



**LOCAL
ELECTION**

5 AND 19 NOVEMBER 2023

FINAL REPORT

**INTERNATIONAL ELECTION
OBSERVATION MISSION TO MOLDOVA**

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Local Elections – 5 and 19 November 2023

FINAL REPORT

ENEMO Bul. Josipa Broza 23A
81 000 Podgorica, Montenegro
Email: info@enemo.eu
www.enemo.eu

Published by:
ENEMO – the European Network of Election Monitoring Organizations

Editor:
Dritan Taulla

Authors:
Nino Rizhamadze
Ales Jakubec
Maja Milikic
Dritan Taulla



The IEOM of ENEMO for the 2023 Local Elections in Moldova was financially supported by the Delegation of the European Union to the Republic of Moldova, the Embassy of the Kingdom of the Netherlands, and the Soros Foundation Moldova. The contents of this publication are the sole responsibility of ENEMO and do not necessarily reflect the views of the donors.

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EXECUTIVE SUMMARY

Local elections were held in Moldova on 5 November 2023, with the second round, in localities where no mayor was elected in the first round, held on 19 November. Following an invitation from the Central Election Commission (CEC), on 1 October 2023, the European Network of Election Monitoring Organizations (ENEMO) deployed an International Election Observation Mission (EOM), to observe the elections. The aim of the EOM was to improve the transparency of the election process and assess its integrity and compatibility with international obligations of Moldova and standards for democratic elections, as well as the domestic legislative framework.

The 2023 Local Elections were held at a pivotal moment for Moldova. Since the 2021 Parliamentary Elections, the authorities have embarked on a series of profound reforms that, among others, aim to improve the integrity of elections. Acknowledging the progress made, based on a recommendation of the European Commission from 8 November, the European Council decided on 14-15 December to open accession negotiations with Moldova.

The 5 November elections were held in a highly polarized political environment, and in absence of any meaningful cooperation between the majority and the opposition. Most of the initiated reforms, including the amendments to the Election Code, were adopted without support from the opposition. Elections were also held against the ongoing war in Ukraine. Moldovan authorities have unequivocally condemned the aggression and provided support to Ukrainian refugees fleeing the conflict. The country has faced economic blackmail and a sustained campaign aiming to destabilize it, which, according to the authorities, extended to attempts to influence the results of the elections through illegal funding and massive attempts to corrupt voters, aiming to damage the integrity of the elections and undermine the democratic progress and European orientation of the country.

The 2023 Local Elections were the first to be held under a new Election Code, adopted in December 2022, which included streamlined provisions aimed at enhancing the transparency and efficiency of electoral processes. The process of drafting the electoral legislation was transparent, inclusive, and comprehensive, in line with a longstanding primary recommendation of ENEMO. However, the adoption of the law in its final stage in the Parliament did not gain support from the opposition.

The new Election Code largely addresses previous shortcomings of the legal framework, in line with several ENEMO recommendations. Specifically, measures were introduced to enhance transparency and stability of election management bodies, undue influence over voters, including vote-buying, and a more streamlined process of election dispute resolution. Restrictions were imposed in terms of misuse of administrative resources and stricter campaign finance rules were introduced. However, the introduction of additional amendments during the electoral period, shortly before the deadline for candidate registration, raises concerns.

Overall, the legal framework is in line with international commitments and standards for democratic elections. However, recent amendments to the Election Code and the intervention of the Commission of Exceptional Situations (CES) in the electoral process require careful consideration, to ensure predictability of the rules under which elections are held and inclusiveness of the electoral process. ENEMO highlights the importance of timely and transparent legislative decision-making, along with broad consultations with relevant stakeholders, to ensure the right to stand for election, freedom of expression and overall integrity of electoral processes.

Elections were held to elect 898 mayors and 11,058 local, municipal, and district councilors for a four-year term. Mayors were elected under a two-round majoritarian system, with a runoff held on 19 November if no candidate secured over half the votes. Councilors were elected under a list proportional representation system (List PR). Seats in the local council are allocated in a single multi-seat constituency.

895 mayors and 11,020 councilors were elected. Eight localities did not meet the voter turnout threshold in the first round, and one locality did not achieve the 20% threshold in the second round. Consequently, the CEC scheduled new elections for village councils in three localities and partial mayoral elections in two localities.

Election management bodies (EMBs) operated efficiently and overall, transparently. This, despite coping with challenges such as a significant number of candidates registered, a high number of complaints, organizational matters, and a lack of human resources. The CEC managed the elections professionally and mostly transparently, adhering to legal deadlines and the election calendar. The level of trust in the CEC varied, with most opposition parties expressing a lack of trust due to perceived favoritism toward the ruling party. District Election Councils (DEC), on both levels, generally demonstrated compliance with the election schedule and effective performance. The decision-making by lower-level election management bodies lacked transparency in terms of timely publication of decisions.

Elections were overall competitive with a high number of candidates registered. The legal provisions pertaining to candidate registration are overall in line with international standards. However, the candidate registration period overlaps with the start of the campaign, which limited equal opportunities among candidates and did not consider possible complaints and appeals, which led to some candidates being registered or deregistered long after the start of the campaign. Different conditions between independent candidates and political parties regarding signature collection are not in line with best practices.

Most candidates were able to register without difficulties and no major concerns were reported by ENEMO interlocutors. Nevertheless, the Commission for Exceptional Situations intervened twice into the candidate registration process to prevent undue influence on the elections, including the blanket deregistration of more than 8,000 Chance party candidates. These interventions posed a challenge for candidates to exercise their right to stand for election and the late adoption of the amendments hindered the right to an effective and timely legal redress. While the CES justified the exclusion of the Chance party with the significant threat posed to the integrity of the electoral process, key democratic principles, and even integrity of the state itself, ENEMO deems that the decision to cancel the registration of candidates should have been made by election management bodies, while ensuring the right to timely appeal. The court cases of several other candidates during the campaign or even after election days created uncertainty among the contestants, and possibly voters.

The election campaign was generally low-key, with a slight intensification in the last 10 days before election day for the first round. Provisions pertaining to the campaign period for the second round were introduced in the Election Code, as previously recommended by ENEMO. During both rounds, candidates focused on the distribution of campaign materials, small meetings with voters and employees, door-to-door canvassing, as well as the use of broadcast and social media. New electoral provisions introduced several bans while lifting some previous ones.

While candidates had the opportunity to freely present their programs and provided voters with

distinct choices, fair conditions in the campaign were not fully guaranteed. The playing field was distorted by promises of large-scale financial incentives used as campaigning instruments. The legislation does not prohibit the involvement of high-level officials from the executive branch, who were actively involved in campaigning. Numerous allegations of vote-buying from illicit funds, workplace-related pressure on voters, and misuse of administrative resources or the use of achievements of the municipalities in the campaign, mainly by incumbents, marred the election campaign in both rounds. Third-party campaigning and interference was additionally a serious concern.

All legal acts regulating campaign finance underwent extensive amendments in 2022, aligning them closer with best practices, as well as the recommendations of domestic and international observers, including ENEMO. Among the recently adopted provisions are the more thorough control of donors' incomes, clearer instructions on reporting, as well as more precise guidelines on the control and oversight by the CEC, including specific sanctions. However, many interlocutors raised serious concerns about "shadow funding" from abroad to bribe voters and the possible impact on the integrity of the electoral process, which was also the main argument used to cancel the registration of the candidates fielded by the Chance party.

Campaign finance supervision competencies were extended. However, ENEMO observed a limited efficiency of campaign finance oversight by EMBs, mainly due to the lack of crucial personnel, a financial reporting system being used while not fully ready, as well as the absence of delegation of some tasks to lower-level DECAs. Contestants could decide not to open a dedicated bank account for the campaign and conduct their campaign without any financial costs, which leaves space for unreported expenses and shadow funding. ENEMO raised concerns that many electoral contestants did not properly follow campaign finance rules and principles, which together with late publication of the CEC campaign finance oversight reports limited overall transparency of campaign finance. Various contestants also did not respect the CEC decisions to correct mistakes within the prescribed deadlines, and the only sanctions applied by the CEC were belated warnings.

ENEMO acknowledges the positive developments in Moldova's legal framework governing mass media. Notable improvements include enhanced monitoring of broadcasting media between elections and the establishment of effective sanctions for media violations. Moreover, ENEMO commends the efficient, transparent, and timely operations of Moldova's Audiovisual Council (AVC) during both election rounds, emphasizing its robust oversight in monitoring media activities.

The media environment is characterized by polarization influenced by pro-Russian and pro-Western factions, shaped significantly by political leaders and oligarchs. The state of emergency, resulting from the Russian invasion of Ukraine, increased control over disinformation, particularly impacting outlets disseminating Russian propaganda. Amidst an upswing in informational attacks and threats to national security, emphasized during the local elections, Moldova faced challenges from Russia's hybrid war, leading to the suspension of licenses for several TV stations, to safeguard the national information space.

While television remains a dominant and trusted medium, there is growing competition from online platforms, including social networks. Recent trends in Moldova's media landscape, as highlighted by ENEMO interlocutors, revealed a significant shift towards online platforms, particularly social networks, surpassing traditional broadcast media. This transition created a diverse media environment, with outlets covering various topics and aligning with political affiliations. However, it also amplified challenges related to misinformation, fake news, and the manipulation of public perception. Platforms like Telegram and TikTok played a significant role in spreading misinformation,

especially during elections, posing difficulties in reporting and addressing such content.

Despite legal guarantees of press freedom, economic constraints and political affiliations limited media independence. The advertising market, dominated by channels rebroadcasting Russian content, leads to the media facing financial difficulties, negatively impacting independent media. Human rights issues took a backseat in media discourse, overshadowed by election-related controversies. Despite journalists generally operating in a safe environment, they face risks of insults and occasional cyber-harassment. Independent media organizations, struggling financially, rely on international donors for support.

Despite positive changes in the legal framework and enhanced transparency regarding the complaints and appeals process, the election dispute resolution process remained complex at times. Several candidates expressed difficulties in finding sufficient time and resources to navigate the process. Consequently, some candidates preferred to submit formal notifications instead of comprehensive complaints, while others chose to entirely avoid engagement with relevant bodies, to prioritize their campaign activities.

A notable case involving the appeal regarding candidate registration highlighted a lack of timely legal decision. Delays in the process led to final decisions extending beyond the second round. This case underscores the need for further improvements in the efficiency and timely legal redress mechanisms, ensuring that electoral processes align more closely with international norms and standards.

To ensure gender balance of elected councilors, the candidate lists for the municipal councils must have at least 40 percent from each gender, and the list should also have at least four candidates from each gender in every ten names in the list. While these measures are commendable, as they aim to both ensure a more balanced candidate list and prevent the inclusion of women in the list in non-winning positions, there are no legal provisions that safeguard gender balance while allocating mandates. The EOM observed few campaign messages specifically targeting policies for women, most of which were indirect. Elected women councilors in district and municipal councils were approximately 33 percent and in local councils, 40 percent.

While all CEC decisions are published in Romanian, translation into Russian is also provided, but not in a timely manner. Ballot papers are printed in Romanian and Russian. The CEC published information videos in Russian, Ukrainian, Gagauz, and Bulgarian languages.

While the legislation ensures equal rights for persons with disabilities, enjoyment of these rights in practice needs to be significantly improved. Infrastructural issues, combined with lack of awareness and understanding from members of the election management bodies play a big part in preventing persons with disabilities from fully participating in the electoral process. Most of the visited DEC and polling stations were not fully accessible.

In accordance with standard practice for limited Election Observation Missions, the mission did not observe voting and counting procedures in a systematic and comprehensive manner. Both election days were generally calm and peaceful. At the limited number of polling stations observed by the mission, procedures were overall conducted efficiently and in accordance with the law. Sporadic minor procedural irregularities are not deemed to have negatively affected the integrity of the process or the result of the elections. PEB members in visited polling stations were open and provided the requested information to ENEMO observers.

INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the Central Election Commission of the Republic of Moldova, on 1 October 2023, the European Network of Election Monitoring Organizations deployed an International Election Observation Mission (EOM), to observe the Local Elections of 5 November 2023 in Moldova. This was ENEMO's 40th Election Observation Mission and the 6th in Moldova.¹

The EOM was composed of four Core Team experts, based in Chisinau, and four long-term observers, deployed in two teams, based in Balti and Comrat, and covering, respectively, the north and the south of the country. The mission observed both rounds of elections, held on 5 and 19 November. No additional short-term observers joined the Mission on election day, for neither of the rounds. The Mission was headed by Dritan Taulla.

The aim of the EOM was to improve the transparency of the election process and assess its integrity and compatibility with international obligations of Moldova and standards for democratic elections, as well as the domestic legislative framework. The EOM observed and assessed the overall environment in which elections took place, the right to elect and stand for election, the conduct of election management bodies, campaigning and campaign finance, election dispute resolution, gender equality, inclusion of national minorities and persons with disabilities, and other crucial aspects of the process. On election days, Core Team experts and long-term observers observed the voting, counting, and tabulation of results in a limited number of polling stations.

The Final Report is based on ENEMO's findings on the national level and throughout the regions, starting from 1 October, as well as key post-election developments, until the end of December. Parts of the findings precede the deployment date and are based on publicly available information, as well as information gathered from the Mission's interlocutors. ENEMO observers conducted over 400 meetings with various interlocutors, including election management bodies, political parties and candidates, state officials, media, domestic civil society organizations, representatives of the international community, including diplomatic corps and international organizations operating in Moldova, etc.

Throughout the duration of the Mission, the EOM published an [Interim Report](#) and two statements of preliminary findings and conclusions, respectively after the [first](#) and [second](#) round of elections.

ENEMO would like to express its gratitude to electoral management bodies, election contestants, representatives of public institutions, civil society, media, international community, and all other entities and individuals that cooperated with the mission.

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¹ ENEMO previously observed the 2016 Presidential Elections, the 2019 Parliamentary Elections, the 2019 Local Elections, the 2020 Presidential Elections, and the 2021 Parliamentary Elections in Moldova. Reports of previous elections can be found at the [webpage of ENEMO](#).

I. BACKGROUND AND POST-ELECTION DEVELOPMENTS

Moldova is a parliamentary republic, with the unicameral 101 seats Parliament invested with the legislative power, the Government exercising the executive power, and the President of the Republic as head of the state. The 5 November elections were held to elect the deliberative bodies of first and second tier territorial-administrative units (local and municipal or district councils), as well as executive bodies (mayors) of the second tier and of the municipalities of Chisinau and Balti. The date of elections was announced by the Central Election Commission (CEC) on July 4.

The last local elections were held in November 2019. The Party of Socialists of the Republic of Moldova (PSRM) won the majority of councilors and mayoral positions, followed by the electoral bloc ACUM,² the Democratic Party of Moldova (PDM), and the Shor Party. Following the 2019 local elections, Maia Sandu, running on behalf of Party for Action and Solidarity (PAS), won the Presidential elections of 2020, becoming the first woman president of the country. In the 2021 early Parliamentary Elections, PAS won 63 out of 101 parliamentary seats, followed by the Bloc of Communists and Socialists, composed by PSRM and Party of Communists (PCRM), with 32, and by the Shor Party, with 6.

In June 2023, the Constitutional Court declared the Shor Party unconstitutional,³ following a request of the Government, filed with the Court in November 2023, citing Article 41, para. 4⁴ of the Constitution as grounds. The party was considered dissolved since the moment of the ruling, while its elected officials, at all levels, retained their mandates but are to serve as independents and have no right to join other factions for the duration of their term in office.

The 2023 Local Elections were held at a pivotal moment for Moldova. Since the 2021 Parliamentary Elections, the authorities have embarked on a series of profound reforms that, among others, aim to address corruption, strengthen the judiciary, improve efficiency of local governance, and improve the integrity of elections. Since 2021, Moldova has advanced 61 positions in the World Press Freedom Index and 14 places in the Transparency International Corruption Index. The country was granted EU candidate status on 22 June 2022. In April of 2023, the European Parliament passed a resolution calling for the accession negotiations to start by the end of 2023, a commitment that was reiterated by an overwhelming favorable vote of MEPs at the beginning of October 2023.

Recognizing the progress made by Moldova on partly fulfilling the nine steps set out in the Opinion of the European Commission of June 2022,⁵ including by adopting the new Election Code last year, the European Commission recommended on 8 November that the European Council open EU accession negotiations with Moldova. At the meeting held on 14 December and 15 2023, the Council decided to open accession negotiations with Moldova,⁶ as well as Ukraine.

The 5 November elections were held against the background of a highly polarized political

2 Composed of the Party for Action and Solidarity (PAS) and the Platform for Dignity and Truth (DA).

3 [Decision of the Constitutional Court on the constitutionality of the "Shor" Party.](#)

4 Article 41, paragraph 4 of the [Constitution of the Republic of Moldova](#): "Parties and other socio-political organizations, whose objectives or activities are the engagement in fighting against political pluralism, the principles of the rule of law, sovereignty, independence, and territorial integrity of the Republic of Moldova are declared unconstitutional."

5 [Commission Opinion on Moldova's EU membership application.](#)

6 [Conclusions of the European Council meeting.](#)

environment, and in absence of any meaningful cooperation between the majority and the opposition. Most of the initiated reforms, including the amendments to the Election Code, were adopted without support from the opposition. Two weeks before election day, on October 19, a motion of no confidence in the Government, initiated by the Bloc of Communists and Socialists, failed to pass in the Parliament. The polarization was accentuated during the electoral period, particularly after the decision of the Commission for Exceptional Situations, two days ahead of election day, to cancel the registration of candidates from the political Party "Chance", a clear successor of the Shor Party.

The election process was also held against the ongoing war in Ukraine, started in February 2022, after the unprovoked full-scale invasion of the country by the Russian Federation. Moldovan authorities have unequivocally condemned the aggression and provided support to Ukrainian refugees fleeing the conflict. The country has faced economic blackmail and a sustained campaign aiming to destabilize it, which, according to the authorities, extended to attempts to influence the results of the elections through illegal funding and massive attempts to corrupt voters, aiming to damage the integrity of the elections and undermine the democratic progress and European orientation of the country.

As a result of the ongoing war, elections were held under the state of emergency, which was extended by the Parliament on 21 September for 60 days, starting from 2 October. The emergency provided the basis for the authority of the Commission for Exceptional Situations to order the cancellation of the registration of all candidates fielded by the "Chance" Party,⁷ a party clearly a replacement of the former Shor Party.

⁷ The Prime minister cited a report from the Security and Intelligence Service as the basis for the decision, which alleged that the criminal group headed by Ilan Shor, funded by the Russian Federation, was engaging in efforts to disrupt the electoral process in Moldova and to destabilize the nation's security. Furthermore, the head of the Intelligence and Security Service voiced serious concerns about foreign meddling and the hybrid warfare being waged against Moldova. He highlighted that the current legislative measures do not offer adequate means for a swift and effective response to the full range of tactics employed in hybrid attacks.

II. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

LEGAL FRAMEWORK

The primary legal framework for General Local elections in Moldova is based on the 1994 Constitution and the new Election Code, adopted in December 2022. The legal framework is further supplemented by the decisions and regulations of the CEC. Additional relevant legal provisions are incorporated in the Law on Political Parties, the Administrative Code, the Criminal Code, and the Contravention Code. Moldova's commitment to democratic electoral standards is also reflected in key international and regional instruments,⁸ to which it is a signatory.⁹

The new Election Code was adopted in December 2022 by the Parliament, without support by the opposition parties. The Code came into force at the beginning of 2023. The adoption of the law was preceded by a transparent, inclusive, and comprehensive process, in line with ENEMO's long-standing primary recommendation. The adoption of the new Election Code was seen as an important step forward in addressing the shortcomings of the previous electoral legal framework. The new Election Code addresses several previous ENEMO recommendations. Specifically, measures were introduced to enhance transparency and stability of election management bodies, mitigate undue influence over public officials and voters, as well as vote-buying. Restrictions have been placed on misuse of administrative resources and stricter campaign finance rules have been introduced.

Since its adoption, the Election Code was further amended twice,¹⁰ preceded by the two respective decisions of the Constitutional Court on 19 June¹¹ and 3 October.¹² On 19 June, the Constitutional Court declared the Shor Party unconstitutional. Following this ruling, on 31 July, the Parliament passed an amendment banning from holding elected positions members of the party's executive body and party members holding elected positions at the time of the Constitutional Court's decision, for five years. Currently independent members of the Parliament, elected in 2021 on behalf of the Shor Party,¹³ appealed these amendments to the Constitutional Court and on 3 October, the Court found the amendments which set the ineligibility criteria unconstitutional. Following the Constitutional Court's decision, on 4 October, the Parliament introduced new amendments to the Election Code, providing criteria for ineligibility¹⁴ and thus effectively preventing several individuals from standing for election for the next three years. The amendments, however, further propose a provision for rejected candidates to submit evidence, if any, to regain their eligibility to stand as a candidate. However, the limited timeframe remaining before the candidate registration, 6 October, may have posed a challenge to candidates to be able to benefit from this right. It should be noted that, on the

8 Article 4, paragraph 2 of the [Constitution](#).

9 Among others, the European Convention on Human Rights; International Covenant on Civil and Political Rights (ICCPR); Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); Convention on the Political Rights of Women; International Covenant on the Elimination of all Forms of Racial Discrimination (CERD); Convention on the Rights of Persons with Disabilities (CRPD), etc.

10 After the elections, the law was amended one more time, in December 2023.

11 The Constitutional Court [decision](#)

12 The Constitutional Court [decision](#)

13 These [MPs are](#): Marina Tauber, Vadim Fotescu, Petru Jardan, Reghina Apostolova and Denis Ulanov.

14 Individuals who are suspected, have been charged, or were convicted of crimes, those previously removed from electoral competition due to breaches of transparency, or those on international sanctions lists are prohibited from running in elections for a period of three years.

same day, 4 October, the Commission for Exceptional Situation adopted a decision almost identical to the law, effectively preventing the same group of persons from standing for election.¹⁵

On 16 October, the same group of opposition members in the Parliament, challenged the amendment to the Election Code before the Constitutional Court to verify its constitutionality, while also requesting the suspension of the law. The request regarding the suspension of the amendment was not granted by the Court.¹⁶

ENEMO assesses that the tailor-made amendments to the Election Code, a month before election day and two days before the deadline for candidate registration, are at odds with international good practice¹⁷ and could have limited the right to stand for election.

To ensure inclusiveness and transparent decision-making, the adoption of amendments to the electoral law should be preceded by comprehensive consultations with a wide range of stakeholders, including political parties, election administration and civil society organizations. Amendments to the electoral law during the electoral period should be avoided.

Amendments to the Election Code concerning candidate registration must be adopted long before the registration deadline.

