



ODIHR LIMITED ELECTION OBSERVATION MISSION Republic of Moldova, Presidential Election, 1 November 2020

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

PRELIMINARY CONCLUSIONS

The 1 November first round of the presidential election was organized professionally, despite challenges posed by the COVID-19 pandemic and legislative gaps that undermined the effectiveness of the campaign finance oversight and election-dispute resolution. In a competitive campaign, voters had distinct political alternatives to choose from, although allegations of vote-buying persisted throughout the process. While political polarization and control of media remain of concern, contestants were covered mostly in a balanced manner which helped voters to make an informed choice. On election day, allegations over organized transportation of voters led to road-blockages and tensions which interfered with the voters' freedom of movement and access to polling stations. In the limited number of polling stations observed, procedures were generally followed, but inadequate voting premises at times led to overcrowding.

The legal framework overall provides an adequate basis for conduct of democratic elections, if implemented consistently. However, several aspects of the legislation contain gaps and ambiguities, particularly regarding candidate registration, campaign finance and electoral disputes. Numerous amendments were made since the last presidential election, some of which addressed prior ODIHR and European Commission for Democracy through Law (Venice Commission) recommendations but the frequent changes in the legislation contributed to the lack of legal certainty. The Central Election Commission (CEC) introduced rules late in the electoral process, which addressed some legal gaps but raised questions about exceeding its regulatory authority.

Overall, the election administration managed the technical aspects of the election efficiently, transparently, and within the legal deadlines. The CEC worked in a collegial manner, however there were allegations of partiality on its decisions related to candidate registration, establishment of polling stations abroad and for voters residing in localities on the left bank of Nistru river (Transnistria), and the campaign finance. Effective co-operation between the CEC and public health authorities was established in the effort to meet the challenges of the COVID-19. Voting was organized in 139 polling stations in 36 countries for voters abroad, as well as in 42 specifically designated polling stations for voters residing in Transnistria. Women were well-represented in the election administration, with the exception of the CEC, which includes only men. Voter information in the broadcast and online media included public health measures and addressed participation of persons with disabilities.

Voter registration is passive and the State Register of Voters, maintained by the CEC, is based on the population register. Stakeholders had confidence in the voter list, although some concerns were expressed about its timely update, including on deceased citizens. Voter lists were available for public scrutiny online but not always on the premises of the polling stations. The final voter list included 2,798,306 voters.

Presidential candidates were nominated by political parties and electoral blocs or stood independently. Registered initiative groups for prospective candidates had to collect a minimum of 15,000 supporting signatures from voters in the majority of administrative districts. Contrary to previous ODIHR recommendations and international good practice, voters could sign in support of only one candidate. Some concerns were voiced about inconsistent application of signature verification rules by the CEC. In an inclusive process, the CEC registered eight candidates out of nine nominations submitted, including two women.

The campaign was competitive and fundamental freedoms of expression and assembly were generally respected. Contestants equal opportunities to campaign were challenged by the CEC interpretation of the law that restricted the possibility of parties to financially contribute to their candidates. Most candidates held meetings, rallies, campaigned door-to-door using leaflets and posters as well as through media and social networks. The ODIHR LEOM observed that the public health preventive measures were not always followed during campaign activities. While the legislation prohibits religious institutions to participate in the campaign, the incumbent president was supported by the Orthodox church and used religious events for campaigning. The campaign messages mainly focused on socio-economic issues, emigration, corruption and on geopolitical orientation. Persistent allegations of vote buying and accusations about foreign influence featured prominently in the campaign, at times overshadowing programmatic ideas.

Campaigns were funded from individuals, legal entities and public sources. The CEC's interpretation of campaign finance rules during the campaign created uncertainty among contestants about the eligibility of funding sources. All candidates complied with the requirements for submitting weekly reports to the CEC which were published, contributing to transparency. However, the lack of adequate regulation and audit procedures for financial oversight diminished the effectiveness of the CEC.

Television remains the primary source of political information but the role of online media and social networks as platforms for political discourse is growing. Most media have politically affiliated ownership. Moreover, media advertisement market is heavily controlled by political forces, which curtails media independence and impartiality. This, coupled with limited access to information from the authorities, has negative impact on the quality of journalism. The law provides for equitable conditions and during the campaign the candidates were provided with free airtime and offered to participate in numerous debates on national channels. Various political and election-related programmes, interviews, and televised debates contributed to the ability of voters to make an informed choice. The incumbent president did not participate in any debates. According to the ODIHR LEOM media monitoring, which started one month prior to election day, most of news programmes of the monitored media presented diverse information on the candidates in a balanced manner.

