

International Republican Institute

# IRI Moldova International Election Observation Mission Final Report

February 2019



IRI Moldova International Election Observation Mission

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# Table of Contents

Acronyms and Abbreviations	3
Introduction and Methodology	4
Background	5
Mission Overview	8
Electoral System and Map	10
Pre-Election Period	12
Election Administration	12
Voter Registration and Education	17
Political Parties and Candidate Nominations	19
Campaign Environment	21
Media Spending	24
Legal Complaints and Perceived Judicial Bias	26
Inclusion in the Political Processes	27
Media Coverage	30
Election Day	35
Voting and Counting	35
Tabulations and Announcement of Results	37
Post-Election Period	39
Recommendations	41
IRI in Moldova	44
Appendices	45

# Acronyms and Abbreviations

ACUM – Electoral Bloc of PAS and PPDA

CA – Audiovisual Council

CEC – Central Election Commission

CICDE – Center for Electoral Training; branch of the CEC

DEC – District Election Commission

ENEMO – European Network of Election Monitoring Organizations

IRI – International Republican Institute

MFA – Ministry of Foreign Affairs

OSCE – Organization for Security and Co-operation in Europe

OSCE/ODIHR – Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights

PAS – Action and Solidarity Party/Partidul Acțiune și Solidaritate

PCRM – Party of Communists of the Republic of Moldova/Partidul Comunistilor din Republica Moldova

PDM – Democratic Party of Moldova/Partidul Democrat din Moldova

PEC – Precinct Electoral Commission

PL – Liberal Party/Partidul Liberal

PLDM – Liberal Democratic Party of Moldova/Partidul Liberal Democrat din Moldova

PN – Our Party/Partidul Nostru

PPDA/DA – Dignity and Truth Platform/Partidul Platforma Demnitate și Adevăr

PPEM – European Popular party of Moldova/Partidul Popular European din Moldova

PSRM – Party of Socialists of the Republic of Moldova/Partidul Socialistilor din Republica Moldova

SMD – Single Mandate (electoral) District/Majoritarian/Single Constituency

SOR – Șor Party/Partidul Șor

# Introduction and Methodology



The International Republican Institute’s (IRI) election observation mission for the February 2019 Moldovan parliamentary election was organized in order to support the integrity and development of election administration in Moldova and provide an external verification of the official election results. IRI also sought to support local election observation efforts and provide an international lens on priority issues. To that end, IRI deployed long-term observers and analysts throughout Moldova to provide on-the-ground insights from December 2, 2018 to March 26, 2019 for a four-month period surrounding Election Day.



The following report reflects a composite view of both the pre-election environment and Election Day administration and voting, including registration of initiative groups and candidates, formation of electoral administrations, campaigning, the media environment and legal issues.



This election observation methodology was based on systematic, comprehensive gathering of information for fact-based, politically impartial analysis that is presented in the mission’s findings and recommendations, both here and in reports released by the mission throughout the electoral period. In carrying out its duties, IRI was guided by the *Declaration of Principles for International Election Observation and Code of Conduct*, which was launched at the United Nations in 2005 and has been endorsed by 55 international and regional organizations. The mission conducted its observations with reference to the Organization for Security and Co-operation in Europe’s (OSCE) *Handbook for Long-term Election Observers* as well as Moldova’s constitution, electoral legislation (as amended through 2018) and other relevant laws. The mission carried out its activities in conformity with the Electoral Code and laws of the Republic of Moldova.



# Background



The parliamentary elections on February 24, 2019 took place against a tumultuous political landscape. Recent governments have worked to advance reform and advance further integration with Europe, including signing an Association Agreement and achieving visa-free travel within the European Union (EU). However, tenuous coalition governments, lackluster reform initiatives, pervasive corruption and captured state institutions have undermined these efforts and caused Moldova's democratic transition to stall.

The previous parliament's history was similarly tumultuous, as the make-up of the parliament at its last sitting in November 2018 bore little resemblance to the November 2014 election results. The formation of a government proved difficult after the 2014 elections. Coalition negotiations were further complicated by revelations of high-profile corruption scandals (including the theft of nearly \$1 billion (more than 12 percent of the country's gross domestic product) from state banks known colloquially as "the stolen billion") and influence-wielding. The coalition government that eventually formed between the Liberal Democratic Party of Moldova (PLDM) and the Democratic Party of Moldova (PDM) broke down in October 2015 after the arrest of former Prime Minister and leader of the PLDM Vlad Filat on corruption and bribery charges allegedly linked to the stolen billion. After three months of fractious negotiations and significant political migration amid allegations of political pressure and bribery, a new majority was cobbled together in January 2016 around PDM Deputy Chairman Pavel Filip as Prime Minister.

Frustrated by such political dysfunction and high-level corruption, Moldovans took to the streets in large numbers throughout 2015 to demand increased accountability and improved governance. These street movements served as vehicles for the rise of new political leaders and parties, including Maia Sandu and the team from Action and Solidarity Party (PAS), and Andrei Nastase and the team from Dignity and Truth Platform (DA).

In 2016, Moldova held its first direct presidential elections since 1996. This was made possible when, in March 2016, the Constitutional Court ruled unconstitutional a dated amendment that empowered parliament to elect the president and reinstated presidential elections by direct and secret popular vote. The Party of Socialists of the Republic of Moldova's (PSRM) then-Chairman Igor Dodon (representing the largest parliamentary opposition faction) and PAS's Maia Sandu (representing a coalition of parliamentary and extra-parliamentary opposition parties) led the October 30 first round polls. On November 13, Dodon defeated Sandu in the second round and was elected president. According to

election observers, both rounds of the election were competitive and respected fundamental rights; however, observers—particularly domestic observers—noted polarized and unbalanced media coverage, harsh and inflammatory rhetoric, lack of transparency in campaign finances and an unbalanced focus on geopolitical rather than domestic issues.<sup>1</sup>

Upon taking office, President Dodon sought to expand the powers of presidency—particularly the president’s ability to reject legislative packages and governmental appointments—leading to inter-institutional crises and deadlock between the presidency and the government, which on several occasions needed to be resolved by the Constitutional Court. Critics of the current arrangement, however, presume a tacit collaboration between PDM and PSRM, citing as evidence the adoption of a new electoral law in July 2017 with the votes of PDM, PSRM and non-affiliated parliamentarians.

The new electoral law introduced a change for parliamentary elections from the proportional system to a mixed voting system. The law was adopted in absence of a broad national consensus and despite recommendations by OSCE and the Council of Europe’s Venice Commission not to change the electoral system under the present context. The Venice Commission’s main concerns had been the lack of consensus on the changes toward a mixed electoral system and the risk that independent candidates in single mandate districts (SMDs) might “develop links with or be unduly influenced by businesspeople or other actors who follow their own separate interests.”<sup>2</sup>

There were many within the Moldovan political party system and civil society who opposed the change to the mixed system due to similar fears that the new system would be vulnerable to capture and manipulation which could disadvantage some parties. An initiative group headed by prominent NGOs and civil society activists failed twice to register itself with the Central Electoral Commission (CEC) to collect signatures calling for a referendum against the mixed system. The initiative group was denied formal registration both times for procedural flaws; the CEC also noted in their decisions that international best practice advises against making changes to the election process within 12 months of the next election cycle.<sup>3</sup>

Political controversy arose again in the spring of 2018. In the face of corruption charges, the mayors of Moldova’s two largest cities, Chisinau and Balti, resigned, which resulted in snap mayoral elections in both cities. While the Balti election was decided in the first round (May 2018), the Chisinau election went to a dramatic second round (June 2018). In the second round, DA’s Andrei Nastase (as a coalition candidate supported by both PAS and PLDM) defeated the PSRM candidate Ion Ceban with nearly 53 percent of the vote.

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<sup>1</sup> The OSCE/ODHIR led an international observation mission including 13 Chisinau-based experts, 20 long-term observers and 273 short-term observers, <https://www.osce.org/odihr/elections/moldova/300016?download=true>. PromoLex, a leading Moldovan NGO, conducted a comprehensive domestic observation effort with 42 long-term observers, and short-term observers in all 1,981 polling stations across the country, [https://promolex.md/wp-content/uploads/2017/01/raport-electoral-final-2016\\_EN.pdf](https://promolex.md/wp-content/uploads/2017/01/raport-electoral-final-2016_EN.pdf)

<sup>2</sup> The Council of Europe’s Venice Commission: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2017\)012-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2017)012-e)

<sup>3</sup> The initiative group submitted its initial request for registration on December 29, 2017 and was [denied](#) by the CEC on January 12, 2018. The second attempt to register the initiative was filed on February 23, 2018 and denied by a March 12, 2018 CEC [decision](#).

The outcome of the elections in Chisinau was challenged by PSRM, who alleged that Nastase's Election Day appeal to citizens to come to the polls constituted campaigning and unduly influenced the results.<sup>4</sup> A Chisinau court ruled in favor of the complaint and voided the election results. The decision was contested in an appellate court before being ultimately upheld by the Supreme Court. The courts' decisions, seen by many as politically motivated, sparked mass demonstrations in Chisinau led by DA, PAS and PLDM. Moldova's international partners, including the European Union<sup>5</sup> and the United States<sup>6</sup> also criticized the decisions as non-transparent and disregarding the will of the voters.

In the aftermath of the invalidation, a parliamentary commission was formed to investigate and report on the legal basis for the decision, the need to regulate online electoral campaigning and use of social media by candidates and parties. The commission's findings and recommendations resulted in legislation overturning previous restrictions on campaigning the day before and on Election Day itself.<sup>7</sup>

In the final days of its mandate, the previous parliament also took steps to allow for a consultative referendum to be conducted alongside the February 24 parliamentary vote. The possibility of a referendum was initially introduced in November 2018 by PDM. The two issues put forward for the referendum have been part of the political discussion in Moldova for some time: 1) potentially reducing the number of parliamentarians from 101 to 61 and 2) the possibility of recalling an elected parliamentarian. However, legislation needed to change in order to hold a referendum alongside the parliamentary election. This change was added to the parliament's agenda on November 29 and voted in a first and second reading on November 30 (the final day of the parliament's mandate).

Based on their cooperation in the Chisinau election and post-election protest actions, PAS and DA decided to run as a coalition in the February 2019 parliamentary elections under the banner of ACUM. ACUM translates to "now" in Romanian and combines the first initials of party leaders Andrei Nastase and Maia Sandu with the Romanian cu, or "with" ("A with M"). PLDM later decided to forego registering as an electoral competitor in order to join the ACUM bloc.

IRI and other organizations recognized the important role of election observers in this new and unfamiliar electoral environment. The change to the mixed system, a simultaneous referendum, and the shortening of the campaign period were complicating factors that IRI observers intended to watch closely during their months on the ground.

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<sup>4</sup> Prior to November 23, 2018, Article 52 paragraph 52 of the Moldovan Electoral Code prohibited election campaigning on the day of the election.

<sup>5</sup> The European Parliament adopted a resolution on July 5, 2018 expressing concerns, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2018-0303+0+DOC+PDF+V0//EN>

<sup>6</sup> The US State Department released a statement in which it called the Supreme Court's decision a "threat to Moldovan democracy.", <https://md.usembassy.gov/invalidation-of-mayoral-elections-in-moldova/>

<sup>7</sup> The parliament issued a press release on November 23, 2018, explaining the commission's findings and legislative changes, <http://www.parliament.md/Actualitate/Comunicatedepresa/tabid/90/ContentId/4829/Page/11/language/ro-RO/Default.aspx>



# Mission Overview



On December 2, 2018 IRI deployed long-term observers (LTOs) based in Edinet, Ungheni, Orhei, Anenii Noi, Hincesti, Comrat and Chisinau. The LTOs were on the ground to comprehensively observe the pre-election preparations, Election Day and the post-election period, concluding their mission on March 26, 2019.

The choice to remain a month after Election Day reflected IRI’s commitment to observe post-Election Day developments in the event that actions similar to the disputed Chisinau mayoral election might take place.

The 14 experienced LTOs represented nine different countries: the United States, Poland, Canada, the United Kingdom, the Philippines, Uganda, Belarus, Montenegro and Georgia. Three long-term analysts (LTAs) complemented the LTOs’ reports with in-depth analysis of the media, electoral and legal landscape. Over the course of the mission, the IRI LTOs and LTAs attended 1,006 meetings and events with stakeholders throughout Moldova, including election officials, party representatives, candidates, law enforcement bodies, local officials and others. At these meetings, LTOs built relationships with interlocutors and asked them to share their assessments of the electoral environment and raise any concerns to inform IRI’s mission. These meetings form the basis of IRI’s reporting and recommendations.

-  308 Political Party Representatives & Candidates
-  288 Election Management Bodies
-  152 Local Government and Law Enforcement
-  138 Civil Society and Media
-  103 Events
-  17 Other Meetings and Observations

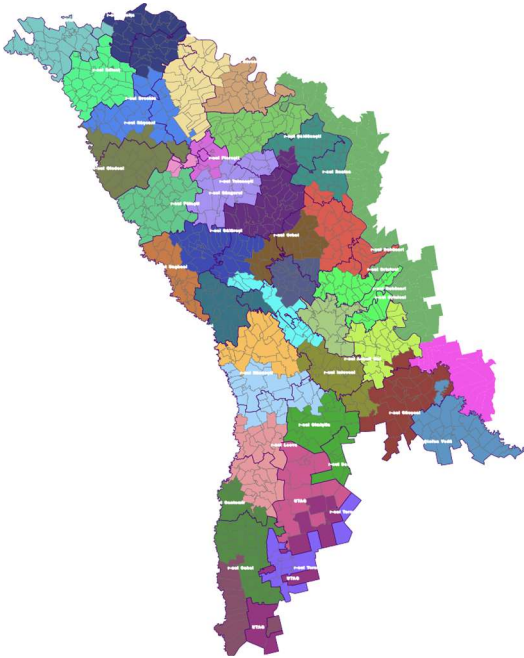
IRI observers and analysts attended **1,006** meetings and events with stakeholders throughout Moldova

IRI's international delegation of short-term observers was led by former Congressman and IRI board member Mr. Jim Kolbe, IRI Vice President for Programs Scott Mastic and IRI Regional Director for Eurasia Stephen Nix. The delegation also included parliamentarians and party officials from Belgium, Sweden, Lithuania, Ukraine and the United States, as well as IRI field staff from Georgia, Kyrgyzstan, Lithuania, Poland and Ukraine. IRI coordinated closely with other international observation missions and citizen observer groups.