The existing legal framework provides a sound basis for the conduct of elections in line with the international commitments of the country and standards for democratic elections. ENEMO notes however, that the efficiency of the new Election Code in certain aspects of elections was not fully tested, as the Commission of Exceptional Situations intervened, citing threats to national security.¹⁸ The decisions adopted by this Commission concerned key aspects of the electoral process, notably the right to stand for election and freedom of expression.

Consideration could be given to introducing legal provisions that will shield the electoral process from the influence of outside bodies that might be established during exceptional situations. These amendments should clearly define the extent to which emergency measures can affect the electoral process. Furthermore, to ensure checks and balances and prevent undue influence on electoral rights, the legal framework should ensure timely judicial review of all decisions of bodies for exceptional situations that affect the electoral process.

ELECTORAL SYSTEM

The boundaries of the constituencies for local elections coincide with those of the corresponding administrative units. Moldova has two levels of administrative divisions. The first level comprises villages, cities/towns, and sectors, and the second districts and the municipalities of Chisinau, Balti, and Bender, as well as the autonomous regions of Gagauzia and Transnistria. In terms of public administration, villages and towns are administered by mayors, who perform executive

15 [Decision No 86](#), dated 4 October 2023, of the Commission of Exceptional Situation

16 [Decision No. 132](#), dated 18 October 2023, of the Constitutional Court.

17 The [Venice Commission's Code of Good Practice in Electoral Matters](#) (II.2.b.), recommends that "the fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election, or should be written in the constitution or at a level higher than ordinary law".

18 Two days prior to Election Day, the Commission of Exceptional Situations issued [Decision No. 92](#), canceling the registration of the "Chance" political party and its candidates. This decision was made following a [report](#) from the intelligence and security services, which indicated the involvement of the Russian Federation in financing a group of people under the leadership of Ilan Shor.

functions, and municipal councils, which have deliberative functions. Districts are administered by district presidents, as executive authorities and district councils, as deliberative bodies. Elections were held to elect 898 mayors and 11,058 councilors (9,972 of first-level administrative units and 1,086 district or municipal councilors) for a four-year term. Elections were not held on the left side of the Dniester River and the Bender municipality, which are temporarily outside of the control of Moldova's authorities.

Mayors are elected under a two-round majoritarian system, with the two candidates that receive the highest number of votes competing in run-off elections (held on 19 November), in municipalities where none of the candidates receives more than half of the valid votes cast. Councilors are elected under a list proportional representation system (List PR). Seats in the local council are allocated in a single multi-seat constituency.

As a result of the 5 and 19 November elections, 895 mayors from a total of 898 positions, and 11,020 local councilors (including district, municipal, city, commune, and village councils), out of a total of 11,058 positions were elected.

The nationwide voter turnout for the first round of elections was 41.68 percent, and 36.7 percent for the second round.

For the election to be considered legal in the first round, a minimum of 25 percent of registered voters needed to participate in any given constituency. The Election Code also established the threshold of 20 percent of registered voters for the second round. Preliminary results indicated that in the first-round voter turnout did not meet the necessary threshold in eight localities, and after the second round one locality failed to pass the necessary 20 percent threshold.¹⁹

The CEC set the date for the new elections for a new composition of the village councils in three localities²⁰ and partial elections for the position of mayors in two localities.²¹

19 In the village of Aluatu of Taraclia district, two repeat voting took place after the second round for the election of the local mayor. The CEC declared invalid the elections in the second round of voting on November 19 and December 3, 2023, in the village of Aluatu, finding that less than 20% of the number of people registered in the lists participated. On the third attempt, the Mayor of Aluatu was elected on December 17. The voter turnout according to the CEC was 24.90 percent.

20 The towns of Cairaclia, Taraclia district, and Chioselia Rusă and Cotovskoe, UTA Gagauzia.

21 Chioselia Rusă and Cotovskoe in UTA Gagauzia.

III. ELECTION MANAGEMENT BODIES

Local elections are administered by a four-tiered election administration consisting of the Central Electoral Commission (CEC), 35 Level II District Electoral Councils (DECs), 896 Level I District Electoral Councils and 1,958 Precinct Electoral Bureaus (PEBs). The Central Electoral Council of Gagauzia served as the DEC level II of the autonomous region, as per the Election Code.

The Election Code is the main legal act, regulating the main aspects of election administration. The second title of the Code includes provisions about the institutional system, mandate, structure, competencies, and responsibilities of electoral bodies. The election administration is mandated to ensure that the citizens can freely and fairly exercise their right to vote and stand for election.

CENTRAL ELECTORAL COMMISSION

As defined by the Election Code, the Central Election Commission is established on the principles of impartiality and political neutrality. Within the hierarchy of electoral bodies, the CEC stands as the highest electoral commission, operating on a permanent basis.²²

The CEC is composed of nine members: one appointed by the President of the Republic, and the other eight by the Parliament, respecting the proportional representation of the majority, with five candidates, and the opposition, with three candidates.²³ The current composition of the CEC was confirmed in 2021. For the November 2023 Local Elections only eight CEC members were in office.²⁴

The level of trust in the CEC varied among the political stakeholders met by the mission. Most of the opposition parties expressed their lack of trust in the CEC, because its composition was perceived as favoring the ruling party.

The CEC is responsible for the comprehensive administration of electoral processes. This mandate requires a wide range of activities, including ensuring the uniform application of the electoral legislation, adopting relevant instructions and guidelines for bodies involved in electoral processes, establishing and overseeing lower-level EMBs, compiling voter lists, designing ballot papers, forms and other necessary documentation for elections, supervising party and campaign finance, resolving electoral disputes falling under its competence, etc. the CEC managed the process professionally and efficiently.

On 2 August, the CEC published the calendar for carrying out the actions of organizing and

²² Among other tasks, CEC responsibilities include uniform application of the electoral legislation, the formation and coordination of lower-level EMBs, the compilation and verification of voters' lists, the design of ballot papers, forms, and other election materials. In addition, the CEC is tasked with establishing technical criteria for voting equipment, providing support to lower-level commissions, as well as supervising the financial activities of political parties and their campaigns.

²³ According to the Election Code, instead of the existing system where political parties nominate members based on their representation in the Parliament, the new composition of the CEC involves the President appointing one member to the CEC, the Superior Council of Magistracy designating two members, the Government two members, and the remaining two will be selected by the Parliament, ensuring a balanced representation of the majority and opposition. This new formula will start to be applied in 2026, when the mandate of the current members expires.

²⁴ After the second round, on 30 November, the Parliament approved one remaining member, nominated by the opposition.

conducting the General Local Elections. The EMBs generally complied with the deadlines provided in this calendar.

Throughout the election process, the CEC consistently held official sessions. Sessions were open to accredited observers and the media, as well as live-streamed and could be accessed online. The agendas of the sessions were published ahead of the respective sessions and could be found on the CEC's website. Most of the decisions of the CEC were published on the CEC website. However, submitted complaints and respective decisions at times were published with delays. A shortage in human resources was a significant challenge for the CEC during the entire election period.

To enhance transparency and regularly inform the public, the CEC should guarantee the timely publication of all relevant information submitted by stakeholders as well as the respective decisions. The CEC should also ensure that the decisions of the DEC are published on the DEC section of the webpage timely and in full.

According to the Election Code, the CEC has the overall authority to oversee party and campaign finance. However, the lack of adequate staffing affected also this task. This shortfall, combined with the high number of contenders in the local elections, negatively affected the efficiency of the financial oversight. ENEMO commends the efforts of the CEC to familiarize various stakeholders with the newly introduced financial guidelines, by organizing training for political parties. The CEC acknowledged that collaboration with other state institutions was instrumental in mitigating the impact of their staff limitations. While the online platform for publishing financial reports was still being refined during the election period, there were delays in uploading financial reports from parties and candidates to the system. To circumvent these technical issues, political parties had to submit hard copies of their initial financial reports.

The CEC should improve the efficiency of financial oversight by refining the methodology for party and campaign financial monitoring and reporting. To enhance transparency, the reports should be uploaded on time and software-related difficulties should be minimized.

The CEC should be provided with adequate staffing, particularly during electoral processes, either by increasing its permanent staff or hiring additional, properly trained, temporary staff. Collaboration with other state institutions should be enhanced, to address staff shortages.

The CEC and its Center for Continuous Electoral Training implemented both an extensive voter information campaign and an extensive training program for members of election commissions before the first round of elections.²⁵ The training was extended to the State Registry of Voters' registrars, as well as other key stakeholders like judges and police officers. Moreover, the CEC provided specialized training for political parties on reporting party and campaign finances. Training sessions for lower-level commissions were held in both Romanian and Russian languages. Manuals, tailored to the specific duties and responsibilities of these commissions, were developed based on the new Election Code and distributed in both languages. Members of lower-level commissions reported to ENEMO that these training sessions were regarded as useful, professional, and thorough. However, interlocutors from the courts observed that a one-day training session was insufficient.

²⁵ According to the data provided by the Center for Continuous Electoral Training, five webinars were provided for a total of 404 registrars of State Registry of Voters; one seminar was conducted for 40 judges; two webinars and 3 seminars were conducted for 472 police officers and carabinieri. Trainings for First and Second level commissioners were conducted in two stages where in total 116 seminars and 8 webinars were conducted with some 2907 participants. As for the PEBs, 138 seminars were conducted with some 4744 participants. PEB members were also offered 4 video conferences available online.

Four days before election day of the first round, the CEC adopted a decision instructing relevant DECAs to consider revoking the registration of mayoral and councilor candidates from the “Chance” Party in nine first-level constituencies.²⁶ This decision stemmed from reports by law enforcement about the party candidates’ violations related to electoral legislation, particularly regarding campaign finance violations,²⁷ including illegal campaign funding, voter bribery, use of unauthorized financial resources (not from the official electoral fund), exceeding spending limits, and employing undeclared resources. Eight of the DECAs proceeded to cancel the registration of the “Chance” party’s mayoral and councilor candidates, while one DEC did not.

Despite the legal authority of EMBs in this matter, ENEMO raises concerns about the timing of de-registering several candidates just a few days before the election. The decision, made by the electoral administration, left limited time for appealing to the courts and seeking appropriate legal redress.

Decisions regarding party and candidate deregistration should be made within a reasonable timeframe, to allow for an effective judicial review and redress. To the best extent possible, late deregistration of candidates should be avoided, to safeguard political rights, rule of law, and democratic principles.

DISTRICT ELECTORAL COMMISSIONS (DECs)

Second-level DECAs are established on a permanent basis. The CEC of the ATU Gagauzia acts as the second-level DEC of Gagauzia for local elections. The second level DECAs manage the electoral process within the boundaries of second-level administrative-territorial units. These councils are led by permanent chairpersons appointed by the CEC through an open contest and are granted civil servant status.

Generally, both first and second level DECAs complied with the election calendar and performed well. Chairpersons of the second level DECAs, overall, displayed competence, though some lacked prior experience.

Transparency of decision-making at lower-level EMBs remained partial in terms of publications of the decisions. This was especially evident in the inconsistent publication of decisions on complaints, appeals, and operational matters. Some decisions were inconsistently posted on the CEC website, displayed at DEC offices, or available at local public administration information desks.

In order to improve transparency, all DEC decisions, including those about complaints, as well as minutes of the meetings should be published promptly and consistently on the CEC website, besides being made public through other means of communication.

Most of the stakeholders expressed confidence in the work of DECAs, and there were no major complaints about their work. The activities of these bodies were open to observers, the media, and participants in the election race, they provided all information upon request and were open to

²⁶ Tîrșiței #34/27, Telenesti district; Țareuca communal electoral district #26/25, Rezina district; Ișcalău communal electoral district #17/16, Falesti district; Old Dobrogea Veche electoral district 28/14, Singerei district; Merenii Noi village electoral district #4/17, Anenii Noi district; Alexanderfeld village electoral district #7/2, Cahul district; Pitușca village electoral district #9/17, Calarasi district; Răculești communal electoral district #12/22, Criuleni district; Joltai village electoral district no. #36/24, UTA Gagauzia.

²⁷ [Decision No. 1520](#) - regarding the notifications of the Intelligence and Security Service, the Glodeni and Orhei Police Inspectorates and the Chisinau Police Directorate of the General Police Inspectorate.

communication. Nevertheless, some issues were observed in lower-level EMBs.²⁸

Replacement of DEC members was observed in numerous instances; however, they are not deemed to have negatively affected the performance of DEC members. The substitutions mostly were attributed to conflicts of interest, insufficient pay, and personal reasons.

Overall, both DEC members and PEBs were well-prepared for election day, encountering no major issues that could have hindered their activities or the voting process.

First level DEC members were required to conduct mandate validation for elected councilors and Mayors according to the new Election Code.²⁹ Previously, this task fell under the jurisdiction of the courts. The CEC training center provided a designated training session to DEC members for mandate validation and overall, the CEC coordinated the process.³⁰ Most of the observed DEC members started the mandate validation process on November 10. Generally, first level DEC members adhered to the legal requirements on mandate validation and performed the duty diligently.

PRECINCT ELECTORAL BUREAUS (PEBS)

DEC members established Precinct Election Bureaus (PEBs) 25 days prior to election day. By October 11, a total of 1,958 PEBs had been formed within the deadline. PEB members ranged from 5 to 11.

There were several instances of member replacements within the PEBs, primarily due to conflicts of interest, lack of interest, or personal reasons. Although these changes were not significant in number relative to the total PEB membership, sourcing suitable replacements posed a challenge. Consequently, DEC members frequently sought approval from the CEC for additional certifications for prospective PEB members. According to DEC members observed, even with this measure, this left PEBs, especially in rural areas, operating with the bare minimum of members.

Members of the PEBs received training and obtained necessary materials for carrying out their duties by the DEC members, in line with the election calendar. Training sessions were focused on practical skills, such as filling out protocols and managing administrative tasks. Overall, members of the EMBs expressed satisfaction with the received training.

In order to further improve professionalism of PEBs, consideration could be given to training all PEB members.

²⁸ E.g., the distribution of PEB materials at the second level DEC in Balti was rectified in the second round through improved DEC preparation and clearer instructions for the PEBs on form-filling procedures for election materials. In another instance, in Cantemir, there was a mistake in the candidate listings on ballots for regional and local councils, affecting Cantemir city and the villages of Gotești and Sadîc. This error was promptly addressed by the second level DEC in collaboration with the CEC, ensuring corrected ballots were available before Election Day. However, at polling station 8/2 in Cantemir, the mistake went unnoticed until voting began, leading to a temporary disruption of the process.

²⁹ Article 174 of the Election Code stipulates that first-level DEC members within 10 days after receiving the reports, minutes and other electoral documents from the PEBs but not before the courts have made final decisions on complaints submitted, confirms or denies by a decision the legality of the elections in the concerned electoral district and shall forward it, within 24 hours after adoption, to the CEC and concerned second-level that shall publish the final results.

³⁰ The CEC Decision 1104/2023 approved on July 25, 2023, regarding the procedure for confirming the legality of the elections, validating, and assigning mayor and councilor mandates.

IV. REGISTRATION OF VOTERS

Moldova has a passive voter registration system. The CEC manages and updates the State Register of Voters and oversees compiling and verifying the Voter's List, in cooperation with the relevant central and local institutions.³¹ The right to vote is granted to all citizens of Moldova who have reached 18 years of age on the day of elections and have not been disenfranchised through a court decision establishing the measure of judicial protection.

The Voters' lists were distributed to PEBs which enabled voters to verify their information. Additionally, this list was made available at PEB premises and on the CEC web page offering voters the chance to check their information. ENEMO interlocutors positively assessed the option for voters to verify their data on the online platform.

Voters, representatives of election contestants and observers can verify the Voter's Lists to ensure the accuracy of voter data³² and can request the inclusion or removal of names from the list and correction of mistakes in their own or other voters' personal information, up to seven days before Election Day. Any requests made are reviewed by the relevant electoral body within 24 hours. If a request for data correction or inclusion in the list is denied, the affected subject can appeal the decision in court, following the prescribed legal deadline.³³

No significant concerns were raised regarding the accuracy of the voter list by interlocutors.

Voters without a registered temporary residence or a domicile are not able to vote in local elections. Voters having both permanent and temporary residence addresses are included, during the period of validity of their residence, on the voters' list corresponding to the polling station where they have a temporary residence. Furthermore, the Election Code provides that, to be able to vote in the relevant constituency, the domicile or temporary residence must be registered at least three months before the first round of elections.

If the voter possesses both a permanent domicile and a temporary residence with a duration of less than three months, they are registered on the electoral list at the polling station corresponding to their permanent domicile. Furthermore, if a voter has maintained their domicile or temporary residence for over three months before the election day of the first round but moved within the same administrative-territorial unit less than three months prior to the first-round election day, they are included in the voter list at the polling station corresponding to their current domicile or most recent valid temporary residence. Students and pupils eligible to vote, registered at educational institutions in the location of their current or temporary residence less than 3 months before the first round, had the right to vote regardless of the registration deadline.

Voters unable to visit the polling station due to health or other valid reasons could request to vote through a mobile box. This option was available for eligible voters in specific districts, including those in hospitals, upon written request within a prescribed deadline.³⁴

31 The CEC's decision no. 1538/2023 outlined specific conditions for exercising voting rights.

32 Article 62 (3) of the Electoral Code of Moldova

33 Article 162 (3) of the Electoral Code of Moldova.

34 Article 80 (4) of the Election Code of Moldova prescribes that the requests may be submitted in writing within 2 weeks prior to the Elections Day and until 14:00 of the day preceding the Elections Day. On Election Day, the requests may be approved by the PEB until 14:00, upon the submission of a medical certificate.

For the local elections of 5 November, there were 3,302,399 voters registered in the State Voter Register, 2,758,810 of whom were eligible to vote for the first round. The discrepancy was due to persons who hold Moldovan citizenship but do not have a registered domicile or residence and voters who were registered in administrative-territorial units in Transnistria, temporarily outside the sovereign control of the constitutional authorities of Moldova, where elections were not held.

For the second round was used the same voter list as in the first round, encompassing 839,239 voters for the second round and 12,131 voters for the repeated elections. The basic voter lists were not updated between the two rounds, thus persons who turned 18 in this timeframe were included in the supplementary voter lists at the polling stations, on election day.

Three days before the second round, the Public Service Agency announced that it would provide temporary identity cards at no cost to citizens over 18 years old who did not have an ID. Additionally, the agency announced that it would facilitate the registration of students and pupils that were eligible to vote and were enrolled in educational institutions in the localities where the second round of voting occurred, upon their request.

Consideration could be given to explicitly regulating in the law the right to vote for citizens who turn 18 between the two rounds of elections. Additionally, the voter list should be updated between the two rounds, to include persons who turned 18 between the two rounds.

V. CANDIDATE REGISTRATION

The right to stand as a candidate for the municipal or district council is granted to all citizens with the right to vote. Mayoral candidates must, in addition, be at least 23 years old and have completed at least general compulsory education.³⁵ Active-duty military persons; persons sentenced to prison by a final court decision; those with active criminal records for deliberately committed crimes; and persons deprived of the right to hold public positions by a final court decision cannot stand for election.³⁶

Sixty political parties were registered by the Public Services Agency (PSA) and had the right to nominate candidates.³⁷ Candidates could be nominated by political parties, electoral blocs or through self-nomination. Electoral blocs could only register with the CEC, and parties within the bloc could not appoint the candidates on their own.³⁸

Parties and blocs may nominate a mayoral candidate in each electoral district.³⁹ The lists of candidates for local and district councils should contain a minimum of half and a maximum of the total number of councilors, plus seven alternative candidates. Electoral contestants could change or withdraw a candidate from the list or withdraw the whole list of candidates, up to 10 days before election day.⁴⁰

According to the CEC's electoral calendar,⁴¹ the candidate nomination period starts after the establishment of district electoral councils (DECs), 60 days before the elections in second-level constituencies and 40 days before the elections for the first-level constituencies. Political parties and electoral blocs cannot take decisions on the nominations before the beginning of the nomination period.⁴² Contrary to these regulations, various political parties announced their candidates publicly before the stipulated period.⁴³ The early nomination gave these candidates and their parties the chance to promote them while using the party funds instead of the dedicated electoral funds, which granted them an advantage over other contestants, violating the principle of equal opportunity.

ENEMO recommends to the CEC to systematically monitor early candidate nominations and apply proportionate and dissuasive sanctions to ensure the principle of equal opportunity in the electoral process.

35 Article 161 of the Election Code. The age requirement for the mayor has been reduced from 25 years of age.

36 Article 16 of the Election Code.

37 [List](#) of political parties that may run in the 5 November local elections. According to the Article 8 of the Law on Political Parties, political parties seeking the registration need to submit 1000 signatures from future party members as well as the program and party statute, among others. The PSA has 15 days to decide on the application.

38 ENEMO considers this limitation as overly restrictive in the case of local elections where the political dynamics and coalitions vary considerably among cities and districts.

39 According to Article 163, para. (4) and (5), councilor candidates may run both in first and second-level units as well as both for mayor and councilor, but only in one district of the same level. Additionally, mayoral candidates may not stand in several districts of the same level nor in Chisinau and Balti municipalities simultaneously.

40 The previous deadline was seven days. DEC 35/1 Ungheni refused to register a councilor independent candidate Alexandr Soleanicov on 12 October arguing that the candidate is already registered on the PSRM list. DEC 35 upheld the decision on 16 October. The candidate appealed to the Ungheni Court, the Chisinau Court of Appeal and the Supreme Court of Justice. The courts annulled the non-registration decisions as illegal because the administrative acts violated the applicant's right to be elected and his freedom of association. His previous consent to run on the PSRM ticket is not irrevocable and the candidate declared his interest to run as independent. The final SCJ [decision](#) was announced on 1 November, only four days before the election day.

41 CEC [Decision](#) No. 1150 approving the electoral calendar for the 5 November local elections from 2 August 2023.

42 Article 63 of the Election Code.

43 Promo-LEX Observation Mission General Local Elections 5 November 2023, [Report No. 1](#), page 25.

Independent candidates had to collect a certain number of signatures from voters depending on the number of voters registered in the constituency divided by the number of councilor seats.⁴⁴ The signatures needed to be submitted to DEC for verification and the deadline was 30 days before election day, which corresponds to the start of the campaign.⁴⁵ Verification can take up to seven days, which is at odds with best practice.⁴⁶ Additionally, the elapsed time between submission of documentation and time for DEC to verify signatures and other documents limits equal opportunities among candidates, and does not take into account possible complaints and appeals, which led to some candidates being registered or de-registered long after the start of the campaign.⁴⁷

ENEMO recommends streamlining the deadlines in the Election Code so that all deadlines for candidate registration, including the verification of the registration documents and appeals expire before the official start of the campaign. This will create a more equal level playing field and bring the legislation in line with international standards and principles of equality of opportunity.