Voters and candidates can challenge actions, inaction and decisions of election bodies, other candidates, and media. The law provides for avenues of redress and short deadlines for resolution before election day. Only few complaints were submitted to the CEC, while a number of CEC actions have been appealed in courts. Courts complied with the legal deadlines but their decisions on admissibility of appeals at times interpreted the law narrowly, preventing judicial review of the challenged actions on the substance and detracting from the effectiveness of dispute resolution.

The law grants access for observers to the entire electoral process both in the country and abroad. The CEC facilitated entry and unrestricted observation opportunities for international observers in spite of the COVID-19 pandemic restrictions. The inclusive accreditation of observers contributed to the transparency of the electoral process.

The ODIHR LEOM did not observe election-day proceedings in a systematic or comprehensive manner but mission members visited a limited number of polling stations throughout the country. In most polling stations visited, voting and counting was generally well-organized. Compliance with public health measures varied. In some instances the secrecy of vote was compromised due the layout of the polling stations and inadequate premises. Wide-spread allegations of vote-buying and organised transportation of voters amplified by supporters and some contestants, led to road-blockages and tensions which interfered with voters' freedom of movement and access to PSs in several areas. Preliminary results by districts were published on the CEC website immediately after the end of the count in polling stations, enhancing transparency.

PRELIMINARY FINDINGS

Background

On 21 May, the parliament called the presidential election for 1 November. Under the Constitution, the president serves as the head of state, appoints the government, and holds certain powers in foreign relations and national security. The executive power is exercised by the government led by the prime minister. A Constitutional Court ruling in 2016 reintroduced direct presidential elections, reversing constitutional provisions on indirect presidential election in force since 2000.

The incumbent president, Igor Dodon, nominated by the Party of Socialists of Moldova (PSRM), was elected in 2016. Following the 2019 parliamentary elections, three political parties and one bloc, PSRM, ACUM bloc, Democratic Party of Moldova (PDM) and Șor Party, entered the 101-member parliament. Negotiations to form a governing coalition were unsuccessful for several months, while the government continued to be led by Pavel Filip from the PDM. In June, an ACUM-PSRM government was formed but was ousted in a motion of non-confidence initiated by PSRM in November 2019 and replaced by a PSRM-PDM coalition. Due to changed affiliations by parliamentarians since their election, the governing coalition now holds 50 seats, one short of a majority.

The election took place in the context of the COVID-19 pandemic which has affected the economic, political and electoral environment.

Electoral System and Legal Framework

The president is elected for a four-year term through a single nationwide constituency. For the election to be valid, participation is required from at least one third of registered voters.¹ A candidate who obtains at least half of the votes cast is considered elected. If no candidate obtains the required number of votes, a second round is held two weeks later between the two candidates with the most votes. In the second round, the candidate who obtains the higher number of votes is considered elected, regardless of voter turnout.

Presidential elections are primarily regulated by the 1994 Constitution, the 1997 Election Code, other relevant laws, and Central Election Commission (CEC) decisions.² The electoral legal framework underwent numerous changes since the last presidential election. Amendments to the Election Code in 2019 reintroduced a campaign silence period for a day before and on election day, allowed private donations from Moldovan citizens living abroad, lowered donation limits from physical persons and legal entities and established a ceiling for a contestant's campaign fund. In July 2020, the Election Code was amended to give the CEC more responsibilities in organizing voting abroad. Other amendments initiated before this election are pending in parliament.³ Some of these amendments, including those currently in parliament, addressed prior ODIHR recommendations but the frequent changes contributed to lack of legal certainty. The CEC introduced several rules late in this electoral process, which addressed legal gaps but raised questions about exceeding its regulatory authority.⁴

¹ In case of insufficient turnout, repeat elections should be conducted within two weeks from the declaration of invalidity by the Central Election Commission (CEC) with the same candidates, voter lists, and election bodies.

² These laws include the 2007 Law on Political Parties, the 2008 Law on Assemblies, the 2018 Audiovisual Code, the 2002 Criminal Code, the 2018 Administrative Code, and the 2008 Code on Contraventions.

³ In July 2020, the parliament adopted in the first reading a draft Law on Amending the Election Code, the Administrative Code and the Audiovisual Code. In an [Urgent Joint Opinion](#), ODIHR and the European Commission for Democracy through Law (Venice Commission) concluded that “the draft includes some improvements and addresses several prior ODIHR, PACE and Venice Commission recommendations”, but also noted concerns about the hasty drafting procedure and the transparency of the process.

⁴ On 15 September, the CEC adopted a circular interpreting campaign finance rules. On 20 October, the CEC adopted a decision prohibiting transportation of people during election day in vehicles with the capacity of more than 8 seats.

