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## **INTERNATIONAL ELECTION OBSERVATION MISSION Republic of Moldova – Parliamentary Elections, 24 February 2019**

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### **STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS**

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#### **PRELIMINARY CONCLUSIONS**

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The 24 February 2019 parliamentary elections were competitive and fundamental rights were generally respected. The campaign took place against the backdrop of disaffection with public institutions and was tainted by allegations pressure on public employees, strong indications of vote buying and the misuse of state resources. Control and ownership of the media by political actors limited the range of viewpoints presented to voters. Most aspects of the elections were administered in a professional and transparent manner. Voting was assessed positively, but the electoral bodies faced difficulties with reconciling result protocols due to the introduction of the new electoral system and the concurrent holding of the referendum.

These were the first elections held under the newly introduced mixed electoral system, which was adopted through a process that lacked inclusive public debate or consultation. Under the new system, 50 MPs are elected through proportional representation from closed party lists in one national constituency and 51 MPs in single member constituencies through the first-past-the-post system.

The legal framework generally provides an adequate basis for conducting democratic elections. Recent amendments partially addressed some previous ODIHR and Venice Commission recommendations. As demonstrated by these elections, important issues remain to be addressed, including the application of the provisions on the misuse of administrative resources, the loopholes concerning the use of charities to finance campaigns, and insufficient rules to address the concentration of media ownership, which enables undue political influence. Lack of clarity on jurisdiction for complaints and appeals and ambiguity regarding the requirements for supporting signatures led to inconsistent practice.

Most technical aspects of the elections were managed professionally at all levels. The CEC and DEC's held regular sessions that were open to accredited observers and media and were conducted in a collegial manner. Women were well represented at all levels of election administration.

Citing security considerations, the CEC changed the location of 31 out of 47 polling stations opened for the first time specifically for voters residing in Transnistria. One of the major contesting parties alleged that it was an attempt by the government to reduce the number of votes from Transnistria. The CEC established 123 polling stations in 37 countries for out-of-country voting, increasing their number from previous elections. However, the lack of transparency in how these polling stations were allocated contributed to the perception that the decision was made for political reasons.

The right to vote is broadly inclusive, covering almost all citizens older than 18 including prisoners. In line with a previous ODIHR recommendation, in 2018, the Constitutional Court declared unconstitutional the blanket denial of voting rights of persons declared incompetent by a court. The CEC announced that 2,810,303 voters were included in the main voter lists. Stakeholders generally expressed confidence in the accuracy of voter lists.

In an inclusive process the CEC registered all 14 parties and one bloc that submitted national lists. There are 632 candidates on the national lists, including 264 women, however only 49 of them are in top 10 positions on the lists. The DEC's registered 325 candidates in single member constituencies, of

whom 70 are women and 58 independent. The requirements to collect supporting signatures were burdensome and formalistic and the process of signature verification by the DEC's was inconsistent, presenting unreasonable obstacles to potential candidates.

The campaign was competitive and visible throughout the country. It became more active as election day approached but, at the same time, the use of negative rhetoric and personal attacks increased substantially. Main campaign messages focused on socio-economic issues, while geopolitical and foreign policy topics received less attention. Confidence in the political process was undermined by reported cases of pressure on public employees, persistent allegations of threats against party supporters, vote buying by candidates or charities associated with them, and the misuse of state resources.

Recently introduced substantial amendments to regulations on party and campaign finance addressed some previous recommendations by ODIHR, Venice Commission and the Council of Europe's Group of States against Corruption (GRECO), as called for by the 2018 Resolution of the European Parliament. However, key recommendations remain unaddressed, in particular enhancing the supervision and enforcement of the rules on party and campaign financing and strengthening sanctions. The CEC is responsible for party and campaign finance oversight. According to the CEC, its human resources are too limited to effectively monitor campaign finance, so it conducted inquiries only in response to complaints.

The media landscape is diverse, with television being the main source of political information, followed by online media. Media is legally required to provide fair, balanced and impartial campaign coverage. ODIHR EOM media monitoring findings showed that some national TV channels did not comply with these requirements. All monitored broadcasters fulfilled their legal obligation to organize debates, but contestants that benefited from extensive free and paid advertising tended not to participate.

According to the 2014 census, national minorities comprise some 25 per cent of the population. Legal framework allows for the participation of national minorities in the electoral process on an equal basis. Representatives of national minorities were included in the national lists, but generally not in winnable positions. Minority issues did not feature in the campaign.

The CEC and most courts held open sessions or hearings and provided information about complaints and their decisions on their websites. The lack of clarity over jurisdiction for hearing complaints and the narrow view taken by the CEC regarding DEC candidate registration resulted on several occasions in the denial of the right to an effective remedy, at odds with international standards.

Inclusive accreditation of observers contributed to the transparency of the electoral process. Candidate, citizen and international observers have broad rights, including the right to attend sessions of all election commissions and to receive results protocols. Citizen observers conducted long-term observation, deployed short-term observers on election day and conducted a parallel vote tabulation.

Election day proceeded without major incidents. Large-scale bussing of voters from Transnistria was noted and police initiated an investigation into whether some of them were paid to vote. Opening and voting were generally assessed positively by the IEOM observers. The introduction of the mixed electoral system in combination with the holding of a referendum on the same day caused confusion among some voters and commission members. The counting process was assessed less positively as procedures were not always followed and the PEBs had difficulties reconciling numbers on the protocols. Citizen observers and candidate proxies were present in over 95 per cent of observed polling stations and DEC's and were able to follow all stages of voting, counting, and tabulation without restrictions. The tabulation process is ongoing but so far has been reported as prompt and

transparent, despite some issues with the organization of the process or inadequate facilities. The preliminary turnout was reported at 49.2 per cent. The CEC started posting preliminary results from PEBs on its website at 10.30 pm, contributing to the transparency of the process.

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## PRELIMINARY FINDINGS

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### Background

The 24 February parliamentary elections were the first elections held under the newly introduced mixed electoral system. The elections took place in an environment characterized by decreased public confidence in state institutions which was aggravated by the annulment of the results of the 2018 early elections for the mayor of Chisinau by the courts, the introduction of the new electoral system without broad consensus in the society and lack of trust in the judiciary.

Five parties crossed the threshold in the previous parliamentary elections held in November 2014.<sup>1</sup> Since then, the composition of parliament has significantly changed due to lawmakers switching party allegiances or becoming independent. This “party migration” resulted in the Democratic Party of Moldova (PDM) becoming the ruling party with 40 members of parliament (MPs).<sup>2</sup>

In a controversial move, on 30 November 2018, the PDM called a consultative referendum on the same day as the parliamentary elections.<sup>3</sup> A number of ODIHR EOM interlocutors stated that PDM called the referendum to create confusion among voters and gain an unfair advantage over other contestants.<sup>4</sup> ODIHR EOM only observed the referendum to the extent it impacted the conduct of the parliamentary elections.

