEX estimated minimum expenses of 30,670 lei.

Regarding the PRSM, Promo-LEX observers reported at least 200 cards with greetings message of the 9 May from candidate Oleg Topolniţchi; 100 posters with the titles – „For orders and development” - Printed by Creative Media SRL, Contract no. 001, printed 100 pieces, paid from the electoral fund. MO Promo-LEX estimated minimum expenses of 850 lei.

Regarding PPRM, the Promo-LEX observers reported 1 electoral spot with duration of 30-seconds, claiming that people want a young mayor who will change things for the better, with an estimated spending of at least 5000 lei.

Regarding PPPDA, Promo-LEX observers reported the newspaper, Chisinau Journal, 4 double-bilingual pages. Edit. Printing Group SRL, order no. 438, print 100 000 flyer format A5, 4 pages bilingual, printed 2000, 04.05.2018, Magnum & Co SRL (individualized for Ciocana sector), flyer, 15x9 cm, 1 page, Magnum & Co SRL, com 101, printed 5000, around 50 leaflets, 20x7 cm, 1 page, Magnum & Co SRL, com 100 copies, printed 5000 copies, around 50 shirts, 50 caps. Poster with PDA candidate



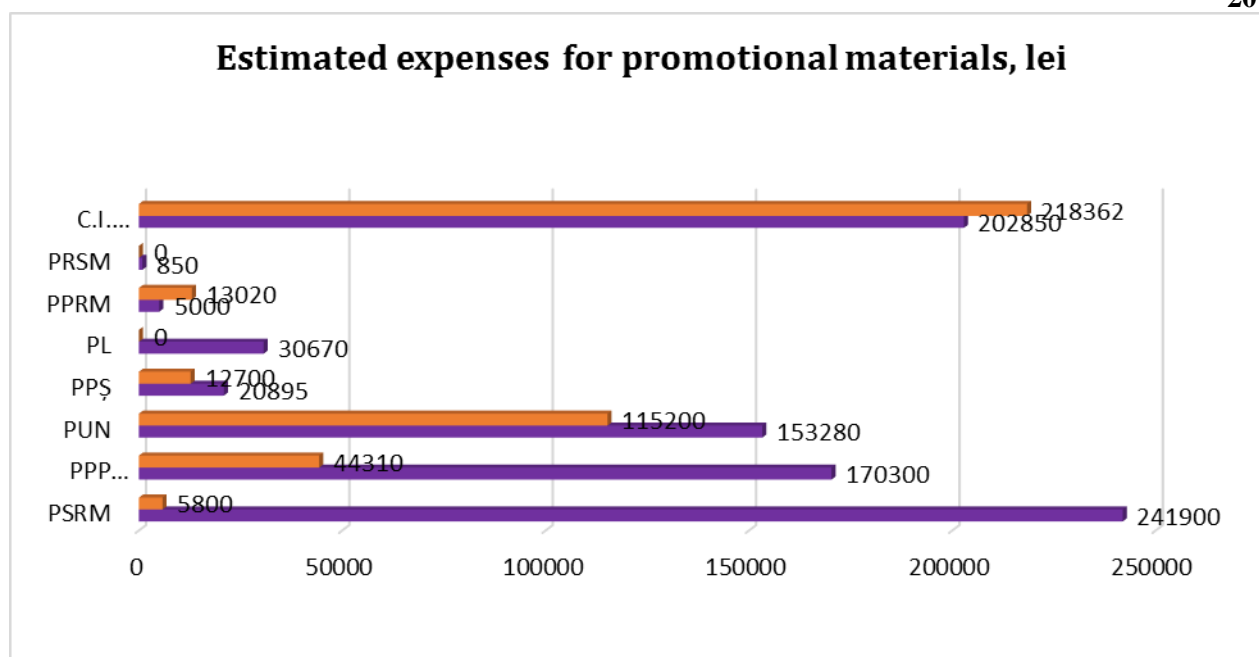
Arina Spataru, title – „Matușca, Supruga, Hozeica” -, paid from the electoral fund of PDA, print 3000 copies. There also is 1 video spot with Arina Spataru - lasting 70 seconds. Promo-LEX estimated minimum spending of at least 170,300 lei.