The legal framework overall provides an adequate basis for democratic conduct of elections, if implemented consistently. However, several aspects of the legislation contain gaps and ambiguities that led to inconsistent application. These include the provisions on campaign finance, electoral dispute resolution, and the signature verification process by the CEC. A number of prior ODIHR recommendations remain unaddressed, including related to the transparency and effectiveness of oversight of campaign finances, insufficient regulation of post-election complaints and appeals, the ban on the use of state and foreign symbols and the involvement of foreign citizens in the campaign, on extending media ownership transparency requirements to online and print media, and on candidates' residence requirement and language proficiency.

Election Administration

The presidential election was managed by a three-level administration, comprising the CEC, 36 District Electoral Councils (DECs), and 2,004 Precinct Electoral Bureaus (PEBs) in the country and 139 PEBs abroad.⁵ The CEC is a permanent electoral body composed of 9 members, while the DECs and PEBs are appointed for each election.⁶

The lower-level electoral bodies were established within the legal deadlines; however, some DECs reported difficulties in assignments of the polling staff and identification of adequate premises for polling stations (PS) which would comply with the requirements due to COVID-19 pandemic.⁷ While contact details of all PEBs were available on the CEC website, the ODIHR LEOM observed that in several cases temporary locations of PEBs were not displayed and PEB members were not always present during the specified office hours, thus hampering voters' access to the PEB.⁸

In general, the election administration managed efficiently the technical aspects of the electoral preparations and complied with the legal deadlines. However, some preparations by lower-level election bodies, such as the initial distribution of election materials and the allocation of polling station premises, were late.⁹ The CEC held regular public sessions, also streamed online, which were mostly announced in advance together with the planned agenda. The draft decisions were discussed among CEC members during sessions and the adopted decisions together with session minutes were published online in a timely manner, contributing to transparency. Majority of DECs and PEBs were provided with adequate resources and logistical support from the local authorities. Sessions of the DECs were mostly not announced in advance and only some of their decisions were published on the CEC website, which limited public access to the information. Women were well-represented in the election administration, with the exception of the

While the Election Code entitles the CEC to issue decisions on organizing and conducting the elections, the introduction of rules and restrictions not contained in the law is beyond its competence. The latter CEC decision was not challenged in court.

⁵ There are 37 administrative districts. However, as previously, voting did not take place in the Bender and Tiraspol districts in Transnistria, which are not under constitutional control of the authorities. To administer polling for registered voters from these two districts, a designated DEC located in Chisinau was established.

⁶ One member of the CEC is nominated by the president and the others by the parliamentary factions proportionally to their representation. Each DEC has from 9 to 11 members with two members nominated by local courts and local councils each. DECs established PEBs consisting of 5 to 11 members, including 3 nominated by local councils. The five parliamentary political parties nominated their members to DECs and PEBs. In cases of shortage in nominations, remaining members were appointed from the CEC Register of Election Officials.

⁷ For example, in districts of Anneni Noi, Cahul, Cantemir, Ialoveni, Leova, Nisporeni, Rezina, Ștefan Vodă, Taraclia, and in areas of DEC 37 for PSs for Transnistrian voters.

⁸ The PEBs for PSs located in educational institutions had to use alternative premises for meetings before the election day. Premises of PEBs without staff during the office hours were observed in 21 districts out of 35, including PEBs for Transnistrian voters in other districts. In Glodeni, Hincesti, Orhei, and Ungheni ODIHR LEOM observed that alternative meeting premises were not properly indicated. Before election day, voters may approach PEBs to request information, verify data in voter lists and request updates, and apply for absentee voting certificates and mobile voting.

⁹ Observed by ODIHR LEOM in Chișinău, Cantemir, Cahul, Nisporeni, and in areas with the PS for voters from the left bank of Nistru (Transnistria).

CEC, which includes only men. Women constituted the majority of members in DEC and PEBs; and 16 out of 36 DEC were chaired by women.

While the lower-level electoral bodies enjoyed confidence among election stakeholders in their overall preparedness and impartiality, the trust in the CEC was diminished due to allegations of partiality on the decisions related to candidate registration, establishment of polling stations abroad and for voters from Transnistria, and the campaign finance. The CEC members were broadly in agreement on these decisions.

The National Extraordinary Commission for Public Health issued instructions on the preventive measures against COVID-19 during the electoral period, including use of protective equipment, social distancing and additional arrangements in polling premises. To address initial ambiguities, the first instruction was amended some two weeks before election day, including particularized procedures for voters with acute respiratory symptoms.¹⁰ These instructions were supplemented with the specific recommendations for international observers for election day. The CEC expressed concern about the relatively short time left for raising voters' awareness of the changes in procedures.