In line with ENEMO's previous recommendation, the number of necessary signatures was lowered, and voters could now support several candidates, including for several elective offices which is in line with best practice. DEC and some independent candidates praised that the process of signature verification had been simplified compared to previous elections. No concerns were raised by interlocutors regarding the collection and verification of the signatures. However, the disparate conditions between independent candidates and political parties regarding signature collection are not in line with best practices.⁴⁸

Consideration could be given to require political parties and electoral blocs not represented in the body to be elected or a higher body, to confirm minimum support, under the same or similar conditions as independent candidates.

44 Independent candidacies for councils had to be supported by two percent of the registered voters in the district divided by the number of councilor seats, but no less than 50 signatures. In the case of mayoral candidates, they had to collect one percent of registered voters in the district, but no less than 100. Independent candidates may establish an initiative group (IG) for the collection of the signatures and register it with the respective DEC.

45 The submissions for registration took place from 19 September until 6 October for second level DEC, and from 29 September until 6 October 2023 for first level DEC.

46 According to the [Venice Commission Code of Good Practice in Electoral Matters](#) I.1.3 (v), "Validation of signatures must be completed by the start of the election campaign".

47 A prospective candidate for mayor of Chisinau, Andrei Donica, was rejected by DEC No. 1 Chisinau on 10 October with the argument that he already registered as a mayoral candidate in Condrita (a village within the Chisinau Municipality) and cannot register in both municipalities. CEC upheld the DEC's decision on 13 October in its [Decision](#) No. 1448. Donica appealed the CEC decision to the Riscani District Court which decided on 19 October in favor of Donica. DEC No. 1 appealed the decision to the Chisinau Court of Appeal that upheld the Riscani Court Decision on 27 October and the final DEC's appeal was addressed to the Supreme Court of Justice that took a [decision](#) on 31 October and ordered the DEC to register Donica as a mayoral candidate in Chisinau. Another case relates to Roman Emilianov being rejected by the DEC Dubasari as an independent candidate for the district council of Dubasari due to insufficient signatures of supporters. The DEC Dubasari Decision No. 43 of 10 October and the CEC [Decision](#) No. 1461 of 15 October were rejected by the Criuleni court [judgment](#) on 26 October and the candidate was subsequently registered. Another independent candidate Alexandr Soleanico was registered only on 1 November (see above). Moreover, the SCJ [upheld](#) on 5 November the lower courts' decision to de-register Constantin Macovei for non-suspension of the office (See also the Electoral Campaign section). DEC 27/15 took the decision the same day, but the candidate received 652 votes that were declared invalid.

48 The discriminatory conditions for independent candidates do not respect the [1990 OSCE Copenhagen Document](#), which stipulates in the Para. 7.5 that the "right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination". Moreover, [the Venice Commission and OSCE/ODIHR Joint Opinion on the Draft Election Code](#) mentions that "once registered, any political party can participate in any future elections without further conditions to ensure that it has minimum support to be listed on the ballot in advance of elections. On the other hand, the nomination of independent (individual) candidates for any elections, as well as presidential candidates, must be supported by a certain number of signatures. To ensure equal opportunity for participation, it could be considered that all parties, blocs, and individual candidates not represented in the body to be elected or a higher body confirm minimum support under the same or similar conditions".

The elections were overall competitive, with a high number of candidates registered.⁴⁹ In general, most candidates were able to register without difficulties and no major concerns were reported by ENEMO interlocutors. During the second round, the highest number of candidates ran on behalf of PAS - 152 candidates, followed by PSRM with 74, PSDE with 61, 56 independents, and PDCM with 47.⁵⁰

While it was possible to find the registered candidates and lists on individual DEC websites, the CEC only published very general aggregated data with the total number of candidates and gender balance. Despite the candidate registration deadline being on 13 October, the CEC did not publish the information about the number of candidates registered by each political party nor the information about withdrawn and rejected lists and candidates before the election day.

To increase transparency, the CEC should develop clear procedures for the collection and aggregation of information regarding candidates, in the form of a joint list of all candidates running in local elections, and make them available for public consultation before election day, together with the statistics of candidates registered per political party as well as numbers of withdrawn and rejected candidates.

Additional exceptions for candidate registration established by the amendments to the Election Code, adopted on 31 July 2023, including a five-year ban from running for election on members of executive bodies and elected persons of the political party declared unconstitutional (former Shor party), were suspended on 29 September and declared unconstitutional by the Constitutional Court on 3 October 2023.⁵¹ Following the Constitutional Court's decision, the Parliament adopted the following day, in two consecutive readings, the amendments to the Election Code to ban the candidacy of four specific groups.⁵² Shortly before the Parliament decision, the Commission for Exceptional Situations (CES) adopted the same provision with immediate effect to ensure

49 DECs registered 57,396 candidates for the position of mayor and councilor in local councils from 35 political parties and one electoral bloc, as well as 1,174 independent candidates. In total, 3,297 candidates registered for the 898 mayoral positions, and 45,775 for 11,058 councilor mandates from 35 political parties and one electoral bloc, as well as 1,174 independent candidates. For the position of general mayor of Chisinau, 27 candidates were registered from the parties as well as one electoral bloc, and for the position of mayor of Balti 15, of which 13 were nominated by parties, and two were independent. An extraordinarily high number of independent candidates (288) were registered in Gagauzia.

However, there was only one mayoral candidate in 18 municipalities, thus limiting voters' choice. Only one electoral contender (Chance Party) for the office of mayor or local councilor was registered in three municipalities. After the de-registration of the Chance Party candidates on 3 November, the voters remained without any candidates. Therefore, on 19 May 2024, new local elections will be held for village councils in Cairaclia, (Taraclia) and for mayors and village councils in Chioselia Rusa and Cotovscoe in ATU Gagauzia. Partial elections for a new composition of the local council would be held also in the Cealic commune (Taraclia).

50 In the second round, elections were contested by 544 mayoral candidates, 488 of whom represented political parties (348 men and 140 women) and 56 were independent candidates (38 men and 18 women).

51 The CC argued that the ban was too general and did not provide for effective remedies and guarantees against arbitrary decisions to the concerned candidates. A similar argumentation was used in the Venice Commission and OSCE/ODIHR [Joint Opinion](#) on the 31 July amendment published on 5 October concluding that the ban on former members of the Shor Party from running for five years was disproportionate and very broad. While the opinion acknowledges the legitimate aim of defending the constitution and the integrity of the democratic state, it also states that the provision restricted the right to stand for election without distinguishing between party members who could actively contribute to illegal acts attributed to the political party and those who were merely carrying out neutral activities and were unaware of potentially illegal acts committed by the party. The restriction affects a large group of persons, making them collectively responsible for the illegitimate activities of the party they belong to. The legislation lacks the individualization which goes against the principle of proportionality and giving the possibility to the affected persons to seek a judicial review.

52 According to the Parliamentary [decision](#) to amend the Election Code No. 280/2023, persons who are suspected, charged, indicted or convicted of crimes for which a party was declared unconstitutional; those earlier excluded from the electoral race following the violation of the election legislation, irrespective of the gravity of the violation; those on international sanctions lists; and those who performed other acts for which a party was declared unconstitutional are banned from standing as a candidate at elections for three years.

the targeted candidates will not be able to register for the upcoming elections before the law promulgation by the Parliament.⁵³

The two interventions of the Commission for Exceptional Situations (CES) into the candidate registration process posed a challenge to the electoral process. The lack of timely and efficient control mechanisms and vast competencies of the CES were of serious concern.

Based on the 4 October Parliament's amendments to the Election Code, several public institutions sent data to the CEC on persons banned from running.⁵⁴ The list finalized by the CEC and forwarded to DEC's included 102 names. The list was not made public due to the sensitivity of personal data and the presumption of innocence.⁵⁵ The authorities argued that the expedited amendments were necessary to prevent voter bribery and illegal funding attempts to influence the elections, as well as to implement the 3 October Decision of the Constitutional Court. However, the decision of the Constitutional Court did not require the adoption of any amendment to the legislation. The individuals had a chance to submit proof that they publicly dissociated themselves from the party's illegal actions or renounced them. The affected persons had the right to appeal the DEC decision to the Chisinau Court of Appeal, but the late adoption of the amendment hindered the effective use of this option.⁵⁶

At odds with best practice, the amendments were adopted in a hasty manner, in absence of proper public consultation, and only two days before the candidate registration deadline.⁵⁷ The step was criticized by the opposition that boycotted the Parliament's 4 October session as well as by civil society representatives. On 16 October, five members of the Parliament from the former Shor party challenged the amendment of the Election Code before the Constitutional Court to verify its constitutionality and requested the suspension of the law. The second request was not granted, while the judgment on constitutionality is pending.⁵⁸ ENEMO assesses that the late adoption of this key amendment two days before the candidate registration deadline threatened the principle of

53 The CES [provision No. 86](#). Commission for Exceptional Situations in Moldova, consisting of government members and delegates from state institutions. During a state of emergency this commission takes a leading role in responding to the emergency and holds expansive authority to make and enforce decisions that have immediate legal effect. The decisions of the CES are not subject to the constitutionality review. [Composition of the commission](#).

54 The institutions were the General Police Inspectorate, the National Anticorruption Centre, the Security and Intelligence Service, and the Prosecutor General's Office.

55 CEC informed the [press](#) about the fact that the list cannot be made public.

56 According to the CEC, 21 of the 102 persons wanted to register, three withdrew, and the rest were rejected. Five of the rejected candidates appealed to the Chisinau Court of Appeal. One of them was an independent candidate and former Shor party MP, Marina Tauber, who was rejected by the Balti DEC, and she filed two appeals to the Chisinau Court of Appeals. On 10 October, the Chisinau Appellate Court dismissed as unfounded Marina Tauber's request to annul the order made by the CES on 4 October. On 12 October, the Chisinau Court of Appeals dismissed as unfounded Tauber's appeal against the Balti DEC decision not to admit her to the competition for the mayoralty of Balti.

57 [Venice Commission Code of Good Practice in Electoral Matters](#), (II 2.b.), "The fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election, or should be written in the constitution or at a level higher than ordinary law."

58 The Constitutional Court [decision](#) from 18 October. The CC informed ENEMO on 14 November that the draft decision has been prepared, but the CC asked for the opinion of the Venice Commission because of its respected expertise and recognition in the Moldovan society. The Venice Commission and ODIHR mentioned in its [Joint Amicus Curiae Brief](#) from 18 December that it is justifiable to restrict the right to stand based on the unconstitutionality of the Shor party. The Venice Commission appreciated the reduction of the ban from five to three years but suggested that the duration of the ban should correspond to the seriousness of the behavior. However, the Commission stated that the amendments were still disproportionate, lacked legal certainty and foreseeability, and had retroactive effect. The ban should affect only those individuals who endangered the Constitution and the integrity of the democratic state.

legal certainty and posed a challenge for candidates to exercise their right to stand for election.⁵⁹

Several parties raised concerns about attempts to bribe or even pressure their candidates to run on behalf of other political parties. Some parties raised concerns that their candidates were bribed by former Shor party members to run on the ticket of newly established parties⁶⁰ or as independents. Representatives of opposition parties also claimed that their tentative candidates decided to run on a PAS ticket by a pledge of receiving funds from the “European Village” project,⁶¹ due to pressure and harassment from law-enforcement bodies, or with promises to stop ongoing investigations.

The unconstitutionality of the Shor party turned out to be only formal as the party transferred the image, program, and similar symbols to other parties (such as the “Chance” Party or FASM) as well as to various independent candidates using the same methods for which Shor party was declared unconstitutional. On 30 October, the CEC instructed several DECAs to consider the annulment of the registration of 97 “Chance” party candidates.⁶² The CEC based its decision on information provided by the Intelligence and Security Service (SIS), the Anticorruption Prosecutor Office, the National Anticorruption Center, and the General Police Inspectorate, claiming that these candidates were suspected of using illegal and undeclared funds from the “Shor criminal group” through the “Moldovan village” projects; of exceeding the “Electoral Fund” ceiling (CEC included the sponsorship contracts into the ceiling); as well as of voter corruption. Eight out of nine DECAs⁶³ decided to exclude the Chance candidates, in total 78 councilor and eight mayoral candidates. At the same time, the CEC decided to further examine the findings and decide on possible sanctions related to the allocations from the state budget for the Chance party.⁶⁴

On 3 November, just two days prior to election day, the Commission for Exceptional Situations passed a resolution to revoke the registration of all 8,605 candidates of the “Chance” party, both for

59 The 4 October amendment to the Election Code violates the right of the candidates to stand in the elections before a final court decision. According to Article 14 of the General Comment 25 to Article 25 of the 1996 International Covenant on Civil and Political Rights (ICCPR), “States parties should indicate and explain the legislative provisions which would deprive citizens of their right to vote. The grounds for such deprivation should be objective and reasonable. If conviction for an offense is a basis for suspending the right to vote, the period of such suspension should be proportionate to the offense and the sentence. Persons who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote.”

60 On 26 June 2023, only one week after the declaration of the Shor party unconstitutional, Ilan Shor announced the creation of the “Chance, Obligations, Achievements” political bloc, which would be abbreviated as “Ș.O.R”. This bloc consisted of “Ours” (Ai Nostri) movement and “Alternative and Salvation Force of Moldova” (FASM). Ai Nostri was re-named in August 2023 as the “Chance” party.

61 In the “European village” program, 724 infrastructure development projects have entered the competition; 497 projects have been selected, 245 completed and the total amount of allocated funds for the European Village Program is 2,8 billion MDL. The National Fund for Regional and Local Development (NFRLD) is the main source of funding. The Prime Minister of Moldova assured ENEMO that the “European village” funds are allocated fairly all over the country and mayors across the political spectrum benefit from them. Promo-LEX tentatively analyzed in its [Report No. 3](#) 399 projects and revealed that 59 percent of the mayors that benefited from the project currently run with PAS. Similar project “the Express European Village” program includes 399 projects, of which 69 have been completed as of 1 December.

62 The de-registration relates to the mayoral and councilor candidates from nine municipalities: Tarsitei, Telenesti district; Tareuca, Rezina district; Iscalau, Falesti district; Dobrogea Veche, Sangerei district; Merenii Noi, Anenii Noi district; Alexanderfeld, Cahul district; Pitusca, Calarasi district; Raculesti, Criuleni district and Joltai, Autonomous Territorial Unit of Gagauzia. CEC [stated](#) based on the notifications of the SIS as well as the Glodeni, Orhei and Chisinau Police Inspectorates that voters were corrupted by offers and promises to offer them benefits from charitable activities in order to induce them to exercise their vote, the use of other funds than from the “Electoral Fund”, the exceeding of the “Fund” ceiling and the use of unreported financial and material funds. The CEC supported its decision on the point (157) of the CC [case](#) No. 34/2016 saying “The Court notes, voter corruption must be seen as a serious violation of the principles of free and democratic elections, including the fair and transparent election process. Such violations create preconditions to question the legality and legitimacy of the elections. Also, these violations can significantly influence the results of the elections.”

63 Except for Alexanderfeld, Cahul district.

64 For more details, please see the Campaign Finance subsection.

mayor and councilor, throughout the country.⁶⁵ The CES argued that the “Chance” party represented a threat to national security, violated the campaign finance provisions and had links to the former Shor party. The “Chance” party appealed the CES decision to the Riscani court in Chisinau, which forwarded it to the Chisinau Court of Appeal.⁶⁶ On 12 December, the Chisinau Court of Appeal rejected the CES decision of 3 November to cancel the registration of the “Chance” candidates. The government appealed the decision to the Supreme Court of Justice, which ordered the retrial at the Chisinau Court of Appeal on 23 December. The late decision of the Court of Appeal affected the right to timely legal redress.

Various stakeholders informed ENEMO that a number of other candidates had connections to the former Shor party.⁶⁷ Even before the deregistration of “Chance” party candidates, “Chance” and former Shor party members called openly upon voters to vote for the suggested alternative candidates in case of “Chance” deregistration, which raises doubts about the genuineness of these candidates.⁶⁸ Many ENEMO interlocutors called for a strong response from the authorities to stop the illegal practices of the Chance candidates.

ENEMO notes that the blanket cancellation of candidates’ registration should be an extreme measure, reserved exclusively for the gravest violations.⁶⁹ Indeed, the cancellation of a candidate’s registration right before an election bears significant consequences that may severely impact the electoral process. Decisions should be proportionate, transparent, legally sound, and subject to appeal, ensuring that the democratic process is not compromised.

The nature of the violations exposed in this case points to a strategic manipulation of the existing legal framework, the deliberate circumvention of the regulations that oversee party and campaign finance by the political party involved, as well as other actions mentioned in the decision which represent a significant threat to the integrity of the electoral process, key democratic principles, and even integrity of the state itself.

However, ENEMO deems that this is a situation that calls for extreme caution in maintaining a very delicate balance between protecting the state’s integrity and safeguarding democratic norms and the rule of law. The decision to cancel the registration of candidates should have been taken by

65 The CES [decision](#) No. 92, subsequently adopted by the CEC in the [Decision](#) No. 1543. The decision was based on the extensive investigation of the SIS.

66 During the court hearing at the Chisinau Court of Appeal, the representatives of the CES put forth a formal request to remove the exception of unconstitutionality of the Article 225 paragraph (3) letter e) of the Administrative Code, which pertains to the proportionality and limits of judicial control. Based on this provision, the candidacy of the “Chance” party contestants was canceled. On 5 November, the Chisinau Court of Appeal admitted the request to lift the exception of unconstitutionality and sent the referral to the Constitutional Court (CC), to resolve it. The CC [declared](#) the referral regarding the unconstitutionality exception of Article 225 par. (3) inadmissible on 9 November. According to the disputed provisions, the CC can only be involved in reviewing certain circumstances, such as the proportionality of measures adopted by administrative acts, when individual and normative administrative acts are issued regarding national security or the implementation of a state of emergency. The Government could not be subject to making this request, as the Administrative Code was developed and adopted by the Parliament. The exception of unconstitutionality cannot be used by a public authority to annihilate a normative act adopted by another public authority.

67 Ilan Shor officially endorsed various candidates, especially from the “Chance” Party and even paid sponsored [posts](#) on the Moldova 24/7 webpage. On 17 November, [Shor](#) posted on FB that he was approached by the mayoral independent candidate in Comrat Nicolae Dudoglo with a request for financing infrastructural projects in Comrat.

68 On 31 October, the “Chance” party [announced](#) its support for other candidates in case of de-registration of their Balti and Orhei candidates (Tatiana Cociu, nominated by FASM, in Orhei; and independent candidate Arina Corshicova, in Balti).

69 In their [Joint opinion](#), para. 106; ODIHR and the Venice Commission comment that “*de-registration of electoral contestants as a sanction applied by the election administration, namely that such severe interference with suffrage rights as de-registration should be a measure of last resort, applied only for the most serious violations, and subject to effective judicial oversight, in line with international standards and good practice.*”

election management bodies, as per the legal framework of Moldova, and effective legal remedy should have been ensured.⁷⁰ The intervention of the CES, a body mostly composed of members of the executive, on the right to stand for election raises concern about the involvement of the executive in the electoral process, especially as the state of emergency was used to justify the exclusion, despite the authorities having previously claimed that it would not affect the electoral process.⁷¹

ENEMO recommends the adoption of provisions related to fundamental aspects of the electoral legislation by the legislative body well ahead of the electoral period. All cases of candidate registration should be decided by competent election management bodies.

In case future elections are held under the state of emergency, the executive body in charge during such situations should refrain from interfering in the electoral process.

Trends related to the deregistration of candidates continued in the second round. On 7 November, DEC no. 2, Municipality of Balti, canceled the registration of the independent candidate for Balti mayor, Arina Corshicova, who was ranked second in the first round, with 21.52 percent of the votes.⁷² Corshicova was finally deregistered for being among the individuals that could not stand for office as per the amendments made to the Election Code on 4 October 2023, and for exceeding the campaign finance expenditure ceiling.⁷³ The Balti's DEC decision was upheld by the CEC⁷⁴ on 10 November. The decision was further appealed unsuccessfully by Corshicova in all instances of the courts.⁷⁵ Three more complaints requesting the deregistration of candidates after the first round were rejected by the relevant EMBs,⁷⁶ while one candidate was deregistered by the Supreme Court

70 Paragraph (5.10) of the [1990 OSCE Copenhagen Document](#) stipulates that "everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity".

71 The [press release](#) of the Parliament from 21 September 2023.

72 The petition to exclude Corshicova was filed on 1 November by the leader of the "Change party", Stefan Gligor, and the incumbent mayor and mayoral candidate of Balti, from the same party, Nicolai Grigorishin. Gligor [argued](#) that "Telesistem TV company, whose administrator is Arina Corshicova, is directly mentioned in the Constitutional Court's decision on the unconstitutionality of the "Shor" party. The authorities responsible for the implementation of the CC decisions and after the Parliament amended the Election Code, had to draw up a list of persons who could not run for office. Arina Corshicova was one of the individuals who could not be a candidate due to the CC's decision."

73 Balti DEC No. 2 Decision No. 239 quoted the Article 16 para. (2), lit f), Articles 50-59 and 102, para. (102), lit. a). The DEC argued in its decision that Corshicova violated several articles of the Election Code, such as the use of illegal funds and exceeding the campaign finance ceiling. Moreover, Corshicova is on the international sanctions lists, as she was the administrator of SRL "Telesistem TV", but she did not mention this fact during her registration. The DEC also quoted the investigation of the Balti Police Inspectorate that proved that the "Chance Party" was campaigning on behalf of Corshicova after their deregistration. After Corshicova's deregistration, the mandate of Balti mayor was contested by Alexandru Petcov (Our Party, 22,69% of votes in the first round), and Maxim Moroshan (PSRM, 19,73 percent in the first round).

74 The CEC [Decision](#) No. 1573 of 10 November. The CEC argued that there was a direct link between the former Shor party, the "Chance" party and Corshicova and that Corshicova is a reserve candidate of the party or a camouflaged electoral bloc, who in turn indirectly and directly used the resources of the "Chance" Party. The CEC referred to the [Decision](#) No. 29 of the Constitutional Court of 9 December 2014 "Regarding the confirmation of the results of the parliamentary elections", which stipulates that in order to ensure fair conditions for all electoral contestants in the following elections, it is necessary for the competent authorities in electoral matters to exclude from the start the situations of camouflage of electoral blocs.