Regarding the PUN, Promo-LEX observers reported at least 2 video spots of 44 sec. and 31 sec., A4 posters, printing Symbol N.P., printed 500 copies, 07 / 02.05.2018, paid from the electoral fund; Leaflet A4 (2x1), color. Print: Symbol-N-P, printed- 10000 copies, com.03, of 27.04.2018. paid from the electoral fund. Folder A5, PUN, color, Printed "Simbol-N.P.", Printed 40000 copies., Com.05 / 02.05.2018, paid from the electoral fund, 37 t-shirts with the PUN logo. MO Promo-LEX estimated minimum expenses of 153,280 lei.

Regarding PSRM, Promo-LEX observers reported: The Socialist newspaper (Edit. Printing Group SRL, order No. 3465, issued 90,000 copies., paid from the electoral fund according to the invoice no. 1 of 12.04.2018); Poster A4 - Electoral Fund, 0743, invoice no. 0845 of 27.04.2018, printed- 2000 copies, Newspaper - Edit. Printing Group SRL, order no. 475, paid from the electoral fund according to the invoice no. 4 of 26.04.2018, printed 35000 copies. Color invitation card - on both sides (Russian and Romanian), being distributed with the newspaper. Newspaper - Edit. Printing Group SRL, order no. 474, paid from the electoral fund according to the invoice no. 4 of 26.04.2018, printed 15000 copies.. Promo-LEX assumes that they were printed in the same print as both newspapers - 50 000copies. 312 jackets, 109 units t-shirts, 46 units of large size flags, posters. At least 4 electoral spots have been reported with the candidate Ion Ceban. The estimated total expenses are at least 241,900 lei.

Regarding the C.I. Silvia Radu, Promo-LEX observers reported; colour leaflet of 15X11 cm2, 16 pgs., printed by "Nova Imprim" SRL, printed. 150 000 copies. From 02.05.2018; 20x20cm2 coloured booklets of 24 pages, thick paper, printed by "Nova Imprim" SRL, printed 10 000 pcs. from 27.04.2018, 15 T-shirts with slogan. The estimated total expenses are at least 202,850 lei.

**Chart no.  
20**



**Estimated by Promo-LEX**

**Reported to the CEC**

#### *e) Expenditure on street and mobile advertising*

According to the MO Promo-LEX findings, at least 6 competitors (PSRM, PPȘ, PL, PPPDA, PUN, C.I. Silvia Radu) have incurred expenses for street billboards. According to MO Promo-LEX estimates, 5 competitors did not fully reflect street advertising spending. Thus, PSRM did not reflect at

least 194 193 lei, PPPDA - 54 920 lei, PPŞ - 134 610 lei, PL - 711 50 lei, C.I. Silvia Radu - 14,400 lei / (See Chart 21).

For the estimation of the expenses for street panels, have been carried controls out at the market value of the various panel samples. Thus, the minimum monthly price for placement of a  $6 \times 3$  m<sup>2</sup> street panel is at least 6 660 lei, a street panel of  $6 \times 12$  m<sup>2</sup> - of 10 100 lei, a panel of  $24 \times 3$  m<sup>2</sup> - of at least 20 200 lei , a LED panel - 7,770 lei, a  $3 \times 2$  m<sup>2</sup> street panel - at least 4,000 lei, a  $1,5 \times 2$  m<sup>2</sup> banner - at least 2,000 lei, 1 tent - 800 lei, 1 unit. of a placard 30x90 cm<sup>2</sup> - 200 lei.

Regarding PSRM, Promo-LEX observers reported at least 16 units of billboards 6x3m<sup>2</sup>, 14 units of 3x2m<sup>2</sup> billboards, 5 units. LED panel 2x3m<sup>2</sup>; 4 units of city lights; 33 units of tent; with estimated expenses of at least 243 810 lei.

Regarding PPŞ, Promo-LEX observers reported 3x6 m<sup>2</sup> billboards - at least 6 units, 1 unit of 12x15m<sup>2</sup>; 21 units of 3x2m<sup>2</sup>, 3 units of 2x4m<sup>2</sup> banner, 13 tents, 100 posters, with estimated expenses of 140 610 lei.

Regarding PL, Promo-LEX observers reported at least 18 units of billboard of 6x3m<sup>2</sup>, with an estimated cost of 119,880 lei.

Regarding PPPDA, Promo-LEX observers reported at least 12 tents, 8 panels of 3X2m<sup>2</sup> and 2 of 6X3m<sup>2</sup> billboards units, with an estimated cost of 54,920

Regarding the PUN, Promo-LEX observers reported at least 25 units of 3x6m<sup>2</sup> street panel, 2 tents, estimated the cost of 35,300 lei.