The training programme developed by the CEC comprised mostly online training activities. All PEBs were required to receive training online via live-streamed video, however, according to the CEC only around a quarter of all PEB members completed this training. The in-person training sessions observed by the ODIHR LEOM were interactive, informative and mostly well-organized; however, they included only PEB members holding the leadership positions, who would additionally train the other members.

The CEC prepared an extensive voter information campaign with printed and audio-visual materials, primarily focused on election procedures in-country and abroad, provisions for participation of persons with disabilities, and preventive measures against COVID-19. Voter education was carried out mostly in the broadcast media and online and materials were available in the state language, supported by sign-language interpretation and subtitles in Russian.¹¹ To facilitate access of persons with disabilities to the electoral process, the election administration equipped PS with special voting booths, magnifying lenses and tactile ballots; however, some ODIHR LEOM interlocutors pointed out that physical accessibility in the vast majority of PS remained unaddressed.

On 26 September, the CEC decided to open 42 specifically designated polling stations for voters residing in localities on the left bank of Nistru (Transnistria).¹² In four districts, local councils refused to provide the premises and nominate PEB members for 10 PSs alleging health and security concerns.¹³ After consultations with the local authorities, the CEC secured the opening of all PSs and supplemented the PEBs with staff from the Register of Electoral Officials.

Following amendments in 2019 and 2020, the CEC is the main authority for the establishment of PSs abroad. In co-operation with the Ministry of Foreign Affairs and European Integration, on 26 September

¹⁰ The first instruction was issued on 12 August. According to the new instruction from 13 October, voters with symptoms who arrived to the PS before 15:00 would not be allowed to vote in the PS and had to request voting with a mobile ballot box without the otherwise required medical certificate. In case of such voters arriving to the PS after 15:00, they would be allowed to vote in the PS, under strict safety measures. The same applied for voters from Transnistria and those without a registered address throughout the election day. The amendment also prescribed the provision of protective masks to all voters free of charge on election day.

¹¹ Some printed materials were also available in Gagauz, Ukrainian, and Romani.

¹² To decide on the localities and numbers of the PSs, the Election Code requires taking into account the number of voters who cast the ballot in the previous elections, number of pre-registered voters, and the number of registered voters from Transnistria in the State Register of Voters. According to the CEC, the highest importance was attributed to the last criterion.

¹³ The local councils of Gura Bîcului and Hirbovăț in Anenii Noi district (2 PSs and 1 PS respectively), Hagimus in Căușeni district (2 PSs), Rezina in the Rezina district (4 PSs) and Răscăieți in Ștefan Vodă district (1 PS). Courts later cancelled the decisions of the Gura Bîcului, Hagimus and Răscăieți local councils to deny premises to the PSs for Transnistrian voters.

the CEC established 139 polling stations in 36 countries.¹⁴ Many ODIHR LEOM interlocutors expressed concerns over voters' pre-registration and the lack of clarity in the implementation of the criteria, particularly with regard to PSs in the Russian Federation.¹⁵ With regard to COVID-19 pandemic restrictions, a number of ODIHR LEOM interlocutors expressed concerns about the conditions to vote on election day due to public health measures and restrictions on movement in some countries.

Voter Registration

Citizens aged 18 or older by election day are eligible to vote, unless deprived of voting rights by a court decision. Noteworthy, while the Election Code retains the provision on such deprivation, other legislation in effect excludes such possibility.¹⁶ The system for voter registration is passive. The centralised State Register of Voters (SRV) is maintained by the CEC, based on information extracted from the State Population Register which is updated continuously.¹⁷ Voters are included in the main voter list based on their domicile or residence. Certain categories of voters may be added to supplementary voter lists on election day or moved to the voter lists for mobile voting upon request.¹⁸

In general, the accuracy of the voter list was not questioned. However, a number of ODIHR LEOM interlocutors pointed to issue of administrative intricacies in obtaining documentation for removal of deceased voters, especially for citizens residing abroad or in Transnistria. Several election stakeholders noted improvements in voter identification and prevention of multiple voting owing to use of the State Automated Information System 'Elections'.¹⁹

Between 12 and 31 October, voter lists were submitted to the PEBs for public scrutiny and voters had the opportunity to request changes and amendments. The ODIHR LEOM observed that in most cases the voter lists were not displayed in the premises of the PEBs, but were available upon request. In view of limited access to these premises and limited availability of PEB members, possibilities to inspect the voter lists in person were reduced. At the same time, simplified voter lists per polling station were available online for the general public scrutiny and voters could verify their own data via an application on the CEC website.²⁰ The final main voter list included 2,798,306 voters.