75 [Balti first instance court](#), Balti Court of Appeal, and the Supreme Court of Justice

76 The PAS candidate for mayor of Orhei, Sergiu Stanciu, demanded the annulment of the elections in Orhei won in the first round by Tatiana Cociu (FASM) and requested her deregistration because of several violations. The second-level DEC rejected his complaint, but the CEC [called upon](#) the DEC to reconsider its decision. Another complaint was submitted by Nicolai Grigorishin (Change party mayoral candidate in Balti) to deregister the FASM mayoral and councilor candidates in Balti for not being able to stand as candidates based on the Art. 16 para. (2) lit. e) of the Election Code. DEC rejected that complaint, but the CEC [admitted](#) it partially in the case of campaign finance irregularities (See the Campaign Finance subsection). The third complaint relates to the deregistration of the mayoral independent candidate Anna Onofrei in Vulcanesti (Gagauzia) for falsifications in the signatures' lists. On 7 November, police seized the signatures lists and the investigation is ongoing. DEC Vulcanesti 36/3 voted twice against the de-registration of the candidate.

of Justice on 10 November and the mandate of the elected mayor of Causeni was invalidated on 19 November.⁷⁷

While ENEMO acknowledges the legitimacy of candidate deregistration based on serious irregularities regarding campaign finance,⁷⁸ the possible cases of deregistration based on ineligibility to stand for election or discrepancies in the supporting signatures lists should have been adjudicated right after the candidate registration period and within the prescribed deadlines. ENEMO deems that the ongoing dispute-resolution cases created uncertainty among the contestants, and possibly voters.

There is an ambiguity in the legislation whether the candidates deprived of the right to hold a public position must have their mandate lifted before being able to stand for election. Initially, on 18 September, the National Integrity Authority (ANI) provided the CEC with a list of 70 persons who cannot hold public positions, based on a final court decision. Because of the ambiguity, the list was later reduced to 49 and 47 names, on 4 and 5 October respectively. 23 persons excluded from that list were convicted by the court, but their mandate was not lifted, therefore, they could register as candidates.⁷⁹ Nine of these 23 persons were subsequently elected but will have their mandate lifted by the ANI after its validation by the EMBs.⁸⁰

ENEMO recommends amending the Law on the Declaration of Wealth and Personal Interests⁸¹ to be in line with the Election Code, stipulating the ineligibility to hold public office by a final court decision. ENEMO further suggests adding to the law the provision that a convicted person cannot hold not only the same but any other public office for the prescribed period.

77 The SCJ deregistered Ion Berladean (mayoral candidate in Cotova village, Drochia district) on 10 November because of his ineligibility to hold public office. Because of the deregistration, there remained only one candidate on the ballot box. On 19 November, DEC 10/1 invalidated the mandate of the elected mayor of Causeni, Anatolie Dontu (PPDA), based on the SCJ and ANI final decision that Dontu is ineligible of holding the public office.

78 Based on Article 100, para. (3) of the Election Code, the examination of appeals concerning the financing of political parties shall not be subject to the limitation periods provided for in the Election Code.

79 There is an ambiguity between the Election Code provisions (Art. 16, para. (2) (d), Art. 68, para. (1) (f), Art. 102, para. (5) (e)) and the Article 23, para. (6) of Law no. 133/2016 on the declaration of wealth and personal interests stipulating that convicted persons should be disqualified from holding a public office only after the release or dismissal from the respective public office or the termination of the mandate. If the person held an elective office, he or she may no longer hold the same office for a period of three years from the date on which his or her term of office ends. On 1 November, the Supreme Court of Justice in its Decision No. [1065/23](#) and [1066/23](#) canceled the registration of two PAS mayoral candidates in the Riscani district who were registered despite being on the ANI list of persons deprived of the right to hold public positions for three years after the end of the mandate. The courts upheld ANI's finding and rejected the Integrity Inspectorate's arguments that to apply the prohibition to run for a new office of mayor, the person must have ceased to hold office. The ruling of the court became final and irrevocable on 1 November 2023.

80 On 19 November, DEC 10/1 invalidated the mandate of the elected mayor of Causeni, Anatolie Dontu (PPDA) two weeks after his election, based on the Supreme Court of Justice and National Integrity Authority's (ANI) final decision that Dontu is ineligible of holding the public office. One more mandate was invalidated according to ANI and CEC in Cainari (Causeni district). However, ANI representatives informed ENEMO that the correct procedure was to validate the candidate's mandate by the EMB that would be subsequently lifted by ANI. In these two cases, affected candidates can register and run again.

81 Law no. 133/2016.

VI. ELECTORAL CAMPAIGN AND CAMPAIGN FINANCE

ELECTORAL CAMPAIGN

Electoral campaigning and the rights and obligations of the election contestants are regulated by Chapter 8 of the 2022 Election Code, the 2002 Criminal Code, the 2008 Contravention Code, the 2022 Law on Advertising, and the CEC regulations. Campaigning starts on the date of the official registration of the candidates, but no earlier than 30 days before election day⁸² and ends on the Friday before election day.⁸³ Electoral campaigning is prohibited on the day before election day and election day itself. During the first round, ENEMO observed and was informed of instances of breach of electoral silence and attempts to influence the will of voters, mainly by the excluded “Chance” Party.⁸⁴ Provisions pertaining to the campaign period for the second round were introduced in the new Election Code, as previously recommended by ENEMO.⁸⁵ The campaign period in the second round starts after the CEC has announced the date of the second round, but no later than 10 days before election day. Campaigning for the second round resumed in line with the provisions of the Election Code, and no early campaigning was observed by ENEMO.

New electoral provisions introduced several bans while lifting some previous ones. The Election Code no longer includes the provision that prohibits campaigning outside of the official campaign period. However, only the use of political advertising and pre-election activities related to candidate nomination are allowed before the start of the campaign period. The late adoption of the CEC regulations (August), regulating the use of political advertising in the candidate nomination promotion, created confusion among political parties regarding which activities are legally permitted before the campaign starts.⁸⁶ One day before the official start of the campaign, on 5

82 The campaign for the 2023 local elections started on 6 October.

83 Positively, the new Election Code introduced the exact start of the campaign. However, ENEMO again recommends streamlining and uniforming timeframes for campaigning to allow all deadlines for registration of candidates to expire before the official campaign period begins (See Candidate registration section).

84 During the campaign silence, contestants were not allowed to appear on television or radio broadcasts. The LPAs and advertising broadcasters had the obligation to remove electoral advertising materials. The ban did not apply to information already placed on the Internet. Contrary to the law, ENEMO observed the Change party billboard in Balti still in place on 4 and 5 November as well as the PDCM Google advertisement on 5 November in the morning. ENEMO received credible information about active campaigning by the “Chance” Party, calling upon voters to vote for other candidates, seemingly affiliated to the Chance party, both on Saturday and Election Day in Balti, Orhei, and Chirsova in ATU Gagauzia. On November 4, the Balti police detained 11 representatives of the “Chance” Party, including four minors, who were involved in the illegal distribution of electoral leaflets in support of a candidate affiliated with the outlawed “Shor” party. More than 1,400 electoral leaflets were seized by the police. On Election Day, in Orhei, it was reported that the “Chance” party stationed their activists, mainly minors, at frequently visited places in the town to instruct voters and exert pressure on them regarding their voting choices. Furthermore, the “Chance” Party and Our Party in Balti were sending SMS to voters to encourage them to vote for given candidates. The incumbent mayor of Chirsova and the excluded “Chance” candidate, Serghei Sapunji and his supporters, were present in front of the PS in Chirsova throughout the voting day to discourage citizens from voting. ENEMO observers also witnessed cases of tracking of voters in PSs by party representatives in several PSs in Gagauzia.

85 On 8 November, the CEC officially declared the date of the second round for 19 November, thus the campaign started on 9 November. The campaign for the second round terminated on Friday before the election day, thus on 17 November.

86 CSOs and media reported many cases of early campaigning across the political spectrum, mainly the distribution of political advertisement materials. CEC took decisions on several complaints and issued warnings to several parties ([PAS](#) distributing campaign material in Chisinau in June; [Revival party](#) for distributing campaign material in various districts in August; [Balti mayor](#) (Change party) campaigning in August; [PSDE party](#) erecting campaign tents. Several contestants also used electioneering in the materials informing about the achievements of the municipalities (Please see below).

October, various media outlets reported that the Moldovan Post was distributing PAS electoral campaign material.⁸⁷

By 3 October, local public administration authorities (LPAs) established places for electoral campaign posters and locations for holding meetings with voters.⁸⁸ Some contestants highlighted to ENEMO the lack of space on the poster boards due to the high number of contestants. ENEMO observers reported sporadic cases of posters being placed on top of the others or damaging of campaign materials, allegedly by other electoral contestants or their supporters. ENEMO observed the posters of the Chance party at unauthorized places in Chisinau, Orhei and Taraclia.

ENEMO recommends to the CEC and LPAs to establish an appropriate mechanism to ensure that all contestants may use the boards on an equal basis. EMBs, in cooperation with LPAs and law enforcement, should monitor the proper placement of campaign materials and apply sanctions in cases of non-compliance.

Some parties complained that many printing houses were overburdened with orders from contestants at the beginning of the campaign, as the parties could not use the “Electoral Fund” before. The CEC identified some parties using the funds before the campaign started.⁸⁹ Additionally, several contestants reported that some printing houses were under the rigorous oversight of the fiscal agents, or they refused to print their campaign materials, either for some or all contestants, out of fear of retribution from law-enforcement bodies.

Considering the short campaign period, ENEMO recommends amending the Election Code to allow the use of the “Electoral Fund” within a reasonable timeframe before the official start of the campaign for the purposes of preparing the electoral materials in advance, and only explicitly ban the distribution of campaign materials before the start of the campaign.

During the campaign, contestants were prohibited from organizing concerts, competitions, or performances.⁹⁰ The ban on the use of national symbols and images has been lifted, as previously recommended by ENEMO.⁹¹ Candidates were prohibited during the electoral period from using

87 For instance, the [article](#) at Ziarul de Garda. PAS stated that they signed the contract with the Post which only delivered the material to their offices to have it prepared for the campaign. However, the paragraph 75 of the CEC [Decision](#) No. 1155 from 4 August on the manner of provision, distribution and dissemination of political and electoral advertising and messages of public interest, stipulates that during the electoral period, advertising providers will carry out preparation, production, distribution and placement of advertising on advertising posters/billboards only from the financial means transferred to the “Electoral Fund”, with the payment in advance. However, the “Electoral Fund” could only be used from the beginning of the campaign, thus from 6 October. On 17 October, CEC [issued](#) a warning against PAS and forwarded the case to the Ministry of Interior for further investigation.

88 While some LPAs provided the premises free of charge, others requested a fee from the contestants.

89 On 21 and 22 September, police [seized](#) at two Chisinau enterprises election promotional materials without documents of origin belonging to the Chance Party that [claimed](#) not to be able to pay for the material because of the difficulties to open a bank account. Nevertheless, according to the Art. 56 (3) of the Election Code, the funds from the “Electoral Fund” may not be used earlier than 30 days before the election day, which means from 6 October 2023.

90 The ban on concerts and other performances reflects the recommendation from the ENEMO EOM 2020 Presidential Election Final Report. However, [the Venice Commission and OSCE/ODIHR Joint Opinion on the Draft Election Code](#) in the Article 77 states that the general formulation limits the freedom of expression and campaign opportunities. None of the ENEMO interlocutors complained about these bans. The consideration could be given to permit certain performances, but strictly control, if the expenses are properly reported in financial reports.

91 The use of images of religious cults, foreign officials, state institutions or public authorities from abroad and international organizations, as well as the symbols of political parties declared unconstitutional, are prohibited in the campaign. It is also prohibited to use symbols of another state, materials containing foreign historical personalities, symbols of foreign countries or international organizations or images of foreign officials, if they lead to contesting and defaming the state and the people, incitement to war aggression, national, racial, or religious hatred, incitement to discrimination, territorial separatism, public violence, as well as other manifestations threatening the constitutional regime.

administrative resources, including by launching or participating in the launching of infrastructure projects or public procurements carried out from the national public budget, as well as the use of public equipment, means and goods during the electoral period.⁹²

It is forbidden to organize the transportation of voters to polling stations on election day and during the electoral period to persuade them to exercise their electoral rights.⁹³ However, the provision is unclear and leaves space for interpretation and arbitrary actions. Intent to affect the will of the voters should be proven for transportation on election day, which might lead to incoherent application of the law, while this is not the case for the rest of the electoral period. This provision will be especially problematic and hard to enforce for Presidential and Parliamentary elections, for polling stations established outside of the country. During both rounds, ENEMO observed and was informed about several cases of transportation of voters on E-day.⁹⁴

Consideration could be given to further clarifying the ban on transportation of voters, as to ensure uniform application of the law and prevent possible arbitrary actions.

To limit the misuse of public resources in the campaign, messages of public interest had to be approved by the CEC.⁹⁵ Candidates performing public officials' duties had to suspend their official activities during the campaign.⁹⁶ The legislation does not prohibit the involvement of key high-level officials, including the president, prime minister as well as the speaker or members of the parliament in the campaign and high state officials were actively involved in campaigning for candidates of the ruling party in both rounds.⁹⁷ Moreover, the Bashkan and other Gagauzian authorities also openly

92 According to the Article 481 (7) of the [Contravention Code](#), the illegal use of administrative resources, if it does not constitute an offense, is sanctioned with a fine of 90 to 300 conventional units (4,500 to 15,000 MDL), with deprivation of the right to hold certain offices or carry out certain activities for a period of three months to one year. In case of the significant damage, Article 1812 (2) of the [Criminal Code](#) stipulates that the penalty shall be a fine of 6,000 to 8,000 conventional units (300,000 to 400,000 MDL) or imprisonment for up to five years, in both cases with deprivation of the right to hold certain offices or to engage in certain activities for up to five years, and the legal person is punished with a fine of 13,000 to 15,000 conventional units (650,000 to 750,000 MDL) with deprivation of the right to engage in a certain activity or liquidation of the legal person.

93 Article 70, paragraph 5 of the Election Code.

94 During the first round, three cases involving voter transportation have been reported from Orhei, two linked to the "Chance" Party and one to Revival. The police have registered these incidents as administrative cases, and the individuals involved have been fined. ENEMO observers directly observed two cases of voter transportation in Basarabasca. Police in Gagauzia monitored the issue and reacted if a car drove to the polling station more than two times. ENEMO observed voter transportation in Chirsova (ATU Gagauzia) during the second round.

95 Regulated in the CEC [Decision](#) No. 1155 from 4 August. According to the Article 13, para. (4), letter b) and c) of the [Law on Advertising](#), messages of public interest may not contain information on the managerial achievements and/or objectives achieved by public sector entities as well as information on political advertising. On 9 August, the CEC in its [Decision](#) No. 1162 prohibited the distribution of the [information materials](#) distributed by the City Hall of Chisinau containing results of the public authority's activity in the last three years. On 24 August, the CEC in the [Decision](#) No. 1193 prohibited the distribution of the [information leaflets](#) by the Balti City Hall containing results of the work of the current mayor and councilors. The deputy mayor of Ungheni had to withdraw a FB video including his achievements based on the CEC [Decision](#) No. 1318 from 22 September.

96 These positions are mentioned in the Article 16 of the Election Code para. (3) and include mayors and their deputies; deputy prime ministers; ministers; secretary general of the president, parliament, and government as well as their deputies; heads and deputy heads of public institutions; chairpersons of rayons and their deputies and secretaries of local councils and city halls. Few candidates resigned only after being registered, which was already after the start of the campaign. On 5 November, the SJC [upheld](#) the Balti Court of Appeal [decision](#) to de-register the PSRM candidate and current mayor of Nihoreni, Riscani district, Constantin Macovei for not complying with this rule, because he took leave instead of the suspension from office.

97 During the second round, the President Maia Sandu held meetings with voters in [Calarasi](#), [Ungheni](#) and [Truseni](#) (the village in Chisinau municipality) where PAS candidates got into the second round. The Prime Minister [Dorin Recean](#) participated in PAS campaign activities in Floresti, Nisporeni, Soldanesti, and Ungheni. In Soldanesti, the Prime Minister promoted the "European Village" project, financed from public funds. The Prime Minister's FB page is a clear example of the concoction of the official posts of the Prime Minister with the campaign posts. The Minister of Infrastructure and Regional Development Andrei Spinu also actively [supported](#) PAS candidates in Balabanesti (Criuleni district) and Rezina while promoting the "European Village" project.

expressed their support for Chance and former Shor candidates. This practice gave an advantage to certain candidates, put into question the neutrality of the executive power in the organization of the elections, and is at odds with the principle of the separation between party and State.⁹⁸

ENEMO recommends banning the direct involvement in the campaign for additional categories of high-level officials, mainly from the executive (members of the government, including the prime minister, and the Bashkan of ATU Gagauzia) but also for the President, if they are not running in the election.

While candidates had the opportunity to freely present their programs and provide voters with distinct choices, fair conditions in the campaign were not fully guaranteed. The level-playing field was distorted by the promises of large-scale financial incentives used as campaign instruments, namely “Moldovan village” and “European Village/Express European Village” projects. These projects were criticized by many interlocutors for having the potential to influence voters’ choice and indirectly buy their votes. Furthermore, these projects involved the geopolitical division of the country into the campaign.

The official authorities used their achievements for campaign purposes. The Government, ministers and various candidates (not only from the ruling party) took credit for the “European Village” program implemented from the state budget and used it for their promotion in the electoral period.⁹⁹ On 5 October, the Parliament adopted changes to the state budget to include 1,65 billion MDL for the “Growth for Moldova” package.¹⁰⁰ On 3 November, the Bashkan of Gagauzia presented to the public the Gagauz government’s achievements in the past 100 days.¹⁰¹

In order to ensure a more equal playing field, ENEMO recommends that major public announcements related to the work of state bodies should not occur during the campaign and for a reasonable period before its start.

Third-party campaigning and interference has been a serious concern. During the electoral period, Ilan Shor promised several times through his Facebook page financial incentives from obscure sources to voters to supplement pensions or to fund social and infrastructure projects, if voters

98 The 1990 OSCE [Copenhagen Document](#) in Article (5.4) obliges the state to ensure a clear separation between the state and political parties; in particular, political parties will not be merged with the state. These practices may have distorted the equal conditions of all the contestants.

99 On 23 August, the CEC in its [Decision](#) No. 1216 prohibited the Government from publishing the sponsored advertising posts of the “European village” realized projects. However, various PAS candidates and offices promoted the “European Village” projects in the campaign, including the Minister of Infrastructure and Regional Development [Andrei Spinu](#) or [PAS Orhei](#), [PAS Riscani](#), [PAS Singerei](#) or [PAS Soldanesti office](#).

100 The Government [announced](#) that the goal of this package is to finance development and infrastructure projects, salary increases for physicians as well as one-off payments to teachers, police officers, judges and other public servants, affecting in total around 170,000 citizens. On 8 November, the [Ministry of Finance](#) transferred to local public authorities financial means in the amount of 822 mil. MDL (42.4 mil. EUR), including 344 mil. MDL (17.7 mil. EUR) for one-off payments for education workers. *“In order to prevent the misuse of administrative resources to imbalance the level playing field during electoral competitions, the legal framework should state that no major announcements linked to or aimed at creating a favorable perception towards a given party or candidate should occur during campaigns”* [Venice Commission and OSCE/ODIHR Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#), 2016, Guidelines B, Article 1.3.

101 The event was [broadcasted](#) live on Gagauzia Radio and Television.

would vote for the candidates supported by him.¹⁰²

Third party campaigning should more clearly and comprehensively be addressed in the legislation, including by listing various instances of third-party campaigning that are banned. The CEC should closely monitor possible breaches of third-party campaigning rules and apply dissuasive sanctions whenever necessary.

The campaign was overall low-key and calm but intensified in the last 10 days before the first-round election day.¹⁰³ Candidates focused on the distribution of campaign materials, small meetings with voters and employees, door-to-door canvassing, the use of billboards and posters as well as the use of broadcast and social media. The mayoral candidates in Chisinau often used press conferences to present their programs. Several parties reported the lack of billboard spaces across the country as only four companies were registered by the CEC.¹⁰⁴ In line with the first round, the campaign for the second round was low-key and subdued. Candidates focused on strengthening coalitions at the local level, while ensuring support from other parties and candidates, rather than actively campaigning. Ideology or party programs did not seem to have played a significant role in the coalitions' formation. Candidates focused on the use of online and social media, as well as holding meetings with voters.

The most visible parties during the campaign were PAS, PSRM, the "Chance" Party as well as Our Party in the north and MAN in Chisinau. Main campaigning topics by candidates revolved around local issues, infrastructure, and urban development projects, including improvements of roads, public transport and parking places, new job opportunities, establishments of kindergartens or playgrounds, water, or energy supplies as well as the fight against corruption. However, topics related to the foreign influence in the electoral process, geopolitical division and future orientation of the country played a significant role throughout the campaign, especially for the ruling party.

Widespread and persistent allegations of widespread vote-buying from illicit funds, pressure on employees, misuse of administrative resources or the use of achievements of the municipalities

102 On 18 August, Ilan Shor, president of the former "Shor" party, announced on his [Facebook page](#) the launch of the "Moldovan Village" project with planned investments of 17 billion MDL to improve the community and social infrastructure from his fund "My Dream". Upon application, each village may benefit from 20 million MDL within the next three years. Chance party, officially promoted on Ilan Shor's FB page, [announced](#) the support of the project on 21 September. On 31 October, several LPA representatives held a [press conference](#) to denounce the blocking of the "Moldovan village" funds to finance the infrastructure projects. On 1 October, Shor announced that starting from October, all pensioners with a pension below 3,000 MDL from the city and district of Orhei, the city of Taraclia and Gagauzia will receive an additional 1,000 MDL from Shor's fund. On 14 October, the Executive Committee of Gagauzia organized an event for some 2,400 teachers dedicated to Teacher's Day where each teacher received 500 MDL in an envelope from the General Directorate of Education of Gagauzia, the donation was allegedly from Ilan Shor's fund. On 31 October, the Bashkan of Gagauzia, Eugenia Guțul, announced that the inhabitants of the Gagauzia would pay a preferential charge of 10 MDL per cubic meter of natural gas. According to her [statement](#), a Turkish company signed a contract with a large European trading company to buy gas directly from the European gas supply system. Two days later, the Minister of Energy Victor Parlicov said the contract published by the Bashkan of Gagauzia is false and cannot be implemented and it is a part of the promises done in the electoral campaign. On 7 November, the Bashkan of Gagauzia [assured](#) the citizens that the gas for the preferential price would be delivered starting from 1 December, while details of this agreement remain unclear. Cheap gas was also [reported](#) to be delivered in Taraclia, Orhei and Balti.

103 ENEMO is aware of only one violent incident when the PSRM mayor of Zahoreni commune in Orhei district, was allegedly brutally beaten by the son of the PAS candidate on 16 October. The police confirmed the case but did not provide more details as the investigation is ongoing.

104 Stakeholders reported a lack of information about the procedure for these companies to offer the services during elections. Many companies were reportedly not informed about their obligatory registration with the CEC three months before the election.

in the campaign, mainly by incumbents,¹⁰⁵ marred the election campaign in both rounds. ENEMO observers were also informed of campaign meetings with employees at their workplaces during working hours, at odds with the CEC regulation.¹⁰⁶ Not all violations were reported and sanctioned by the CEC and sanctions were mostly non-dissuasive.