### Electoral System and Legal Framework

The unicameral parliament has 101 MPs serving a four year term. In 2017, amendments to the Election Code changed the electoral system from a fully proportional to a mixed one. Under the new system, 50 MPs are elected through proportional representation from closed party lists in one national constituency and 51 MPs in single member constituencies through the first-past-the-post system. In order to win seats in the national constituency a party must receive at least six per cent of the valid votes, and an electoral bloc – eight per cent. The thresholds remain high despite consistent recommendations by ODIHR and the European Commission for Democracy through Law (Venice Commission) to consider lowering them.

The parliamentary elections are primarily regulated by the Constitution, the Election Code and Central Election Commission (CEC) regulations and decisions.<sup>5</sup> The legal framework generally provides an adequate basis for conducting democratic elections. However, a number of provisions, including

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<sup>1</sup> Party of Socialists of the Republic of Moldova (PSRM) – 25 seats; Liberal Democratic Party of Moldova (PLDM) – 23 seats; Party of Communists of the Republic of Moldova (PCRM) – 21 seats; Democratic Party of Moldova (PDM) – 19 seats; and Liberal Party (PL) – 13 seats.

<sup>2</sup> Other seats are currently distributed as follows: PSRM – 24, PL – 9, European People’s Party of Moldova (PPEM) – 9, PCRM – 8, PLDM – 5, non-affiliated MPs – 6.

<sup>3</sup> The referendum included two questions: whether the number of MPs should be reduced from 101 to 61 and whether there should be a possibility to recall MPs who do not fulfil their duties accordingly.

<sup>4</sup> The PDM started campaigning for the referendum using billboards and advertising in the media in early January, one month before the campaign for the parliamentary elections started.

<sup>5</sup> Other laws include the Law on Political Parties, the Law on Assembly, the Audiovisual Code, and relevant sections of the Criminal, Civil and Administrative Offences Codes.

regarding the jurisdiction for complaints and appeals and the requirements for collecting and reviewing supporting signatures, lacked clarity, leading to their inconsistent application.

In reviewing the 2017 amendments, ODIHR and the Venice Commission concluded that, although the choice of electoral system is a sovereign decision of a State, the change of electoral system “is not advisable at this time”. The opinion stated that, due to significant concerns regarding the political context at the time, introduction of a majoritarian component would allow for an undue influence over constituency candidates by actors who follow their own separate interests. In addition, the opinion found that there was a lack of an inclusive public debate and consultation on the amendments and no broad consensus concerning a fundamental change in the electoral system.<sup>6</sup> Several IEOM interlocutors voiced concerns that many voters did not understand the mixed system and how their votes would translate into parliamentary seats.

A constituency boundary commission was formed in September 2017 to delineate the 51 single member constituencies. Most opposition parties and some civil society organizations boycotted its work stating that most of its members were affiliated with the main governing party. The law is silent on periodic review of the boundaries.<sup>7</sup> Concerns were raised on the principle of equality of the vote given the substantial difference in the ratios of voters per seat in the three overseas, two Transnistria and other constituencies.

Amendments made since last parliamentary elections partially addressed some previous ODIHR and Venice Commission recommendations, including through improvements of party and campaign finance regulations and introduction of measures to enhance women’s participation.<sup>8</sup> As demonstrated in these elections, important issues remain to be addressed, including unclear provisions on the misuse of administrative resources, the loopholes concerning the use of charities to finance campaigns, and the concentration of media ownership. In addition, the legal framework contains contradictory provisions. These include different campaign periods for the parliamentary elections and the referendum, administrative sanctions for campaigning on election day while the Election Code permits it, diverging provisions on the jurisdiction for complaints against candidates in the Election Code and the lack of clarity regarding the post-election complaint process.

## Election Administration

These elections were managed by three levels of administration: the CEC, 51 District Electoral Councils (DECs) and 2,141 Precinct Electoral Bureaus (PEBs). The CEC appointed DECs for each single member constituency, and the DECs appointed the PEBs.<sup>9</sup> Both DECs and PEBs were formed within the legal deadlines.<sup>10</sup> The 2017 amendments to the Election Code changed the status of the DECs, which previously were mostly technical bodies, giving them responsibility to register candidates and establish results in single member constituencies.

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<sup>6</sup> The Joint Opinion of [June 2017](#) focused on the draft changes to the law, subsequent opinions of [December 2017](#) and [March 2018](#) focused on the enacted amendments. See also paragraph 4 of the [European Parliament resolution from 14 November 2018 on the implementation of the EU Association Agreement with Moldova](#).

<sup>7</sup> Guideline I 2.2(v) of the [2002 Venice Commission Code of Good Practice in Electoral Matters](#) states that constituency boundaries should be reviewed at least every 10 years.

<sup>8</sup> Without any obligation to place women in winnable positions on the list the latter efforts are of limited effectiveness.

<sup>9</sup> Each DEC had from 7 to 11 members with courts and local councils nominating two members each. DECs established PEBs consisting of 5 to 11 members, including 3 nominated by local councils. The five parliamentary political parties nominated their members to DECs and PEBs. In cases, where the CEC found the number of DEC members insufficient, it appointed members from the Registry of Election Officials.

<sup>10</sup> As a positive step, the CEC created the DECs on 21 December 2018, five days prior to the legal deadline in order to start the candidate registration in the single member constituencies within the prescribed timeframe.

Women were well-represented in the election administration, including in decision-making positions. The CEC Chairperson and deputy were women. More than half of the DEC members were women and 21 of 51 DECs were chaired by women. Women were also well represented in PEBs.

Most technical aspects of the elections were managed professionally and transparently at all levels. The CEC and DECs held regular sessions open to accredited observers and media. The CEC sessions were also live-streamed on the CEC website and social media. The sessions were conducted in a collegial manner, and agendas were published in advance. While CEC decisions were always posted on the CEC website and in a timely manner, decisions of the DECs were posted less consistently. Some CEC decisions and regulations lacked clarity and unduly complicated aspects of the process, particularly concerning the signature collection as well as verification and handling of complaints.

The CEC, through its Training Centre, implemented a comprehensive training programme for election officials at all levels. PEB trainings observed by the ODIHR EOM were informative, interactive, and included practical exercises on voting and counting procedures, in line with previous ODIHR recommendations. The CEC provided comprehensive voter information through meetings with voters, videos (also in sign language) and print materials. The CEC equipped polling stations with special voting booths, magnifying lenses and tactile ballots. Some ODIHR EOM interlocutors, however, noted that voter education material was insufficient.