IRI is grateful for the warm welcome and cooperation received from Moldovans with whom it interacted, including the chairperson of the Central Electoral Commission (CEC), election officials throughout the country, candidates, political party leaders, government officials, citizen election monitors, civil society leaders and others. IRI sought to express the international community's interest in and support for credible, peaceful elections in Moldova; provide an accurate and impartial report on the character of the election process; and offer recommendations to improve the electoral process. IRI recognizes that it is the people of Moldova who ultimately determine the credibility of their elections.

IRI has drawn on Moldovan legislation and election code, the reports of accredited observers, and its impartial analysis of political events to evaluate the Moldovan parliamentary election in the following areas: Electoral System and Map, Pre-Election Period, Election Administration, Voter Registration, Nominations, Campaigning, Inclusion, Media, and Election Day.

# Electoral System and Map



The recent parliamentary election was the first held in Moldova under a mixed electoral system, in which 50 members of parliament are elected in a national constituency on the basis of proportional representation and 51 members of parliament are elected within single-mandate districts (SMDs) by a majority vote.

In 2017 the previous parliament decided to change from a fully proportional system in which all 101 members of parliament are elected in a single national constituency. PDM initiated the change in early 2017 by proposing a switch to a uninominal system in which all parliamentarians would be elected in single-mandate constituencies via majority vote. In response, PSRM launched a competing initiative calling for a mixed electoral system to combine a proportional party list and single-mandate constituencies.<sup>8</sup> Initially, PDM and PSRM fiercely opposed the other’s proposals; however,

a compromise was reached in May 2017, and on July 20, 2017 the parliament adopted amendments<sup>9</sup> to the electoral code that formally established the mixed electoral system.

In September 2017, a special commission was formed by the government and tasked with drawing the borders of the new 51 SMDs. The commission originally was to include representatives from the CEC, parliament, presidential administration and political parties represented in parliament as well as extra-parliamentary parties, the People’s Assembly of Gagauzia, national minorities associations, local public authorities, the Diaspora Relations Bureau, academia and civil society. However, citing concerns about the government’s appointment of committee members and a lack of transparency in the commission’s activities, a number of stakeholders including political parties and civil society organizations chose to boycott the commission. While the reasons for the boycott were understandable, the resulting lack of representation discouraged eventual buy-in from all stakeholders and lowered resistance to gerrymandering.

When determining the borders of the SMDs, the commission needed to take into consideration a number of factors. According to the Electoral Code, electoral constituencies should, as a rule, correspond with the borders of pre-established second-level, administrative-territorial units such as Moldova’s 32 raions (districts), two municipalities and two regions with special status (Gagauzia and Transnistria). The number of voters should be

<sup>8</sup> The PSRM proposal for a mixed electoral system was introduced by President Igor Dodon in an April 18, 2017 press conference, <http://www.presedinte.md/rom/comunicate-de-presa/presedintele-igor-dodon-propune-sistemul-mixt-de-vot-pentru-republica-moldova>

<sup>9</sup> Republic of Moldova, [http://lex.justice.md/md/370943/?fbclid=IwAR0yJQPvqwRyLVbiN3pg-Uy-8qvLij\\_t60GswTyNOJclXpW3mN3i7G-L2Fo](http://lex.justice.md/md/370943/?fbclid=IwAR0yJQPvqwRyLVbiN3pg-Uy-8qvLij_t60GswTyNOJclXpW3mN3i7G-L2Fo)

relatively equal (with a deviation which does not exceed 10 percent) across constituencies and be between 55,000 and 60,000 eligible voters. Districts were to keep areas with a high density of national minorities together to allow for greater representation of their interests as a community. Additionally, constituencies established for voters outside of Moldova needed to take previous diaspora voter turnout and pre-registration numbers into account.

Based upon the commission's recommendations, the final list of SMDs was approved by the government in November 2017, establishing 46 constituencies in the territory of Moldova under the control of the country's constitutional authorities (11 of which were designated for Chisinau and its suburbs and two constituencies each were allocated to Balti and the Gagauzia region), two constituencies for voters in Transnistria and three constituencies outside of Moldova for diaspora voters.

While opposition from some parties is to be expected during any change to the electoral system, many stakeholders from across the country told LTOs that the newly drawn boundaries created burdensome complications. For example, one DEC Chair stated that "dividing the constituencies among raions [was] a mess" and the administrative burden of having to work with multiple raions to develop tailored voter lists posed significant challenges. Candidates from multiple parties also stated that the unfamiliar borders remained a subject of confusion for the public, consuming much of their campaign time with explanations of the particulars of the new system to their constituents—a responsibility that should be assumed by the CEC.

Many within civil society and the political opposition also criticized the process by which borders were drawn and potential voters were counted, as well as the extent to which the principle of representation enshrined in the Moldovan constitution was respected.<sup>10</sup> The lack of clear communication regarding the process undermined the public's confidence and contributed to a lingering skepticism of the election's integrity.

Despite these criticisms, on July 27, 2018 the parliament set the date of the parliamentary elections for February 24, 2019. With a date set for the election, the CEC, parties, and international observers began preparing their activities.

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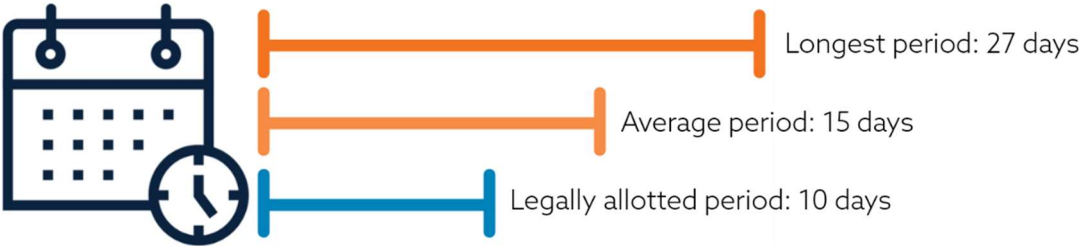
<sup>10</sup> Throughout 2017 and 2018, opposition political leaders petitioned the Constitutional Court to examine the legality of the new mixed system and the new electoral map including if they threatened the principle of "one person, one vote." A number of non-governmental organizations also reported negatively on the new system, including the prominent domestic watchdog organization Promo-Lex, [https://promolex.md/wp-content/uploads/2017/11/1-Analiza-circumscriptii\\_EA\\_23.11.17.pdf](https://promolex.md/wp-content/uploads/2017/11/1-Analiza-circumscriptii_EA_23.11.17.pdf)

# Pre-Election Period



In Moldova, election observers' activities are guided by the Moldovan Electoral Code, the United Nations' Declaration of Principles for International Election Observers and Code of Conduct for International Election Observers, other normative acts in this field and international agreements to which Moldova is a party.

The CEC is tasked with accrediting observers in cooperation with several ministries and the security services. IRI found that while the CEC has 10 days for accrediting or declining an observer, no deadline is given to the ministries or security services. This loophole caused IRI LTOs' applications to be delayed beyond the CEC's allotted 10-day timeframe multiple times. IRI LTOs were unable to start meeting with interlocutors for more than a week upon arriving in their areas of responsibility as election administration officials had preferred that such activities wait until observers were fully accredited.



In light of this experience, IRI calls on the Government of Moldova to implement deadlines for ministries to standardize the process and avoid delays in observer accreditation approval.

## Election Administration

The main management body of electoral administration remains the CEC, which consists of nine members of which one is appointed by the president of Moldova. The remaining eight members are approved by parliament. An IRI long-term legal analyst noted throughout the observation period that the commission held regular and transparently live-streamed meetings in a professional manner.



## Central Electoral Commission (CEC)

*Permanent election body*



## District Electoral Commission (DEC)

*51 commissions, one for each single mandate district*



## Precinct Electoral Commission (PEC)

*2,141 commissions, each administering a single polling station*

### District Electoral Commissions

As the 2019 parliamentary election was the first held under the new mixed-system, significant changes to the Election Code were necessary. The electoral management was administered through an amended structure to account for the newly created 51 Single-Mandate Districts (SMDs) whereby the CEC created 51 District Election Commissions (DECs) to administer the SMDs. In many cases, the new DEC boundaries overlapped with municipal boundaries or conflicted with previous boundaries, though this is to be expected when there are a greater number of SMDs than preexisting administrative raions. The size of the DEC and precinct election commissions (PEC), as well as the appointment process of their members, remained unchanged.

The government had approved the list of SMDs in November 2017. All 51 DEC were to be located in the government-controlled territory of Moldova (not including Transnistria). The constituencies representing Moldovan people residing within the territory of Moldova was determined to include between 55,000 and 60,000 voters, apart from one DEC. DEC 44 contained 34,803 voters—a substantially lower number than stated by the code, though authorities may have kept the district smaller so as not to dilute the representation of the district's large Bulgarian minority community.

The CEC created a total of five special DEC: two (47 and 48) for polling stations established for voters residing in Transnistria, and three (49, 50 and 51) for voters residing abroad.

Pursuant to the electoral code, the CEC must establish the DEC 55 days before the election, and within three days of formation, the DEC leadership (Chair, Deputy Chair and Secretary) must be chosen by secret ballot. DEC have a support team of operators, accountants, consultants and a driver—in total, eight additional people are budgeted for by the CEC. There is also an assigned point of contact in the CEC for each electoral district, who is available to help DEC at any time.

By law, DEC should have an odd number of members, with a minimum of seven and maximum of 11. DEC are established in the following manner: two members are nominated by the judicial courts, two by the local administrative authorities and the remainder are nominated by the parties represented in Parliament—each party being allowed to nominate one member. In a number of election materials, the CEC defined “parties represented in parliament” as those that participated in the previous parliamentary elections and exceeded

the threshold to enter parliament.<sup>11</sup> Under this definition, five parties entered parliament in the 2014 parliamentary elections.<sup>12</sup> Consequently, it was determined that for this election the membership of DEC members should not exceed nine members.

However, LTOs' noted higher numbers of DEC members throughout the country. According to CEC's official online site (as of May 1), 29 DEC members operated contrary to the above-noted legislation, with 29 exceeding nine members.

IRI calls on the CEC to clarify, communicate and apply legal definitions consistently. As the body responsible for establishing DEC members, the CEC should also enforce the requirement of DEC members to have an appropriate number of members.



During the pre-campaign period (December 10–January 19) IRI LTOs made 88 visits to various DEC members to conduct interviews and observe DEC sessions and trainings. The professionalism and electoral expertise of the DEC members varied across the country, though on average the DEC members' sessions were well-run and most commissioners in leadership positions were very experienced in electoral work. Most teams reported no delays in the formation of DEC members. LTOs also observed that the DEC members' training sessions administered by trainers from the CEC's Center for Continuous Training (CICDE) were informative, well-attended and organized by knowledgeable trainers. This was consistent with other DEC reports of good collaboration and clear lines of communication with the CEC.

DEC members with constituencies bordering or overlapping with Tiraspol-controlled areas in Transnistria were not always aware of the lines of control or the particulars of the constituency in those areas.

Almost all DEC members were open and transparent, and LTOs were permitted to observe freely. However, some DEC members did not keep standard office hours, and in some instances questioned the rights of credentialed observers—particularly the level of access to information that observers should be afforded.

### Precinct Electoral Commissions

The most local unit of election administration is the Precinct Electoral Commission (PEC). This election was administered through 2,141 PECs, located both within the territory of Moldova and abroad to serve diaspora voters.

Precincts were to be established by DEC members at least 35 days prior to Election Day to serve at least 30 and no more than 3,000 registered voters. After that, PECs must be created at least 25 days before Election Day and leadership positions (Chair, Deputy Chair and Secretary)

<sup>11</sup> This definition can be found as a footnote (page 23) to the CEC's election calendar (adopted December 5, 2018, CEC decision #1898),

[https://a.cec.md/storage/ckfinder/files/Program\\_calendaristic\\_Alegeri%20Parlamentare\\_24\\_02\\_2019.pdf](https://a.cec.md/storage/ckfinder/files/Program_calendaristic_Alegeri%20Parlamentare_24_02_2019.pdf)

<sup>12</sup> The parties that qualify as "parties represented in parliament" include PCRM, PDM, PL, PLDM and PSRM. The European People's Group, which was formed by unaffiliated deputies in April 2017 and therefore did not participate as a group in the 2014 parliamentary election, does not qualify under the CEC's definition.

selected within two days. LTOs did not observe significant delays in the formation of precincts or their commissions and again observed multiple training sessions administered to PEC leadership by CICDE trainers. These trainings were particularly well-received by PEC members, many of whom shared how valuable they were. The trainings were mandatory for leadership only; however, in multiple cases the LTOs reported attendance was bolstered by additional members.

While the trainings were adequate, participants would have benefitted from longer trainings that incorporated practical exercises—a mock Election Day procedure—and case studies to prepare them for common Election Day scenarios. IRI also recommends training sessions be mandatory for all members of the commission and class sizes be reconsidered to foster an optimal learning environment.