Regarding the C.I. Silvia Radu, Promo-LEX observers reported at least 18 tents.

**Chart no. 21**



*f) The expense of advertising in the internet network*

Until May 11, 2018, MO Promo-LEX recorded online advertising - facebook- sponsored pages and online banners on multiple portals from 4 electoral candidates (PSRM, PL, PPPDA, PUN). Only 3 competitors have indicated expenses that fall within the MOA Promo-LEX estimates. The formula used to estimate the cost of sponsored pages in the Facebook network reflects the multiplication of a sponsored post at the 5 euro (100 lei) and at the no. of the days when the occurrence was recorded. To estimate the cost of online adds, was multiplied by no. Of houses of online advertising that hold the below mentioned platforms at the price of 3500 euro / month (70000 lei).

MOA Promo-LEX notes that of those mentioned above, three competitors (PSRM, PPPDA, PL) did not fully report these expenditures in the reports, estimating an amount of 53 702 lei as undeclared expenses. (See Chart 22)

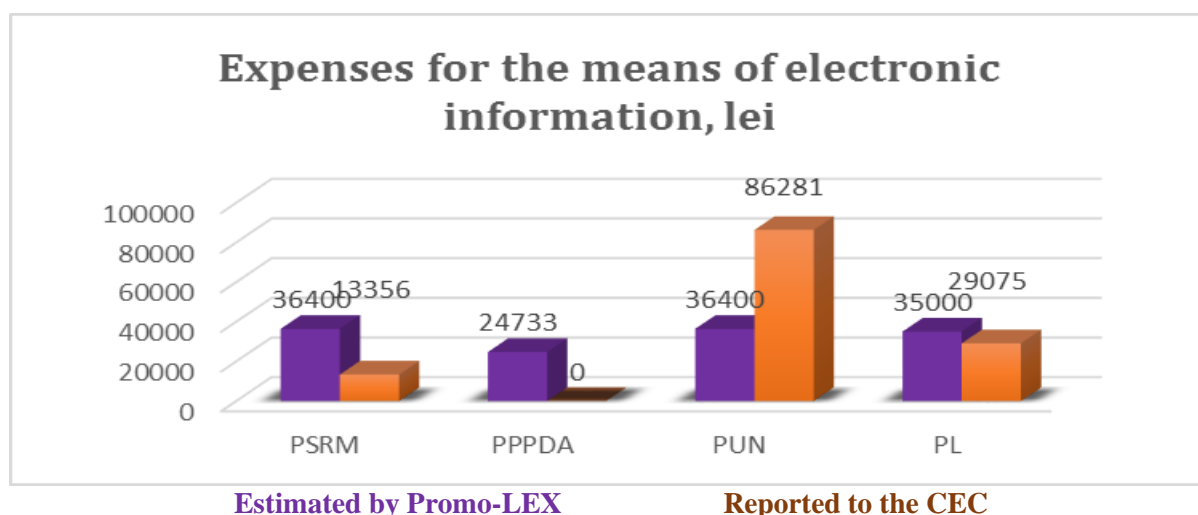
Regarding PSRM, Promo-LEX observers reported pages sponsored pages on the [www.facebook.com](http://www.facebook.com), classic and rich media banners at [www.unimedia.md](http://www.unimedia.md), [www.perfecte.md](http://www.perfecte.md), [www.agora.md](http://www.agora.md)

Regarding the PUN, Promo-LEX observers reported sponsored pages on the [www.facebook.com](http://www.facebook.com), classic and rich media banners at [www.evz.ro](http://www.evz.ro), [www.zdg.md](http://www.zdg.md), [www.timpul.md](http://www.timpul.md), [www.agora.md](http://www.agora.md), [www.deschide.md](http://www.deschide.md)

Regarding PPPDA, Promo-LEX observers reported sponsored pages on the [www.facebook.com](http://www.facebook.com), classic and rich media banners at [www.unimedia.md](http://www.unimedia.md), [www.agora.md](http://www.agora.md)