¹⁴ The Election Code prescribes three criteria to be considered for the establishment of the polling stations abroad: 1) voter turnout in the last election in a given country; 2) number of voters who pre-registered to vote there; 3) data on Moldovan citizens residing in a foreign country provided by the Diaspora Relations Office. All three criteria have an equal weight. According to the CEC decision, 92 PSs will be opened in the European Union (EU) countries, 16 in North America, 17 in the Russian Federation, and 14 in other countries.

¹⁵ These concerns related to an increased number of PSs to be open in the Russian Federation (17 compared to 11 in 2019) and significant numbers of voters' pre-registrations, especially via paper forms, if compared to data on pre-registration and turnout in the 2019 elections.

¹⁶ Following the 2017 reform and in line with the UN Convention on the rights of persons with Disabilities, persons with mental and intellectual impairments have full legal capacity including voting rights.

¹⁷ As of 8 October, there were 3,287,140 voters in the State Register of Voters, including 232,631 voters without domicile or residence and 256,203 voters from Transnistria; the latter constitutes an increase of some 26,000 since the 2019 parliamentary elections. According to the Public Services Agency, between 1 January 2019 and 30 September 2020, 8,533 Transnistrian residents acquired Moldovan citizenship and 3,234 Moldovan citizens residing in Transnistria reached the age of 18.

¹⁸ These are eligible voters not included in the voter list, voters with absentee voting certificate, voters without registered domicile or residence, voters voting abroad, voters from Transnistria, and those in medical and penitentiary facilities. During two weeks before the election day and on election day until 15:00, voters can request voting using a mobile ballot box due to health and other justifiable reasons and recorded in a separate voter list.

¹⁹ Continuously developed since 2014 as a core informational system for elections management, the State Automated Information System 'Elections' (SAISE) currently contains 13 modules covering most aspects of the electoral process, including the pre-registration of voters, candidate registration, and administration of political party and campaign finance reports. On election day, prior to receiving a ballot each potential voter at any polling station is checked against the nationwide database to determine whether she/he had already voted. In addition, the SAISE serves for tabulation and the announcement of preliminary results.

²⁰ These lists contained only full names of the registered voters and the year of birth.

Candidate Registration

Citizens eligible to vote may stand for the presidential office if they are at least 40 years of age by election day, have resided permanently in the country for at least 10 years, and are proficient in the state language.²¹ The residency requirement of 10 years runs counter to OSCE commitments and other international obligations and good practice and is unreasonably lengthy.²² The procedure and criteria for establishment of language proficiency are not regulated and candidates declare their command of the state language in nomination documents.

Presidential candidates may be nominated by political parties and electoral blocs or run independently. As required by law, in the period between 1 September and 1 October, the registered initiative groups for prospective candidates had to collect a minimum of 15,000 and maximum of 25,000 supporting signatures from voters.²³ Contrary to previous ODIHR recommendations and international good practice, voters could sign in support of only one candidate.²⁴

Some ODIHR LEOM interlocutors voiced concerns about inconsistent application of rules for signature verification, as well as transparency of this process. During verification, all data of voters who signed were examined against the SRV and potential irregularities were flagged for further verification.²⁵ Positively, the CEC informed the initiative groups of their own preliminary verification results and provided them with the possibility to scrutinize and address the invalidated entries during CEC working group sessions. Procedures for scrutiny of the verification results by candidates are not prescribed by law and were not regulated by the CEC. While the CEC allowed correction of errors in other nomination documents, they did not allow this in signature lists, even when candidate registration was still open.

The CEC received and considered the nomination documents within the legal deadline. In an inclusive process, eight candidates out of nine nominations submitted were registered, including two women. Seven candidates were nominated by political parties and blocs: Dorin Chirtoacă (Electoral Bloc UNIREA), Tudor Deliu (Liberal Democratic Party), Violeta Ivanov (Șor Party), Andrei Năstase (Platform DA), Maia Sandu (Party of Action and Solidarity, PAS), Octavian Ticu (National Unity Party), and Renato Usatii (Our Party). The incumbent president Igor Dodon stood as an independent candidate. One candidate nomination was rejected for not meeting the required numbers of supporting signatures.²⁶

²¹ The Election Code sets additional restrictions, prohibiting candidacies of active military personnel, those sentenced to imprisonment or with active criminal records for intentional crimes, and persons deprived of the right to hold positions of responsibility by a court decision.

²² Paragraph 7.5 of the [1990 OSCE Copenhagen Document](#) states that the participating States should “respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination.” See also paragraph 15 of the [UN Human Rights Committee General Comment No. 25](#): “persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation.” See also paragraph I.1.1.1c of the [Code of Good Practice in Electoral Matters](#).