*PEC training materials in Nisporeni*

PECs established outside of Moldova (serving voters abroad) were composed of members appointed by parties, officials from Moldovan diplomatic missions and the Ministry of Foreign Affairs (MFA) and, in instances where more members were needed, members of the diaspora community. The MFA provided support for the PECs abroad by providing space in diplomatic missions and sending election materials and ballots via diplomatic mail. Trainings for PEC members were conducted by both the CEC and MFA via Skype and in-person.



*PEC members work to outfit an inadequate polling station in Ungheni*

While the majority of polling stations were deemed adequate by IRI observers, both LTOs and STOs observed polling stations that did not have sufficient lighting, heating, accessibility for voters with limited mobility, or space to accommodate the large number of PEC members, observers, and voters on Election Day. One DEC stated that the CEC's lack of guidelines on the matter gave local authorities leeway to provide insufficient accommodations. IRI recommends that the CEC establish and communicate recommended guidelines or legal requirements regarding the minimum specifications for polling stations.



On January 19, the CEC approved a plan to establish 125 polling stations outside of Moldova to serve the voters of DEC 49, DEC 50 and DEC 51—although the state’s original election budget had allotted for 150 polling stations abroad—and 47 polling stations for the voters from the Transnistria region represented by DEC 47 and DEC 48. Due to Canadian law, which states polling stations of foreign elections are allowed only in the country’s embassy, two polling stations were removed, leaving 123 PECs abroad.

IRI believes the procedure to establish polling stations outside Moldova lacked transparency, as the CEC gave no rationale for deciding on the location of polling stations abroad. This left the CEC open to criticism that the placement privileged certain constituencies of diaspora voters. IRI believes the process did not respect the provisions and criteria for establishing polling stations outside of Moldova as established by the Electoral Code.

An initial concern was the role of cameras in polling stations. In early November 2018, the CEC and Prime Minister Pavel Filip, met to discuss the idea of having cameras installed in polling stations to record voting on Election Day. The CEC announced a decision on November 14 that established specifications for the cameras and approved their purchase.

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*“A majority of interlocutors do not see the need to use polling station video cameras, citing them as intimidating, expensive, and simply unnecessary towards minimizing electoral fraud.”*

*– LTO Team 2*

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While the CEC claimed the cameras would ensure transparency of the electoral process, IRI LTOs logged initial and speculative concerns from interlocutors about the cameras. One observer team summarized a week of discussions about the cameras by saying “a majority of interlocutors do not see the need to use polling station video cameras, citing them as intimidating [especially for state employees], expensive, and simply unnecessary towards minimizing electoral fraud.” However, opinions evolved as time went on; one observer team noted that all the candidates they interviewed that week from ACUM, PSRM and SOR were supportive of the cameras as they

“will not compromise secrecy of the vote, and this should be communicated more clearly to the public to reassure them.”

Concerns about the cameras continued to grow, especially as no clear directions were made public about the placement of cameras or who would have access to the video footage until February 8, at which point the CEC finally approved the Rules on the Operation of the Video Recording System in polling stations. The rules stated that cameras would only be pointed at the ballot boxes and moved to view the counting table after the polling station closed. In addition, the memory cards would be sealed and delivered with the protocols after the election for viewing only if a problem was reported.

The videos did not turn out to be a lasting point of concern. Interlocutors did not raise any concerns on or around Election Day, and STOs saw no significant violations regarding cameras. Should the CEC decide to use cameras in future elections, citizens will likely grow in their understanding of the cameras’ utility.

## Voter Registration and Education



*Election Day reminders shared by PEC in Ungheni*

Moldova uses a passive voter registration system, automatically entering all eligible citizens over the age of 18 into the voters' list, including citizens permanently living abroad. Citizens must register their place of residence, or address of domicile, with the Public Service Registry. The voters list is created from addresses in the Registry, and voters are assigned a polling station based on their registered address (a voter may be included in one voters' list and at one polling station only). Verification and editing of the voter list are conducted by the secretary of the local council through the CEC's website<sup>13</sup>, a process which one LTO team observed. The passive registration system streamlines the voting process for citizens.

Voters must show proof of domicile at the PEC on Election Day and they are only allowed to vote for the SMD's candidate if their official domicile is within the boundaries of that SMD. Citizens without an official domicile and those residing in Transnistria can be added to a supplementary list on Election Day. Transnistrian voters are assigned special PECs as domicile registration is not possible. Students without an official domicile at their place of study can vote in districts where they are attending university, but only for the national constituency vote.

IRI interlocutors did not bring forth concerns of voter list abuse despite general agreement that the list was not as "clean" as it could be. There is widespread agreement that the list is inflated due to deceased individuals not being removed from the list and the mass emigration that has taken place.<sup>14</sup> LTOs did observe a verification process in action in Soldanesti, when PEC chairpersons conducting voter list spot checks indicated to the corresponding DEC that there were multiple non-familial names registered to the same address. The DEC reported it to the CEC, who successfully investigated and removed the offending names from the list. Regardless of the inflated list, interlocutors expressed confidence in the ID checking software (SIAS Alegeri). This software checks the identity of voters against the national voter database to see if the person has already voted. Its use at polling stations on Election Day worked well and was sufficient to prohibit multiple-voting.

Moldova's large diaspora population faces a different registration procedure. Moldovan citizens who, for different reasons, are abroad on the Election Day can vote at any polling station established abroad. For polling stations created outside of Moldova, the voters' lists

<sup>13</sup> CEC website, <https://a.cec.md/ro>

<sup>14</sup> Moldova registers one of the highest emigration rates in the world, and it is estimated that approximately one million of Moldova's voting-age population resides abroad—accounting for about one-quarter of the total electorate.

are developed based on data collected by the heads of diplomatic missions and consular offices established in the respective countries. At the beginning of the electoral period, the missions update the voters' lists and send them to the CEC. According to the CEC, for the 2019 parliamentary elections 24,585 citizens of Moldova who were outside the country or in Transnistria were registered in advance. Despite the relatively low number of pre-registered voters abroad, it was decided that 5,000 of each of the ballots would be sent to each PEC abroad. This decision was likely influenced by the CEC's experience in the 2016 presidential election, where several polling stations abroad ran out of ballots.<sup>15</sup> IRI believes that the CEC should reach out to voters abroad to increase pre-registration numbers and be able to provide a more accurate number of ballots at each polling station.

The issue of expired passports is also an issue of great importance to diaspora voters and the parties looking to gain diaspora votes. In past elections, voting with expired passports had been permitted, but for this election the CEC decided to not allow expired passports as an adequate form of voter identification. There are no accepted statistics on how many voters the new policy affects; ACUM asserts 500,000 voters are affected, while the CEC states only 58,000 voters are affected. According to ACUM representatives, the bloc submitted a request to the state register to release the actual numbers.

IRI encourages the CEC to take proactive action with voter education and diaspora outreach in the future to avoid disenfranchisement of diaspora populations. The Bureau of Diaspora Relations may be a valuable partner in these efforts. IRI also encourages voters living abroad to begin their passport renewal process early to ensure they are able to vote on Election Day.

While voter registration proceeded smoothly, public voter education efforts left much to be desired, particularly following such a significant change in the electoral system. Voter education was almost entirely limited to public libraries, which offered useful information. However, there was little publicity or public awareness to accompany these efforts, so accessible services were underutilized. Most of the voter outreach through billboards and leaflets seemed to be focused on increasing voter turnout rather than explaining the particulars of the mixed system and the referenda. As a result, LTOs reported widespread confusion regarding the difference between the mixed electoral system and referendum ballots, which was echoed by mayors, candidates and other stakeholders. Voters were



*Voter education materials displayed at a library in Riscani*

<sup>15</sup> In anticipation of a high voter turnout for the second round of the November 2016 presidential elections, the CEC increased the number of ballots at certain out-of-country polling stations; however, 18 polling stations ran out of ballots during Election Day—leaving people unable to cast their vote, <https://www.osce.org/odihr/elections/moldova/300016?download=true>

particularly confused about the difference between the SMD and party-list races as well as the implications of the referenda.

For example, the director of a television station in Drochia found a noticeable lack of voter knowledge among citizens during her street interviews, such that she found herself explaining issues to her audience. In response, she commendably inserted voter education slots into regular programming. This ad hoc voter education effort was reflective of the efforts of candidates and individuals across Moldova who took voter education upon themselves. One LTO team spoke to four candidates in one week who had resorted to using their door-to-door visits as a platform for voter education. While this is admirable, it detracted from campaign time focused on the issues.

IRI recommends that the CEC expand its voter education efforts and focus on the technicalities of the new mixed system in future parliamentary elections. Voter education should also aim to reach those parts of the population that have no access to or do not use the internet or TV, perhaps through posters in post offices or shops, publications in newspapers, an informational caravan that goes from village to village or an established hotline.

## *Political Parties and Candidate Nominations*

The process of candidate nomination started 60 days prior to and ended 30 days before Election Day. The CEC is the body which registers the parties and blocs which run in the national constituency while candidates seeking to run in the 51 SMDs, including independent candidates, are registered by DEC.

Overall, 14 political parties and one electoral bloc were registered to participate in the national constituency.

Candidates may stand for election in one SMD only, and they must form and register an initiative group to collect signatures. The DEC has three days from the date of submission to deny or register the initiative group. Only registered initiative groups have the right to collect signatures needed to formally register a candidate, which proved to be important during the signature verification process.

In order to be registered by the DEC, a candidate is required to submit signature lists containing a minimum of 500 signatures and a maximum of 1,000 signatures of supporters eligible to vote in the district where the candidate intends to run. To encourage greater female political representation, female candidates have a lower threshold—a minimum of 250 and maximum of 500 signatures.

LTOs found the time needed to gather signatures varied greatly between candidates and some stakeholders reported concerns of fraudulent signature lists due to the speed in which they were gathered. For example, one LTO team reported that all PDM candidates in their assigned DEC collected the maximum number of signatures during the same day or next day after receiving the signature lists. While completely legal, it nonetheless raised questions about the practical possibility of collecting up to 1,000 signatures in one day by a small group of authorized signature gatherers. Another LTO team also noted that PDM

candidates in five of six districts registered and returned completed sheets one day later. Other allegations against candidates of several parties included the use of unauthorized signature gatherers. LTOs were unable to personally substantiate these allegations.

LTOs also monitored the process of signature verification by the DEC and found that DECs differed considerably in the criterion they used for the signature verification and registration process. LTOs noted that DECs struggled with insufficient guidance from the electoral code as to how the signatures should be determined to be valid or invalid. In response, one DEC checked and verified based on voter data and ignored the signatures, while others proceeded with their best judgement. As a result, many of the pre-election complaints centered on signature verification and candidate registration, with some candidates feeling unfairly targeted with stricter scrutiny. The adjudication of many complaints carried over into the campaign period, leaving some candidates with as few as 10 days to campaign. However, DEC commissioners occasionally expressed their frustration at the lack of clear guidelines from the CEC that left them open to criticisms of bias and foul play.

Additionally, the average time it took for DECs to verify signatures varied greatly. For example, LTOs in southern Moldova tracked the average time needed for signature sheets to be verified and found DEC 45 to be greatly outside the norm of nearby DECs—it verified signatures in five hours compared to two to three days of other DECs.

In light of this, IRI recommends that the CEC establish clear signature evaluation guidelines and provide trainings for DEC members to create uniformity in registration procedures.

Throughout Moldova, LTOs found a substantial number of signatures were invalidated. One LTO team's experience was fairly representative: "The denial of the registration was mainly caused by major errors in the signature lists. There were cases of signature duplications, multiple signatures with identical handwriting, errors in ID numbers, incomplete or wrong addresses, and even the appearance of deceased individuals on the lists in multiple occasions." Several candidates had entire signature lists thrown out for identical handwriting. Despite the presence of fraudulent signatures on some lists, no candidates were penalized or sanctioned as mandated by the election code. As long as a candidate had enough valid signatures to pass the threshold, the candidate was registered with no consequences.

In total, 325 registered SMD candidates participated in the election, 55 of which were independent candidates. There were 21 people whose registration was rejected. In addition, there were 39 would-be candidates that withdrew themselves either during the signature collection stage, or after being registered as a candidate.

IRI also noted the presence of at least one "spoiler candidate," a candidate who appeared to have registered with the intention of confusing voters and drawing votes away from a competitor. In SMD 33 in Chisinau, an independent candidate Andrei Nastas competed against ACUM's Andrei Nastase in SMD 33. Mr. Nastas did not appear in public during the campaign and refused to meet IRI LTOs, raising suspicions that his candidacy was a ploy to detract from Andrei Nastase's support.

## Campaign Environment

The official start of the campaign period was January 25, 2019. IRI's LTOs concluded the election campaign was mostly conducted in a peaceful and orderly manner. Fewer than five acts of violence were reported.

The intensity of the campaign atmosphere varied throughout the country. Generally, campaigning got off to a slow start, and LTOs located in northwestern Moldova reported a particularly quiet atmosphere. In Nisporeni and Gagauzia, however, the campaign was lively from the beginning. Due to its status as an autonomous republic, the campaign rhetoric in Gagauzia took a unique tone and messages were crafted specifically for its audience.

At times it was difficult for LTOs to distinguish between different candidates' platforms, as they lacked specific policy recommendations. LTOs in northern Moldova noted that "no clear party policies were reflected in the candidates' messages apart from general promises regarding schools, healthcare, increases in pensions and allowances (announced just before the election) and road repair..." It is natural for candidates to focus on a similar set of issues deemed important to the electorate, but specific policy recommendations would have helped diversify voter choices.

Campaign messaging was often negative and accusatory, focusing on accusations of corruption, political inexperience and negative outcomes if the opposing party or candidate won the election. Many PDM candidates from national or local government emphasized their past accomplishments.