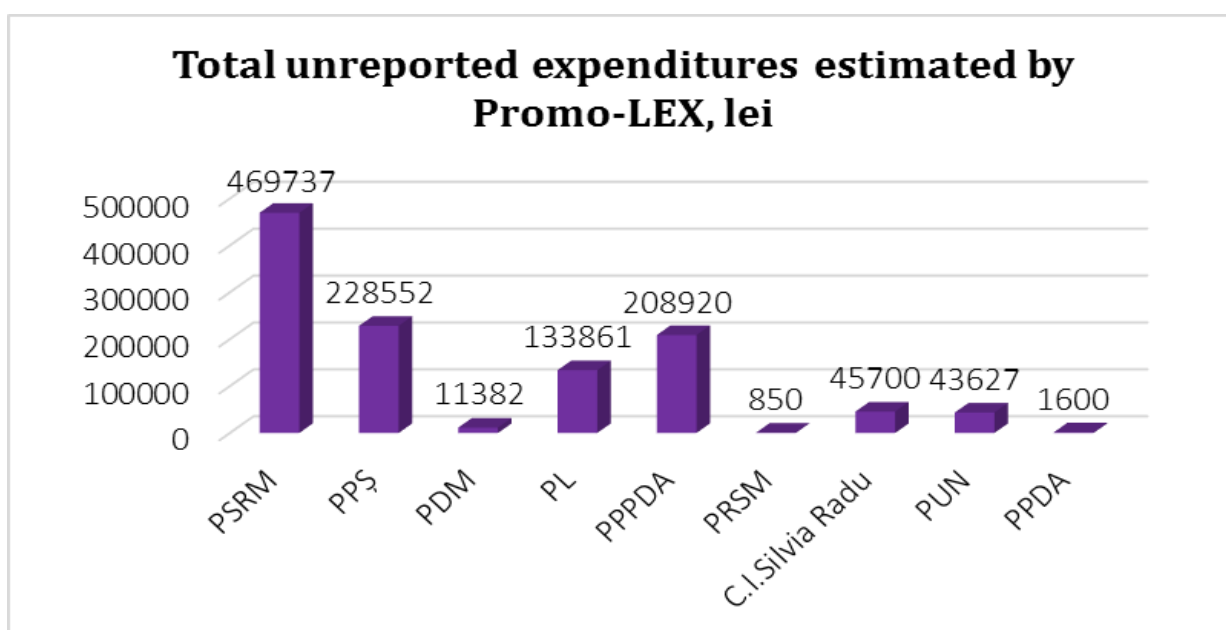
Regarding PL, Promo-LEX observers reported classic and rich media banners at [www.perfecte.md](http://www.perfecte.md), [www.ea.md](http://www.ea.md), [www.agora.md](http://www.agora.md), [www.diez.ro](http://www.diez.ro), [www.protv.md](http://www.protv.md).

**Chart no. 22**



MO Promo-LEX notes that for the period April 28 - May 11, 2018, only one electoral candidate reported expenses on campaign headquarters, only one reported telephony expenses. No electoral candidate reported expenses for delegating observers in polling stations on election day. MO Promo-LEX warns competitors to reflect these spending categories in the report because they will also be counted as expenses that are made out of the Electoral Fund account.

Furthermore, following the sum of all the expenses estimated by Promo-LEX and unreflected in the competitors' reports, it emerges that 8 electoral candidates have failed to fully reflect the expenses incurred during the 2 weeks of the electoral campaign. The estimated total amount, unreported for all types of electoral activities, is at least 1 144 229 (see Chart 23)



## V. SPEECH THAT INCITES TO HATE AND DISCRIMINATION

*MO Promo-LEX has continued to record cases of incitement to hate speech and discrimination in candidates' messages as well as sexist speeches and other forms of intolerance manifested publicly. Based on the information gathered, at least 4 cases were reported in which the electoral candidates were the target of such messages and two cases where the candidates generated these speeches.*

*Speaking of competitors who have been affected by different forms of intolerance, we are considering 2 politicians, both of whom are candidates from the PPPDA. The most affected by messages that incite hatred and discrimination remains the PPPDA candidate for Chisinau mayor-general Andrei Năstase (3 cases out of 4), followed by Arina Spătaru, PPPDA candidate for Mayor of Bălți (1 case).*

*On the other hand, Ion Ceban has incited discrimination, suggesting that he would limit the rights of a group of people, especially the right to expression and assembly, because of their sexual orientation. And Pavel Verejan, PPȘ candidate for mayor of Bălți, used gender stereotypes.*

### 5.1. Persons targeted in messages that incite hate and discrimination

In the context of the May 20th 2018 new local elections, MO Promo-LEX has recorded several messages that contain various forms of public intolerance, speech that incites hate and discrimination.