²³ Further, a minimum of 600 signatures from at least 18 out of the 35 districts is required.

²⁴ Paragraph 77 of the [2010 ODIHR and Venice Commission Guidelines on Political Party Regulation](#) recommends that “in order to enhance pluralism and freedom of association, legislation should not limit a citizen to signing a supporting list of only one party. Such a limitation is too easily abused and can lead to the disqualification of parties who in good faith believed they had fulfilled the requirements for registration.”

²⁵ According to the CEC, even after the validation of entries with minor errors signature collection lists of all initiative groups contained various irregularities, including records of deceased voters, incorrect identity document numbers, duplicate entries, and signatures of those who signed for other candidate.

²⁶ After the verification process, the CEC ascertained that the initiative group in support of Mr. Candu achieved the required numbers of signatures in only 12 administrative-territorial units. His appeals to courts were unsuccessful. A subsequent request to the CEC for re-examination of its decision was also rejected.

Campaign Environment

The official campaign period starts after registration of the candidate, but not earlier than 30 days before election day. The law generally provides for equitable opportunities for contestants during the campaign. As a result of later registration, two candidates could only start their campaign three days after the other six candidates. Candidates' campaign opportunities were challenged by the CEC circular of 15 September 2020 that restricted the possibility of parties to financially contribute to the campaign of their candidates.²⁷

During the campaign, fundamental freedoms of expression and assembly were generally respected and local authorities complied with their obligations to provide candidates with space for posters and locations for meetings.²⁸ At the same time, the ODIHR LEOM received reports on intimidation of candidate supporters and voters by the police.²⁹

The law requires high ranking officials registered as candidates to suspend their official activities.³⁰ The participation of state officials in the campaign is regulated, but its implementation was inconsistent.³¹ In half of the campaign events observed by the ODIHR LEOM, local or national officials took part.³² Although the incumbent president was running as an independent candidate, PSRM party structures and staff were observed by the ODIHR LEOM to be active in his campaign.³³

The campaign was competitive, with messages mainly focused on socio-economic issues, such as this year's drought and restrictions due to the COVID-19 pandemic, on emigration, on corruption and on geopolitical orientation.³⁴ The role of the president was a notable topic in the campaign and some candidates made campaign promises that went beyond the constitutional prerogatives of the president. Accusations about foreign influence featured prominently in the campaign, at times overshadowing programmatic ideas.³⁵ Some electoral stakeholders, including several candidates voiced concerns about

²⁷ According to several candidates, this limited their possibility to campaign outside their strongholds and to recruit party observers for all PSs. Four candidates told the ODIHR LEOM that the CEC interpretation of the law left their campaign funds drastically reduced. Some candidates relied on a different interpretation of the Election Code and used party funds for their campaign. Only Mr. Dodon and Ms. Sandu affirmed that they would be able to deploy observers to all polling stations, including abroad. See also *Campaign Finance* section.

²⁸ According to information provided to the ODIHR LEOM by the Ministry of Interior (MOI), between 2 and 30 October, some 120 election related incidents have been recorded, primarily related to placement of campaign material and violation of public health protection rules. The COVID-19 pandemic regulations limited the maximum number of participants in rallies to 50.

²⁹ PAS activists in Sîngerei, Ungheni and Criuleni complained they are often being followed by the police, including after rallies with photos taken of supporters; this was also observed by ODIHR LEOM with regard to Ticu supporters in Ciorești. Our Party supporters in Glodeni and Rîșcani reported to the ODIHR LEOM that they have being ordered by the police to remove car window stickers.

³⁰ Suspension procedures for the president and MP are not prescribed in the law. Mr. Dodon announced that he was taking an unpaid leave during the campaign period, while Ms. Ivanov, an MP, did not inform of any measures to suspend her official activities.

³¹ While some ODIHR LEOM interlocutors insisted that officials should be on leave if supporting a candidate, most explained that they could campaign on weekends or even after office hours.

³² The ODIHR LEOM observed 67 campaign events of all candidates. According to the MOI, in total 1,160 campaign events took place with 47,553 attendants out of which 494 were organized by the campaign of Mr. Dodon.

³³ The ODIHR LEOM observed this during Mr. Dodon rallies on: 6 October in Taraclia and Vulcănești, 10 October in Donduseni and Edinets, 11 October in Ceadâr-Lunga and Comrat, 15 October in Chisinau and Anenii Noi, 22 October in Cimislia, 25 October in Falesti and Singerei, 27 October in Calarasi, 28 October in Riscani and 29 October in Soldanesti.