As the campaign progressed, LTOs reported an increase in the use of defamatory language and negative campaign rhetoric. Some opposition parties sent messages of an already rigged and fraudulent election. IRI recommends that parties and candidates avoid populists and defamatory campaigning and address the concerns of voters with concrete policy proposals. This will help dispel a culture of cynicism towards elections and build confidence in the ability of citizens to enact positive change.

While campaign messaging was sparse, many candidates demonstrated a commitment to meeting voters face-to-face and canvassing their districts. The availability of finances varied across campaigns, with opposition parties being particularly limited in resources. Apart from a few large concerts and kick-off events—both Chisinau-based national campaign kick-offs for parties and individual candidate kick-off events in the different SMDs—the campaigning largely consisted of smaller, more intimate and targeted outreach.

IRI observed that parties sought to have both national and regional representation and campaign teams. Long-established parties with significant financial and human resources were able to utilize existing nationwide campaign structures, including campaign

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*"There are no noticeable differences between contestants' platforms and it is often hard to succinctly formulate their platform during meetings with the team. A core tenet of most opposition parties' key message is the fight against corrupt government, but on closer inspection their platform is often built on the same generic local issues..."*

*– LTO Team 1*

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coordinators and large volunteer networks in each SMD. Other parties and independent candidates were working until late-January into early February to establish offices and assemble teams.

Parties focused mostly on door-to-door meetings as well as some town hall events, with the big parties campaigning most actively. "Courtyard meetings," where candidates and activists speak to citizens gathered outside near housing blocs or public meeting spaces, were popular during the campaign. In larger urban areas, parties set up tents with party logos where they handed out campaign materials. Door hangers and party newspapers were also made available for distribution to would-be voters.



Candidates and campaigns utilized direct campaign methods including information tents (top left, bottom left), volunteer canvassing (top right) and door-to-door outreach (bottom right)

More prominent parties displayed large billboards and television ads. In areas of the country with a large Russian-speaking population, party billboards featured text in both Russian and Romanian. Stakeholders reported multiple cases of vandalism to campaign materials, including posters and billboards. Authorities investigated but in most cases were not able to hold the perpetrators accountable.



Torn campaign materials in Balti

Campaigning in Transnistria was heavily restricted by Transnistrian authorities even though voters residing in Transnistria were able to vote in the parliamentary elections. Candidates shared that they self-censored their campaign messaging and operated carefully in areas outside of the government control, though they were still able to campaign informally. Candidates did not carry materials with party or Moldovan symbols, nor did they hold gatherings that appeared organized. Instead, they attempted door-to-door campaigning and spread their message online and through personal networks. Most candidates stated that they experimented with red lines through trial and error. The separate administration of Transnistria continues to be a problem for fair and free elections in Moldova.

Despite the majority of electoral participants trying to comply with campaign regulations, reports of multiple violations were reported to IRI observers. In the pre-election period, multiple stakeholders made allegations of early campaigning and the distribution of gift bags filled with food products and alcohol. The lines between illegal early campaigning and legal activities were blurred by the holiday season as parties denied allegations of early campaigning, insisting their public activities were in line with typical New Year and Christmas activities.



*A party-sponsored and branded concert in Comrat hosted in advance of the campaign*

One such event, observed by IRI LTOs, was a public concert of a well-known international artist that was sponsored by a party and featured party branding and speeches by party leaders. The headlining singer at another concert, held in Edinet before the campaign period began, mentioned that she had been invited by a prominent businessman and PDM leader, though she did not mention his candidacy. In another instance, a candidate accused his SOR-affiliated opponent of bussing people to his restaurant for meals and gifts in exchange for their votes. The LTOs were not able to verify these allegations but did see patrons transported by minivans and leave with SOR-branded bags in hand.

When parties complained to the CEC, they were told it was out of the control of the CEC as it took place before the official start of the campaign. IRI notes that the confusion surrounding early campaigning could be the result of stakeholders' lack of understanding of changes to the campaign period that were enacted as part of the mixed system electoral reform. For these parliamentary elections, the campaign period—during which formal campaign activities are allowed—had been shortened from the traditional 60-day period to a shorter 30-day window.

LTOs frequently heard from interlocutors that public employees were pressured to attend campaign events or vote for particular candidates, but LTOs did not speak with a public employee who substantiated these claims. The particular party that employees were allegedly pressured to support depended on which individual oversaw the village, hospital, school or other institution. Opposition parties also noted the campaigning of PSRM and PDM



in schools and other state institutions. While in principle this practice is not illegal, reports indicated that campaign meetings often disrupted working hours, which is illegal. In Gagauzia, LTOs observed campaign business taking place at state offices. IRI supports a limit on the use of campaigning in state institutions as this can also appear to be increased pressure on state employees.

Observers and stakeholders also noted an increase in the number and frequency of government announcements about social and public spending on infrastructure, pensions and other areas of mass appeal. Multiple parties also accused President Igor Dodon of misuse of administrative resources—pointing to his increased number of public meetings and public support for PSRM. On February 9, 2019 the CEC issued a press release<sup>16</sup> as an official warning about misuse of administrative resources via the presidency.

Other observed instances that may constitute misuse of state resources included the allocation of police services to cover certain rallies but not others, and a temporary holiday attraction that was free, publicly funded and dismantled shortly after Election Day. Also, although it was within the law for Prime Minister Pavel Filip to remain in office while standing as a candidate in both the PDM party list and SMD 20, several interlocutors expressed concern that he could use his office to unduly impact the race. He allegedly utilized administrative resources—such as promises of large infrastructure projects and the completion of a train overpass walkway which had been delayed for four to five years—in an attempt to sway voters in his favor.

Election management bodies should more clearly differentiate between governance and misuse of administrative resources for electoral gain so as to alleviate concerns from the public. While policing and sanctioning the misuse of public resources is ultimately the responsibility of public officials, IRI also calls on political parties and watchdog organizations to utilize the complaints process to its full extent to report alleged fraud and misuse of resources.

## *Media Spending*

Moldovan campaign finance laws require political parties and electoral blocs contesting elections to submit weekly financial reports to the CEC. Of the 15 parties that submitted financial reports on their campaign expenditures,<sup>17</sup> about two thirds dedicated various shares of their campaign funds to advertising in the media or to media-related services.

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<sup>16</sup> The CEC's press release on the cec.md website, [https://a.cec.md/ro/comisia-electoral-centrala-a-atentionat-presedintia-republicii-moldova-asupra-2781\\_92497.html](https://a.cec.md/ro/comisia-electoral-centrala-a-atentionat-presedintia-republicii-moldova-asupra-2781_92497.html)

<sup>17</sup> Parties' submitted financial reports on the CEC's website, <https://a.cec.md/ro/sustinerea-financiara-a-concurentilor-electorali-4219.html>

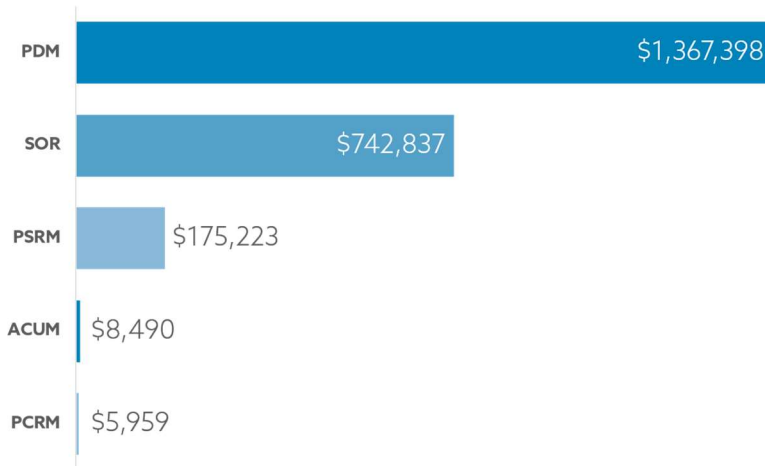


National TV prepares for the election

By far, the largest sums were spent on television advertising—a natural interest for political parties with 83 percent of Moldovans relying on television newscasts for political information.<sup>18</sup> For example, PDM, the highest spending party in this regard, spent MDL 23,546,596 (\$1,367,398 USD) on television ads, which represents roughly 87.5 percent of its MDL 26,897,311 (\$1,561,980 USD) advertising budget.<sup>19</sup> A significant portion of this amount was spent on advertising on PDM-affiliated networks including more than MDL 8.2 million (\$475,671 USD) on Prime TV and Publika TV (channels owned by PDM chairman Vladimir Plahotniuc) and MDL 4,874,750 (\$283,086 USD) on Canal 2 and

Canal 3 (channels presently belonging to Oleg Cristal, a former general editor at Publika and PDM-affiliated media advisor).

## Spending on TV Ads



According to the reports on electoral airtime submitted by television stations to the Audiovisual Council (CA),<sup>2</sup> during the entire span of the campaign, PDM advertisements aired for more than 28 hours, SOR Party advertisements for 11.5 hours, PSRM advertisements for 6.5 hours and PN advertisements for 5 hours 47 minutes. ACUM advertisements ran for 1 hour 38 minutes, whereas other parties' advertisements had a cumulative runtime of little more than an hour.

However, not all parties utilized television in their campaigns. Some,

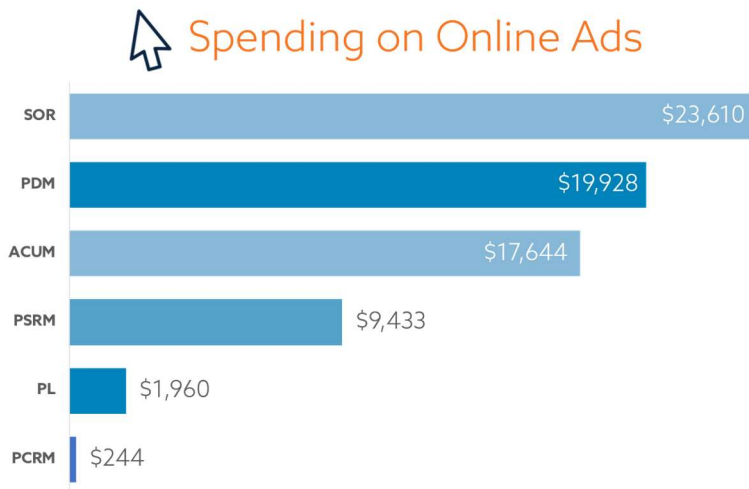
such as ACUM and PL, utilized livestreaming services to promote their campaign or party events—ACUM spent \$4,624 USD and PL spent \$1,103 USD for such services.

Five of the largest parties competing in the election (PDM, ACUM, PSRM, SOR and PN) used other means of online media to advertise, albeit to varying degrees. The biggest sums were spent by SOR (\$23,610 USD), of which \$3,426 USD was dedicated to advertising in online media displayed in social shops. PDM follows, with more than \$4,600 USD spent on online

<sup>18</sup> As part of its regular public opinion polling in Moldova, IRI collects information on respondents' preferred sources of information for political news. IRI's latest poll, [https://www.iri.org/sites/default/files/iri\\_moldova\\_poll\\_december\\_2018-january\\_2019.pdf](https://www.iri.org/sites/default/files/iri_moldova_poll_december_2018-january_2019.pdf)

<sup>19</sup> All MDL to USD conversions in this document utilize an exchange rate of 17.22 MDL to 1 USD.

advertising. PN, PSRM and ACUM spent between \$1,420 USD and \$2,275 USD for similar services.



Many parties, including PDM, ACUM, PSRM, and SOR used online advertising (official and unofficial) and placement via Google Ads. A study of the behavior of candidates online revealed a consistent use of at least one social media platform by all candidates in the national constituency, and by two thirds of the candidates in SMDs.<sup>20</sup>

Multiple media outlets organized candidate debates. However, these usually were not well attended and were a missed opportunity to

address issues important to voters. The absence of lively political debate restricts the voter’s ability to make a comparison between candidates. In many cases, candidates claim they were not given enough notice prior to debates by the organizers. In the future, IRI calls on debate organizers and candidates to work together to assure orderly and informative debates.

## Legal Complaints and Perceived Judicial Bias

Despite the high numbers of concerns and grievances shared with LTOs, only 78 official complaints were filed with the CEC between January 3 and February 23, 2019. Stakeholders consistently expressed mistrust in the judicial system and doubted its ability to produce independent and non-biased results. This skepticism extended beyond the courts in Chisinau—candidates and campaign staff at times accused DEC, local police and media outlets as partial to their competitors.

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*“The court system as a dispute-resolution outlet is reportedly expensive, time consuming, complicated and government-influenced.”*

*– LTO Team 2*

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DEC staff were often recruited from local government, which is quite logical given the need for administrative and electoral expertise. However, many candidates also came from local government, which opened DEC members to implied allegations of conflict of interest. Despite this, LTOs did not report any noticeable incidences of DEC members favoring one party or candidate over another, besides the aforementioned concerns about signature registration.

<sup>20</sup> The Youth Development for Innovation Foundation monitored online electoral activity from October 2018 through March 2019. The project was supported by the Swiss Agency for Development and Cooperation, <https://y4i.eu/lansarea-raportului-nr-3-de-monitorizare-activitatea-concurentilor-electorali-pe-dimensiunea-online-in-timpul-campaniei-electorale/>

The complexity and lengthiness of the complaints process was an additional factor contributing to the low number of official complaints. For example, one ACUM candidate filed an initial complaint with the CEC regarding his opponent's billboard. After the CEC rerouted his complaint to the DEC, he decided not to pursue it further, citing that he did not foresee a successful outcome. In general, interlocutors saw the complaints process as a waste of precious time that would not result in a positive outcome for them. Another LTO team noted that candidates who had been delayed by the appeals process expressed that their ability to campaign had been severely impeded by the length of the appeal procedure, particularly during a short 30-day campaign period.