The website [www.stiripespuse.com](http://www.stiripespuse.com) has published a video in which appears the PPDA candidate Andrei Năstase. According to the video, Andrei Năstase would have agreed with the representatives of the United Arab Emirates to rent the capital of R.M. over a period of 50 years, to be modernized. Instead, more Arabs would come to the capital, where a mosque would be built.

Although the video does not contain sequences that would discriminate, it is intended to stimulate prejudices against Arabs and / or Muslims and prefers to promote intolerance towards this group, and it is an attempt to place Andrei Năstase in an unfavourable light. This video is a continuation of the article "Andrei Năstase after the meeting with Abdullah Elam Karim: I am ready to give the Chisinau to Arabs on lease for 50 years!" - which was reported by Promo-LEX in the report no. 2 monitoring from May 3, 2018 and which is a false news, fact confirmed by the portal [www.stopfals.md](http://www.stopfals.md). The news continues the manner of associating some electoral candidates with the Arab / Muslim stereotypes, started in the presidential campaign of 2016, when one of the fake news was related that Moldova would have received 30,000 Syrians, being widely publicized and disadvantage Maia Sandu.

A similar message was published in the article "ANDREI NASTASE WELCOMES THE OPENING OF THE AMBASSADE OF MOLDOVA IN THE UNITED ARAB EMIRATES:" I REALLY REQUEST THAT, BUT BINOMUL WAS AGAINST! "Published on 10 May 2018. The article states that" The negative side is that with the bringing of investments from the UAE to our country, tens of thousands of Arabs will live and mosques (Muslim churches) will be built in every sector of the capital. "Similar to the articles listed above, messages use intolerance towards Arabs / Muslims, which persists in part of the audience, in order to put the PPPDA candidate in a bad light.

In the same context, the [www.moldovandream.com](http://www.moldovandream.com) portal published on May 11, 2018 the article "HE DID IT! ANDREI NASTASE REPLACED THE CROSS FROM STEFAN CEL MARE WITH THE ARABIAN CRESCENT MOON! ". Similar to the above-described story, false information is presented, which uses the prejudices related to Arab / Muslims to associate them with the PPPDA candidate.

### 5.2. Candidates who have used messages that incite hate and discrimination

On May 15, 2018 on the TV show program „Electoral Debates 2018, Chisinau City Hall” on TV8<sup>6</sup>, on the moderator's question "If you would create obstacles for LGBT and FEARLESS Campaign", at min.37 the PSRM candidate Ion Ceban declared that if he becomes the mayor of Chișinău he will

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<sup>6</sup> <http://tv8.md/tv8-show/electorale-debates2018-primaria-chisinau-alexandra-can-ion-ceban-si-andrei-nastase/>

oppose this type of events. In the same context, the PSRM candidate mentioned that everybody makes what he likes at home, but these things must not be externalized in society, referring to marches and other public events organised by LGBT community. Thus, Ion Ceban has incited discrimination, suggesting that he would limit the rights of a group of people, especially the right to expression and assembly because of their sexual orientation.

On May 8, 2018, in the tv program "Get inform and vote. Electoral Debates "(min. 51:45) from Moldova 1 channel, the candidate of the ȘOR Party - Pavel Verejanu said that he does not see what a lady married to a priest can do in the mayor's office. The ȘOR party candidate also said that at the City Hall must come professional men. Thus, Pavel Verejanu instigated discrimination against PPPDA candidate Arina Spătaru, using gender stereotypes and hinting that a married lady with a priest would not be sufficiently professional to run for mayor and would not stand up to this position.

## VI. INFORMATION AND CIVIC EDUCATION

*In the context of the new Local Elections of May 20, 2018, Promo-LEX Association organized the campaign "GET OUT AND VOTE!". The general goal of the campaign is the apolitical mobilization of the voters and the promotion of the informed vote. The slogan of the Campaign is "YOU ARE THE BOSS". The basic activities were: "door-to-door" campaigns, organizing public events, developing and distributing informative materials. Under these activities, about 33,000 voters were informed about the vote and were encouraged to participate in the vote.*

*Also, in the period May 7-16, Promo-LEX Association, in partnership with IPNA Company "Tele radio-Moldova", organized 9 electoral debates at the Radio Moldova Public Station. In addition, during the reporting period, two electoral public debates were organized in Balti and Chisinau.*

*MO Promo-LEX has generalized the information from the monitoring reports of the CCA (Public Authority) and CJI (Civil Society) on the way in which certain TV stations reflect the electoral campaign for the new local elections of 20 May 2018.*