On 14 November 2018, the CEC decided to install video cameras at all polling stations. According to this decision, video cameras should be installed above the ballot boxes to avoid the recording of the voters and to protect the secrecy of the vote.

For the first time, 47 polling stations were specifically designated for voters residing in Transnistria.<sup>11</sup> On 12 February, based on security concerns raised by the National Police about the allocation of polling stations within the security zone, the CEC changed the location of 31 of the 47 polling stations. PSRM raised objections to this, claiming it to be an attempt by the government to reduce the number of votes from Transnistria.<sup>12</sup>

Based on a proposal from the government, the CEC established 123 polling stations in 37 countries, increasing their number from previous elections.<sup>13</sup> Several ODIHR EOM interlocutors voiced concerns that the number of polling stations in certain countries was unreasonably low and did not correspond to the number of voters residing there. The lack of transparency in the decision-making process on this issue contributed to these perceptions. PSRM and ACUM unsuccessfully challenged the CEC decision on opening polling stations abroad in court. (See *Complaints and Appeals* Section).

## **Voter Registration**

Moldova has a passive voter registration system. Citizens at least 18 years old by election day are eligible to vote. The right to vote is broadly inclusive, covering almost all citizens of voting age including prisoners. In line with previous ODIHR recommendations, in October 2018, the Constitutional Court declared unconstitutional the blanket denial of voting rights of persons declared

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<sup>11</sup> In previous elections, voters from Transnistria had the possibility to vote at regular polling stations they were assigned to.

<sup>12</sup> PSRM unsuccessfully challenged the CEC decision in courts.

<sup>13</sup> Forty-two were created in Moldovan diplomatic missions and consular offices and 83 in other localities. Opening of two polling stations in Canada had to be cancelled as Canadian law does not allow for the hosting polling station in localities other than embassies. During 2016 presidential election 100 polling stations in 31 countries were established for out-of-country voting.

incompetent by a court. Contrary to international standards, a court can still deprive an individual of the right to vote, including those with mental disabilities.<sup>14</sup>

The CEC is responsible for maintaining the centralized State Voter Register based on data from the State Population Register which is updated daily by the Public Service Agency.<sup>15</sup> Voters are included in the main voter list based on their domicile or residence.<sup>16</sup> The accuracy of the voter lists was generally not raised as a specific concern by stakeholders.

The CEC announced that 2,810,303 voters were included in the main voter lists. ODIHR EOM observed that almost all PEBs received their voter lists within or shortly after the deadline. Voters had an opportunity to check the accuracy of their data at the PEBs and on the CEC website from 3 to 23 February.<sup>17</sup> ODIHR EOM noted that limited number of voters requested corrections.

Voters without domicile or residence are not included in the main voter list and could vote at any polling station within the country, but only for the national lists and the referendum. These voters and the ones from Transnistria are included in the additional voter lists at the polling station. If voters are away from their place of residence on election day they can request an absentee voting certificate (AVC) from their PEB up to the last day before elections, allowing them to vote in a different location.

Voters living abroad are still included in the voter lists associated with their former residence or domicile addresses.<sup>18</sup> Although this is consistent with national legislation, it results in voter lists not accurately reflecting the number of eligible voters physically present in the country. ODIHR EOM interlocutors also raised concerns about deceased voters who died abroad as they are not removed from the voter lists unless relevant documents are presented to the authorities.

Voters abroad could vote with valid passports, but not with the national ID as the voters in country.<sup>19</sup> ACUM requested the CEC, as they had done for previous elections, to issue a decision allowing voters abroad to vote with expired passports, arguing that otherwise their constitutional right to vote would be limited.<sup>20</sup> The CEC refused to adopt such decision, referring to the 14 January Constitutional Court decision, which ruled that requiring a valid passport was a legitimate limitation on the right to vote.<sup>21</sup>

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<sup>14</sup> An amendment to the Civil Procedure Code made in December 2018 requires the court to decide whether a person subject to guardianship proceedings should have the right to vote. Even an individualized assessment amounts to disability-based discrimination. Article 29 of the [UN Convention on the Rights of Persons with Disabilities](#) states that parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others.

<sup>15</sup> There were some 3,276,000 voters included in the State Voter Register, including some 230,200 voters without domicile or residence and some 230,600 voters from Transnistria.

<sup>16</sup> The voters who have both domicile and residence are registered based on their residence.

<sup>17</sup> ODIHR EOM noted that some PS were not operational during the working hours and thus limited the opportunities for voters to get acquainted with the voter list.

<sup>18</sup> While, according to the Public Service Agency, 90,438 citizens have registered as officially having left the country, the number of citizens living abroad is estimated to be much higher.

<sup>19</sup> There is no reliable data on the number of voters abroad with expired passports.

<sup>20</sup> The CEC announced that in the 2016 Presidential election only 175 voters voted with expired IDs.

<sup>21</sup> The Ombudsman filed a challenge on this issue with the Constitutional Court, which ruled it inadmissible.



## Candidate Registration

All eligible voters have the right to stand as candidates, with limited exceptions.<sup>22</sup> Candidate registration takes place between 60 and 30 days before election day. For the national constituency, citizens can participate through closed party lists or an electoral bloc, but not as independent candidates. In single member constituencies, citizens can participate as party-nominated or independent candidates. Candidates are registered by the CEC for the national constituency, and the DEC for single member ones. Candidates can run in both the national and single member constituencies, with the latter having preference if a candidate is elected in both.

In an inclusive process the CEC registered all 14 parties and one bloc that submitted national lists. All lists complied with the 40 per cent gender quota requirement. There are 632 candidates on the national lists, including 264 women, however only 49 of them are in top ten positions on the lists. The DEC registered 325 candidates in single member constituencies, including 70 women and 58 independent. Parties/blocs can replace a candidate on their lists up to 14 days before the election. No replacement of candidates for single-member constituencies is allowed.