ENEMO recommends the introduction of additional measures enabling the CEC to apply timely, more proportionate, and dissuasive sanctions, both against early campaigning and campaign irregularities. The CEC should also actively monitor the adherence to the campaign rules instead of reacting only to the official complaints.

CAMPAIGN FINANCE

Positively, all legal acts regulating campaign finance underwent extensive amendments in 2022, aligning them with best practices, such as the Venice Commission and GRECO recommendations,¹⁰⁷ as well as the recommendations of domestic and international observers, including ENEMO. Among the recently adopted provisions are the more thorough control of the donors' incomes, clearer instructions on reporting as well as more precise guidelines on the control and oversight by the CEC, including the specific sanctions.¹⁰⁸

Political party finance and the financing of the initiative groups (IGs) and electoral campaigns are regulated by Chapter V of the 2022 Election Code, the 2007 Law on Political Parties, the 2002 Criminal Code, the 2008 Contravention Code and the 2022 Law on Advertising. The provisions of the Law on Political Parties and the Election Code are further detailed in the CEC regulations, such as the CEC "Regulation on the financing of initiative groups and electoral campaigns", adopted on 18 August 2023.

The CEC was responsible for establishing the overall ceiling of financial resources that could be transferred to the "Electoral Fund" account, which was limited to 0.1 percent of the state budget for the given year.¹⁰⁹ The overall ceiling was further divided proportionally for each first and second level DEC, based on the number of registered voters. All registered political parties participating

105 Such as the incumbent [mayor of Chisinau](#) (MAN), the incumbent [mayor of Balti](#) (Change party), the "Chance" party in Balti or the incumbent mayor (PAS) in Sangerei were using the achievements of the municipality in the campaign. The FB [page](#) of Taraclia city hall was reposting the posts of the incumbent mayor running for re-election, Veaceslav Lupov, during the campaign. ENEMO observers received credible information that some mayors kept ruling their municipalities despite the official suspension of their mandate, such as in [Balti](#), Floresti, Edinet, Comrat or Ceadir-Lunga. In the second round, the General Inspectorate of Police reported new cases of vote-buying in Balti (related to the "Chance" party) and [Gagauzia](#). Several ENEMO interlocutors from political parties also alleged that attempts of vote buying continued between the two rounds.

106 CEC [Decision](#) No. 2022 from December 2018 and the Article 57 of the [Law](#) No. 158 regarding the public office and the status of public servants. ENEMO observers received information about unequal conditions in arranging the meetings with public employees in Chisinau, Balti and Floresti.

107 The 2015 GRECO Third Evaluation [Report](#) on Moldova Transparency of Party Funding.

108 The new legal framework includes several recommendations from previous ENEMO missions.

109 The ceiling was set at 66,274,579 MDL by the CEC [Decision](#) No. 1219 of 8 September 2023. The ceiling more than tripled compared to the last three elections due to the increase of the formula from 0.05 percent to 0.1 percent of the state revenues.

in elections are entitled to public funding that they receive from the CEC on a monthly basis.¹¹⁰ The proportion of public funding in the parties' budget rose exponentially from 2017 and accounted for 77 percent in 2021 while private donations dropped rapidly to 15 percent which shows a high dependency of the parties on public funding.¹¹¹ In the first round, the parties reporting the highest amounts of revenue and expenditures to the CEC by 3 November were PAS (expenditures of 7.87 mil. MDL), PSRM (4.66 mil. MDL), Chance Party (3.72 mil MDL), Our Party (2.8 mil. MDL), MAN (2.89 mil. MDL) and Revival (2.4 mil MDL).

Candidates could finance the campaign from their own funds through party accounts (including the subventions from the state budget up to 70% limit of the campaign budget or membership fees), donations, or zero-interest loans.¹¹² Citizens could donate to one or more electoral contestants up to six average monthly wages, but no more than 30 percent of their annual income from the previous year (a maximum of 70,200 MDL - approx. 3,650 EUR), while legal entities could donate up to 12 average wages (a maximum of 140,400 MDL - approx. 7,300 EUR).¹¹³ Further restrictions detailed the maximum amount of donation for several categories of persons.¹¹⁴ The CEC or respective DEC had the authority to request additional financial information from individual donors to check if they possessed sufficient income. Several opposition parties stated that the comprehensive financial checks by the authorities could have created a deterrent effect on citizens wishing to donate.¹¹⁵

Citizens of Moldova under the age of 18 or under guardianship; foreign legal entities; non-citizens; anonymous persons or persons acting on behalf of third parties; legal persons that concluded public contracts in the last three years or received state aid;¹¹⁶ public institutions or entities financed from the public budget; non-commercial organizations, trade unions, associations, foundations, charity and religious organizations as well as other states or international organizations, including

110 The public funding is entitled for the regular functioning of the political parties, and they may transfer up to 70% of the contributions to the campaign fund. The public funding was introduced in 2016. The sum allocated is equivalent to 0.1 percent of state budget revenues, which equaled 49,980,700 MDL in 2023. The individual sums were calculated in the CEC [Decision](#) No. 846 from 17 January 2023. Article 27 of the [Law on Political Parties](#) stipulates that the allocated amount is calculated on the basis of electoral results, based on the following formula:

- a) 30% - in proportion to the performance obtained in the parliamentary elections;
- b) 30% - in proportion to the performance obtained in the general local elections;
- c) 15% - in proportion to the performance obtained in the presidential election;
- d) 7.5% - in proportion to the women actually elected in the parliamentary elections;
- e) 7.5% - in proportion to the women actually elected in the local elections;
- f) 5% - in proportion to the youth actually elected in the parliamentary elections;
- g) 5% - in proportion to the youth actually elected in the local elections.

111 [Money that wins elections. Political and Campaign Finance in Moldova](#), page 24, July 2023. Independent Anti-Corruption Advisory Committee.

112 The Art. 26.3 of the Law on Political Parties provides a ceiling for the total amount of money a party can collect via membership fees and donations per year, which equals to 0.1% (lowered from 0.2% in 2022) of the revenues of Moldova's national budget for the respective year, hence the ceiling was [set](#) for 64.8 mil. MDL. On 8 September 2023, the CEC set in its [Decision](#) No. 1217 the amount of the interest-free loans 50,000 MDL for political parties/electoral blocs and 10,000 MDL for independent candidates. Based on the Article 51, para. (6) of the Election Code, the loans are reimbursable within three months after the elections but may be partially exempted based on the contestant's result. MAN and PDCM used the free-interest loans in the campaign in the amount of 50,000 MDL each.

113 In 2023, the average salary per economy was 11,700 MDL. [Decision](#) of the Government No. 936 from 28 December 2022 on the approval of the amount of the average monthly salary in the economy for 2023.

114 According to the Article 57 of the Election Code, if the donor is a recipient of a scholarship or social benefits, the donation may not be more than one average wage. If the donor is a public official, civil servant, including those with special status, or an employee of a public organization, the donations cannot exceed 10 percent of the donor's annual income, but no more than six average monthly wages. Citizens may donate up to one monthly average wage in cash, the additional donations must be sent by bank transfer. The same conditions apply to Moldovan citizens living in the country and abroad.

115 See also the [Venice Commission and OSCE/ODIHR Joint Opinion on the Draft Election Code](#)

116 Previous ENEMO missions recommended extending this ban to both before and after elections.

political ones, are not allowed to finance the campaign.¹¹⁷ Third-party campaigning remains underregulated.¹¹⁸

The EMBs' campaign finance supervision competencies were extended. The CEC is the primary body entitled to oversee campaign finance. In May 2021, the Supreme Security Council, an advisory body under the President of Moldova, recommended to the CEC to establish an inter-agency working group to detect and investigate actions of illegal campaign financing. However, the CEC did not address this proposal during the 2023 local elections.

ENEMO recommends reinforcing and fully institutionalizing the close cooperation and exchange of information related to party and campaign finance between different institutions, including by using in full the capabilities of the "Financial Control" module.

Positively, the new Division of Supervision and Control of the Financing of Political Parties and Electoral Campaigns (henceforth the Division) was created within the CEC in July 2022. However, it was understaffed and lacked key personnel during the 2023 elections, including two finance specialists.¹¹⁹ Permanent second-level DEC chairpersons were responsible for campaign finance oversight of independent candidates, although, in reality, DEC only forwarded the reports to the CEC for further review. The oversight over the state subsidies for political parties has been granted to the Court of Accounts, following the Venice Commission's recommendation.¹²⁰ ENEMO observed limited efficiency of campaign finance oversight by EMBs, mainly due to the lack of crucial personnel and the absence of delegation of some tasks to lower-level DECs.

Consideration could be given to delegating some tasks of party and campaign finance oversight to other institutions or to create and fully institutionalize an inter-institutional body that would supervise campaign finance. During election periods, the CEC should have the highest authority over campaign finance oversight, and other institutions should promptly react to CEC requests where necessary to allow effective supervision.

Electoral contestants had to open a dedicated bank account ("Electoral Fund") within three days of their registration and inform the CEC within 24 hours. Contestants that did not open an "Electoral Fund" could conduct their campaign without the involvement of any financial costs and had to inform the CEC within three days of their registration. As of 20 October, eight out of 36 political parties did not inform the CEC about the opening or non-opening of the "Electoral Fund". Furthermore, 1,135 independent candidates out of 1,182 did not open a dedicated bank account. Bureaucratic procedures within banks, such as the need for advance deposits, account closure fees, the time required for account activation as well as the registered treasurer were reported as reasons why independent candidates refrained from opening an account. ENEMO assesses that leaving open the opportunity for contestants not to open a bank account is at odds with best practice and leaves

117 Furthermore, according to the Article 54 of the Election Code, contestants are prohibited from offering voters money, goods, including food, alcohol, and tobacco products, providing services, or offering other benefits to influence the voters' choice. Contestants also cannot use "the Electoral Fund" for personal purposes and cannot finance their campaign from other undeclared financial or material funds.

118 ENEMO directly observed cases of third-party campaigning on Facebook (for more details, see the Online media subsection).

119 Therefore, the Division has currently only five members out of eight (one head and one deputy head, one IT specialist and two legal specialists). The lack of financial specialists poses a challenge for the Division to effectively monitor campaign finance.

120 "The funding of political parties from public funds must be accompanied by supervision of the parties' accounts by specific public bodies (e.g. the Auditor General's Department)." - [Compilation of Venice Commission Opinions and Reports Concerning Political Parties](#), adopted on 18 November 2021, (CDL-PI(2021)016rev), Chapter VII Financing of Political Parties.

space for unreported expenses and shadow funding.¹²¹

ENEMO recommends extending the obligation to open a dedicated bank account for the campaign to independent candidates, and for them to report even if they use their own resources or do not incur any expenses. To facilitate financial reporting conditions for independent candidates, consideration could be given to exempting them from hiring a treasurer and requiring only one final report at the end of the campaign.

The CEC should delegate control of the campaign finance oversight in the districts to the DEC, under condition that DEC is provided with capacities to conduct this task efficiently.

Transfers from the “Electoral Fund” had to be made only after the registration of the contestant, but not earlier than 30 days before election day. According to the CEC and other EOM interlocutors, several parties and independent candidates faced difficulties in opening a dedicated bank account. The CEC demanded the banks to comply with the legislation, however, some banks refused to open the bank accounts due to concerns about ongoing anti-corruption agencies’ investigations or the incompatibility of the party program with the bank’s policies.¹²² This limitation deprived contestants of the opportunity to campaign and may have led to unreported and illegal funding.¹²³

ENEMO recommends to the CEC and the National Bank of Moldova to synchronize provisions related to the opening of bank accounts both to safeguard freedom of association and to prevent political corruption and money laundering. The banks should promptly inform the National Bank regarding the non-opening of the account for a contestant which should be the case only when justified. The National Bank should apply sanctions in case of non-compliance with the legislation. Other options could be considered, such as the involvement of the State Treasury, or best practices from other countries.

All funds related to the financing of the campaign had to be managed through the “Electoral Fund” by means of an appointed treasurer.¹²⁴ All the reports had to be submitted through the CEC’s “Financial Control” electronic module.¹²⁵ The module did not function as intended during the first week of the campaign and the format in which finance reports were published limited

121 [The Venice Commission and OSCE/ODIHR Joint Opinion on the Draft Election Code](#) from October 2022 stipulated that “in line with requirements for transparency and accountability of campaign financing, all contestants should have an account and be required to report even if they do not incur any expenses. The provision should be reconsidered only in specific exceptions, such as campaigning of independent candidates or IGs in local council elections or local referendums.” The New Historical Option Party, National Progress Party and Our Budjak Party decided not to open the bank account and informed the CEC accordingly. Several other parties informed the CEC about the opening of the “Electoral Fund” with significant delay and after several warnings.

122 The only justified reason should be if the banks follow the [2018 Law on Prevention and Combating of Money Laundering and Terrorism Financing](#) that was aimed to implement the [EU Directive 2015/849/EC](#) and implement the Financial Action Task Force (FATF) recommendations.

123 The CEC in its [Decision No. 1389](#) from 6 October reported that several parties faced problems in opening their bank account, mainly due to the fee charges of 5000 MDL. Parties that reported problems with the opening of an account are the Chance Party, Common Action - Civic Congress, Democracy at Home Party, Ecologist Green Party, League of Cities and Towns, Liberal Party, MAN, Modern Democratic Party, PACE, PONA, Revival Party and Ruslan Codreanu Electoral Bloc. PACE could not open the bank account because of the criminal investigation of the party leader, Gheorge Cavaliuc.

124 The requirements for the treasurer are specified in the Article 55 of the Election Code. CEC organized the training for treasurers on 1 October and provided them with a printed guidebook.

125 The “Financial Control” module is still under development and the CEC acknowledged technical difficulties. The citizens cannot extract the PDF reports into open-data sources easily, which limits public scrutiny. The banks had to inform the CEC daily electronically on all transactions, while contestants had to send one initial report within three days after the opening of the account and afterwards on a weekly basis. The deadlines for weekly reports were on 6, 13, 20 and 27 October and 3 November by 17.00 according to the CEC [Decision](#) No. 1150. The reports for the second round were due on 10 and 17 November. Many reports were not uploaded on the CEC website within the deadline.

public scrutiny and transparency.¹²⁶ The parties that intended to forward the funds from their party account to the “Electoral Fund” had to submit an initial report covering the period from 1 January until 6 October.¹²⁷ The final financial report was due within three days after the election day.¹²⁸ The reports must include all the supporting documents and the CEC or DEC has the right to request additional information from contestants and public institutions.¹²⁹

Reports from independent candidates were submitted to the DECs. The CEC was obliged to publish all reports within 24 hours of their reception.¹³⁰ The deadline was not always respected, but the publication of the reports improved after the second week of the campaign. The CEC does not publish the date of the submission and uploading of the report; therefore, the public cannot verify if the reports were submitted within the deadline, or the CEC uploaded them with delay. Some parties also submitted corrected reports, although the changes were not highlighted, rendering public scrutiny more challenging.

In order to improve the possibility for public scrutiny and transparency, the publication of financial reports should be improved - financial reports should be published within the deadline, in open-data format, with the publication date information, as well as highlighted corrections. To further enhance transparency, the CEC could also consider the publication of daily bank reports.

The “Financial Control” module should be further improved and connected with other systems, to facilitate uncovering irregularities and to allow for automatic verification of data.

The majority of ENEMO interlocutors among political contestants mentioned that the financial reporting requirements are burdensome, especially regarding the requirement to report on the time measurements of their volunteers’ activities.¹³¹ The CEC acknowledged that the reporting was challenging for parties with several hundreds of candidates, due to the peculiarities in local elections.

While in the first two weeks of the campaign, the CEC did not inform the public about its campaign finance oversight findings, starting from 24 October, it issued several decisions as well as campaign

126 The module did not work during the first week reporting period meaning the parties had to submit reports in hard copies or later through the module with delays. This also limited public scrutiny as the uploaded reports are not in user-friendly, open-data format. The following reports were submitted in more user-friendly PDF format, but still not as usable as open data.

127 Initially, 13 parties submitted the initial report (PSDE, PLDM, PCRM, Liberal Party, PSRM, PN, Platforma DA, Force of the Diaspora, The Will of the People, Common Action - Civic Congress, PAS, MAN, and LOC). On 8 November, the CEC in its [Decision](#) No. 1551 requested from the Green Ecologist Party and Party of Patriots the submission of the initial report because they transferred the funds from their party account to the “Electoral Fund”. CEC also requested the initial report from the Movement of Professionals “Hope”. The three parties submitted the report subsequently.

128 Previously, the final reports were due two days before the election day. The CEC published only 16 out of 36 party final reports and five out of 13 in case of independent candidates within the prescribed deadline. Other reports appeared on the CEC website in the following days.

129 These institutions are State Fiscal Service, National Social Security Service, National Medical Insurance Agency, Public Service Agency, or State Procurement Agency among others.

130 The deadline was shortened from 48 hours compared to the previous elections. However, the CEC admitted some delays in publishing the reports, mainly because of the need to remove sensitive personal data from the reports before their publishing.

131 According to the CEC, candidates themselves do not have to report on their volunteering activities in their financial reports if declared to the CEC. Most parties reported zero values in volunteer activities in their financial reports.

finance oversight reports, and applied warnings.¹³² The CEC should announce the results of the overall control within six months after the confirmation of the election results.¹³³

Based on the CEC oversight reports, ENEMO assesses that the capacities of campaign finance reporting of many parties (especially smaller ones) and independent candidates are rather limited. In various cases, the contestants did not inform the CEC about the opening or not opening of an "Electoral Fund", they sent reports without appointing a treasurer beforehand, or used the funds without declaring them in advance to the CEC. The reports included various inconsistencies (discrepancies in reported incomes and expenditures, exceeding the donation ceilings, discrepancies between reports and information from banks, expenses not properly assigned to the constituencies where candidates were running), lacked supporting documents or were submitted with delays. ENEMO also noticed that most political parties reported zero value for volunteering activities despite the obvious involvement of volunteers, at least for some main political parties.¹³⁴ Those parties that reported expenditures for volunteering activities did not do so in a uniform way.

Political parties should present to the CEC donor's declarations that the donated amount complies with legal provisions on thresholds, under the penalty of contravention against the donor.

While ENEMO commends the publication of the CEC reports on campaign finance monitoring as an important mechanism to inform the public, the late publication of these reports, some three weeks after the reporting period, significantly limited the transparency of the election process, lowered the benefit of these reports and the possibility for voters to make an informed choice. Various contestants also did not respect the CEC decisions to correct shortcomings within the prescribed deadlines, and the only sanctions applied by the CEC were belated warnings. Concerns remained regarding whether the CEC's oversight was sufficiently comprehensive and thorough enough due to insufficient capacities and the financial reporting system not yet integrated with other systems.¹³⁵

The CEC should not limit its sanctions to repeated, non-dissuasive warnings, but in case of repeated violations and non-respected deadlines apply more graduate, timely, dissuasive, and proportionate sanctions. The CEC should also enhance the timeliness of campaign finance oversight, so that reports are published in time and sanctions applied before election day.

132 On 24 October, the CEC in its [Decision](#) No. 1483 obliged the Chance and Revival Party to correct errors in the financial reports within three days. Additionally, the parties were imposed a sanction in the form of a warning for the use of financial means other than from the "Electoral Fund" and for the distribution of advertising materials which do not comply with the norms. Additionally, on 30 October, the CEC initiated the process of de-registration of the Chance party candidates because of the use of illegal funds and exceeding the campaign ceiling. The FASM party received a warning in the CEC [Decision](#) No. 1560 of 9 November for the use of financial means, other than from "Electoral fund" as well as the use of undeclared and unreflected material funds. The party was obliged to present by 11 November the final financial report. PACE party was [sanctioned](#) in the form of a warning and deprivation of the allowances from the state budget for four months because of the non-respect of campaign finance rules. Furthermore, the CEC [decided](#) to warn PSRM on 17 November for distributing campaign material marked as "Printed on own technical equipment" which relates only to contestants without the "Electoral Fund" which is not the case of PSRM. The CEC campaign finance oversight reports were issued on [26 October](#), [3 November](#), [8 November](#), [17 November](#) and [27 November](#).

133 In case of non-compliance with the campaign finance regulations, the CEC has several tools at its disposal, starting from warnings, deprivation of free or paid airtime for 24 or 48 hours or deprivation of funds from the state budget up to the contravention sanctions and de-registration of the contestant or the political party as a last resort.

134 Several interlocutors from political parties had previously reported to ENEMO that they found the requirement to report volunteer time in financial terms extremely burdensome.

135 The prominent CSO Promo-LEX reported in their regular reports the high amounts of probable unreported expenditures by the contestants and these serious findings have almost never been reflected in the CEC reports.

The quality of analysis of financial reports should be improved, with particular attention to major violations and unreported expenses. To ensure effective supervision, the CEC should be provided with sufficient resources.

Many interlocutors raised serious concerns about “shadow funding” coming from abroad or Transnistria using cash, pre-paid PYYPL cards or cryptocurrencies to bribe voters and its malign impact on the electoral process, which was also the main argument used to cancel the registration of the candidates fielded by the “Chance” party (see Candidate registration). Law-enforcement bodies conducted several searches during the electoral campaign, mainly on premises and members of the “Chance” party and “Revival” party, under suspicions of passive bribery, illegal funding, as well as funding from Shor.¹³⁶ Another concern reported to ENEMO regarding influence on voters was the contracts with city and district councils related to promised funds for infrastructure projects, often with dubious foreign sponsorship.¹³⁷ These practices posed significant challenges and raised serious concerns about the integrity of the electoral process.¹³⁸

On 8 November, the CEC initiated a complex control process regarding the financing of the electoral campaign of the “Chance” Party for the entire reporting period until its de-registration.¹³⁹

State authorities should proactively and decisively act, while preserving the principles of rule of law, to prevent the impact of third-party campaigning, shadow funding and other undue influence on the will of the voters, which risks undermining democracy in the country in the long run.

136 Several persons were detained (including two MPs Irina Lozovan and Alexandr Nesterovschi) and the police seized materials, such as “PYYPL” cards; cash; documents reflecting payments to candidates and voters; lists of mayoral candidates who received unaccounted amounts of money; falsifying signatures in lists for supporting and registering candidates.

137 In the case of the de-registration of the “Chance” candidates in nine municipalities, one of the reasons was the sponsorship contracts concluded between the local councils of these localities and the Israeli citizen Igal Shved totaling from 300,000 MDL to 88 mil. MDL. Other contracts with the same sponsor were signed in [Biesti](#) and [Donici](#) (Orhei district) in the amount of 10.4 mil. and 9.8 mil. MDL, respectively.