*According to the CCA, 5 TV channels - "Moldova-1", "TV8", "TVC 21", "PRO TV CHISINAU" and "RTR Moldova" broadcast the campaign equidistantly. On the other hand, five other stations - "Accent TV", "ITV", "NTV Moldova", "Exclusive TV", "Jurnal TV" are posts that have favoured certain candidates, being publicly warned. We underline that, contrary to the Promo-LEX recommendations, the CCA did not monitor the compliance with the legislation by the channels that announced that they would not reflect the electoral campaign.*

*The CJI reports show that 3 televisions - Moldova 1, Pro TV and TV 8 had impartial behaviour. And in the case of "Accent TV", "NTV Moldova", "Jurnal TV" and "RTR Moldova", there is a different intensity of favouring / disfavouring certain candidates.*

*Particularly, the CJI reports show that national TV broadcasters Prime TV, Channel 2 and Publika TV, who announced they would not reflect the electoral campaign, continued to broadcast multiple direct and indirect electoral material in newscasts.*

### 6.1. Apolitical mobilization of voters in the context of new local elections

*In the context of the new Local Elections of May 20, 2018, Promo-LEX Association organized the campaign "GET OUT AND VOTE!". The general goal of the campaign is the apolitical mobilization of the voters and the promotion of the informed vote. The slogan of the Campaign is "You're the Boss".*

*During the reporting period, several activities were carried out. Thus, between May 12 and May 16, 8 local coordinators and 60 Promo-LEX volunteers conducted door-to-door activities in Chisinau and Balti; Leuşeni, Volovita, Pirlitza, Jora din Mijloc and Nemţeni village. As part of these activities, about 3700 voters were informed about the elections and were encouraged to vote.*

*Also, in partnership with the "My Town Hall" Association, several activities of informal and non-political mobilization of voters from Chisinau were held as follows:*

- *developing and distributing online and offline the Booklets that includes the answers of the candidates for the General's Mayor's Office Chişinău on seven priority issues of the residents of Chişinău;*
- *organising 5 public events in 5 neighbourhoods: Chişinău (Râşcani, Botanica, Ciocana, Buiucani and Centre).*

*Under these activities, around 33,000 voters were informed about the vote and were encouraged to vote.*

### ***6.1.1. The organization of electoral debates***

On May 7-16, Promo-LEX Association, in partnership with IPNA Company "Teleradio-Moldova", organized 8 electoral debates at the Radio Moldova Public Radio. During the debates, the candidates and representatives of the candidates for the mayor of the Chisinau and Balti municipalities participated. The order of participation of the electoral contestants in the debates was determined by drawing lots. The last two debates are to be held on May 17 and 18. The debates focused on local issues in the Balti and Chisinau municipalities and on the electoral campaign. The debates were broadcast live by Radio Moldova and Privesc.Eu.

Also, during the reporting period, the Promo-LEX Association organized two electoral public debates in the Balti and Chisinau municipalities.

The first debate was organized on May 15 in Balti. All candidates for the mayor of Bălți municipality were invited to participate in the debate. 7 out of 8 candidates confirmed their participation. Only 1 did not attend the Promo-LEX invitation - Ms. Grițco Elena, independent candidate. However, only two candidates were present in the debates: Ms. Arina Spataru, Political Party "Platform of Dignity and Truth" (PPFDA) and Simion Gutu, Political Party "Action and Solidarity Party" (PAS).

For Chisinau, two debates were planned, with 6 candidates per debate. The order of participation of the electoral candidates in the debates was determined by drawing lots. Of the 12 registered candidates, at the time of the draw, only 1 did not follow Promo-LEX's invitation - Ms. Silvia Radu, an independent candidate. The other 11 candidates confirmed their presence in the debates.

On May 16, the first debate was organized in Chisinau. Four electoral candidates and two representatives of the electoral candidates participated in the debate. During the debates were discussed the local problems in the Balti and Chisinau municipalities and the views of the electoral candidates regarding their settlement. The debates were broadcast live by Privesc.Eu and Realitatea.md. The second debate in Chisinau is scheduled for May 18th.

In the other localities, where new local elections take place, no debates were organized, because most of the electoral contestants refused the invitation of the Promo-LEX Association.