While prospective male candidates needed to collect between 500 and 1,000 supporting signatures from voters in their constituency, female ones needed between 250 and 500.<sup>23</sup> Many candidates complained that the signature requirements were unduly burdensome and formalistic. ODIHR EOM observers reported that the process of checking the signatures in the DEC was carried out inconsistently.<sup>24</sup> Thirty-seven candidate applications (some 10 per cent in the majoritarian districts) were rejected due to various signature irregularities. DEC varied in whether or not they gave reasons for their decisions on signature verification.<sup>25</sup> In contrast to other candidate registration requirements, where documents may be re-submitted to correct errors, no re-submission of signatures is permitted, even if the period of candidate registration is still open. The obstacles that potential candidates faced in satisfying signature requirements amount to unreasonable restrictions on the right to stand as a candidate, contrary to international standards.<sup>26</sup>

Of the 23 candidates who appealed their rejection, most were unsuccessful. Five of the eight who were successful on appeal were not registered until over half the campaign period had elapsed. The final appeals on candidate registration were not decided until 23 February, thereby reducing the ability to campaign effectively, at odds with OSCE commitments and international good practice.<sup>27</sup> Position on the ballot in both the national and district constituencies is determined by the order in which candidates register, giving an advantage to larger, better-resourced parties and candidates that appear higher on the ballot.<sup>28</sup>

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<sup>22</sup> Those include active military personnel, prisoners, persons with active criminal records for intentional crimes and persons deprived by a court of the right to hold positions of responsibility.

<sup>23</sup> Candidates standing in Transnistria and overseas constituencies could collect signatures from the whole country.

<sup>24</sup> The ODIHR EOM observed cases where signatures were invalidated due to minor mistakes that had been corrected, entries written in Cyrillic, and entries where the signature collector had filled in name and address details for the signatory. In other cases, such entries were considered valid. Guideline I.1.3iii of the [Venice Commission Code of Good Practice in Electoral Matters](#) provides that the checking of signatures must be governed by clear rules.

<sup>25</sup> The CEC Circular issued on 9 January provided guidance to DEC that they should provide reasons for these decisions.

<sup>26</sup> See Article 25 of the [International Covenant on Civil and Political Rights \(ICCPR\)](#).

<sup>27</sup> Paragraph 7.6 of the [1990 OSCE Copenhagen Document](#) calls on participating States to ensure that contestants are able to compete with each other on a basis of equal treatment before the law and by the authorities. Guideline I.1.3v of the [Venice Commission Code of Good Practice in Electoral Matters](#) provides that validation of signatures must be completed by the start of the election campaign.

<sup>28</sup> Although there is a lottery to determine position on the ballot paper, it is carried out each day during the candidate registration period, rather than waiting until the end of the registration period.

This was the first election where candidates were required to obtain an integrity certificate from the National Integrity Authority.<sup>29</sup> The certificate includes details of unjustified wealth, conflicts of interest and any final court decisions that prohibit a person from holding public office. All timely applications for the certificates were satisfied and no candidate was rejected by the CEC based on information contained in the certificates. However, some IEOM interlocutors commented that the certificates brought little to the process.

## Campaign Environment

The campaign officially started on 25 January, the day after the candidate registration deadline. The campaign was competitive and visible throughout the country. It became more active as election day approached but, at the same time, the use of negative rhetoric and personal attacks increased substantially.<sup>30</sup> With no official campaign silence period, parties and candidates continued to campaign actively on election day up until the closure of the polling stations. Several parties accused competitors of early campaigning.<sup>31</sup>

Most contestants opted for smaller meetings with voters throughout the campaign.<sup>32</sup> Campaigning at the district level was typically led by candidates for single member constituencies, although national party leaders frequently attended and spoke at these events. Most campaigning was conducted through traditional and online media, social media platforms, billboards, door-to-door canvassing, distribution of leaflets and flyers, and meetings with voters.

Main campaign messages focused on employment, social assistance and pensions, emigration, anti-corruption and the economy. Speakers at the campaign events mostly presented national level programs.<sup>33</sup> Geopolitical questions and Moldova's foreign policy orientation received less attention in the main political discourse, but remained a key campaign message mainly for PSRM and some smaller parties.<sup>34</sup> The campaigns did not specifically address issues of gender equality or national minorities.

No visible campaigning took place in Transnistria constituencies. Candidates for these districts informed IEOM observers that they mostly relied on small meetings with already established contacts and word of mouth in their campaign. They did not produce or circulate campaign materials.

IEOM received a high number of allegations of vote buying through provision of gifts and goods supplied by candidates or charities associated with them. Interlocutors raised particular concerns that the so-called social shops, associated with Ilan Sor and Sor Party, which initially provided discounted

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<sup>29</sup> Despite multiple requests, the National Integrity Authority refused to meet with the ODIHR EOM and discuss this aspect of candidate registration process.

<sup>30</sup> On 21 February the leaders of ACUM stated that they had been poisoned accusing PDM. PDM denied these allegations.

<sup>31</sup> PDM filed a complaint against ACUM and PCRM against PSRM. Both complaints were dismissed by the CEC on procedural grounds.

<sup>32</sup> The ODIHR EOM observed 71 rallies and meetings with voters throughout the country in Anenii Noi, Balti, Cantemir, Causeni, Chisinau, Comrat, Criuleni, Edinet, Floresti, Hincesti, Nisporeni, Orhei, Rezina, Singerei, Soroca, Straseni.

<sup>33</sup> Two parties, PDM and ACUM, published constituency-specific programs and promises.

<sup>34</sup> Democracy at Home, Liberal Party, National Liberal Party and Antimafie movement focused on unification with Romania. PSRM promoted strong ties with the Russian Federation.



groceries to pensioners and the socially vulnerable, extended the discount to everyone during the election period.<sup>35</sup>

Political parties and civil society representatives alleged widespread misuse of state resources by PDM and, to a lesser extent, by PSRM. Allegations included pressure on public employees to attend campaign events during work hours as well as government officials campaigning for political parties.<sup>36</sup> Following the CEC warning issued to PSRM and the reminder to the president for using the resources and the image of his position in the campaign, the party submitted 25 notifications and complaints to the CEC on misuse of administrative resources by PDM. Although other parties alleged to IEOM the “massive” use of state resources, only a few complaints were filed with the CEC.<sup>37</sup> Interlocutors cited lack of trust in the complaint resolution process and lack of resources to pursue complaints.

Opposition parties also pointed to the incumbency advantage enjoyed by PDM with some activities<sup>38</sup> further blurring the line between the state and the party, at odds with OSCE commitments and international good practice.<sup>39</sup>

The campaign was peaceful despite a few isolated violent incidents.<sup>40</sup> Other campaign violations included illegal placement of campaign posters, vandalized posters and billboards, unequal access to public spaces and the use of offensive language.<sup>41</sup> The police started 82 administrative offence

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<sup>35</sup> Several parties alleged that in order to get the discount card, citizens had to provide personal data and became party members without being aware of such consequences. The ODIHR EOM also observed six party events in Cantemir, Criuleni, Edinet, Hincesti, Rezina and Soroca where gift bags were provided to the attendants. The party informed ODIHR EOM that the bags contained clocks with the party logo and campaign material.