³⁴ For Octavian Ticu and Dorin Chirtoacă, unification with Romania and accession to the EU was a central campaign message. While the importance of good relations to both Russia and the EU were underlined by most candidates, Ms. Sandu, Mr. Năstase and Mr. Deliu were perceived as favouring stronger ties with the EU, while Mr. Dodon and Violeta Ivanov were associated with closer links to Russia.

³⁵ Mr. Dodon was endorsed by Vladimir Putin on 22 October. Ms. Sandu was endorsed by Donald Tusk and the German party CDU on 31 August and 12 October, respectively.

transportation of voters and vote buying, particularly targeting those residing in Transnistria.³⁶ While the tone of the campaign was occasionally harsh between the contenders, positively, during the campaign period, the ODIHR LEOM did not observe instances of hate speech against social or minority groups at campaign events or in monitored media. At the same time, the ODIHR LEOM noted instances of sexist rhetoric by some candidates.³⁷

Meetings and rallies were an important part of the campaign for all candidates.³⁸ Most candidates also campaigned through door-to-door canvassing, leaflets, posters, media, as well as intensively through social networks.³⁹ Mr. Dodon took part in the religious celebration in Chişinău on 14 October and dignities of the Orthodox church were observed taking active part in several rallies in favour of his campaign.⁴⁰ National legislation prohibits the participation of religious institutions in the campaign.⁴¹

In the campaign events observed by the ODIHR LEOM the female candidates had a majority of the women-speakers at their campaign events while four candidates campaigned without any female speakers.⁴² Campaign materials were available in the state language and in Russian.

Campaign Finance

The legal framework for campaign finance is not comprehensive and leaves space for interpretations resulting in inconsistent application. Campaigns are funded from private and public sources. Public support is provided through free air-time in broadcast media, places for meetings, and a possibility to take interest-free loans from the state budget.⁴³ Private donations may come from individuals and legal entities.⁴⁴ The implementation of the legal requirement aiming to exclude illegal sources of income for campaign donations in practice, leads to the impossibility to accept donations from individuals unknown to the candidates and their parties.⁴⁵ Donations to most campaigns were made in cash by party supporters.⁴⁶

A candidate's campaign spending limit is 0.05 per cent of the state budget for the year of elections (MDL 18.92 million), which was perceived by some ODIHR LEOM interlocutors as too high. The law prescribes this limit only for financial donations; however, the CEC considers that this limit also includes in-kind

³⁶ The MOI informed ODIHR LEOM that three cases on voting buying are being investigated.

³⁷ On 1 October, a candidate in a public appearance used the phrase “she took him under her skirt” describing actions of a female candidate. On 23 October, another candidate in his vlog referred to female candidates who “have no kids and will never have any.”

³⁸ COVID-19 pandemic related restrictions were not always respected. The ODIHR LEOM observed some 300 to 400 participants in several Maia Sandu rallies (in Causeni, Stefan Voda, Ungheni) and up to 1,000 at two Igor Dodon rallies in Gagausian (Vulcanesti and Comrat).

³⁹ Mr. Năstase, Ms. Sandu and Mr. Usatii made the most active use of advertising on Facebook.

⁴⁰ Observed by the ODIHR LEOM in two rallies in Vulcanesti and Cişmichioi (Găgăuzia).

⁴¹ Article 15(2) of the 2007 Law No. 125 on freedom of conscience, thought and religion.

⁴² Two candidates had limited presence of female-speakers on the campaign events.

⁴³ The loan may amount up to MDL 50,000 (1 EUR is approximately 19.9 MDL) and should be cleared by the contestant in proportion to the number of votes received. None of the candidates have taken such loans.

⁴⁴ Individuals may donate up to 6 average monthly salaries (a total of MDL 47,718); individuals with income from abroad – up to 3 average salaries (MDL 23,859); legal entities may donate up to 12 average salaries (MDL 95,436). Anonymous donations and donations from foreign, public, non-commercial, trade-union, charitable and religious organizations are prohibited.

⁴⁵ By law, donations are permitted only from financial resources derived from labour, entrepreneurial, scientific or creative activities by the citizens in Moldova or abroad. The CEC thus requires candidates to report not only the identity but also the occupation and the source of income of individual donors.

⁴⁶ The majority of the candidates noted that they did not seek to attract new donors. Ms. Sandu used the electronic financial system Paynet for fundraising. The CEC advised another candidate that this system was not prescribed by the legislation for campaign donations.

contributions. The lack of regulation regarding the valuation of in-kind contributions is a shortcoming that could be used to circumvent existing donation limits.⁴⁷

All campaign expenses are to be incurred via dedicated campaign accounts. Due to criminal proceedings against the Șor party leader, candidate Violeta Ivanov was rejected by banks and could not open an account during the first three weeks of the campaign.