Additionally, LTOs observed a possible defect in the ability of political parties to understand the process for challenging election violations. It is unclear whether the judiciary and the CEC are able to take action without a formal complaint being filed against a party or individual. It appeared that, in many cases, political parties felt the CEC should be proactively taking punitive action against parties without the filing of a formal complaint. Overall there was a lack of clarity on jurisdiction for complaints and appeals.

One candidate admitted that she would be more willing to file complaints if she had a legal expert to help her team navigate the complaints process. IRI recommends that parties continue to develop their internal legal capacities.

IRI recommends that the CEC produce simple educational materials explaining the complaints process. The materials should outline where given types of complaints should be submitted, the formal requirements for a properly submitted complaint and differentiate the responsibilities of each adjudicating body. This chart should be given to each party and candidate upon registration. In addition, IRI urges the CEC to address the problem of the lengthy appeals process preventing candidates from campaigning for large parts of the short campaign period.

## *Inclusion in Political Processes*

Female representation in politics remains low in Moldova despite women's equal rights under Moldovan law and various provisions designed to facilitate female political participation. Women accounted for only 21 of the seats in the previous parliament and, according to UN Women statistics, are also underrepresented at the local level—holding around 20 percent of mayoral positions, 19 percent of the seats in district and municipal councils, and 30 percent in local councils.<sup>21</sup>

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<sup>21</sup> UN Women, Europe and Central Asia, Leadership and political participation, <http://eca.unwomen.org/en/where-we-are/moldova/leadership-and-political-participation>

In an effort to address this gap in representation, the parliament instituted a measure requiring party candidate lists in the national constituency to maintain a gender balance of at least 40 percent for both sexes. Each of the registered 14 parties and blocs met this requirement, with women representing 42 percent of total party and bloc national candidate lists.

High-profile women leaders headlined the lists of four parties/blocs and ranked among the top three candidates for nine entities. However, the gender distribution throughout the lists was disproportionate, with most female candidates positioned low on their party/bloc's list. As a result, women candidates only represented 30 percent of those elected from the national constituency.



## WOMEN

While women held approximately 57% of DEC leadership positions, only 21% of the total number of SMD candidates were women.

Other measures to foster increased participation of women candidates in the SMD campaigns include reducing the number of signatures women candidates need to register their candidacies (250 to 500 for women compared to 500 to 1,000 for men) and introducing a financial incentive of an additional 10 percent increase in budget support for parties with a "minimum representation share of 40 percent for women candidates nominated within single-mandate constituencies" (Article 46, Section 4 of the Electoral Code). However, no major parties/bloc took advantage of this incentive, and women candidates represented only 21 percent of the total number of candidates registered across the 51 single-mandate constituencies.

While women were underrepresented as candidates, LTOs observed substantial campaign contributions by female political activists. Women served as critical campaign staffers, volunteers and door-to-door agitators. LTOs found that women played an extensive role in electoral administrative bodies as well. Women made up approximately 55 percent of the DEC members and almost 57 percent of the DEC leadership (Chair, Deputy Chair and Secretary) positions.

There were no reports by IRI LTOs where women were met with physical barriers or otherwise unable to campaign freely.

The 2014 census indicates that 25 percent of the population is comprised of members of minority communities. However, IRI observers noted very few instances of campaigning targeted to minorities, with the exception of Gagauzia. Minorities also appeared to be underrepresented on both party lists and on the SMD candidate list.



*Bilingual campaign billboard in Edinet targeting the regions large Russian-speaking community*

The CEC's website is accessible in Romanian as well as Russian, and ballots were available in both languages to ensure equal access for voters. Multiple parties produced campaign literature in both Russian and Romanian; however, this practice sometimes varied by geographical locations. In other cases, as in billboards, some parties included both languages in one advertisement.

IRI LTOs noted some problematic language issues during their observation of electoral management bodies. When LTOs observed PEC trainings in SMD 46, training materials were only available in Romanian despite the prevalent use of Russian in the region.

Participants had to use tools like Google Translate to understand the materials. The members of DEC 46 faced similar language issues. DEC 46 is required to file their decisions in Romanian, so DEC 46 used Google Translate to accomplish this. In response, the CEC informally proposed that DEC 46 hire Romanian-language schoolteachers from the region to help. IRI strongly recommends the CEC training team have sufficient amounts of training materials in both Russian and Romanian. The CEC should also consider which trainers are used in areas with prevalent Russian-speaking communities to ensure smooth communication.

As noted above, campaigning by candidates and parties within Transnistria was minimal; campaign materials were not distributed, and no large-scale rallies or meetings took place. Candidates had to depend on contacts and friends for spreading their campaign messaging into the region. The restrictive information environment in Transnistria left voters with an incomplete understanding of their options and may have contributed to apathy towards Election Day and parliament in general. While citizens should take an active role in their own voter education, they cannot be fully responsible. Authorities must ensure an open campaign environment for all candidates and parties.

A total of 47 dedicated polling stations were opened for voters from the Transnistria region—compared to 29 in the 2014 parliamentary elections and 30 in the 2016 presidential election. However, on February 12 the CEC made the decision to move 31 polling stations to different locations. Initially, the PECs were all located near Transnistria. After the relocation, 14 of the 31 relocated PECs were far removed from their original districts, requiring voters to travel greater distances to cast their votes. IRI STOs visited the four PECs which were relocated to Balti and observed that none had received more than two voters prior to the STOs' arrival. Final results show only six voters utilized the four Balti PECs on Election Day. While the official basis for the change was stated as security reasons, some stakeholders claimed it was an attempt by the government to reduce the number of voters coming from Transnistria.

## Media Coverage

Moldova's media landscape is rather pluralistic, but issues of ownership transparency and political influence remain problematic. A vast majority of television stations with national and near-national coverage are owned by politicians or their associates. For example, Vladimir Plahotniuc, the chairman of PDM, directly owns or is indirectly connected to an array of prominent broadcasters, including four out of the five television stations with nationwide coverage and at least five out of the eight radio stations with national coverage. Another media conglomerate is affiliated to the PSRM party and a smaller but growing media organization is affiliated with Ilan Sor, former mayor of Orhei and SOR chair.

The editorial policies of politically affiliated media tend to reflect the political agendas of their owners. In reviewing editorial policies and tone of coverage, an IRI LTA noted a consistent correlation between media ownership and the editorial approach toward candidates.<sup>22</sup> Meanwhile, local and independent media struggle to survive on the scarce funds offered by an advertisement market considered to be both underdeveloped and dominated by two powerful sales houses who control the majority of the market and whose ownership is also politically connected.

When broadcasters submitted their pricing for election campaign spots and campaign-related editorial policy statements, as required by the regulation on campaign coverage adopted by the CEC, a stark contrast could be seen in price levels among certain categories of broadcasters. On private television stations with national coverage, prices ranged between \$450 USD (Jurnal TV) and \$2,250 USD (Canal 2 and Canal 3) for one minute of advertisement, while the most popular channel in Moldova (Prime TV) requested as much as \$4,500 USD per minute. Meanwhile, most local television stations' rates varied between \$23 USD and \$205 USD per minute. The national public broadcaster Moldova 1 charged \$1,010 USD per minute. The higher prices put some outlets out of reach of parties and campaign teams with fewer financial resources.

As for traditional print media, there is a lingering legal ambiguity. Despite the closure of state-produced press years ago, in some regions there are still papers financed by or enjoying privileges from state authorities. For example, LTOs noted that a number of local independent news outlets are headquartered within government buildings and many rely to a large degree on revenue gained through publishing official notices and district council announcements. This form of funding makes them prone to political influence, especially in election years.

In terms of media consumption, the printed press is read by a small number of people and revenues have fallen sharply. Under these conditions, online media are steadily increasing in number as well as in capacities. In the run-up to the 2019 parliamentary elections, political parties and candidates took into account these media trends and, depending on their financial capacities, adjusted their campaigns accordingly.

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<sup>22</sup> Monitoring performed by Independent Journalism Center (IJC) and the Association of Independent Press (API) also demonstrated that politically affiliated television stations allowed more bias against or in favor of electoral contestants. According to the same independent monitoring, online media seemed to show a wider array of approaches.

In the pre-election period, nine broadcasters organized debates to discuss the referendum questions: Prime TV, Publika TV, Canal 2, Canal 3, TVN, Muz FM, Like FM-Russkoe Radio, Radio One and Publika FM. These broadcasters were largely affiliated with the governing party and only PDM representatives attended these debates—benefitting from a total airtime of 1 hour 40 minutes on television and an hour on the radio.

The number of debates and the quantity and diversity of candidates increased during the campaign period, as in the first 10 days 15 broadcasters, both national and local, organized 35 televised debates and 14 radio debates, with candidates representing parties running in the national constituency and SMD candidates. Some television stations slated their parliamentary debates to air during low-rated early morning hours, with referendum debates during primetime hours.

As for the broadcasters' adherence to their submitted editorial policy statements, it should also be noted that several broadcasters<sup>23</sup> organized fewer debates than mandated or modified their schedules so as to not air debates the week before the election. These actions were taken without informing the CA. During later stages of the campaign, when some broadcasters failed to deliver on their assumed obligations concerning the number of organized debates, the CA avoided issuing sanctions. In its February 15, pre-election monitoring report, the CA issued a public warning to eight broadcasters but refrained to apply progressive fines after continued violations.<sup>24</sup>

The quality of debates was not uniform across the spectrum of broadcasters, as some moderators failed to ensure even conditions or fair treatment for participants. Debates frequently featured only one participant or broadcasters reported that none of the invited guests attended.

The switch to the mixed electoral system and the introduction of 51 SMDs further exacerbated pre-existing gaps in media coverage in Moldova. The distribution of national media has traditionally been imbalanced, with the majority of Moldovan media concentrated in Chisinau. As a result, newscasters largely focus on topics and issues emerging in the capital and the central area of the country.

While a number of SMDs had several broadcasters (television and radio stations), about one third of SMDs including Telenesti, Edinet, Briceni, Riscani, Donduseni and Ocnita lacked media coverage. In these SMDs not covered by any media, candidates had difficulties in relaying their messages to the public, and voters could not be duly informed about their choices.

The information gap in broadcasting is further aggravated by the country's low average rate of internet penetration in some areas. Much of the country has less than 50 percent access

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<sup>23</sup> Broadcasters who aired fewer electoral debates than planned include Publika TV, Prime TV, NTV and Exclusiv TV.

<sup>24</sup> The stations mentioned in the CA's public warning include Prime TV, Publika TV, Canal 2, Canal 3, Accent TV, NTV Moldova, Orhei TV and Televiziunea Centrala. The CA's monitoring report, [http://www.audiovizual.md/files/Raport%20de%20monitorizare%20a%20posturilor%20TV,%20perioada%2025%20ianuarie%20-%202003%20februarie%202019\\_0.pdf](http://www.audiovizual.md/files/Raport%20de%20monitorizare%20a%20posturilor%20TV,%20perioada%2025%20ianuarie%20-%202003%20februarie%202019_0.pdf).



to fixed broadband internet connections, which makes it difficult for candidates to reach voters through the internet.

Independent media non-government organizations (NGOs) developed an initiative to compensate for the gaps in media coverage. This initiative worked with regional and local press to cover elections and organize recorded debates in those SMDs that lacked media presence. As the scope of these debates far exceeded these local outlets' traditional local coverage, some journalists reported concerns to LTOs that some of the debate content might be irrelevant to their readers and viewers, who were neither familiar with, nor interested in, candidates from other administrative districts in the same SMD.

The quality of these NGO-sponsored debates suffered due to a lack of participation as the invited candidates often did not attend. A total of 57 debates were held by 10 local outlets, print and online, covering 17 SMDs. In most cases, only one candidate participated. Debate organizers shared that they felt candidates were unwilling to communicate with independent media so as to avoid

answering tougher or more uncomfortable questions. IRI LTOs heard from many local media representatives that they struggled to connect with SMD candidates when organizing debates—journalists shared that their calls largely went unanswered and many candidates seemed to “not exist.”

LTOs also noted a lack of awareness among the public that such local debates were being conducted. Most independent media organizations and organizing NGOs did not invite the public to watch the debates live, choosing instead to record the debates and then upload them on their websites. By doing so, the organizers limited the reach of the information and the lack of audience may have negatively impacted on candidates' decisions to participate in the events.

It is also worth noting that the independent media's efforts to organize debates in low coverage media areas started late and neither media nor candidates had sufficient time to adapt their schedule. Another impediment for candidates was the tight deadlines announced by most newsrooms, as allowed by the law, making it difficult for them to reconcile their media appearances with other campaign activities.

In terms of training, during the first week of the electoral campaign, the CA organized three seminars for broadcasters in Chisinau, Cahul and Balti to explain the duties of media outlets during the election period. The questions raised by media representatives during the follow-up Q&A session suggested that many journalists did not know or understand their rights and duties under the law, and that some of them had not read the CEC's regulation on campaign



*NGO organizers wait in vain for candidates to arrive for a debate in Telenesti*

coverage by mass media, or even the statements on editorial policies submitted to the Council by their own outlets.

Additionally, when some television stations interpreted regulatory requirements concerning free airtime so as to offer it only during the first three days of the election campaign, the CA did not react or issue any correction to this effect. In fact, this confusion originated from a misreading of the CA's concept of campaign coverage, which specified a three-day limit for the CA to publish the list of broadcasters with national coverage that were required to provide free airtime to candidates and parties.