## **6.2. Reflection of the campaign for new local elections by the broadcasting institutions**

### ***6.2.1. Monitoring by the public regulatory authority in the field of audio visual communication***

According to the CCA Television Monitoring Report presented at a public hearing on 7 May 2018, during the monitoring period 20-29 April 2018, the monitored television stations broadcast a total of 318 materials, in which the candidates election. Thus, most of the political and electoral issues were broadcast by the television station Accent TV (72 subjects), followed by "NTV Moldova" (43 subjects), "RTR Moldova" (34 subjects) "PRO TV CHISINAU" (27 topics), "Jurnal TV" (25 topics), "Exclusive TV" (23 topics), "Moldova-1", "TV 8" (18 topics), TVC 21 (16 topics) and "Ren Moldova" (0 topics).

According to the CCA, Moldova-1, TV8, TVC 21, PRO TV CHISINAU and RTR Moldova broadcasted the electoral campaign equally, giving equal access to electoral candidates for the new local elections.

On the other hand, "Accent TV", "ITV", "NTV Moldova", "Exclusive TV", "Jurnal TV" are positions that favoured candidates, did not give equal access to all electoral contestants, did not ensure pluralism of opinion and the balance of sources in conflict situations. These posts have been publicly warned.

### ***6.2.2. Monitoring by the Centre for Independent Journalism (CJI)***

#### ***a. The conclusions of the Report no. 2***

On May 8, 2018, the Centre for Independent Journalism (CJI) launched the Second Media Monitoring Report in the electoral campaign, which ran from April 28 to May 4, 2018. The report shows



that most TV stations failed to provide equal access of all electoral candidates registered in the campaign, not ensuring neither pluralism of opinion nor balance of sources.

Thus, the Prime TV, Canal 2 and Publika TV national broadcasters, who announced that they would not reflect the electoral campaign, continued to broadcast in the newscasts multiple electoral material directly and indirectly. Most of them favoured massively the independent candidate Silvia Radu, while others were denigrating the PPPDA / PAS / PLDM candidate, Andrei Nastase.

The biased reflection of the candidates was noted at NTV Moldova and especially at Accent TV, which promoted intensively PSRM candidate Ion Ceban, while at the same time depriving Andrei Năstase, PPDA / PAS / PLDM and Constantin Codreanu, PUN.

Jurnal TV show the favouritism of PPDA / PAS / PLDM candidate, Andrei Nastase, and deprivation of independent candidate Silvia Radu. At the same time, the post was highlighted by the impartial reflection of all the candidates who organized press campaign events.

At RTR Moldova the reflection was relatively balanced, remarking a slight favouring of Reghina Apostolova, PPȘ, and a slight disfavour of Constantin Codreanu, the PUN candidate.

Moldova 1 television channel, as well as Pro TV and TV 8, had a balanced behaviour, giving access to most of the electoral contestants in the news, without favouring or disfavouring any of the candidates for the new local elections campaign.

*b. The conclusions of the Report no. 3*

On May 15, 2018, the Centre for Independent Journalism launched its Third Report on Media Behaviour Monitoring in the Election Campaign, which ran from 5 to 11 May 2018. The main conclusions of the monitoring highlight a partisan behaviour of most of the broadcasters in the report with some candidates in the new local elections of 20 May 2018.

Thus, the national broadcasters Prime TV, Canal 2 and Publika TV, which - according to the BCC declaration - should not reflect the electoral campaign, have continued to broadcast in the newscasts multiple material with direct and indirect electoral character. Most of them favoured massively the independent candidate Silvia Radu and disfavoured PPDA / PAS / PLDM candidate Andrei Năstase.

NTV Moldova and Accent TV channels, as in the previous period, have openly promoted Ion Ceban, PSRM candidate to Chisinau City Hall, and Alexandr Usatii, the candidate of the same party for Balti City Hall, while defending Silvia Radu and Andrei Nastase . At RTR Moldova, it was easy to favour the candidates Ion Ceban, PSRM, and Reghina Apostolova, PPȘ.

Jurnal TV continued to reflect neutral press events organized by competitors, but in other electoral news, deprivation of independent candidate Silvia Radu and favouring PPDA / PAS / PLDM candidate Andrei Năstase was observed.

Moldova 1 television channel, as well as the Pro TV and TV 8 private channels, had an equidistant behaviour, giving access to most of the electoral contestants in the news, without favouring or disfavouring any of the candidates for the new local elections campaign.