<sup>36</sup> The ODIHR EOM observed 12 campaign events in Soroca, Hincesti, Causeni, Chisinau, Singerei, Floresti, Comrat, Stefan Voda, Vuklanesti and Cahul where public employees campaigned for parties or attended campaign events during working hours. In Soroca several attendants told the ODIHR EOM they were pressured to attend PDM events for the fear of losing their jobs. PDM acknowledged that state secretaries campaigned for the party, noting they were on official leave.

<sup>37</sup> A total of 12 complaints were filed to the CEC alleging use of state resources by parties.

<sup>38</sup> For example, after the PDM head promised relief from high prices of medication on 22 January, the government issued an order expanding the list of emergency medicines provided to the citizens free of charge from 1 February, which was also widely promoted in PDM campaign ads. In the last week of campaign Publika TV broadcasted a two-minute clip promoting this decision in both commercial advertisement slots and in the news without indicating who paid for them. Also, shortly before elections, a number of PDM’s campaign promises related to social assistance were turned into draft laws and voted for in the first hearing in Parliament on 7 February.

<sup>39</sup> Paragraph 5.4 of the [1990 OSCE Copenhagen Document](#) provides for “a clear separation between State and political parties”. See also Guidelines II.B.1.3 and II.B.1.1 of the [2016 ODIHR and Venice Commission Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) which state that “no major announcements by the government aimed at creating a favourable perception towards a given party or candidate during the campaign” and that “the legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantage of their positions by holding official public events for electoral campaigning purposes, including charitable events, or events that favour or disfavour any political party or candidate.”

<sup>40</sup> Three perpetrators attacked an ACUM candidate in Edinet on 27 January in front of a police station; a car belonging to the son of PDM’s candidate was set on fire in Balti on 29 January; an independent candidate in Chisinau district 33 Boris Volosatii accused PDM supporters of beating him up on 6 February. On 17 February, gun shots were fired at PCRPM regional office in Soroca. These incidents are being investigated by the police.

<sup>41</sup> For example, ACUM informed ODIHR EOM that they were denied access to public spaces in Cimislia, Durlesti, Risipeni, Pereseceni, Stefan Voda, Soldanesti, Soroca. On 18 February, during TV debates on ProTV, Elena Gritco, Our Party candidate, called Ilan Sor “a thief and a whenchy”; on many occasions Speaker Candu referred to ACUM as “Party of Unemployed”, Igor Dodon (in a TV programme on 5 February) called Ilan Sor “a clown...” adding that “Sor is politician who does not go to toilet without Plahotniuc’s permission”; on 28 January, Ilan Sor referred to Valeriu Munteanu, ACUM Candidate with “Sorry “Valerica” [diminutive form], but you are a nullity and Juda” and suggested he “cleans the poultry dung.”

proceedings for illegal placement of posters and seven for damage to campaign billboards or posters.<sup>42</sup>

ODIHR EOM was informed about allegations of threats directed at party supporters to discourage them from attending events organized by other candidates or campaigning for them.<sup>43</sup>

On 13 February, Facebook announced the removal of 168 Facebook accounts, 28 pages and 8 Instagram accounts on the grounds of “coordinated inauthentic behaviour”. Facebook also stated that this contravened the community standards of the platform.<sup>44</sup> The government responded to this with an official statement, and ACUM submitted an official complaint to the CEC asking to deregister PDM, bringing the issue of possible domestic manipulative interference online into public discussion.<sup>45</sup> A week before elections, a Google ad appeared on several Moldovan news web-sites mocking ACUM bloc. The sponsors of this ad remain unknown.

## Campaign Finance

Recent substantial legal amendments regulating party and campaign finance partially addressed some previous recommendations by ODIHR, Venice Commission and the Council of Europe’s Group of States against Corruption (GRECO), as called for by 14 November 2018 Resolution of the European Parliament.<sup>46</sup> However, a number of other previous recommendations remain unaddressed, including on enhancement of campaign finance oversight and improvement of the political finance legal framework to address previously identified gaps.

Campaigns are financed from the contestants’ own funds and donations. There are no direct public subsidies for campaigning, but contestants may receive interest-free loans from the state that may be written-off if a candidate receives a certain number of votes.<sup>47</sup> Despite a previous ODIHR and Venice Commission recommendation, donations by Moldovan citizens from out-of-country sources of income remain prohibited. While funding from non-profit and charitable organizations is prohibited, some ODIHR EOM interlocutors alleged that foundations affiliated with political parties running in the elections are involved in funding through donations and events.<sup>48</sup>

In line with previous ODIHR recommendation, the donation limits were decreased in 2017 from MDL 1,010,000 to MDL 348,750 for individuals and from MDL 2,020,000 to MDL 697,500 for legal

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<sup>42</sup> Four cases of alleged voter corruption have been sent to Anti-Corruption Prosecutors Office for criminal investigation.

<sup>43</sup> For example, in Singerei, ACUM supporter was pressured to officially withdraw collected support signatures for ACUM candidate; in Straseni the member of DEC informed the ODIHR EOM about PEB members resigning following pressure from the ruling party.

<sup>44</sup> According to [Facebook press release](#) from 13 February, this activity originated in Moldova and some of it was linked to employees of the Moldovan government. See also [Facebook community standards](#).

<sup>45</sup> Paragraph 19 of the 1996 CCPR General Comment 25 to the ICCPR provides that “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”

<sup>46</sup> This included more comprehensive reporting requirements, stipulating criteria for spending limits, decreasing the donation limit, banning the use of funds except those coming from the campaign fund and introducing reporting on in-kind donations from volunteers.

<sup>47</sup> The CEC established the maximum amount of MDL 50,000 and MDL 10,000 for a loan received by candidates. On 18 January, the Ministry of Finance adopted the rules on receiving and paying back the loans. One individual and one party received a loan.

<sup>48</sup> Foundations “Din Souflet” (affiliated with PSRM) and “Edelweiss” (affiliated with PDM) were mentioned in this regard. On 15 January, ACUM filed a complaint against PDM to the CEC arguing that leaflets disseminated by “Edelweiss” promoting the head of the PDM are not accounted for in the party financial report. The CEC rejected the complaint arguing that leaflets were distributed before the official start of the campaign.

entities.<sup>49</sup> The CEC established spending limits for national lists and candidates at MDL 86,871,855 and MDL 1,845,000, respectively. None of the competitors has exceeded these limits.<sup>50</sup> Most ODIHR EOM interlocutors noted that campaign funding was highly centralized. During the reporting period, PDM, Sor Party and PSRM operated with the largest campaign funds.<sup>51</sup>

Some contestants raised concerns that campaign finance regulations do not permit any spending by parties before the official commencement of the campaign period, even if the services for such expenses would be delivered during this time period, causing significant financial challenges to the parties concerned. All expenses during supporting signature collection have to be made through dedicated bank accounts opened separately for initiative groups. 79 initiative groups declared no expenses incurred, thus raising concerns about financial transparency of signature collection activities, but the law does not detail sanctions for violation of finance provisions by initiative groups.