The electoral code required local and regional media outlets to hold electoral debates with the candidates running in the respective SMDs. This provision gave rise to several constraints on various outlets. On the one hand, Chisinau was divided in 11 SMDs, to which three more SMDs for diaspora were added. With 68 candidates registered to run in these constituencies and more than 30 candidates registered for diaspora, Chisinau-based media institutions found themselves unable to effectively carry out their legal obligations under this provision. Additionally, the requirement for all broadcasters to hold debates, generalist and niche alike, resulted in a disproportionate strain for a number of smaller outlets focused on a specific audience (children's, musical or religious television and radio stations). CA reports showed that many of these failed to comply with the requirements regarding debates, electoral advertising and campaign coverage in general.

Despite a legal framework that protects journalists against abuse and attacks, cases of verbal attacks and intimidation of journalists were frequent during both the pre-campaign and campaign periods. In most cases public figures, politicians and officials were involved. As the election period approached, defamatory speech directed against mass media became increasingly common. IRI wishes to highlight a handful of such instances:

- On December 12-13, investigative journalist Mariana Colun of Anticoruptie.md was insulted and intimidated on Facebook by a current PSRM parliamentarian and candidate in SMD 11 who also threatened to sue the journalist, following a story on the candidate's income.
- On December 20, a film crew from TV8 was denied access to a SOR press conference on the grounds of discontent with their editorial policy.
- On January 22, a Jurnal TV film crew was unable to enter the Orhei government building where the Orhei Municipal Council was holding a public meeting. Apparently, their inability to enter was at the orders of Orhei Mayor and SOR leader Ilan Sor.

As the Election Day drew closer, the attitude toward journalists became less tolerant and such cases became more frequent.

- On February 13, a Jurnal TV journalist was verbally reprimanded and asked not to shoot near a Chisinau Court judge while covering an ACUM candidate.
- On February 15, a cameraman of the Balti-based television station BTV was knocked down by a car belonging to the Mayor of Sadovoe and PDM candidate in SMD 9. The incident occurred while the operator was filming banners advertising PDM on the windows of the Sadovoe village hall.

- On February 21, a Jurnal TV crew was assaulted in Singera by a local businessman owning a public dining facility who also refused to let journalists go until the arrival of police.
- On February 23, two investigative journalists from Reporter de Garda were intimidated by security guards and prohibited to shoot while at a SOR electoral concert.

IRI recommends that the Audiovisual Council consider amending regulations concerning mandated debates and free airtime to address the problems laid out above. In addition, extra notice for candidates regarding their debate schedule would help to increase participation in the debates.

IRI also condemns all restrictions on media, freedom of access and speech, and calls on all political parties, candidates and other stakeholders to protect the safety of journalists in Moldova.

# Election Day



After two and a half months of long-term observation, IRI fielded a short-term observation team to supplement the Election Day efforts of its ongoing mission. On Election Day, IRI deployed 46 observers who visited 223 polling stations across 101 villages, towns and cities. IRI’s delegation visited 43 of the 48 single-mandate districts across Moldova (excluding the Transnistria region). The mission also included an observer at the CEC for the duration of Election Day. IRI observers reported they were granted access without delays or problems to all the PECs visited. There were no incidents of violence reported on Election Day.

## Voting and Counting

IRI teams observed the opening procedures and found no major violations. Of the minor infractions reported, none seemed to influence the outcome in any way. Some delays were reported at the start of opening procedures and voting, but they were not enough to hinder the process or influence the voters. All observed PECs had the necessary equipment to perform their duties.

### E-DAY COVERAGE

IRI observers visited **223 polling stations** in 43 of 48 single-mandate districts located in Moldova.

IRI observers were granted access at all polling stations they visited.



The use of technology to verify voter identity at the polling station was largely successful. However, IRI observers noted that on Election Day several voters bypassed operators without registering themselves at the online platform either because the entrance to some polling stations and comings and goings within polling stations were not adequately controlled by PEC members. This later resulted in a significant difference between the numbers in the online registry and signatures on the voters’ list. This issue can be easily improved by strictly regulating polling station entrances and/or providing voters with a printed receipt or ticket, following check-in with SIAS operators, that they would need to produce before receiving their ballots.

Due to a change in law, campaigning was allowed for the first time on Election Day. Before the election, there was widespread uncertainty about how this law would be applied in practice. IRI observers reported that campaigning was present outside of 43 percent of PECs visited; and even in these situations a calm environment remained. However, observers noted that many voters questioned the legality of Election Day campaigning several times, which suggests that some were not fully aware of the change in law. There was even more confusion about the abolishment of the 100-meter perimeter for all campaign materials.

The presence of party members campaigning outside polling stations was viewed by interlocutors as a form of intimidation, and many that LTOs met after Election Day were opposed to the change in legislation. IRI notes a large gap between the perceived threat of Election Day campaigning and the apparent lack of actual impact of Election Day campaigning on the results. IRI calls on the CEC and DEC to better inform the public, and particularly precinct commissioners, on these rules in the future. This would help to eliminate confusion and the perception that Election Day campaigning was illegal.

Campaign materials were found in less than 4 percent of the 223 precincts visited. Even in these cases the reports were minor and in some cases were simply inadvertent.

Women's roles in election administration remained high. In 69 percent of the PECs observed, women commissioners comprised of at least 75 percent of the members; women held at least one of the leadership positions in more than 90 percent of PECs.

Observers noted a lack of complaints filed at the PEC level on Election Day—less than 5 percent of PECs visited by IRI observers had complaints filed by the time of observation. This corresponds to IRI observers stating they saw minor violations in less than 10 percent of the PECs observed. According to LTO observations, parties and blocs filed only 96 complaints on Election Day, again citing mistrust in the ability of the courts or election administration bodies to fairly evaluate and rule on the outcomes. The exception was complaints filed by diaspora voters—78 complaints were filed in the Chisinau court by diaspora voters who had been denied access to vote due to the fact that their Moldovan passports had expired. One person filed a complaint because she did not find herself on the voter list.

IRI observers noted the participation of large numbers of Transnistrian voters at certain polling stations, which at times resulted in long lines. This was due, at least in part, to a substantial number of voters receiving rides via buses from Transnistria to the polling stations. Some stakeholders complained this was illegal and that voters were being offered payment on the bus in exchange for voting for a particular party. However, there is no indication in the law that it is explicitly illegal. Interlocutors also claimed that vote buying was used on Election Day, especially citing those who came in from Transnistria. Most of the accounts stated that votes were sold for roughly USD \$23 to \$46. However, none of these claims have been independently verified by IRI observers.

## E-DAY CAMPAIGNING

IRI observed candidates, campaign materials or campaign teams outside **43% of observed polling stations**.

Despite the law's recent adoption, illegal campaigning inside polling stations occurred at only 4% of polling stations.



IRI observers noted that the mixed electoral system, in combination with the holding of a referendum on the same day, caused confusion among some voters and commission members. Voters were confused as to whether they could refuse to take the referendum ballots, and PEC commissioners differed in whether or not they verbally provided voters the option to receive or reject ballot papers for the referendum. IRI notes that this may have led to inflated participation numbers for the referenda, as some voters may not have been aware that they had a choice to participate in the election and still abstain from the referendum.

Of the 223 polling stations visited by IRI observers, IRI noted that nearly 66 percent were not accessible to persons with disabilities. Observers did witness elderly people with bad eyesight being given a special magnifying device which assisted them in reading the ballots and special voting booths for physically challenged individuals. However, the entrances to polling stations containing these special voting booths were often not accessible.

## *Tabulations and Announcement of Results*

Closing procedures began on time and in an orderly fashion. However, with the new mixed system and additional referendum ballots, the reconciliation of unused ballots and counting procedures created a problematic atmosphere. A large portion of the closing procedures was spent counting and invalidating unused ballots, of which there were many. Observers noted that the requirement to stamp each individual unused ballot was far more time-consuming and laborious than other alternatives, such as cutting the corner or punching holes in bunches of ballots.

### **CLOSING & VOTE COUNT**

Closing procedures were not accurately followed at **40% of polling stations** observed.

The most common problems observed by IRI were related to voiding unused ballots and reconciling the number of total ballots with the final vote tallies.



While IRI observers noted procedural violations at more than 40 percent of the PECs where IRI observed closing and counting, these were not thought to be malicious in nature. IRI noted that long Election Day hours, combined with the large number of ballots

to sort and count, placed a burden on election officials attempting to earnestly perform their duties.

IRI observers also noted that few party-appointed observers accompanied the ballots when they were transported from the respective PECs to the DEC. This may have been a result of the long Election Day hours and the late hour at which the closing and counting procedures were concluded. IRI does not have reason to believe that the lack of party-appointed observers at the handover of the ballots to the DEC led to fraud, but it is a missed opportunity for multi-party oversight in the electoral process.

The legal requirement for DEC members to submit a final protocol to the CEC within 48 hours after closing of the polling stations put DEC members under pressure, given the fact that the new electoral system and the two referenda held on the same day resulted in prolonged counting and tabulation procedures at PECs. For example, when LTO 7 visited DEC members on the

afternoon of the next day, they met DEC members who, following delayed deliveries of materials by PECs, had been on duty for 30 hours or more. More training is needed to ensure a smoother and more accurate process. IRI also urges the CEC to change the method of ballot invalidation, which would shorten the closing procedure.

Election results could be seen in real time via the CEC's website, which showed the tabulation of the party list votes as well as reported voter turnout. Final voter turnout as announced by the CEC was 49.22 percent, which was down from the 2014 parliamentary election (55.8 percent) and the second round of the 2016 presidential election (53.45 percent).

# Post-Election Period

During the electoral period, 86 complaints were filed with the CEC. Of those complaints, 55 were against DEC's and 31 against electoral incidents/violations of law. Following Election Day, the ACUM bloc filed a complaint requesting the annulment of the results in five SMD races (SMD 4, SMD 17, SMD 18, SMD 47 and SMD 48). On March 6, ACUM also submitted a 120-page report to the Constitutional Court documenting 1,500 alleged Election Day violations.<sup>25</sup>

On March 3, the CEC issued the tabulation protocol of results, and on the next day the CEC submitted all relevant papers to the Constitutional Court.

The Constitutional Court confirmed the results of the parliamentary election on March 9 and validated the mandates of the 101 elected deputies. All the decisions of the CEC which were appealed in courts were upheld by the court and the Constitutional Court rejected all of the complaints filed by ACUM. On March 14, the Constitutional Court confirmed the results of the referenda—validating the passing results of both questions.

Following the election, between February 25 and the March 26 close of the mission, IRI LTOs conducted 88 meetings.

-  26 Political Party Representatives & Candidates
-  38 Election Management Bodies
-  5 Local Government and Law Enforcement
-  10 Civil Society and Media
-  0 Events
-  9 Other Meetings and Observations

IRI observed a quiet and calm post-election period. LTOs noted candidate and political parties' activities ceased almost immediately after the election. No protests were reported. IRI LTOs were troubled to hear from many candidates, including those who won seats in the new parliament, that they did not expect to be back in their districts for quite some time. This calls to question some parliamentarians', especially those elected in SMD races, dedication to representing the constituents of their district and bolsters the arguments of some against the mixed system.

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<sup>25</sup> The ACUM report of Election Day violations submitted to the Constitutional Court on the bloc's website, <https://acum.md/blocul-acum-prezinta-raportul-cu-privire-la-fraudele-electoral-din-cadrul-scrutinului-parlamentar-din-24-februarie/>



DECs also concluded their work and disbanded quickly after the election, making it difficult for LTOs to follow-up on obtaining copies of protocols and filed complaints. IRI recommends extending the period of service for DEC members into the post-election period. If possible, the CEC should explore the possibility of making DECs somewhat permanent bodies so as to retain institutional knowledge and accumulate experience.

LTOs also met difficulties in pursuing possible complaints filed with the courts. In the absence of a centralized platform, LTOs were forced to physically visit the individual courts in person to formally request the records. Not all courts were as open as others, and LTOs were often required to submit written requests to the courts to access documents. IRI recommends a procedure be put in place or a platform developed to allow for election-related complaints to be easily found and accessed. Such a process or platform would lead to greater transparency and hopefully a greater confidence in the complaints process.

# Recommendations

## *Recommendations for the Central Election Commission:*

### Voter Education and Outreach

- The lack of clear communication regarding the process of designating boundaries for the 51 new SMDs reduced public confidence in the new mixed electoral system and contributed to a lingering skepticism of the election's integrity. IRI recommends that the CEC invest in increased education and outreach efforts to educate citizens and maintain a dialogue with political parties to ensure greater understanding.
- IRI recommends that the CEC expand its voter education efforts and focus on the technicalities of the new mixed system in future parliamentary elections. Voter education should also aim to reach those parts of the population that have no access to or do not use the internet or TV, perhaps through posters in post offices or shops, publications in newspapers, an informational caravan that goes from village to village or an established hotline.
- To better provide voters who are outside of Moldova on Election Day with adequate polling locations and ballots, IRI believes that the CEC—working with other Moldovan government institutions—should invest in preregistration and outreach efforts and statistical studies that would provide more accurate estimates of the number of voters abroad. Additionally, if expired passports are not to be considered as a viable form of voter identification in future elections, IRI encourages the CEC to take proactive action with voter education and diaspora outreach to avoid disenfranchisement of diaspora populations. The Bureau of Diaspora Relations may be a valuable partner in these efforts.

### Election Administration

- IRI calls on the CEC to clarify, communicate and apply legal definitions consistently so as to ensure the make-up of DEC is within the law. Also, the CEC should enforce the requirement of DEC to have an odd number of members.
- IRI recommends training sessions be mandatory for all PEC members and class sizes be reconsidered to foster an optimal learning environment. IRI also strongly recommends the CEC have sufficient amounts of training materials in both Russian and Romanian. The CEC should also consider which trainers are used in areas with prevalent Russian-speaking communities to ensure smooth communication.
- IRI recommends that the CEC establish guidelines or legal requirements regarding the minimum specifications for polling stations. IRI also urges Moldova's electoral authorities to make more polling stations accessible to voters from the Transnistria region and to clearly inform such voters of their designated polling sites.
- The use of cameras in the polling stations caused considerable duress among the majority of election stakeholders. Should the CEC decide to use cameras in future elections, IRI recommends that they more clearly communicate the cameras' utility in terms of transparency and securing the people's vote.