# RECOMMENDATIONS

## **The Parliament Of The Republic Of Moldova:**

1. Strict regulation, lacking of interpretation of the status of the political party, in the context of its quality as a "voluntary association with the status of a legal person", related to other types of legal persons, including in the context of issues related to political / electoral funding.
2. Completion of Art. 75 par. (5) of the Electoral Code for reasons of law which would imply the cancellation of the electoral candidate's registration in the case of detection after the verification of signature collecting sheets of a number smaller than the minimum required by the legislation.
3. Amendment of the national legislation, including electoral legislation, to approach in the spirits of the international standards of administrative resource terms, including: human, financial, material, coercive and in-kind resources.
4. The uniformity of the provisions of the Electoral Code (Articles 9 and 44, 134) governing the way in which citizens with valid residence on election day are voting.
5. The review of the provisions of art. 70, par. (6) of the Electoral Code in order to clarify the details of what must be included on the advertising materials in order to ensure transparency of the expenses incurred for them. Thus, after the statement[...] "Every advertising material must include the name of the electoral contestant, the date of printing, the printout of the material and the name of the printing press that printed it" to introduce the terms" and the date of the payment order and no. Invoice or contract. ". Paid electoral advertising will be accompanied by the slogan "Election"

## **The Central Election commission and the inferior electoral bodies**

1. Completing of point 18 of the Regulation on the Status of Observers and the procedure for their accreditation with the 'right of access to subscription lists' of the observers
2. More efficient management and updating of the Electoral Register.
3. Ensure the factual and legal possibilities for electoral contestants to obtain a re-check of subscription lists.
4. Amendment of the Regulation on the Financing of Electoral Campaigns by introducing a new chapter - Reporting of advertising expenses through supporting documents, so that the report will strictly reflect the data regarding the electoral advertising on the promotional materials. Each column in the report reflects the information on the advertising material, namely the name of the electoral competitor, the date of printing, the printout of the material and the name of the printing press that printed it, and the date of the payment order and no. Invoice or contract. Elective publicity will be accompanied by the term "Election".
5. The application of the provisions of art. 58 par. (2) lit. a) of the Electoral Code in the context of the new local elections, which stipulate that the voters who came to the polling station with the voting right shall be included in the supplementary lists. In the case of parliamentary elections in uninominal constituencies, local elections or local referendums, only the certificates for the right to vote in the territory of the respective constituency will be accepted.

## **Electoral Candidates**

1. Compliance with the requirements of reporting in the reports on the financing of electoral campaigns, advertising materials, but also of all expenditures according to the requirements of the report: 1. - Payment destination, 2 - Date of payment, 3 - Beneficiary, 4 - nr. and the date of the payment order, and date of supporting documents (tax invoice, contract), 6 - amount)
2. Reporting volunteer services in the report submitted to the CEC in the list of donations in goods, objects, works, services, estimated at market price.

## **LIST OF ABBREVIATIONS**

alin. – paragraph  
ANI – National authority for Integrity  
APL - local public administration  
art. – article  
BESV – electoral office of the polling station  
c. – commune, village  
CEC - Central Electoral Commission  
CECE - Electoral council of the electoral constituency  
CECEM - The electoral council of the electoral constituency Chisinau  
CI - independent candidate  
com. - command  
dl – Mr.  
IP – The inspectorate of Police  
lit. - letter  
m2 - square meter  
MO – Observation Mission  
mun. - municipality  
nr. - number  
or. - city  
OSCE - The organization for Security and Cooperation in Europe  
OSCE/BIDDO - The OSCE office for Democratic Institutions and Human Rights  
OT – territorial organization  
OTL - long-term observer  
OTS - short-term observer  
PCRM – Communist Party of Moldova  
pct. - point  
PDM – Democrat Party of Moldova  
PL – Liberal Party  
PN – Political Party Our Party  
PNL – National Liberal Party  
PPCNM – Political Party "Our House Moldova"  
PPDA – Political Party "Democracy Home"  
PPEM – European People's Party of Moldova  
PPFDA – Political Party "Dignity and Truth Platform Party"  
PPRM – People's Republican Party  
PRSM – Party Russian-Slavean of Moldova  
PPŞ – Political Party "Şor"  
PSP – Political Party "Party Of The Progressive Society"  
PSRM – Party of Socialists of the Republic of Moldova  
r. – district  
RFE – The Register Of Electoral Officials  
RM – Republic of Moldova  
s. – village  
s.f. – final balance  
SV - polling stations  
tir. - edition  
TV - television  
UAT - administrative-territorial unit  
u. c. – conventional unit  
unit. - unit  
USAID - United States Agency for International Development