The CEC is responsible for party and campaign finance oversight.<sup>52</sup> According to the CEC, its human resources were too limited to effectively monitor campaign finance, so it generally conducted inquiries only in response to complaints.<sup>53</sup> The CEC did not conduct any field monitoring of campaign finance. While all but one political party complied with reporting requirements, more than one third of independent candidates failed to submit reports on time or to inform the CEC about campaigning which does not require spending.<sup>54</sup> Contestants submitted their final financial reports to the CEC on 22 February. As required by law, the CEC published information on total income and expenditures of candidates on its website on the following day, but did not verify the accuracy of their reports.

## Media

A high number of media outlets operate in the country. Television (TV) remains the main source of political information, followed by online media outlets. The influence of political and economic forces through control and ownership of the media reduced the voters' access to diverse viewpoints, limiting their ability to make a truly informed choice. Concerns were also raised by several IEOM interlocutors about risks to the financial autonomy of some media outlets due to the limited advertising market resulting from commercial pressure from the two big advertising firms linked to prominent politicians.<sup>55</sup>

In a positive development, a new Audiovisual Code, drafted in consideration of international standards on freedom of expression came into force on 1 January. However, these legal changes did not solve the legal loopholes regarding the issue of media ownership concentration which leads to undue political influence. Despite a constitutional provision, the current law on access to information does not ensure easy access to public information, with journalists facing substantial delays in

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<sup>49</sup> EUR 1 is approximately Moldovan Lei (MDL) 19.6.

<sup>50</sup> According to the final reports submitted to the CEC, independent candidates were campaigning with limited funding. Some of the candidates indicated this to be a reason for limited possibilities to campaign.

<sup>51</sup> PDM spent MDL 30.29 million, Sor Party – MDL 19.86 million, PSRM – MDL 5.47 million, Our Party - MDL 3.2 million ACUM – MDL 1.86 million. In addition PDM spent MDL 28.84 million on the referendum campaign.

<sup>52</sup> The CEC receives and publishes weekly financial reports from contestants on its website within 48 hours and is required to verify their accuracy and compliance with the law.

<sup>53</sup> The CEC Financial and Economic Department consists of six people responsible for the implementation of the economic-financial policies, accounting, political and campaign finances.

<sup>54</sup> According to the 2015 CEC Regulation on financing of electoral campaigns if a competitor does not open a bank account, the CEC should be informed on this. In such case, a competitor shall perform only those activities related to a campaign or electoral promotion that do not involve any financial expenses.

<sup>55</sup> PDM head is the owner of the advertising agency Casa Media; the advertising agency Exclusive Media SRL is managed by persons affiliated with PSRM. [European Parliament resolution from 14 November 2018](#) noted that “the media is highly monopolised and subordinate to the country’s political and business groups.”

receiving information from public sources. This is at odds with OSCE commitments and other international standards.<sup>56</sup>

The Election Code, the Audiovisual Code and CEC regulations govern the campaign coverage in media. By law, media is required to provide fair, balanced and impartial campaign coverage and the Audiovisual Council (CCA) oversees compliance of broadcast media. During the campaign, the CCA conducted media monitoring and published three reports on the campaign coverage and political advertising. The CCA considered 13 complaints concerning early campaigning and breaches of the impartiality requirement, of which they satisfied two.<sup>57</sup> In addition, based on the findings of its monitoring, it took action against eight media outlets.<sup>58</sup> In total, the CCA warned ten and sanctioned nine broadcasters with a minimum fine for biased coverage.<sup>59</sup>

The media provided several platforms for contestants to present their views, including free airtime, debates, talk shows and paid advertisement. Parties and blocs running in the national constituency were granted five minutes of free airtime on all national TV channels and ten minutes on radio with nationwide coverage to promote their programs. In addition, they were also provided with one minute of free airtime per day on the public broadcaster to place promotional advertising for the parliamentary elections. According to the ODIHR EOM media monitoring findings, ten parties used the opportunity to place free ads to campaign for the parliamentary elections.

All broadcasters were required to offer two minutes per day of paid airtime to each electoral competitor under equal conditions. Only five parties, the PDM, SOR, PSRM, ACUM and Our Party, purchased airtime on monitored channels.<sup>60</sup> The five parties registered for the referendum could also use one minute of free airtime and two minutes of paid airtime per day.

Campaign for the referendum started a month before the parliamentary elections' campaign and the two then ran concurrently until the election day. A number of PDM ads contained messages for both the parliamentary elections and the referendum. *Jurnal TV* refused to broadcast an ad from PDM before the beginning of the parliamentary elections campaign period, while PDM claimed that it was promoting the referendum. This decision was aided by the lack of clarity in the regulations on media coverage of the concurrent referendum and election campaigns. The court ordered *Jurnal TV* to air the spot, saying that had no right to refuse it.<sup>61</sup>

All broadcasters monitored by the ODIHR EOM fulfilled their legal obligation to organize debates among parties running for the national constituency and for candidates in single member constituencies. The ODIHR EOM noted that many contestants refused to participate in political debates, mainly those from PDM, PSRM and SOR who benefitted from extensive visibility in the media through free and paid electoral advertising. Reasons given for not participating included

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<sup>56</sup> Paragraph 9.1 of the 1990 OSCE Copenhagen Document states that “everyone will have the right to freedom of expression including the right to communication. This right will include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. The exercise of this right may be subject only to such restrictions as are prescribed by law and are consistent with international standards”. See also Article 19(2) of the [ICCPR](#), Paragraph 19 of the 2011 General Comment No. 34 to the ICCPR and Article 10 of the ECHR.

<sup>57</sup> Most of the complaints filed were by PDM against *Jurnal TV*.

<sup>58</sup> In total, the CCA warned ten TV channels for not respecting the impartiality requirement: *Jurnal TV*, TVC21, Prime TV, *Canal 2*, *Orhei TV*, Central TV Station, NTV Moldova, *Canal 3*, Accent TV, *Publika TV*.

<sup>59</sup> This amount to MDL 5,000.

<sup>60</sup> During the campaign *Publika TV* aired PDM spot highlighting the achievements of the “Pavel Filip government”, which was not identified as political advertisement as required by law.