## Candidate Registration and Campaigning

- IRI recommends that the CEC establish clear signature evaluation guidelines and provide trainings for DEC members to create uniformity in registration procedures.
- IRI recommends that the CEC produce simple educational materials explaining the complaints process throughout the campaign and election cycle. The materials should indicate where given types of complaints are to be submitted, outline the formal requirements for a properly submitted complaint and differentiate the responsibilities of each adjudicating body. This chart should be given to each party and candidate upon registration. In addition, IRI urges the CEC to address the problem of the lengthy appeals process preventing candidates from campaigning for large parts of the short campaign period.
- IRI supports a limit on the use of campaigning in state institutions so as to prevent the misuse of administrative resources and avoid undue pressure on state employees.
- IRI recommends that the Audiovisual Council consider amending regulations concerning mandated debates and free airtime to address the problems laid out above. In addition, extra notice for candidates regarding their debate schedule would help to increase participation in the debates.

## Election Day

- IRI believes the voter registry check has made a significant contribution to increasing citizen confidence in electoral integrity. IRI urges the CEC to continue using the verification system in future elections, including the next local elections. The voter registry tool, however, is not effective if voters are able to bypass the SIAS operator upon entering polling stations. This issue can be easily improved by better regulating polling station entrances and/or providing voters with a printed receipt or ticket following check-in with SIAS operators.
- Numerous election stakeholders (electoral administrators, candidates and voters alike) questioned the legality of Election Day campaigning, which suggests that many were not fully aware of the recent change in law. IRI calls on the CEC and DEC members to better inform the public, and particularly precinct commissioners, on the Election Day campaigning regulations so as to eliminate confusion and the perception that Election Day campaigning was illegal.
- The large number of polling stations that were not accessible to persons with disabilities represents a challenge to full civic participation in the electoral process. IRI urges local authorities to make a concerted effort to address this problem.
- IRI noted that long Election Day hours, combined with the large number of ballots to sort and count, placed a burden on election officials attempting to earnestly perform their duties. To avoid inadvertent errors in vote tabulation due to fatigue, IRI recommends that the CEC streamline sorting, counting and verification procedures at the PEC level. IRI also urges the CEC to change the method of ballot invalidation, which would shorten the closing procedure.

## Post-Election Period

- DEC members concluded their work and disbanded quickly after the election. IRI recommends extending the period of service for DEC members into the post-election period. If possible, the CEC should explore the possibility of making DEC members semi-permanent bodies so as to retain institutional knowledge and accumulate experience.

- IRI recommends a procedure be put in place or a platform developed to allow for election-related complaints to be easily found and accessed. Such a process or platform would lead to greater transparency and hopefully a greater confidence in the complaints process.

### *Recommendations for political parties, candidates and campaign teams:*

- Political parties should continue to support women's inclusion in electoral administration and expand efforts to ensure they are equally represented as candidates on the national party lists and within SMD races. Parties should work to build the capacity of women party activists and support women political leaders.
- While regulating and sanctioning the misuse of public resources is ultimately the responsibility of public officials, IRI calls on political parties, candidates and campaign teams to utilize the complaints process to its full extent to report alleged fraud and misuse of resources.
- IRI recommends that political parties and candidates make greater use of opportunities to present platforms and address critical policy issues, including through more active participation in candidate debates.
- IRI recommends that parties and candidates avoid populists and defamatory campaigning and address the concerns of voters with concrete policy proposals. This will help dispel a culture of cynicism towards elections and build confidence in the ability of citizens to enact positive change. Additionally, campaigning with specific policy recommendations will better diversify voter choices.
- IRI condemns all restrictions on media, freedom of access and speech, and calls on all political parties, candidates and other stakeholders to protect the safety of journalists in Moldova.

### *Recommendations for civil society and NGOs:*

- Regulating and sanctioning the misuse of public resources is the responsibility of public officials; however, there is a role for civil society and watchdog organizations to monitor and report such abuses. IRI also calls on such actors to make their voices more heard on this issue during the campaign cycle.
- IRI encourages organizations serving the Moldovan diaspora community to promote greater awareness among voters living abroad of preregistration periods and the need to renew possible expired passports so as to ensure they are able to vote on Election Day.
- IRI applauds civil society-led efforts to compensate for the gaps in media coverage in underserved SMDs by organizing and filming local-level debates. However, to increase stakeholder buy-in and audience reach, IRI encourages debate organizers to make the events open to the public and better promote the content through all possible outlets. Also, IRI calls on debate organizers and candidates to work together to assure orderly and successful debates.
- IRI condemns all restrictions on media, freedom of access and speech, and calls on all watchdog groups, monitoring efforts and civil society organizations to protect the safety of journalists in Moldova.

# IRI in Moldova



The International Republican Institute (IRI) is a nonprofit, nonpartisan organization dedicated to advancing freedom and democracy worldwide. IRI enables political parties to become more issue-based and responsive, helps promote citizen-centered governance, and works to increase the role of marginalized groups in the political process. Since 1983, IRI has observed more than 200 elections in roughly 60 countries.

IRI has provided valuable support to Moldova in consolidating its democratic transition and assisting in the establishment of more participatory, inclusive, transparent and accountable government processes since 2003.

With support from the U.S. Agency for International Development (USAID), IRI works to promote accountability and inclusivity in the Moldovan political landscape and assists Moldovan political parties as they develop internal democratic procedures and aggregate citizen interests into their platforms. IRI provides assistance to individual parties as they work to strengthen internal structures (i.e. territorial organizations, youth wings and women's organizations), increase financial transparency, craft responsive communication and outreach strategies and promote an operating culture that is inclusive and allows for the participation of all sectors of Moldovan society.

Recent political dysfunction has created a demand in Moldovan society for renewal among the political class and an end to "politics as usual" in the country. These demands for increased accountability and improved governance have served as opportunities for new voices and new parties to form and gain traction. IRI works to foster these new voices by providing assistance and training on party building and grassroots organizing, as well as conducting programming which seeks to attract and energize new voices in the political scene.

# Appendices

- A. Long-Term Election Observation Interim Report (December 3, 2018 – January 5, 2019)
- B. Long-Term Election Observation Interim Report (January 6 – January 26, 2019)
- C. Long-Term Election Observation Interim Report (January 27 – February 9, 2019)
- D. IRI Preliminary Statement of Moldovan Parliamentary Elections

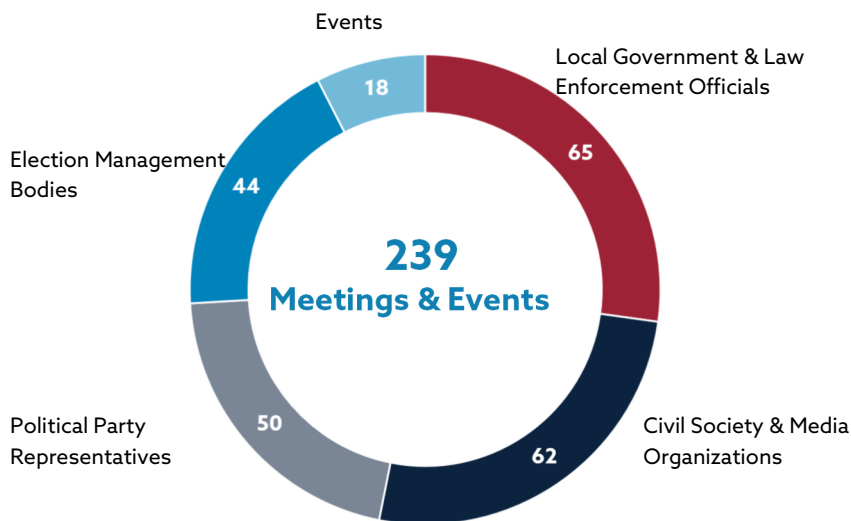
# Long-Term Election Observation Pre-Election Report:

December 3, 2018 - January 5, 2019



**INTERNATIONAL  
REPUBLICAN  
INSTITUTE**

From December 3, 2018 to January 5, 2019, IRI's 7 teams of long-term observers (LTOs) have carried out:



### Breakdown of Meetings with Political Party Representatives

Party	Meetings
Democratic Party of Moldova	19
Socialist Party of Moldova	10
Political Party Dignity and Truth	7
Our Party	4
Political Party Action and Solidarity	3
Liberal Party	3
Communist Party of Moldova	2
Liberal Democratic Party of Moldova	2

## Key Findings

1. LTOs are reporting an orderly pre-election period. There have been no reports of violence.
2. The registration period ended on January 4, 2019 for initiative groups supporting candidates for single mandate districts (SMDs). According to the Central Electoral Commission (CEC), 387 groups submitted documents for registration, 348 of which were approved and registered. Candidates will run for 51 SMD seats, including Prime Minister Pavel Filip and four ministers of his cabinet. According to the CEC, 93 candidates have already submitted the required signatures and have secured a place on the ballot.
3. All initiative groups were able to collect the necessary signatures. However, there is some concern from LTOs on both the means to gather the signatures and validation of those signatures.
4. At the national level, four entities have been registered— three political parties and one electoral bloc. One party's application was rejected. However, resubmission is possible.
5. As of January 2, 2019, all 113 of Moldova's broadcasters have submitted statements on coverage of the electoral campaign. Three broadcasters, 10 TV, Gold TV, Radio 7, were issued public warnings for failing to submit their statements on time, after which they complied with the regulatory requirements.

6. District Election Commissions (DECs) were created on time, are fully staffed and function without delays or impediments. DEC members observed by LTOs are knowledgeable and are following electoral procedures.
7. IRI does question the creation of one particular DEC. According to the Election Code of Moldova, an electoral district should encompass between 55,000 and 60,000 voters. However, DEC #44 covers 35,082 voters—a substantially lower number than stated by the code. Additionally, the small Corjova commune, an administrative unit that encompasses two or more villages under the leadership of one townhall, has been split between DEC #19 and DEC #21 which may cause confusion among voters within the community.



*In DEC #45, IRI observers witnessed a party-sponsored public concert . (January 2, 2019)*

8. An LTO witnessed a public concert by a well-known international artist that was sponsored by a political party and featured party branding and speeches by party leaders. The potential influence of such pre-campaign activities on voter preferences remains ambiguous.
9. LTOs visited a number of local libraries that are preparing to serve as resources for voters—displaying voter education materials and training librarians with knowledge on the election in order to answer questions. IRI has also observed a number of training sessions for DECs hosted by the CECs Center for Continuous Electoral Training. These activities are funded by the United States Government.

10. Many of the LTOs' interlocutors, however, believe the general public does not currently have enough information about the new electoral system. This could lead to confusion and frustration for voters. IRI encourages the election administration to educate the population on electoral processes.



*IRI observers found voter education materials at a library in Riscani.*

## Upcoming Dates

- January 24: Candidate registration deadline
- January 24: Campaign period kicks off
- January 29: Deadline for creation of Precinct Electoral Commissions

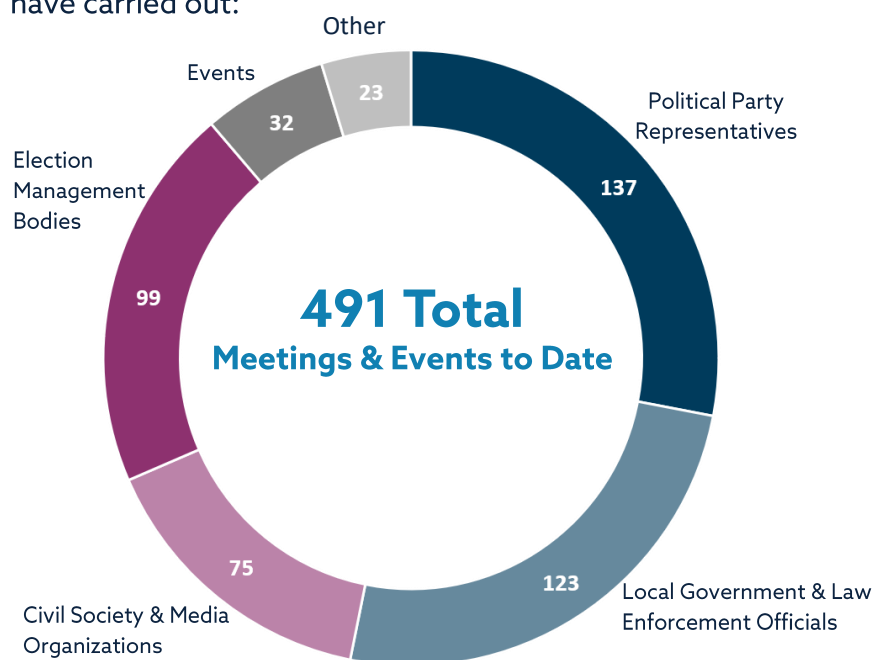


# Long-Term Election Observation Interim Report: January 6—January 26, 2019



**INTERNATIONAL  
REPUBLICAN  
INSTITUTE**

From December 3, 2018 to January 26, 2019, IRI's 7 teams of long-term observers (LTOs) have carried out:



## Breakdown of Meetings with Political Party Representa-

Party	Meetings
Democratic Party of Moldova	36
ACUM Bloc	24
Socialist Party of Moldova	16
Communist Party of Moldova	14
Our Party	11
Liberal Party	11
Independent Candidates	10
Sor Party	10
Liberal Democratic Party of Moldova	5

## Key Findings

1. Long Term Election Observers (LTOs) reported an orderly pre-election period. There have been three cases of violence reported. As the campaign period approached, candidates and parties logged an increased number of accusations of intimidation and early campaigning.
2. Parties, blocs and independent candidates filed a total of nineteen complaints with the Central Electoral Commission (CEC) during this reporting period. The complaints focused on campaign finance declarations, early campaigning, campaign advertising, and disagreements over the District Electoral Commissions (DEC) decisions to register certain candidates or deny registration to others. According to the Electoral Code, depending on the subject matter of the complaints, the CEC is required to review and issue a decision within three to five days of the complaint. Based upon IRI's observations, all complaints were reviewed and decided on in a timely fashion.
3. In the original election budget the state had allotted funding for 150 polling stations to be established outside of Moldova. On January 19, the CEC approved a plan to establish 125 polling stations outside of Moldova and 47 polling stations in the Transnistria region—25 fewer than in the original proposal. IRI believes the procedure to establish polling stations outside Moldova lacked transparency, as the CEC gave no rationale for how it decided on the number and location of polling stations abroad. IRI believes the process did not respect the provisions and criteria for establishing polling stations outside of Moldova as established by the Electoral Code.