138 The Parliamentary Assembly of the Council of Europe (PACE) [expressed](#) serious concerns about the illicit interference through financial contributions by foreign states. See also the para. (211) of the [OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulations, Second Edition](#) saying that *“It is a central characteristic of systems of democratic governance that parties and candidates are accountable to the citizenry at large, not to wealthy special-interest groups in particular.”*

139 The CEC based its [Decision](#) No. 1550 of 8 November on 105 notifications that were received from SIS, police inspectorates and citizens all over the country in relation to the existence of signs of violation of the regulatory framework for the financing of the electoral campaign. Thus, the CEC will conduct the control mission by 17 January 2024 to confirm or reject the given suspicions. Based on the [CEC press release](#), the “Chance” Party ignored the CEC’s invitation for the 17 November meeting to be informed about the control mission and to present the first set of the requested documents.

VII. MEDIA

MEDIA ENVIRONMENT ¹⁴⁰

Moldova's media landscape is characterized by polarization between pro-Russian and pro-Western narratives, influenced significantly by oligarchs and political leaders. The state of emergency, a result of the Russian invasion of Ukraine, has heightened control over disinformation, particularly impacting media outlets disseminating Russian propaganda. Television is a prevalent and trusted medium, maintaining its influence while facing growing competition from online media, especially social networks. Private FM radio networks commonly rebroadcast content sourced from Russian and Romanian stations. Print media outlets often align themselves with specific political party affiliations, and readership is limited and on the decline. Notably, Moldova's only daily newspaper is an adaptation of a Russian tabloid. The social media sphere is marked by the prominence of platforms such as Facebook, Odnoklassniki, Instagram, TikTok, and Telegram.

ENEMO echoes concerns and emphasizes the challenges in Moldova's media environment, encompassing issues such as access to information, the influence of social media which brings concerns related to misinformation, the potential for manipulation, difficulties in regulation, and shifts in information consumption patterns, battles against misinformation, dissatisfaction with advertising disparities, and the role of political communication in shaping public opinion. The media landscape is a mix of oligarch-controlled outlets, independent and investigative media, and those aligned with political parties.

Moldova has experienced an upswing in informational attacks and threats to national security, particularly intensifying since the beginning of the war in Ukraine, with a notable impact during the recent local elections. These attacks, orchestrated through specific media outlets, are seen as part of a broader hybrid war conducted by Russia against Moldova. The decision to suspend the licenses of six TV stations during the state of emergency, endorsed by the Commission for Exceptional Situations and extending measures initially implemented on December 16, 2022, aimed to safeguard the national information space amid concerns over violations and manipulative narratives. The Intelligence and Security Service stated that the Russian Federation is exerting influence on local elections, actively employing disinformation campaigns through these TV stations, and thereby posing a threat to the democratic processes.¹⁴¹

While these challenges prevail, the media narrative has been largely focused on political party dynamics and national security concerns, sidelining human rights issues. The discourse around the elections, during both rounds, remained dominated by discussions on party alignments, policy positions, and broader geopolitical implications, with human rights considerations taking a backseat and being overshadowed by election-related scandals. The media struggled to prioritize community needs amid the noise generated by controversies.

140 The mission did not conduct traditional media monitoring activities. Findings and conclusions pertaining to traditional media in this section are drawn from meetings with interlocutors that work on the media field in Moldova and monitoring of the activity of the body in charge of monitoring media conduct (Audiovisual Council). The Mission monitored some aspects of social media (see social media subsection, below).

141 See the [Press Conference](#) of the Director of SIS

Despite legal guarantees of press freedom, the media landscape grapples with significant constraints arising from political affiliations, as mentioned above, as well as economic challenges. The advertising market, insufficient for the numerous television channels, leads to media facing financial difficulties, with dominance by channels rebroadcasting Russian content.

Entities closely linked to influential politicians and oligarchs wield considerable influence over the advertising market, negatively impacting independent media. Independent media organizations, facing financial hardships exacerbated by the advertising market downturn amid the conflict in Ukraine, struggle to attract qualified personnel capable of producing high-quality work. Consequently, many rely on financial assistance from international donors to navigate these economic challenges.

While journalists in Moldova generally operate in a safe environment, they encounter risks of insults and attacks by politicians, occasionally escalating to cyber-harassment by their followers. Special accreditation is required for access to Transnistria. ENEMO interlocutors acknowledge improvements in information access, yet the promised open access to official registers without fees remains unfulfilled.

The multifaceted perspectives from diverse sources underscore the complexities of Moldova's media landscape. Some interlocutors emphasize equal media access and cooperation, while others express dissatisfaction with disparities and challenges in advertising.

LEGAL FRAMEWORK FOR MEDIA

Elections are primarily regulated by the Constitution and the Election Code, including the 2018 Audio-visual Media Services Code (amended in 2023) and the 2022 Law on Advertising. The primary legal acts are further complemented by acts of the CEC and the Audiovisual Council. The regulatory framework ensures equitable, balanced, and impartial coverage for all parties, offering free airtime or space in printed media for electoral contestants. Parties and candidates have access to some free airtime in national broadcasters for reaching voters and advertising in public broadcasters. Media institutions have the right to cover elections without interference, and journalists, including freelancers, can exercise their duties without special permits for general coverage. However, those intending to use specific rights under the Election Code must obtain observer status through CEC established procedures.

Article 34 of the Constitution of the Republic of Moldova ensures the right of access to information. Article 89 of the Election Code outlines general principles for media coverage of elections, affirming the media institutions' right to cover elections without interference and granting authorized journalists access to electoral proceedings on par with observers. Notably, on 14 April and 2 June 2022, the Parliament enacted laws No. 102 and 143, amending certain normative acts and the Audiovisual Media Services Code (Law No. 174/2018).¹⁴²

In December 2022, the parliament adopted a new Election Code, introducing significant changes across various electoral facets, notably addressing monitoring of broadcasting media between elections, and instituting effective sanctions for media violations. Amendments to the Contravention Code now explicitly prohibit and sanction the use of hate speech and incitement to discrimination by election contestants, including within electoral materials. Internal tools for the regulation of

¹⁴² These amendments, signed by the President on 19 April and 16 June 2022, respectively, came into effect on 20 April 2022 and 22 June 2022, influencing the legal framework governing media and expression in the Republic of Moldova.

political and electoral advertising, as well as monitoring hate speech in audiovisual media, have been developed by the Central Electoral Commission and the Audiovisual Council. Given the observed trends of hate speech in the preceding five years during election periods, coupled with the new provisions on electoral campaigning, monitoring hate speech during general local elections becomes imperative for a thorough analysis and assessment of its prevalence and corresponding sanctions. Article 58, paragraph 9 of the Election Code mandates that within seven days of the start of the electoral period, media service providers that intend to cover the election campaign must publish conditions for offering advertising space and related services to electoral contestants within specified timelines. This information is to be shared with the Central Electoral Commission and the Audiovisual Council, with the former publishing it on its official platform. Throughout the electoral period, media service providers are obligated to provide the Central Electoral Commission with weekly updates on income derived from political/electoral advertising for each political party, electoral bloc, or electoral contestant.

ENEMO commends the progress achieved in the legal framework governing mass media in Moldova, acknowledging the advancement from a two-year stagnation period. The introduction of the new Advertising Law and Election Code, coupled with essential amendments to the Audiovisual Media Services Code in June and November 2022, reflects a positive trajectory. ENEMO recognizes the active involvement of the advisory group of experts alongside the parliamentary committee, particularly in enhancing civil society participation in decision-making processes.

The commendable efforts to address issues related to ownership regulations and fortify the audiovisual information space showcase a commitment to media integrity. ENEMO acknowledges the deliberations on a law regulating subsidization in the media sector and the organization of the Public Institution Center for Strategic Communication, underlining an inclusive approach to legislative improvements.

Despite notable strides, the lingering challenge of the unaddressed issue of regulating the online press, persisting for over 15 years, requires urgent attention. There is generally little regulation regarding campaigning in online media.

The Audiovisual Media Services Code (AMSC) serves as the foundational legal framework for regulating audiovisual media activity in Moldova and is generally in line with international standards. However, certain amendments made in 2021, particularly those allowing the removal of Audiovisual Council (AVC) members and changing the process for appointing and dismissing National TV (TRM) management, differ from international norms. The administrative acts issued by the AVC, which act as secondary legislation, are considered insufficient, outdated, and lacking clarity and predictability. While regulations governing the establishment of media institutions are in compliance with current legal conditions, the Press Law's provisions concerning the creation of press agencies and periodicals are outdated and impractical, indicating a need for its repeal. The legal framework overseeing media ownership needs adjustments to align with the current state of the media sector. The existing anti-competitive legislation is seen as inadequate, impeding fair competition in the market, and the current legal mechanisms are deemed incapable of preventing and addressing dominant positions in shaping public opinion through media service providers or print and online media institutions.

ENEMO emphasizes the need for comprehensive regulations, particularly focusing on areas such as access to information of public interest, prevention of anti-competitive practices, and combating disinformation in the media landscape.

ENEMO strongly urges Moldovan authorities to prioritize and expedite the development and

implementation of comprehensive regulations specifically addressing the unregulated online press, especially aimed at combating disinformation within the online media landscape. While imperative and urgent, the amendments should be conducted through an inclusive and transparent process, involving all relevant stakeholders and interest groups. Consideration could be given to establishing a dedicated task force involving relevant stakeholders, including representatives from civil society, media organizations, and legal experts, to collaboratively draft these regulations.

The national legal framework for regulating media economic activity is minimally sufficient, posing no major obstacles to implementing electronic subscription or donation platforms for media institutions. However, challenges persist in the setup, management, and maintenance of these platforms, including integration with payment services. Concerns persist about the accuracy of ratings in the regulations for national TV audience measurement. The absence of a regulatory framework for direct subsidies to media activity and outdated regulations on tax facilities for periodicals are notable shortcomings. While the Advertising Law rectified inaccuracies, issues such as “penetrating advertising” and the allowance for public media service providers to air commercial advertising may have adverse effects on the market. The Broadcast Council’s administrative regulations lack specific and sufficient rules on commercial communications, contributing to the ongoing problem of inadequate competition regulation in the domestic media market.

A prompt and comprehensive review of legal provisions is needed, to ensure a fair and competitive media market and promote fair competition. ENEMO also highlights the need for specific and robust rules on commercial communications within the administrative regulations of the Audiovisual Council, that would ensure a level playing field for all media entities in Moldova.

TRADITIONAL MEDIA

The Election Code, complemented by a CEC regulation, sets out guidelines for fair, transparent, and impartial media coverage during election campaigns, ensuring equal access to political advertising for all candidates. Oversight of compliance with these regulations is the responsibility of the Audiovisual Council (AVC), actively monitoring broadcasters and addressing media-related complaints. A significant amendment designates the AVC to conduct thorough monitoring of news programs on selected broadcast media during the pre-election period, using audience share as a criterion, starting from 7 August 2023. However, the regulatory acts of the AVC reveal a deficiency in secondary legislation, lacking provisions for monitoring audiovisual commercial communications, content on video-sharing platforms, media ownership, gender equality, audiovisual pluralism, and compliance with rules addressing dominance in shaping public opinion.

The Audiovisual Council (AVC) operated with efficiency, transparency, and timeliness during both rounds of elections, ensuring robust oversight in monitoring media activities. The recent overhaul of Moldova’s Audiovisual Council (AVC) in response to the political changes of 2021 underscores a dedicated effort to boost independence and operational efficiency. Reforms, such as revising the organizational structure, enhancing labor code regulations, and securing increased funding, have positively impacted the AVC’s financial stability and internal workings. A proactive stance on contemporary challenges, including hate speech, misinformation, elections, and media literacy, is evident. The introduction of monitoring programs, especially those incorporating artificial intelligence for content analysis, represents a noteworthy step toward enhancing regulatory oversight.¹⁴³ However, challenges with the implementation of the monitoring program need to be addressed to further strengthen its effectiveness.

¹⁴³ In addition, the commitment to staff investment, including English courses and exposure to international practices, indicates a forward-thinking approach. Furthermore, Significant strides in IT infrastructure, encompassing server acquisition and cybersecurity measures, highlight a commitment to data security and operational efficiency.

ENEMO recommends the Audiovisual Council (AVC) to broaden its monitoring scope to encompass political pluralism throughout the entire year, extending beyond election periods. This expansion would strengthen the oversight of media content and regulatory compliance consistently.

Throughout the electoral period, the Audiovisual Council (AVC) published nine monitoring reports. The final media monitoring report¹⁴⁴ synthesized data from 12 reports focused on the coverage of general local elections on TV and radio. Notably, for the first time, all TV and radio media services approved by the AVC for election coverage statements underwent monitoring. The regulatory authority acted against attested violations during the campaign, issuing 35 public warnings and imposing fines totaling 459,000 MDL (approx. 23,800 EUR). Some media service providers did not fully comply with election coverage declarations, and six TV channels covered the elections despite notifying the AVC that they would not. During the days of election silence, TV stations refrained from allowing election agitation. Monitoring of main news bulletins during peak audience hours revealed deviations, leading to fines for 12 television and radio stations.¹⁴⁵ Specific sanctions were applied for non-compliance with electoral section markings, lack of impartiality, and violations of information presentation rules. Repeated violations resulted in both warnings and fines. Additionally, controls based on petitions led to sanctions against media outlets for various infractions, including violating the Election Code provisions and lacking impartiality. Modifications to statements regarding editorial policy reflecting the elections were approved for several media service providers upon request.

While acknowledging the need for proportionate sanctioning of violators, ENEMO advocates for the AVC to maintain a balanced and gradual sanctioning approach, ensuring that corrective measures are proportionate and considerate of the long-term impact on media entities.

While paid political advertising was not the preferred strategy for most contestants in regional/local media, exceptions included Our Party and PAS. ENEMO emphasizes the efforts of some local outlets to provide a comprehensive platform for mayor and councilor candidates, fostering inclusivity in election coverage. However, concerns arose from observed disparities, as some councilor candidates in Balti reported limited access to local media and exclusion from electoral debates. The structured format of debates aimed to explore candidates' visions and solutions, but the refusal of some candidates to participate raised questions about their willingness to engage with voters or face opponents.

Media of public interest, including investigative and human rights-focused outlets, coexist with politically controlled and business-oriented media. Independent media strives to maintain integrity, scrutinizing both the government and opposition, but faces challenges countering the influence of well-funded media outlets aligned with political figures. Media outlets aimed to cover candidates fairly, but challenges included candidates' non-cooperation and the need for fact-checking.

A notable trend emerged with some candidates choosing to abstain from debates, potentially leading to a less informed electorate. Reasons for candidates refusing to participate varied, encompassing strategic considerations, concerns about the perceived impartiality of the debate platform, or broader political calculations. Most candidates opted for alternative avenues, such as social media, public appearances, or other outreach methods, bypassing the traditional debate format. On the local level, candidates choosing not to participate sometimes cited a lack of familiarity with the city and concerns about answering specific questions due to recent arrivals or returns.

144 Audiovisual Council's monitoring reports: <https://consiliuaudiovizual.md/thematic-monitoring-reports/>

145 „Moldova1”, „PRO TV Chişinău” „TV8”, „ART TV”, „ATV”, „Agro TV”, „ITV”, „PRO TV Chişinău”, „R Live TV”, „Radio Chişinău”, „Radio Moldova” and „BAS FM”

ONLINE AND SOCIAL MEDIA

According to ENEMO interlocutors, recent trends in Moldova’s media landscape indicated a substantial shift towards online platforms, particularly social networks, surpassing traditional broadcast media. This transition has brought about a diverse media environment, with outlets tackling various topics and aligning with political affiliations. However, it has also intensified challenges related to misinformation, fake news, and the manipulation of public perception.

ENEMO’s discussions with stakeholders highlighted the prevalence of misinformation and fake news in Moldova and a surge in pro-Kremlin narratives. Telegram and TikTok have emerged as significant platforms for spreading misinformation, particularly during elections, presenting challenges in reporting and addressing such content. Cases of harassment against Tuk.md¹⁴⁶ and accusations of bias against Nokta.md¹⁴⁷ presented challenges to media freedom.

The evolving media dynamics saw media outlets whose licenses were suspended, migrate to online platforms, emphasizing the increasing importance of digital spaces for news dissemination. This shift, while offering new outreach avenues, also underscored the intricate challenges and regulatory complexities faced by media organizations in Moldova.

To preserve the integrity of information during the state of emergency, Moldova’s Information and Security Service (SIS) issued on 24 October an order, expanding the already existing list of online sources to be blocked due to their distortion of information from recognized aggressor states, in alignment with Parliament’s Decision No. 1/2022 to safeguard the country’s information space.

Both rounds of elections featured the proliferation of media platforms, especially on social media, leading to challenges such as disinformation campaigns and the rapid spread of misleading narratives. The surge in informational attacks during the electoral period raised concerns about the potential impact of manipulative information, particularly with the noted shift to Telegram due to changes in Facebook’s content removal policy.

Additionally, hate speech saw a significant increase on various social media platforms, with politicians employing inflammatory language, contributing to a hostile atmosphere. President Maia Sandu faced a discrediting campaign on Facebook, marked by negative narratives aimed at undermining her credibility, illustrating the dangerous impact of hate messages on national security.

ENEMO strongly recommends the development and implementation of a comprehensive regulatory framework exclusively designed for online media. This framework should meticulously address challenges related to misinformation and establish mechanisms ensuring accountability within the digital space. Robust monitoring and reporting mechanisms with a specific emphasis on platforms of social networks should be instituted. Collaborative efforts with these platforms are essential to streamline the identification and removal of misinformation, fostering a swift response to reported content and ultimately fortifying the integrity of online information dissemination.

ENEMO used the CrowdTangle platform to monitor the activities of 21 political parties/candidates on Facebook. During the monitoring period for the first round of elections, October 01 - November 5, 2023, the total number of content, published by monitored pages on Facebook was 2,350 out of

146 See the article: <https://nokta.md/mer-taraklii-popytalsya-zapretit-vesti-tuk-md-translyatsiju-zasedaniya-sove-ta-npo-v-oblasti-smi-osuzhdajut-takie-dejstviya/>

147 See the article: <https://nokta.md/poluchaete-grandy-a-ya-znaju-kuda-mne-hodit-dialog-sovetnika-bashkana-mihaila-vla-ha-s-zhurnalstkoj-nokta-posle-mitinga-partii-shans/>

which individually, Partidul Schimbă 82 posts, PAS - 226, Partidul Liberal - 33, Carp Lilian - 102, Partidul Social - 114, MAN - 255, PCRM - 10, Blocul Electoral Ruslan Codreanu/ Putea Oamenilor - 47, Partidul Nostru - 136, Partidul politic "Renastere" - 63, Partidul Politic Sansa - 189, Ion Ceban - 287, Platforma DA - 87, Vasile Costiuc - 103, Partidul Acasă Construim Europa - 66, Democrația Acasă - 120, Ruslan Codreanu - 76, Victor Chironda - 86, Diana Caraman - 64, Partidul Liberal Democrat din Moldova - 132, Vasile Bolea - 72.

A total of 1.07 million Facebook interactions were made on the mentioned posts, out of which as much as 452.2 thousand were only on posts of the "Democrația Acasă", 205.4 thousand on posts of Ion Ceban, Carp Lilian 108.9 thousand and PAS 84.7 thousand.

Parties/candidates communicated mostly through videos (40.67 percent), photos (35.91 percent) and Facebook live (16.15 percent).

ENEMO continued to monitor 21 pages of political parties/candidates¹⁴⁸ which used social networks and online space to spread political content during the second round of elections too. During the monitoring period, November 06 - November 18, 2023, as expected, there was a decrease in communication frequency by political parties. The total number of content, published by monitored pages on Facebook was 289 out of which individually: Partidul Schimbă 2 posts, PAS - 56, Partidul Liberal - 2, Carp Lilian - 3, Partidul Social - 27, MAN - 12, PCRM - 1, Blocul Electoral Ruslan Codreanu/ Putea Oamenilor - 0, Partidul Nostru - 14, Partidul politic "Renastere" - 6, Partidul Politic Sansa - 31, Ion Ceban - 33, Platforma DA - 21, Vasile Costiuc - 15, Partidul Acasă Construiam Europa - 1, Democrația Acasă - 24, Ruslan Codreanu - 3, Victor Chironda - 7, Diana Caraman - 9, Partidul Liberal Democrat din Moldova - 10, Vasile Bolea - 12.

A total of 162.7 thousand Facebook interactions were made on the mentioned posts, out of which as much as 67.3 thousand on posts of Ion Ceban, 53.3 thousand on posts of the "Democrația Acasă", and PAS 16.9 thousand. Parties/candidates communicated mostly through photos (52.08 percent), videos (24.31 percent), and Facebook live (17.71 percent).

Moldova's multifaceted and intricate political environment is evident in the diverse strategies employed by political parties on Facebook. ENEMO observed the profiles and pages of the leading political contenders during the last week of the first-round campaign. MAN Party highlighted the fairness of their election efforts and focused on portraying Chisinau as an attractive city for investors. Their electoral priorities included revising local tax enforcement mechanisms, supporting young people, and implementing large development projects. The party also addressed allegations of a smear campaign against them and presented their candidates and electoral priorities in major suburbs of Chisinau. While no specific policies for women were mentioned, social support programs covering various demographics indirectly included women.

PAS targeted women voters, emphasizing the importance of exercising their right to vote and advocating for a European future. They posted videos featuring statements from elected officials, stressing the need to choose a European path, and cautioning against potential Russian influence. PAS highlighted achievements from October, showcasing projects, increased aid, and support for women entrepreneurs. The party's promises included road repairs, job creation, safety measures,

¹⁴⁸ For the second round, ENEMO monitored the same pages that were monitored during the first round of elections, although some of the monitored pages did not represent active candidates (e.g. the Mayor of Chisinau, Ion Ceban, who was already elected in the first round. This methodological decision was made under the assumption that these political stakeholders influence public opinion and thus, the electoral process in any case, although they might not be actively campaigning in the second round.

increased funding for localities, and higher childbirth allowances.

PSRM's focus centered on building a modern and diverse capital, supporting ethnic diversity. They outlined priorities such as improved infrastructure, repaired roads, modern public transportation, clean courtyards, energy-efficient housing, lower energy tariffs, and enhanced care for children, youth, and the elderly. PSRM called for uniting against the ruling government, accusing them of chauvinism and interference in televised debates. They emphasized the need for a united opposition to push for early presidential and parliamentary elections.

Chance Party faced exclusion from the electoral race and responded by urging voters to support alternative candidates endorsed by them, challenging the decision of the Commission for Exceptional Situations (CES). The party's Facebook posts focused on showcasing trustworthy candidates still willing to work for the population, encouraging voters to choose alternatives in specific localities.

Renaştere Party, having its mayoral candidate promoted by Chance Party after its exclusion, emphasized its extensive outreach efforts during the campaign, organizing thousands of meetings with citizens. The party criticized the removal of its electoral banners in Chisinau and expressed a strong desire to remove the current government. Electoral promises included free water and sewage services for the elderly in Chisinau and affordable bread.