<sup>61</sup> The Court of Appeal found that since by the law the electoral contestants (rather than media outlets) are responsible for the content of political advertising. Implementing court's decision, *Jurnal TV* had to offset the period of refusal with extra airtime.

criticizing the format of the debates, alleging participants were not guaranteed sufficient time to present their platforms and distrust of the editorial approach of the media that had invited them.

The ODIHR EOM media monitoring findings show that some of the national TV channels failed to comply with election coverage requirements, substantiating allegations of media bias raised by numerous interlocutors.<sup>62</sup> All monitored TV channels dedicated the largest share of news and political coverage to the PDM campaign (between 20 and 41 per cent), followed by ACUM receiving between 4 and 20 per cent and PSRM getting between 5 and 11 per cent. President Dodon was the most visible public figure on TV during the campaign period.

Public TV Moldova 1, Tv8 and Pro TV showed a largely neutral approach in their political coverage of the major political contestants. Prime TV and *Publika* TV covered PDM in a more positive way, while the coverage of ACUM was often negative. Political coverage outside news on *Jurnal* TV was predominantly negative towards PDM and SOR, somewhat negative towards PSRM, and neutral towards ACUM. The coverage of candidates for single member constituencies mirrored these tendencies for all channels.

Print media monitored by the ODIHR EOM covered almost all political contenders in a neutral manner, with the exception of PDM which was often portrayed negatively by *Komsomolskaia Pravda*, *Moldavskie Vedomosti* and *Moldova Suverana*. *Argumenti i Fakti* was critical towards ACUM. Overall, *Jurnal de Chisinau* offered the most balanced approach. The impact of print media, however, is limited.

### Participation of National Minorities

According to the 2014 census, national minorities comprise some 25 per cent of the population. Romanians account for 7 per cent, Ukrainians 6.6 per cent, Russians 4.1 per cent, Gagauz 4.6 per cent, Bulgarians 1.9 per cent and Roma 0.3 per cent. The remaining 75 per cent self-identify as Moldovan. The majority population itself remains divided over its identity, history and the name of its language. Several national minority groups are regionally concentrated, including the Gagauz in the Autonomous Territorial Unit of Gagauzia and the Bulgarians in the Taraclia district. Of all the minority groups, the Roma community is reported to be the most widely excluded minority from community and economic life and decision-making. This was reflected by low participation of Roma, both as candidates and voters in these elections.

The existing legal framework allows for the participation of national minorities in the electoral process on an equal basis. Registered political parties reported to the ODIHR EOM that they included representatives of national minorities among their candidates.<sup>63</sup> National minority issues did not feature in the campaign. Ballots, voter education material and some political ads were produced in both the state and Russian languages.

### Complaints and Appeals

Voters and contestants can complain about actions, inactions and decisions of election bodies, other contestants and the media. Appeals against decisions of election bodies are heard in the hierarchically

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<sup>62</sup> During the campaign period the ODIHR EOM monitored public broadcaster Moldova 1, private channels Pro TV, *Jurnal* TV, Prime TV, *Publika* TV and TV8 and the newspapers *Moldova Suverana*, *Komsomolskaya Pravda*, *Timpul*, *Jurnal de Chisinau*, *Moldavskie Vedomosti* and *Argumenti i Fakti*, and conducted qualitative assessment of campaign coverage on the webpages of the monitored newspapers.

<sup>63</sup> PSRM – 42 per cent on national list and 30 per cent in single mandate districts, PCRM – 32 and 23 per cent, ACUM – 6 and 4 per cent, and PDM – 4 and 14 per cent, respectively.



superior election body before going to court. Appeals of CEC decisions are heard in the Chisinau Court of Appeal. Complaints against candidates must be filed directly to court or, in case of single member constituency candidates, to the DEC and then to court.

Positively, deadlines for resolving complaints are short, three days for election bodies, five days for courts, and all must be decided before election day. The CEC and most courts held open sessions or hearings and provided information about complaints and their decisions online.<sup>64</sup>

The electoral dispute resolution process was negatively affected by confusion over which body had jurisdiction to resolve complaints against candidates. The CEC heard 35 complaints on alleged campaign violations, rejecting the majority on the grounds of lack of jurisdiction. The jurisdiction to hear complaints concerning misuse of state resources is particularly unclear as depending on the facts of each complaint it can be filed with four different bodies: the CEC, the DEC, the courts or the police. In some cases, the lack of clarity over jurisdiction for hearing complaints against candidates affected the right to an effective remedy, which is provided for by the OSCE commitments and other international standards.<sup>65</sup> At times this happened because the timeframe for filing the complaint with the proper body expired before it could be filed with the correct body.

The CEC had received 78 complaints as of 23 February. Of them, 26 related to candidate registration. Six parties and candidates unsuccessfully challenged the registration of another candidate. Of the 23 cases challenging refusal of registration by a DEC at the CEC, 11 were rejected and 12 were sent back to the respective DEC for re-examination. The DEC's decided in favour of only two candidates upon re-examination. Three candidate's case succeeded in an appeal to the Supreme Court. The CEC took a narrow view of its authority in relation to DEC decisions on registration believing that it could not order a DEC to register a candidate, but could only require the DEC to re-examine applications.

As of 13 February, the only complaint against another candidate or party that had succeeded at the CEC was the Liberal Party and the Sor Party against the PSRM, in relation to the president's involvement in the campaign. The CEC sanctioned PSRM with a warning for using the administrative resources of the Presidency, and reminded the president that he should not be involved in the campaign. PSRM and the president unsuccessfully appealed this decision in the Chisinau Court of Appeal and the Supreme Court. The fact that the CEC accepted that it had competence in this case stood in contrast to the CEC's decisions in earlier cases that complaints against candidates, including those involving alleged campaign finance violations, are for the courts.<sup>66</sup>

As of 23 February, the Chisinau Court of Appeal heard 31 electoral cases, 24 of which related to CEC decisions, 2 to DEC decisions, 3 to CCA decisions, and the other 3 between electoral contestants and the media or an NGO. The Supreme Court heard 26 cases, half of which were about candidate registration.

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<sup>64</sup> Supreme Court hearings and Constitutional Court admissibility sessions are not open to the public. General Comment 32 to the ICCPR states that "the publicity of hearings ensures the transparency of proceedings and thus provides an important safeguard for the interest of the individual and of society at large. Courts must make information regarding the time and venue of the oral hearings available to the public".

<sup>65</sup> Paragraph 5.10 of the [1990 OSCE Copenhagen Document](#) states that everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity. See also Article 13 of the European Convention on Human Rights and Article 2.3 of the [ICCPR](#).