4. Registration for candidates closed on January 24 and the official campaign period began on January 25. As of January 26, nine entities have been registered—eight political parties and one electoral bloc.

One party, whose application was previously rejected, has since been able to register. Currently, six parties are under review and awaiting a decision on their registration.



DEC staff demonstrate for an LTO the process by which candidate-submitted signatures are verified

5. According to Moldova's electoral code, DEC members should have an odd number of members with a minimum of seven and potential maximum of 11. Two members are to be nominated by the judiciary, two by the local administrative authorities and one member nominated by each party represented in parliament. Based on the previous parliament, five political party organizations are eligible to nominate representatives to the DEC members. Consequently, the maximum members on each DEC for this election should be nine individuals.

LTOs' reports have noted several DEC members with too many members throughout the country. According to the CEC website as of January 24, 28 DEC members have more members than the legal limit. Currently, 25 DEC members consist of 11 members and two DEC members have 10 members—both over the limit of nine. Additionally, one DEC member has eight members, not complying with the provision that DEC members must have an odd number of members. IRI has requested an explanation of this discrepancy.



With the official campaign-period underway, LTOs are observing campaigning of all kinds across Moldova



## Upcoming Dates

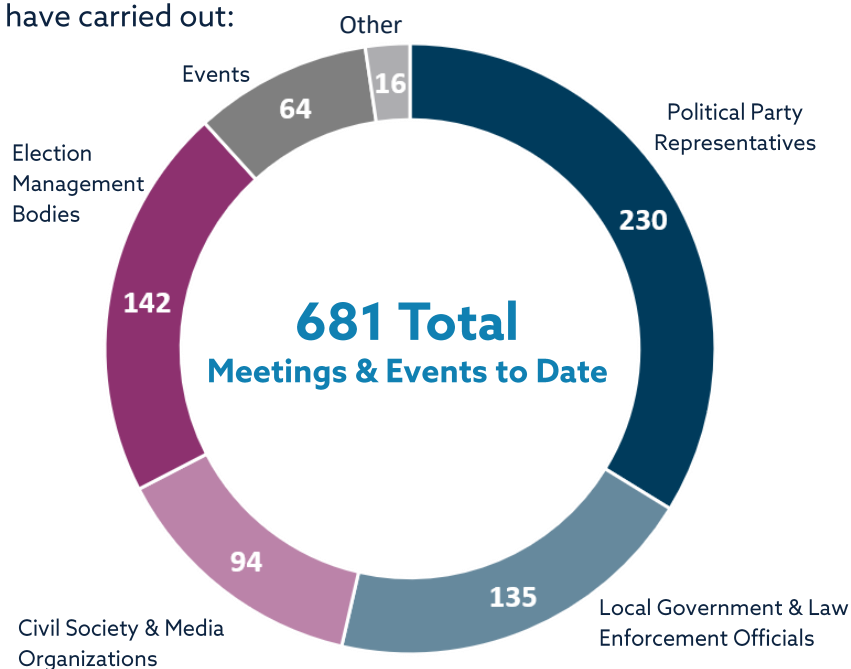
- February 3 - Deadline for submitting voters' lists to PECs
- February 9 - Deadline for modification of party lists
- February 13 - Deadline for informing voters on time and place of voting

# Long-Term Election Observation Interim Report: January 27–February 9, 2019



**INTERNATIONAL  
REPUBLICAN  
INSTITUTE**

From December 3, 2018 to February 9, 2019, IRI's 7 teams of long-term observers (LTOs) have carried out:



## Breakdown of Meetings with Political Party Representa-

Party	Meetings
Democratic Party of Moldova	50
ACUM Bloc	48
Socialist Party of Moldova	31
Communist Party of Moldova	19
Our Party	17
Liberal Party	16
Independent Candidates	19
Sor Party	24
Liberal Democratic Party of Moldova	6

## Key Findings

1. LTOs have observed a continuous increase in campaigning by candidates and parties throughout the country. Candidates and parties are using billboards, posters and leaflets in addition to person-to-person contact, including door-to-door campaigning and small meetings. Campaign events have also included concerts and distribution of party branded materials. Some interlocutors have raised concerns that some items exceed the 100 MDL limit allowed by law.
2. Precinct Electoral Commissions (PEC) have been created and are receiving training from the Central Election Commission's (CEC) Center for Continuous Electoral Training. Observers have attended trainings in most single member districts and confirmed the trainings are well attended and taking place according to stated guidelines. The trainings allowed members of the PECs to ask questions and seek clarifications regarding their assigned duties. While trainings are required for only for PEC leadership, LTOs have noticed that regular members are attending as well.
3. Observers continued to follow developments in several official complaints and court cases related to election administration, such as cases of invalidated signatures. LTOs have analyzed and collected informative notes from various District Election Commissions (DEC) and will continue to review cases. To date, 32 complaints have been filed at the CEC, and nine of those were focused on the denial of certain candidates' registration.

4. Candidates are not taking full advantage of scheduled regional debates. IRI LTOs have witnessed debates country-wide and noted throughout that invited participants are often foregoing the opportunity to address voters and discuss important policy issues. The absence of lively political debate restricts the voter's ability to make a comparison between candidates and analyze important policies that affect people's daily lives.



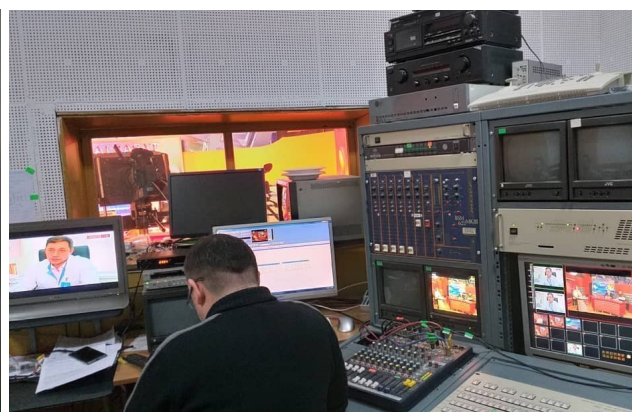
*Organizers wait in vain for candidates to arrive for a debate in Telenesti, Moldova*

5. Stakeholders have reported multiple cases of vandalism to campaign materials, including posters and billboards. Authorities have investigated but in most cases they have not been able to hold the vandals accountable.



*Campaign materials vandalized in Balti, Moldova*

## Photos From the Field



*Educational materials to be distributed to PECs (left); Party materials distributed as part of a door-to-door campaign (center); Televised debates underway (right)*

## Upcoming Dates

February 16 - Deadline for observer accreditation forms to be submitted to the CEC

February 20 - All ballots will be printed by this date

February 22 - DEC's receive ballots and stamps

February 23 - PECs receive ballots and stamps

## **Preliminary Statement of the IRI International Observation Mission to Moldova February 24, 2019 Parliamentary Elections**

Chisinau, Moldova  
February 25, 2019

### **Overview**

IRI's international delegation of short-term observers was led by Mr. Kolbe, IRI Vice President for Programs Scott Mastic and IRI Regional Director for Eurasia Stephen Nix. The delegation also included parliamentarians and party officials from Belgium, Sweden, Lithuania, Ukraine, and the United States, as well as IRI staff from Kyrgyzstan, Georgia, Lithuania, Poland, Ukraine and Macedonia.

IRI's preliminary statement reflects a composite view of both the pre-election environment, including registration of initiative groups and candidates, formation of electoral administrations, campaigning, the media environment and legal issues, and Election Day administration and voting.

### **Key Findings**

#### **Election Day**

IRI congratulates the Central Election Commission of Moldova (CEC) for a well-organized and well-run voting process. IRI observers noted that election workers at the precinct level (PEC) conducted themselves in a professional manner and that PEC leadership was well versed in electoral procedures. IRI also commends election commissions for the significant number of women in PEC leadership positions.

The registry check used to verify voter identity and as a safeguard against multiple voting is a significant improvement to the credibility of Moldova's elections. The voter registry appeared to be generally accurate and did not detract from the efficient administration of the electoral process.

Due to a change in law, campaigning was for the first time allowed on Election Day. Although this created the possibility for confusion, IRI's observers reported a calm environment outside virtually all polling stations visited. However, observers noted that voters questioned the legality of Election Day campaigning several times, suggesting some were not fully aware of the change in law. IRI observers did not witness Election Day intimidation of voters. Of the 223 polling stations visited by IRI's observers, IRI noted that nearly 66 percent were not accessible to persons with disabilities.

IRI observers noted the participation of large numbers of Transnistrian voters at certain polling stations, which at times resulted in long lines. IRI urges Moldova's electoral authorities to make more polling stations accessible in areas frequented by these voters and to clearly inform Transnistrian voters of their designated polling sites.

IRI noted that long Election Day hours, combined with the large number of ballots to sort and count, placed a burden on election officials attempting to earnestly perform their duties.

### **Pre-Election Environment**

IRI's long term observers (LTOs) monitored the process of signature verification by the District Election Commissions (DECs) and found a substantial number of signatures were invalidated. LTOs reported concerns regarding the verification of signatures because evaluation of authenticity was done in an arbitrary manner by DEC representatives.

Election commissions were formed according to deadlines and were fully staffed and worked without barriers. Trainings were conducted by the CEC Center for Continuous Electoral Training by qualified trainers and were well attended.

On January 19, the CEC approved the establishment of 125 polling stations outside Moldova. However, the state budget had envisioned 150 PECs. IRI believes the rationale for the number and location of polling stations outside Moldova could have been undertaken in a more transparent manner.

IRI's LTOs concluded the election campaign was conducted in a peaceful and orderly manner. However, candidate debates, which were not well attended, were a missed opportunity to address issues important to voters. The absence of lively political debate restricts the voter's ability to make a comparison between candidates.

### **Recommendations**

1. IRI believes the voter registry check has made a significant contribution to increasing citizen confidence in electoral integrity. IRI urges the CEC to continue using the verification system in future elections, including the next local elections.
2. Noting the participation of large numbers of Transnistrian voters in the elections, IRI urges Moldova's electoral authorities to make more polling stations accessible in future elections and to clearly inform Transnistrian voters as to their designated polling sites.
3. The large number of polling stations that were not accessible to persons with disabilities represents a challenge to full civic participation in the electoral process, IRI urges local authorities to make a concerted effort to address this problem in future elections.
4. IRI recommends that political parties and candidates make greater use of opportunities to present platforms and address critical policy issues, including through more active participation in candidate debates.
5. In order to avoid inadvertent errors in vote tabulation due to fatigue, IRI recommends that the CEC streamline sorting, counting and verification procedures at the PEC level.

### **IRI Election Observation Mission**

IRI's report is based on the observations of 46 Election Day observers. The observers visited 223 polling stations located in 101 villages, towns and cities. IRI's delegation visited 43 of 48 single-mandate

districts across Moldova. The mission also included an observer at the Central Election Commission. This was IRI's first international election observation mission in Moldova.

The [short-term observers](#) deployed to Moldova on February 19 for briefings with political parties across the spectrum of Moldovan politics, as well as government officials such as Chair of the Central Election Commission, Alina Russu, President Igor Dodon, Prime Minister Pavel Filip and Speaker of Parliament Andrian Candu. These teams visited rural and urban locations across Moldova, monitoring polling stations on Election Day.

IRI's [long-term observation](#) team included fourteen long-term observers, and three long-term analysts (legal, electoral and media). LTOs have been in Moldova since early December and have conducted more than 855 interviews and meetings with election stakeholders and attended over 175 events including political rallies, campaign events and court proceedings throughout the country. LTOs have been based in Edinet, Ungheni, Orhei, Anenii Noi, Hancesti, Comrat and Chisinau. The observers released interim reports of their findings in January and February that can be found on IRI's web portal <https://www.electionportal.org/>.

Responding to requests for the Institute to continue observing the post-election environment, IRI has pledged that its LTOs will remain in the country to monitor the adjudication of election complaints and the election validation process, including by attending court hearings, CEC briefings and other post-election activities. IRI observers will conclude their mission on March 26, 2019.

## **Background**

The International Republican Institute is a nonprofit, nonpartisan organization dedicated to advancing freedom and democracy worldwide. IRI enables political parties to become more issue-based and responsive, helps promote citizen-centered governance, and works to increase the role of marginalized groups in the political process. Since 1983, IRI has observed more than 200 elections in roughly 60 countries.

IRI has provided valuable support to Moldova in consolidating its democratic transition and assisting in the establishment of more participatory, inclusive, transparent and accountable government processes since 2003. IRI works to promote accountability and inclusivity in the Moldovan political landscape as well as supports the development of democratic issue-based political parties that are responsive to citizens.

For more information, visit [www.iri.org](http://www.iri.org).