As the second round approached, PAS was actively endorsing its candidates in an additional 153 localities and focused its social media messages on various topics, including the government's support for citizens during the cold season, the vision of cities and localities becoming European through PAS candidates, and the promotion of infrastructure development projects. PAS officials also highlighted the European Commission's recommendation to initiate the accession negotiations of the Republic of Moldova, attributing this success to the ruling party and PAS candidates.

In contrast, PSRM directed its attention toward criticizing the ruling party, declaring the elections as the commencement of the end for PAS. Former president Igor Dodon asserted that the Sandu-PAS regime suffered a significant defeat despite having extensive power, media support, and financial assistance. PSRM slogans focused on achieving "Moldova without PAS! Moldova without Maia Sandu!" with no specific messages regarding political program priorities.

The European Social Democratic Party (ESDP) strategically showcased its pro-European orientation by featuring its president alongside Sviatlana Tsikhanouskaya at the Party of European Socialists (PES) Congress. ESDP leaders emphasized the party's openness to discussions with genuinely pro-European forces, positioning themselves as a viable alternative to PAS in future elections.

In specific regions like Balti, "Our Party" candidate Aleksandr Petkov discussed modernization efforts, while party leader Renato Usatii engaged with voters through Facebook lives, providing insights into the political situation in Balti. Notably, Gagauzia witnessed an increased number of independent candidates running in the second round, such as Sergey Anastasov and Nikolay Dudoglo in Comrat. However, these independent candidates lack official party Facebook pages and public profiles. In Vulcanesti, PSRM candidate Nicolae Posmac led with 47.96% of the votes, while independent candidate Anna Onofrey secured second place with 23.72%, allegedly supported by the Chance Party. Both candidates lack public profiles or public Facebook pages to verify their electoral messages.

VIII. GENDER REPRESENTATION

In recent years, Moldova has made some progress towards advancing gender equality. However, the participation of women in political life remains to be improved. Moldova is a party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Political Rights of Women.

In 2020 Moldova elected its first woman president. However, the presence of women in leadership positions in other institutions remains low. Three of the 16 government ministers are women; the prime minister and the three deputy prime ministers are men. Some 38 percent of the current MPs are women; the Speaker of the Parliament and the deputy speakers are men.

Women are well represented in election management bodies, at all levels. The Election Code also has provisions aimed at ensuring gender balance in election management bodies, but these are general and do not include any specific obligations.¹⁴⁹ Five of the eight members of the Central Election Commission in office during the elections¹⁵⁰ were women, including the President. Women were well represented also at the other levels of election management bodies.

Disaggregated data on gender representation in the election administration should be collected and published in a comprehensive manner.

The legal framework for elections contains several provisions that aim to improve gender representation. To ensure gender balance of elected councilors, the candidate lists for the municipal councils must have at least 40 percent from each gender, and the list should also have at least four candidates from each gender in every ten names in the list.¹⁵¹ While these measures are commendable, as they aim to both ensure a more balanced candidate list and prevent the inclusion of women in the list in non-winning positions, there are no legal provisions that regulate gender balance while allocating mandates.

Only 31 percent of mayoral candidates for constituencies of the first level were women. The number of women candidates for the municipal councils nominated by political parties was approximately 45 percent, which shows that parties made efforts to include more women candidates than the law requires (40 percent). However, the percentage of independent women candidates for the same was only 22 percent. The numbers were similar regarding candidates for the councils of second level constituencies, for which political parties and electoral blocks fielded some 46 percent of women candidates, but there are only 9 percent women candidates running as independents. Elected women councilors in district and municipal councils were approximately 33 percent and in local councils, 40 percent.

ENEMO recommends amending the legal framework to ensure gender balance during the allocation of mandates, besides candidate lists.

¹⁴⁹ Art. 17, para. 4 of the Election Code.

¹⁵⁰ On 30 November was appointed the ninth member of the CEC, who is a man, bringing the ratio of women members to 56%.

¹⁵¹ Art. 68, para. 3 of the Election Code. The obligation to have four persons from each gender for every ten names in the list is being applied for the first time for the current elections. While it was in place for the 2019 local elections too, at the time the Election Code had a special provision for those elections, obliging parties to have three names from each gender in every ten.

Political parties receive additional funding for elected women, but since the formula is calculated based on the number of women elected and not the number of women in office at the moment of allocating funds, the amount they receive does not necessarily reflect the current level of representation of women, which might change after the results are announced. While the CEC is in charge of replacing municipal councilors that leave the mandate during their term in office, it does not keep or publish any statistics.

Parties should undertake measures and put in place internal mechanisms to improve involvement of women in political life, as the most effective path toward ensuring a meaningful participation of women in politics.

The EOM observed few campaign messages specifically targeting policies for women, most of which were indirect.

Political parties and other election contestants should clearly include in their programs and campaign messages specific policies for women.

IX. NATIONAL MINORITIES

Moldovan law defines persons from national minorities as individuals who reside on Moldovan territory, are citizens, have ethnic, cultural, linguistic, and religious peculiarities distinguishing them from the majority of Moldovans - ethnic origin.¹⁵² A relatively large number of minority organizations are registered. According to the latest census (2014), some 28.5 percent of the population is declared as belonging to an ethnicity other than Moldovan.

While all CEC decisions are published in Romanian, translation into Russian is also provided, but not in a timely manner. Ballot papers are printed in Romanian and Russian.

Regarding voter education in minority languages, the CEC published videos in Russian, Ukrainian, Gagauz, and Bulgarian languages. Training sessions conducted by the CEC and the Center for Continuous Electoral training for lower-level commissions were conducted in both Romanian and Russian. Manuals were elaborated based on the new Election Code and were distributed to lower-level commissions, customized to their mandate and responsibilities, in Romanian and Russian languages.¹⁵³

152 Law No. LP382/2001, of 19.07.2001 "[On the rights of persons belonging to national minorities and to the legal status of their organizations](#)"

153 According to the data provided by the Center for Continuous Electoral Training, five webinars were provided for a total of 404 registrars of State Registry of Voters; one seminar was conducted for 40 judges; two webinars and 3 seminars were conducted for 472 police officers and carabinieri. Training for First and Second level commissioners were conducted in two stages where in total 116 seminars and 8 webinars were conducted with some 2907 participants. As for the PEBs, 138 seminars were conducted with some 4744 participants. PEB members were also offered 4 video conferences available online.

X. INCLUSION OF PERSONS WITH DISABILITIES

Moldova is a party to the Convention on the Rights of Persons with Disabilities (CRPD). In terms of domestic legislation, the Law “On the social inclusion of persons with disabilities” guarantees, among other things, that the State shall ensure to persons with disabilities (PWDs) the right and opportunity to elect and to be elected, and the right to adequate, accessible, and easy to understand voting procedures and materials (implementation of alternative voting arrangements). It also guarantees the right to express their choice by secret ballot in elections and referendums, without intimidation, and the right to free expression of will as voters and, to this end, if necessary and upon request, allow them to be assisted by a person of their choice.

While the legislation ensures equal rights for persons with disabilities, enjoyment of these rights in practice needs to be significantly improved. Infrastructural issues, combined with lack of awareness and understanding from members of the election management bodies play a big part in preventing persons with disabilities from fully participating in the electoral process. Most of the level I and II DEC were located on higher floors and as such were largely not accessible to people with locomotor disabilities. A few DECs reported to the long-term observers of ENEMO that polling stations were accessible to persons with locomotor disabilities as they were located on the ground floor of public buildings. However, ENEMO observers have noticed that despite this fact, most of the visited polling stations were not fully accessible, thus raising questions on the level of understanding of the needs of persons with disabilities by DEC members.

Voter education materials prepared by the CEC included audio format and videos with sign language interpretation.

Authorities should continue efforts to facilitate an equal participation of all citizens in the electoral process, with special focus on persons with disabilities.

XI. COMPLAINTS AND APPEALS

The electoral legislation¹⁵⁴ and the CEC regulation on election dispute resolution,¹⁵⁵ ensure the right to effective legal remedy. The legislation divides election-related cases into three main categories: disputes; administrative violations, punishable under the Contravention Code;¹⁵⁶ and criminal violations, under the Criminal Code.¹⁵⁷ Voters, candidates, political parties, initiative groups and electoral contestants can file complaints against the actions, omissions, or decisions of electoral authorities, as well as against the conduct or inaction of other contestants, to higher electoral bodies. Additionally, electoral officials, observers, and civil society organizations seeking observer accreditation can file complaints against electoral authorities for violating their rights. In these cases, decisions can also be appealed with a superior election management body.

Generally, complaints regarding actions, inactions, or decisions of election management bodies can be brought before hierarchically higher electoral bodies and subsequently the courts. Following ENEMO's previous recommendation, the Election Code now excludes parallel jurisdiction. This means that if a complaint is submitted to multiple electoral bodies at once, the higher hierarchical level and more closely related to the disputed action or decision will handle it. Complaints involving election contestants or other participants must be submitted to the electoral body that originally registered, accredited, or approved them. Moreover, if the complaint is directed towards both the election administration and the Court, it will be considered by the Court, unless the initial consideration procedure has not been followed.¹⁵⁸

Decisions adopted by the EMBs on complaints can be appealed to the relevant first-level court. Actions, inactions, or decisions of the CEC can be appealed to the Court of Appeals of Chisinau. The Supreme Court of Justice serves as the higher and final avenue for appeals.¹⁵⁹ The amendment to the Election Code, passed by Parliament on October 4th, which aims to prevent certain individuals from participating in elections, introduces an alternative legal process for review. Specifically, decisions by the DEC to exclude individuals from the list of banned candidates are to be appealed to the Court of Appeals of Chisinau.

The timeframe for submission of complaints is within three days from the day the decision was taken, action took place, or inaction was identified. Positively, the timeframe for complaints adjudication is within three days but in every case no later than election day.¹⁶⁰

ENEMO notes that despite the positive legal changes aiming to streamline the complaints and appeals procedures, at times the process was still complex. Numerous candidates have expressed their inability to dedicate sufficient time and resources to navigate this complex procedure, leading

154 Election dispute resolution is primarily regulated by the Chapter XIII of the Election Code.

155 [The CEC regulation on the examination procedure of appeals during the electoral period.](#)

156 [Contravention Code of Republic of Moldova.](#)

157 [Criminal Code of Republic of Moldova.](#)

158 [The Venice Commission and OSCE/ODIHR Joint Opinion on the Draft Election Code](#) mentions that *"This is a step in the right direction, but it should be reminded that, according to the Code of Good Practice in Electoral Matters, "[n]either the appellants nor the authorities should be able to choose the appeal body."* Venice Commission, Code of Good Practice in Electoral Matters, CDL-AD(2002)023rev2-cor, II.3.3.c.

159 Article 98 of the Election Code.

160 Except for complaints on financial aspects of political parties. Matters concerning the funding of political party activities are governed by the legislation on political parties and the CEC regulation governing the financing of the activities of political parties. Article 100 of the Election Code.

them to favor submitting formal notifications rather than full complaints or entirely avoiding engaging with relevant bodies. Moreover, the transparency of the complaints and appeals decision-making at the DEC level lacked appropriate publication for public scrutiny.

In the case of appeals concerning candidate registration of the Chance party appealed to the Court system, there was a lack of timely legal redress. These delays resulted in final decisions extending far beyond the second round, conflicting with international standards.

During the meeting with the Appellate Court of Chisinau, ENEMO was informed about the hesitancy of some judges to oversee election-related cases, owing to their politically sensitive nature. This apprehension, allegedly stemming from potential for subsequent retaliation, is a matter of great concern.

For both rounds of elections, the CEC maintained the public registry¹⁶¹ of complaints, which has documented 126 appeals. Appeals in the registry were accompanied by their corresponding decisions. Among these, 73 were lodged before Election Day of the first round, while the remaining 53 were submitted on Election Day or in the subsequent period. It is noteworthy that the documents submitted in the form of notifications or requests were not consistently published in the registry. The section where entry documents were published was updated with significant delays. Complaints and appeals filed with lower-level commissions and decisions remained unpublished, thus lacking public scrutiny in the election complaint handling process.

To improve transparency regarding the election dispute resolution process, ENEMO recommends that the CEC expand the online registry of complaints to publish all complaints received by all levels of election administration, along with their current status and respective decisions.

The different forms of documents (notifications, requests, complaints/appeals) used to challenge the electoral process indicate a possible lack of understanding of procedural knowledge among participants, especially when the distinction between these is not explicitly clear. Additionally, a system with numerous submission formats puts a considerable administrative burden on electoral bodies. It requires them to process and respond to each submission type according to the respective procedures, which can be resource intensive.

Some interlocutors highlighted concerns about the quality of complaints, noting that they are often unsubstantiated and do not adhere to legal deadlines. Political parties and their representatives seemed to have insufficient familiarity with the regulations governing the dispute resolution process and to lack the resources and capacities to file and follow complaints. However, those electoral subjects who reached the Supreme Court, have presented well-prepared appeals, providing thorough explanations of their legal grounds and motivations.

Many candidates on the local level viewed the process of filing complaints, particularly with the police, as overly complex and ineffective. They voiced concerns that filing a complaint would require them to dedicate significant time, both for the complaint submission and potential police testimony, which could be better spent on campaign activities.

In order to facilitate the complaints and appeals process for election contestants, particularly the ones with fewer resources, consideration could be given to creating a standardized, guiding template for filing complaints which should include all the essential requirements necessary for complaints.

161 Registry of appeals submitted to the CEC: <https://a.cec.md/ro/contestatii-depuse-la-comisia-electorala-centrala-15254.html>

On Election Day and the following period, the CEC received complaints/requests/notifications and appeals containing requests for vote recounts concerning various districts. As a result, for the first-round recounts were conducted in 18 localities, and for the second round in 9 localities.¹⁶²

On 10 November, the CEC collectively adopted Decision no. 1575,¹⁶³ addressing requests and appeals requesting recounts submitted between November 7 and 9, both electronically and in person at the CEC headquarters. This decision led to the rejection of 77 requests for being unsubstantiated. Many of the submitted documents lacked essential information like the complainant's signature or contact details. However, according to the CEC, the reasons for rejection included the absence of evidence supporting the need for a recount or the conclusion that a recount would not influence the results or mandate distribution. The CEC noted some errors in the voting records from the contested constituencies, attributing them to human error; errors that were not deemed significant enough to warrant a recount. Additionally, the CEC noted that many requests criticized the voting and electoral process in general terms, without providing concrete evidence to support their claims.¹⁶⁴

The above-mentioned decision was challenged in the Chisinau Court of Appeal, through nine separate appeals,¹⁶⁵ which upheld the CEC decision. On November 18, on the eve of the second round of elections, the Supreme Court of Justice published seven judgments, through which the Court partially satisfied two appeals¹⁶⁶ and ordered recounts, while in five cases appeals were deemed inadmissible.

The decisions of the Supreme Court of Justice regarding the appeals requesting recount, highlights the different understandings of the article governing the recount criteria by the CEC and the Court.¹⁶⁷ While CEC interpreted the criteria cumulatively, SCJ considered them individually.

ENEMO recommends that the norms governing recounts should be clear and each criterion shall be considered separately as possible grounds for recounting, according to the gravity of the evidence.

An appeal filed by the "Chance" party challenging the Decision no. 92, which significantly impacted a substantial number of candidates from that party served as a litmus test for the efficiency of the election dispute resolution system. The "Chance" party filed an appeal seeking to suspend Decision no 92 until final determination on the merits. Initially, an appeal was filed to the first instance court in Râșcani (Chisinau). Subsequently, due to procedural negative jurisdictional considerations, the matter was escalated to the Court of Appeals of Chisinau.

¹⁶² Results of recounts for the [first round](#) and the [second round](#).

¹⁶³ The CEC [decision](#) no. 1575 regarding some requests and appeals requesting the recount of votes, submitted to the CEC on November 7-9, 2023.

¹⁶⁴ The evidence that was submitted demonstrated corrected errors by electoral authorities, but these corrections were considered insufficient to impact the final voting results.

¹⁶⁵ Cases: no. 3-199/23; no. 3-201/23 2-23160814-02-3-131120223-1; no. 3-202/23 2-23160825-02-3-13112023; no. 3-203/23 2-23160838-02-3-13112023; no. 3-204/23 2-23160955-02-3-13112023; no. 3-205/23 2-23161085-02-3-131120231; no. 3-206/23; no. 3-208/23 2-23161397-02-3-13112023; no. 3-209/23 2-23161406-02-3-13112023.

¹⁶⁶ Cases no. [3ra-1114/23](#) and no. [3ra-1113/23](#).

¹⁶⁷ Article number 95, paragraph 10 outlines the procedure for vote counting and recounting. According to the provision, requests for the recount of votes shall be submitted within 3 days after public presentation of the preliminary voting results. The Central Electoral Commission or, where appropriate, the Constitutional Court shall order the votes recounting if the presented offences are likely to influence the election results and, subsequently, to influence the allocation of mandates. Shall be considered justified the requests for votes recounting, where a difference of up to 10 % is established between the valid votes casted for electoral contestants/between votes casted during the referendum, as well as when the entered data or corrections made in the votes counting minutes bring into question their compliance and truthfulness.

On 4 November, the Court of Appeals of Chisinau abstained from making a substantive ruling, invoking a need for clarity on jurisdictional competence and thus sought an advisory opinion from the Supreme Court of Justice. The conflict pertained to whether the Chisinau Court of Appeals or the Chisinau District Court was the competent body to judge on the matter. According to the Supreme Court's clarification, the case was submitted to the Chisinau Court of Appeals for a thorough examination within its confirmed jurisdiction. The Chisinau Court of Appeals started the hearing on the merits of the case on Saturday evening, 4 November, and continued on 5 November, which was election day. The Court did not adopt the decision and upon the commission's request, sent the referral for an opinion to the Constitutional Court.

Delays in reaching a decision, especially if they extend beyond the election day, could render any potential remedies ineffective.¹⁶⁸ Despite the expedited hearings, the Chisinau Court of Appeal refrained from issuing a decision before election day started or concluded. This procedural dynamic included frequent referrals and jurisdictional conflicts which could preclude effective legal redress for the complainants.

On 9 November, the Constitutional Court declared the referral regarding the unconstitutionality exception of Article 225 par. (3) inadmissible.¹⁶⁹ On the same day of adoption of the decision November 9, the Head of the Constitutional Court resigned.

It took over a month to reach a final decision in this notable case by the Chisinau Court of Appeals. Initially, on 30 November, the Court rejected the Chance party's appeal against the Commission for Exceptional Situations (CES)'s decision to cancel the registration of the party's candidates. The Court deemed the challenge inadmissible, referring to the 30 November 2023, administrative litigation conclusion. This decision involved a summons filed by the Chance party against the CES regarding the annulment of its Provision no. 92, dated 3 November 2023. The case was then directed back to the Chisinau Court of Appeals for retrial, under the same panel of judges.

Subsequently, on 12 December, the same panel of the Chisinau Court of Appeals, reversed the initial decision. They annulled the CES's decision that had initially canceled the registration of the "Chance" Party's candidates. The government filed an appeal with the Supreme Court of Justice. Following the decision, the prime minister/head of the Commission of Exceptional Situations made a comment¹⁷⁰ about the decision and panel of judges, that was highly criticized by the Superior Council of the Magistracy and the Association of Judges of the Republic of Moldova have expressed their disapproval of the statements made by the Prime Minister.

The decision of the Chisinau Court of Appeals was further appealed to the Supreme Court of Justice by the Commission for Exceptional Situations and the Information and Security Service. The

168 It Should be noted that the Chisinau Court of Appeals rejected an appeal filed against the CEC decision #Nr. 1520, adopted on 30 October, instructing 9 DECs to cancel registration of the candidates of "Chance" party. The Chisinau Court of Appeals rejected the case. See the [Decision](#).

169 According to the disputed provisions, the Constitutional court can only be involved in reviewing certain circumstances, such as the proportionality of measures adopted by administrative acts, when individual and normative administrative acts are issued regarding national security or the implementation of a state of emergency. The Government could not be subject to making this request, as the Administrative Code was developed and adopted by the Parliament. The exception of unconstitutionality cannot be used by a public authority to annihilate a normative act adopted by another public authority. [Decision no. 152 of the Constitutional Court](#).

170 The Superior Council of Magistracy the Superior Council of the Magistracy expressed concern about the Prime Minister's statements, where he named judges from the panel that issued the Chisinau Court of Appeal's decision on 12.12.2023 in a civil case involving the "Chance" party. The Prime Minister accused the judges of endangering national security and ignoring presented evidence, the Council views as potential undue pressure on the judiciary. The council [called](#) to abstain from assigning labels or categorizing judges.

Supreme Court of Justice on 24 December annulled the decision and returned the case for a retrial to the Chisinau Court of Appeal, to be reviewed by a different court panel.

*The resolution of electoral disputes should be conducted in a timely manner to ensure the swift restoration or upholding of electoral rights, in line with international standards. Delays in resolving such disputes can significantly impede the effectiveness of the election dispute resolution process. Timely dispute resolution not only reinstates the rights of individuals involved but also fosters public trust in the electoral system.*¹⁷¹

171 The [1990 OSCE Copenhagen Document](#) in Article (5.10) obliges the state to have an effective means of redress against administrative decisions so as to guarantee respect for fundamental rights and ensure legal integrity. The Venice Commission's [Code of Good Practice in Electoral Matters](#) provides that "time-limits for lodging and deciding appeals must be short" (three to five days for each at first instance). [..time limits for appeals must be very short and that the appeal body must make its ruling as quickly as possible." II.3.3 (95).

XIII. OBSERVERS

Domestic observer organizations are accredited by the CEC or DEC upon their request, provided that they fulfill accreditation requirements. They can be accredited by public associations/nongovernmental organizations which work in the protection of human rights or democratic values, in accordance with their statute or other internal acts. Observers accredited by the CEC were allowed to monitor the electoral process throughout the country and in all polling stations. Observers accredited by DEC could perform their activity only within the territory of the respective Electoral District.

The CEC registered eight domestic observer organizations with more than 1,000 accredited observers. Most domestic observers were accredited by Promo-Lex, a member organization of ENEMO, which conducted an extensive observation at various levels.

International observers are accredited by the CEC and have the right to monitor the election process throughout the whole country and within all polling stations. Their rights are identical to domestic observers, except for the right to submit complaints on irregularities, which is in line with international practice. The CEC reported having accredited some 400 international observers in total. ENEMO observers did not face any restrictions or issues in conducting their observation.

XII. ELECTION DAYS

In accordance with standard practice for limited ENEMO EOMs, the mission did not observe Election Days in a systematic and comprehensive manner. On Election Days, 5 and 19 November, the Core Team members, and long-term observers of the IEOM observed the process of preparation and opening of polling stations, the voting, counting and tabulation of results in process a limited number of polling stations,¹⁷² as well as the transfer and intake of election materials by DECAs.¹⁷³

Both election days were generally calm and peaceful. At the limited number of polling stations observed by the mission, procedures were overall conducted efficiently and in accordance with the law. Sporadic minor procedural irregularities¹⁷⁴ are not deemed to have negatively affected the integrity of the process or the result of the elections. PEB members in visited polling stations were open and provided the requested information to ENEMO observers.