<sup>66</sup> Examples of rejected cases include the challenge by ACUM to PDM for undeclared finances in relation to the distribution of flyers featuring Vladimir Plahotniuc as founder of Edelweiss charity and President of PDM. The CEC decided this was activity of a charitable foundation and did not concern election campaign finance, and that it did not have jurisdiction over a complaint against a candidate. ACUM also unsuccessfully challenged PSRM for campaign finance violations in relation to their benefiting from billboards featuring the President using the same slogan as PSRM. The CEC decided there was no evidence of a link between PSRM and the billboards.

ACUM and PSRM appealed against the CEC's decision on the location of overseas polling stations. The Constitutional Court rejected these challenges, as did the Supreme Court.<sup>67</sup> The government did not appear at the CEC sessions or court hearings to explain the decision-making process.<sup>68</sup>

### **Citizen and International Observers**

The inclusive accreditation of observers contributed to the transparency of the electoral process. Citizen observer groups and international organizations could register an unlimited number of observers who have broad rights, including the right to attend sessions of all election commissions and to receive documents, including results protocols.

Party and candidate representatives enjoyed the same rights. The CEC accredited observers for the territory of Moldova and to follow out-of-country voting, and the DEC's – for single member constituencies. In total, the CEC accredited 20 citizen observer organization with 3,412 observers, including 170 observers abroad, and 776 international observers. One of the most active civil society organizations, Promo-LEX, conducted long-term observation focusing on various aspects of the election process, deployed short-term observers on election day and conducted a parallel vote tabulation, contributing to the transparency of the election.

### **Election Day**

Opening procedures were assessed positively in all but 2 of the 132 observed polling stations. There were slight delays in the opening of 29 polling stations observed, and a few PEBs faced difficulties with installing cameras and launching the State Automated Information System "Elections" (SAISE).

Voting was evaluated positively in 95.6 per cent of 1,420 observations. Procedures were generally followed in over 96 per cent of polling stations observed, and a few negative assessments were linked to the interference in the work of PEBs by candidate representatives or citizen observers (in 21 cases) and attempts to influence voters (in 30 cases).

The SAISE functioned effectively in almost all polling stations observed with minor instances where the internet connection or software problems were encountered. Secrecy of the vote was not ensured in 4 per cent of observations mainly due to the layout of the stations and overcrowding. Cases of overcrowding were reported in 12 per cent of polling stations observed, mostly in the polling stations specifically created for the voters from Transnistria. IEOM observers noted that more than 90 per cent of polling stations were not accessible for people with disabilities. Citizen and candidate observers were present in over 95 per cent of observed polling stations and DEC's and were able to follow all stages of voting, counting, and tabulation without restrictions, contributing to the transparency of the process.

The introduction of the mixed electoral system in combination with the holding of a referendum on the same day caused confusion among some voters, the IEOM observers noting that they were not fully aware of voting procedures in 16 per cent of observations. Voters were confused as to whether they could refuse to take the referendum ballots.

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<sup>67</sup> The Constitutional Court relied on European Court of Human Rights jurisprudence to find that such restrictions are a permissible interference with the right to vote. The Supreme Court decided that the CEC decision was taken lawfully in accordance with the statutory criteria.

<sup>68</sup> It was not clear what information was provided for each of the criteria in Article 31(3) of the Election Code or what weight was given to each.



Campaign materials and campaigning were noted close to the polling stations by IEOM observers in 15 and 9 per cent of observations respectively. Large-scale bussing of voters from Transnistria led to many voters being present at a polling station at the same time, which prevented the PEBs from managing the voting process smoothly. This created some tension. Several political parties raised concerns with the CEC on the possibility that these bussed voters were being paid to vote, the CEC informed the police and an investigation is pending.

The IEOM's assessment of counting was less positive, with 18 out of 101 observed counts assessed negatively, primarily due to procedural irregularities including PEB members not counting unused ballots and signatures in the voter lists. In 25 cases, the validity of questioned ballots was not decided by a vote of PEB members. PEBs encountered difficulties in reconciling voting results in the protocols in over one third of observations. Although, in most PEBs observed, candidate representatives and observers received copies of the results protocol, they were only posted for public scrutiny in less than half of observed counts. In an important move that increased transparency, PEBs reported preliminary results directly to the CEC electronically who then placed them on their website. The tabulation process is ongoing but so far has been reported as prompt and transparent. It has been negatively assessed in 5 of 43 observed DEC's, largely due to inadequate facilities for receiving election material and tabulating the results.

The CEC regularly released information on voter turnout, with a breakdown by age and gender, as well as on out-of-country participation. The preliminary turnout was reported at 49.2 per cent. The CEC started posting the preliminary results as reported by PEBs at around 10:30 pm, contributing to the transparency of the process.

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#### MISSION INFORMATION & ACKNOWLEDGEMENTS

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Chisinau, 25 February, 2019 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of Council of Europe (PACE), and the European Parliament (EP). The assessment was made to determine whether the election complied with OSCE commitments, Council of Europe's and other international obligations and standards for democratic elections and with national legislation.

Mr. George Tsereteli was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the OSCE short-term observer mission. Ms. Kari Henriksen (Norway) headed the OSCE PA delegation. Mr. Claude Kern (France) headed the PACE delegation. Ms. Rebecca Harms (Germany) headed the EP delegation. Mr. Matyas Eörsi (Hungary) is the Head of the ODIHR EOM, deployed from 15 January. Each of the institutions involved in this International Election Observation Mission has endorsed the 2005 Declaration of Principles for International Election Observation.

This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the election will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, and the handling of possible postelection day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the electoral process. The OSCE PA will present its report at its Standing Committee in Luxembourg in July 2019. The PACE will present its report during its part-session in April 2019 in Strasbourg. The EP will present its report at the meeting of its Committee on Foreign Affairs on 4 March 2019.

The ODIHR EOM includes 14 experts in the capital and 28 long-term observers deployed throughout the country. On election day, 343 observers from 38 countries were deployed, including 260 long-term and short-term observers deployed by ODIHR, as well as a 42-member delegation from the OSCE PA, a 29 -member delegation from the PACE, and an 11-member delegation from the EP. Opening was observed in 134 polling stations and voting was observed in 1,235 polling stations across the country. Counting was observed in 117 polling stations, and the tabulation in 43 DEC's.

The IEOM wishes to thank the authorities for their invitation to observe the elections, and the Central Election Commission and the Ministry of Foreign Affairs for their assistance. They also express their appreciation to other state institutions, political parties, media and civil society organizations, and the international community representatives for their co-operation.

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*The English version of this report is the only official document.  
An unofficial translation is available in Romanian and Russian.*