The set up of most visited polling stations was suitable, with few exceptions. Most polling stations visited by ENEMO observers on election day were not easily accessible to persons with locomotor disabilities.¹⁷⁵

At few polling stations observed ENEMO observers reported some cases of breaching of the secrecy of the vote, including by taking pictures of the ballot paper; voters in queues due to overcrowding; breaches of campaign silence; malfunctioning of polling station cameras;¹⁷⁶ insufficient number of stationary ballot boxes or improperly sealed ballot boxes; and organized transportation of voters.

Procedural provisions to ensure secrecy of the vote (i.e., obligatory folding of the ballot paper or other measures) should be included in the law or CEC acts.

Observers also reported on a case of "Chance" candidates and their supporters obstructing voters' access to polling stations in the first round,¹⁷⁷ which is particularly concerning.

Political parties should refrain from exercising undue influence on voters, including by avoiding influence on election day.

Counting procedures at polling stations observed were properly followed by the PEB. Regarding intake of materials and tabulation of results, at the two DECAs observed procedures were generally followed despite delays due to the lengthy protocol verification process during the first round.

172 46 polling stations on 5 November and 31 on 19 November.

173 Two DECAs on 5 November and two on 19 November.

174 E.g., unsealed mobile ballot boxes, due to lack of requests for mobile voting, improperly placed cameras.

175 In one of the visited polling stations, observers reported the absence of a voting booth dedicated to persons with disabilities.

176 Observers reported on cases where the camera recording was disrupted, either due to electricity issues or to full memory cards.

177 Reported from Chirsova. Observers were further informed that a complaint was submitted to the second level DEC, following which the police were notified and a criminal case opened.

RECOMMENDATIONS

PRIORITY RECOMMENDATIONS

1. To ensure inclusiveness and transparent decision-making, the adoption of amendments to the electoral law should be preceded by comprehensive consultations with a wide range of stakeholders, including political parties, election administration and civil society organizations. Provisions related to fundamental aspects of the electoral legislation should be amended well ahead of the electoral period. Amendments to the electoral law during the electoral period should be avoided.
2. ENEMO strongly urges Moldovan authorities to prioritize and expedite the development and implementation of comprehensive regulations specifically addressing the unregulated online press, especially aimed at combating disinformation within the online media landscape. While imperative and urgent, the amendments should be conducted through an inclusive and transparent process, involving all relevant stakeholders and interest groups. Consideration could be given to establishing a dedicated task force involving relevant stakeholders, including representatives from civil society, media organizations, and legal experts, to collaboratively draft these regulations.
3. Consideration could be given to introducing legal provisions that will shield the electoral process from the influence of outside bodies that might be established during exceptional situations. These amendments should clearly define the extent to which emergency measures can affect the electoral process. Furthermore, to ensure checks and balances and prevent undue influence on electoral rights, the legal framework should ensure timely judicial review of all decisions of bodies for exceptional situations that affect the electoral process.

OTHER RECOMMENDATIONS

To the Parliament

4. Amendments to the Election Code concerning candidate registration must be adopted long before the registration deadline.
5. Consideration could be given to explicitly regulating in the law the right to vote for citizens who turn 18 between the two rounds of elections. Additionally, the voter list should be updated between the two rounds, to include persons who turned 18 between the two rounds.
6. The deadlines in the Election Code should be streamlined, so that all deadlines for candidate registration, including the verification of the registration documents and appeals, expire before the official start of the campaign.
7. Consideration could be given to requiring political parties and electoral blocs not represented in the body to be elected or a higher body to confirm minimum support, under the same or similar conditions as independent candidates.
8. The Law on the Declaration of Wealth and Personal Interests should be amended to bring it in line with the Election Code, stipulating the ineligibility to hold public office by a final court decision. ENEMO further suggests adding to the law the provision that a convicted person cannot hold not only the same but any other public office for the prescribed period.
9. Considering the short campaign period, ENEMO recommends amending the Election Code to allow the use of the “Electoral Fund” within a reasonable timeframe before the official start of the campaign for the purposes of preparing the electoral materials in advance and only explicitly ban the distribution of campaign materials before the start of the campaign.
10. Consideration could be given to further clarifying the ban on transportation of voters, to ensure

uniform application of the law and prevent possible arbitrary actions.

11. ENEMO recommends banning the direct involvement in the campaign for additional categories of high-level officials, mainly from the executive (members of the government, including the prime minister, and the Bashkan of ATU Gagauzia) but also for the President, if they are not running in the election.
12. In order to ensure a more equal playing field, ENEMO recommends that major public announcements related to the work of state bodies should not occur during the campaign and for a reasonable period before its start.
13. ENEMO recommends the introduction of additional measures enabling the CEC to apply timely, more proportionate, and dissuasive sanctions, both against early campaigning and campaign irregularities. The CEC should actively monitor the adherence to the campaign rules instead of reacting only to the official complaints.
14. Third party campaigning should more clearly and comprehensively be addressed in the legislation, including by listing various instances of third-party campaigning that are banned. The CEC should closely monitor breaches of third-party campaigning rules and apply dissuasive sanctions whenever necessary.
15. Consideration could be given to delegating some tasks of party and campaign finance oversight to other institutions or to create and fully institutionalize an inter-institutional body that would supervise campaign finance. During election periods, the CEC should have the highest authority over campaign finance oversight, and other institutions should promptly react to CEC requests where necessary, to allow effective supervision.
16. ENEMO recommends extending the obligation to open a dedicated bank account for the campaign to independent candidates, and for them to report even if they use their own resources or do not incur any expenses. To facilitate financial reporting conditions for independent candidates, consideration could be given to exempting them from hiring a treasurer and requiring only one final report at the end of the campaign.
17. ENEMO emphasizes the need for comprehensive regulations, particularly focusing on areas such as access to information of public interest, prevention of anti-competitive practices, and combating disinformation in the media landscape.
18. A prompt and comprehensive review of legal provisions is needed, to ensure a fair and competitive media market and promote fair competition. ENEMO also highlights the need for specific and robust rules on commercial communications within the administrative regulations of the Audiovisual Council, which would ensure a level playing field for all media entities.
19. ENEMO strongly recommends the development and implementation of a comprehensive regulatory framework exclusively designed for online media. This framework should meticulously address challenges related to misinformation and establish mechanisms ensuring accountability within the digital space.
20. ENEMO recommends amending the legal framework to ensure gender balance during the allocation of mandates.
21. The norms governing recounts should be clear and each criterion should be considered separately as possible grounds for recounting, according to the gravity of the evidence.
22. Procedural provisions to ensure secrecy of the vote (i.e., obligatory folding of the ballot paper or other measures) could be included in the law or CEC acts.

To the CEC and other level EMBs

23. The CEC should be provided with adequate staffing, particularly during electoral processes, either by increasing its permanent staff or hiring additional, properly trained, temporary staff. Collaboration with other state institutions should be enhanced, to address staff shortages.
24. To enhance transparency and regularly inform the public, the CEC should guarantee the timely

- publication of all relevant information submitted by stakeholders as well as the respective decisions.
25. The CEC should improve the efficiency of financial oversight by refining the methodology for party and campaign financial monitoring and reporting. To enhance transparency, the reports should be uploaded on time and software-related difficulties should be minimized.
 26. Decisions regarding party and candidate deregistration should be made within a reasonable timeframe, to allow for an effective judicial review and redress. To the best extent possible, late deregistration of candidates should be avoided, to safeguard political rights, rule of law, and democratic principles.
 27. In order to improve transparency, all DEC decisions, including those about complaints, as well as minutes of the meetings should be published promptly and consistently on the CEC website, besides being made public through other means of communication.
 28. In order to further improve the professionalism of PEBs, consideration could be given to training all PEB members.
 29. The CEC should comprehensively monitor early candidate nominations and apply proportionate and dissuasive sanctions to ensure the principle of equal opportunity in the electoral process.
 30. The CEC should develop clear procedures for the collection and aggregation of information regarding candidates, in the form of a joint list of all candidates running in local elections, and make them available for public consultation before election day, together with the statistics of candidates registered per political party as well as numbers of withdrawn and rejected candidates.
 31. ENEMO recommends reinforcing and fully institutionalizing the close cooperation and exchange of information related to party and campaign finance between different institutions, including by using in full the capabilities of the “Financial Control” module.
 32. The CEC should delegate control of the campaign finance oversight in the districts to the DEC, under condition that DEC are provided with capacities to conduct the supervision efficiently.
 33. In order to improve the possibility for public scrutiny and transparency, the publication of financial reports should be improved - financial reports should be published within the deadline, in open-data format, with the publication date information, as well as highlighted corrections. To further enhance transparency, the CEC could also consider the publication of daily bank reports.
 34. The “Financial Control” module should be further improved and connected with other systems, to facilitate uncovering irregularities and to allow for automatic verification of data.
 35. Political parties should present to the CEC donor’s declarations that the donated amount complies with legal provisions on thresholds, under the penalty of contravention against the donor.
 36. The CEC should not limit its sanctions to repeated, non-dissuasive warnings, but in case of repeated violations and non-respected deadlines apply more graduate, timely, dissuasive, and proportionate sanctions. The CEC should also enhance the timeliness of campaign finance oversight, so that reports are published in time and sanctions applied before election day.
 37. The quality of analysis of financial reports should be improved, with particular attention to major violations and unreported expenses. To ensure effective supervision, the CEC should be provided with sufficient resources.
 38. Disaggregated data on gender representation in the election administration should be collected and published in a comprehensive manner.
 39. To improve transparency regarding the election dispute resolution process, ENEMO recommends that the CEC expand the online registry of complaints to publish all complaints received by all levels of election administration, along with their status and respective decisions.
 40. In order to facilitate the complaints and appeals process for election contestants, particularly the ones with fewer resources, consideration could be given to creating a standardized, guiding template for filing complaints which should include all the essential requirements necessary for complaints.

To political parties

41. Parties should undertake measures and put in place internal mechanisms to improve involvement of women in political life, as the most effective path toward ensuring a meaningful participation of women in politics.
42. Political parties should refrain from exercising undue influence on voters, including by avoiding influence on election day.
43. Political parties and other election contestants should clearly include in their programs and campaign messages specific policies for women.

To the Government and other institutions involved in the electoral process

44. All cases of candidate registration should be decided by competent election management bodies. In case future elections are held under the state of emergency, the executive body in charge during such situations should refrain from interference in the electoral process.
45. The CEC and LPAs should establish an appropriate mechanism to ensure that all contestants may use the campaigning boards on an equal basis. EMBs, in cooperation with LPAs and law enforcement, should monitor the proper placement of campaign materials and apply sanctions in cases of non-compliance.
46. ENEMO recommends to the CEC and the National Bank of Moldova to synchronize provisions related to the opening of bank accounts both to safeguard freedom of association and to prevent political corruption and money laundering. The banks should promptly inform the National Bank regarding the non-opening of the account for a contestant, which should be the case only when justified. The National Bank should apply sanctions in case of non-compliance with the legislation. The CEC could explore other options, such as the involvement of the State Treasury or best practices from other countries.
47. State authorities should proactively and decisively act, while preserving the principles of rule of law, to prevent the impact of third-party campaigning, shadow funding and other undue influence on the will of the voters, which risks undermining democracy in the country in the long run.
48. ENEMO recommends the Audiovisual Council to broaden its monitoring scope to encompass political pluralism throughout the entire year, extending beyond election periods. This expansion would strengthen the oversight of media content and regulatory compliance consistently.
49. While acknowledging the need for proportionate sanctioning of violators, ENEMO advocates for the Audiovisual Council to maintain a balanced and gradual sanctioning approach, ensuring that corrective measures are proportionate and considerate of the long-term impact on media entities.
50. Robust monitoring and reporting mechanisms with a specific emphasis on platforms of social networks should be instituted. Collaborative efforts with these platforms are essential to streamline the identification and removal of misinformation.
51. Authorities should continue efforts to facilitate an equal participation of all citizens in the electoral process, with special focus on persons with disabilities.
52. The resolution of electoral disputes should be conducted in a timely manner to ensure the swift restoration or upholding of electoral rights in line with international standards. Delays in resolving such disputes can significantly impede the effectiveness of the election dispute resolution process. Timely dispute resolution not only reinstates the rights of individuals involved but also fosters public trust in the electoral system.

ABOUT ENEMO

The European Network of Election Monitoring Organizations (ENEMO) is an international nongovernmental organization that represents a network of national nongovernmental civic organizations founded on 29 September 2001, in Opatija, Croatia. It consists of 21 leading domestic monitoring organizations from 17 countries of Central and Eastern Europe and Central Asia, including two European Union countries.

ENEMO seeks to support the international community's interest in promoting democracy in the region by assessing electoral processes and the political environment and offering accurate and impartial observation reports. ENEMO's international observation missions use international benchmarks and standards for democratic elections to evaluate the electoral process and the host country's legal framework. ENEMO and all its member organizations have endorsed the 2005 Declaration of Principles for International Election Observation and the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations. Each ENEMO observer signed the Code of Conduct for International Election Observers. ENEMO member organizations have monitored more than 250 national elections and trained more than 250,000 observers.

To date, ENEMO has organized 39 international election observation missions to 11 countries: Serbia 2022, Presidential and Parliamentary Elections; Hungary 2022, Parliamentary Elections; Georgia 2021, Local Elections; Kosovo 2021, Local Elections; Albania 2021, Parliamentary Elections; Moldova 2021, Parliamentary Elections; Moldova 2020, Presidential Elections; Ukraine 2020, Local Elections; Montenegro 2020, Parliamentary Elections; Serbia 2020, Parliamentary Elections; Moldova 2019, Local Elections; Ukraine 2019, Early Parliamentary Elections; Ukraine 2019, Presidential Elections; Moldova 2019, Parliamentary Elections; Armenia 2018, Early Parliamentary Elections; Moldova 2016, Presidential Elections; Ukraine 2015, Local Elections; Ukraine 2014, Parliamentary Elections; Ukraine 2014, Presidential Elections; Ukraine 2013 – re-run of Parliamentary Elections 2012 in 5 DECs; Kosovo 2013, Local Elections; Ukraine 2012, Parliamentary Elections; Kosovo 2011, Re – run of Parliamentary Elections; Kosovo 2010, Parliamentary Elections; Kyrgyzstan 2010, Parliamentary Elections; Ukraine 2010, Presidential Elections; Kosovo 2009, Local Elections; Moldova 2009, Parliamentary Elections; Georgia 2008, Presidential Elections; Kyrgyzstan 2007, Parliamentary Elections; Ukraine 2007, Parliamentary Elections; Ukraine 2006, Local Elections in Poltava, Kirovograd and Chernihiv; Ukraine 2006, Parliamentary Elections; Kazakhstan 2005, Presidential Elections; 30 Albania 2005, Parliamentary Elections; Kyrgyzstan 2005, Presidential Elections; Kyrgyzstan 2005, Parliamentary Elections; Ukraine 2004, Presidential Elections, second round rerun; Ukraine 2004, Presidential Elections;

ENEMO member organizations are: Center for Democratic Transition – CDT, Montenegro; Center for Civic Initiatives CCI, Bosnia and Herzegovina; Centre for Monitoring and Research – CeMI, Montenegro; Center for Free Elections and Democracy – CeSID, Serbia; Gong, Croatia; International Society for Fair Elections and Democracy – ISFED, Georgia; KRIIK Association, Albania; Citizens Association MOST, Macedonia; Promo- LEX, Moldova; OPORA, Ukraine; Society for Democratic Culture SDC, Albania; Transparency International Anti-Corruption Center (TIAC), Armenia; Election Monitoring and Democratic Studies Center (EMDS), Azerbaijan; Belarussian Helsinki Committee (BHC), Belarus; FSCI, Kazakhstan; Kosovo Democratic Institute (KDI), Kosovo; Coalition for Democracy and Civil Society, Kyrgyzstan; Center for Research, Transparency and Accountability (CRTA), Serbia; Obcianske OKO (OKO), Slovakia; Committee of Voters of Ukraine (CVU), Ukraine; Political Accountability Foundation (PAF), Poland.

LIST OF ABBREVIATIONS

Audiovisual Council	AVC
Autonomous Territorial Unit	ATU
Bloc of Communists and Socialists	BCeS
Central Election Commission	CEC
Commission of Exceptional Situations	CES
Democratic Party of Moldova	PDM
District Electoral Commissions	DEC
Election Management Body	EMB
Election Observation Mission	EOM
European Network of Election Monitoring Organizations	ENEMO
European Social Democratic Party of Moldova	PSDE
Information and Security Service	SIS
Local Public Administration Authorities	LPA
National Integrity Authority	ANI
National; Alternative Movement	MAN
Party for Action and Solidarity	PAS
Party of Communists of the Republic of Moldova	PCRM
Party of Socialists of the Republic of Moldova	PSRM
Precinct Electoral Bureau	PEB
Public Services Agency	PSA
State Register of Voters	SRV

ANNEXES

ANNEX 1. ELECTORAL CONSTITUENCIES

CONSTITUENCY	COUNCILORS OF SECOND LEVEL	COUNCILORS OF FIRST LEVEL	MAYORS	VOTERS
Chisinau Municipality	51	290	19	648,464
Balti Municipality	35	22	3	99,931
Aneni Noi	33	310	26	67,738
Basarabeasca	27	89	7	23,640
Briceni	33	308	28	58,849
Cahul	35	411	37	97,436
Cantemir	33	285	27	48,852
Calarasi	33	302	28	59,128
Causeni	33	307	27	70,590
Cimişlia	27	253	23	48,353
Criuleni	33	285	25	58,207
Donduşeni	27	214	22	31,214
Drochia	33	308	28	66,102
Dubăsari	27	129	11	28,153
Edinet	33	332	32	61,699
Falesti	33	359	33	68,875
Floreşti	33	414	40	68,257
Glodeni	27	211	19	44,956
Hînceşti	33	435	39	96,545
Ialoveni	33	307	25	85,067
Leova	21	251	25	41,434
Nisporeni	33	261	23	52,588
Ocniţa	27	223	21	38,525
Orhei	35	420	38	97,075
Rezina	27	253	25	37,097
Rîscani	33	292	28	50,892
Singerei	33	302	26	68,698
Soroca	33	369	35	75,393
Straseni	33	309	27	75,420
Soldăneşti	27	225	23	31,437
Ştefan Vodă	33	269	23	55,306
Taraclia	27	167	15	33,445
Telenesti	33	323	31	54,056
Ungheni	33	371	33	88,134
ATU Gagauzia		366	26	129,374
TOTAL	1,086	9,972	898	2,760,930

ANNEX 2. ELECTION RESULTS

ELECTION CONTESTANT	COUNCILORS OF FIRST LEVEL		COUNCILORS OF SECOND LEVEL		MAYORS	
	NUMBER	PERCENTAGE OF THE TOTAL NUMBER OF COUNCILORS	NUMBER	PERCENTAGE OF THE TOTAL NUMBER OF COUNCILORS	NUMBER	PERCENTAGE OF THE TOTAL NUMBER OF MAYORS
Action and Solidarity Party	357	32.87%	3,189	31.98%	291	32.41%
Party of Socialists of Republic of Moldova	256	23.57%	2,282	22.88%	145	16.15%
Independent candidates	16	1.47%	449	4.50%	116	12.92%
European Social Democratic Party	88	8.10%	1,018	10.21%	103	11.47%
Party of Development and Consolidation of Moldova	57	5.25%	573	5.75%	48	5.35%
The Liberal Democratic Party of Moldova	41	3.78%	419	4.20%	34	3.79%
"Renaissance" Party	35	3.22%	305	3.06%	27	3.01%
Dignity and Truth Platform	39	3.59%	308	3.09%	20	2.23%
"Respect Moldova" Movement	11	1.01%	147	1.47%	19	2.12%
Our Party	44	4.05%	188	1.89%	17	1.89%
League of Cities and Towns	22	2.03%	192	1.93%	16	1.78%
The Modern Democratic Party of Moldova	8	0.74%	124	1.24%	14	1.56%
Coalition for Unity and Prosperity	10	0.92%	125	1.25%	10	1.11%
Party of Communists of Republic of Moldova	48	4.42%	199	2.00%	7	0.78%
Party of Change	10	0.92%	112	1.12%	7	0.78%
The National Alternative Movement	20	1.84%	92	0.92%	5	0.56%
Alliance of Liberals and Democrats for Europe	2	0.18%	57	0.57%	4	0.45%
Liberal Party	1	0.09%	31	0.31%	3	0.33%
Alternative and Rescue Force of Moldova	14	1.29%	21	0.21%	3	0.33%
National Liberal Party	1	0.09%	15	0.15%	2	0.22%
"Democracy at Home" Party	5	0.46%	53	0.53%	2	0.22%
Ecologist Green Party	0	0.00%	7	0.07%	1	0.11%

People's Will Party	1	0.09%	22	0.22%	1	0.11%
Joint Action Party – Civic Congress	0	0.00%	12	0.12%	1	0.11%
The Movement of Professionals "Hope-Nadezhda"	0	0.00%	4	0.04%	0	0.00%
The "New Historical Option" party		0.00%		0.00%	0	0.00%
"WE" party	0	0.00%	3	0.03%	0	0.00%
"Patriots of Moldova" Party	0	0.00%	11	0.11%	0	0.00%
People's Party of Republic of Moldova	0	0.00%	2	0.02%	0	0.00%
"Diaspora Force" Party	0	0.00%	3	0.03%	0	0.00%
Party "Building Europe at Home"	0	0.00%	4	0.04%	0	0.00%
Party "For People, Nature and Animals"	0	0.00%	0	0.00%	0	0.00%
National Progress Party	0	0.00%	3	0.03%	0	0.00%
Moldovan National Party	0	0.00%	1	0.01%	0	0.00%
Electoral block "Ruslan Codreanu"	0	0.00%	3	0.03%	0	0.00%
"Chance" party (registration cancelled)						

ANNEX 3. MISSION MEMBERS

• CORE TEAM

NAME	POSITION	COUNTRY	ENEMO MEMBER ORGANIZATION
Dritan Taulla	Head of Mission	Albania	KRIIK
Nino Rizhamadze	Election Administration and Legal Analyst	Georgia	ISFED
Maja Milikic	Media Analyst	Montenegro	CeMI
Ales Jakubec	Political and Campaign Analyst	Czech Republic	

• Long Term observers

NAME	COUNTRY	ENEMO MEMBER ORGANIZATION
Mariam Chubabria	Georgia	ISFED
Elidon Lamani	Albania	KRIIK
Dragan Nikodijevic	Serbua	CeSID
Rigers Bena	Albania	SDC