The law does not prescribe the limits of candidates own contributions and by their nominating political parties. The CEC adopted a ‘circular’ explaining that political parties are bound by the same donation limits as other legal entities, which was criticized by several political parties.⁴⁸ The CEC claimed that this document was not legally binding, which ultimately prevented the judicial review of this act.⁴⁹ Some contestants followed this interpretation, while others did not, which created legal uncertainty.⁵⁰

The law requires contestants to submit financial reports on all transactions to the CEC within three days from the moment the account is opened and then every week. Candidates who refuse to open an account are not obliged to submit reports unless they have in-kind donations, which may compromise transparency and accountability of campaign financing. Campaigning by third parties is not regulated. Final reports are due 48 hours before election day, which raises questions about their completeness.⁵¹ The reports, which included detailed campaign expenses, were published on the CEC website within 48 hours, as prescribed by law.

The CEC is responsible for campaign finance oversight but it has no written internal procedures for audits, leaving room for inconsistent and biased decisions. It is requesting donors’ income declarations from tax authorities, however, the effectiveness of such audit is questionable.⁵² The CEC did not use an IT solution for audits and the reports were reviewed manually.⁵³ The CEC reviewed campaign finance reports and adopted two decisions. It stated that it lacks tools to effectively investigate the sources of donations, including in-kind, and refrained from evaluating the legality of support coming from the political parties. The effectiveness of the CEC financial oversight was further diminished by its insufficient resources and capacities.

⁴⁷ Candidates did not report on campaign volunteers and use of parties’ offices around the country. In the 2011 [Evaluation Report on Moldova Transparency of Party Funding](#), GRECO recommended “to ensure that all donations and services provided to parties or candidates in kind or on advantageous terms are properly identified and recorded in full, at their market value.”

⁴⁸ According to the CEC, since political parties do not have the status of a contestant in presidential elections, the Election Code limits their financial support to the amount applicable to legal entities.

⁴⁹ The Liberal Party and the Liberal Democratic Party challenged this document in the Chisinau Court of Appeals (CCA), which found the complaint inadmissible because it did not affect the subjective interests of these parties. After the Supreme Court returned the case to the CCA, the court again found the complaint inadmissible because the ‘circular’ was not a binding document. The decision was again appealed to the Supreme Court, which then agreed with the CCA and rejected the case as inadmissible.

⁵⁰ For example, CEC found that the PAS’ donation to Ms. Sandu’s initiative group exceeded the amount permitted for legal entities, but decided not to impose any sanctions as the overall spending limit was not exceeded. During the campaign period, Ms. Sandu received over MDL 1.5 million from PAS. Mr. Năstase received some MDL 560,000 from his political party. Paragraph 7.6 of the [1990 OSCE Copenhagen Document](#) commits participating states to “respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities”.

⁵¹ Paragraph 200 of the [2010 ODIHR and Venice Commission’s Guidelines on Political Party Regulation](#) recommend that reports should be submitted timely and “no more than 30 days after the elections.”

⁵² The absence of declared income excludes retired people from donating. There is no prescribed rule to determine that a donation is illegal. There is no similar verification mechanism for income from abroad. Paragraph 24 of the [1990 OSCE Copenhagen Document](#) states that participating States should ensure that any restrictions on fundamental freedoms “are not abused and are not applied in an arbitrary manner, but in such a way that the effective exercise of these rights is ensured.”

⁵³ According to the CEC, the SAISE module that would have to assist in party and campaign finance oversight was not launched for this election, as it was not sufficiently tested and adopted in time for this.

Media

The media landscape is diverse. Television remains the primary source of political information but the role of online media and social networks as platforms for political discourse is growing.⁵⁴ Media are using either the state or Russian language, or both.⁵⁵ News programmes are often accompanied with subtitles and sign language. The print media are losing popularity and are also disadvantaged by limited opportunities for circulation due to high cost for distribution.⁵⁶

Most media have politically affiliated ownership. Moreover, the media advertisement market is heavily controlled by political forces, which limits financial sustainability and curtails media independence and impartiality.⁵⁷ While some outlets rely on international grants, citizens' subscriptions and donations, most are directly or indirectly sponsored by different political forces. Such sponsorship influences their editorial policy and causes polarization. Therefore, while the media environment is pluralistic in general, many media outlets lack balanced impartial coverage. Several ODIHR LEOM interlocutors raised concerns about limited access to information from the authorities and official registries, which negatively impacts the quality of journalism.⁵⁸

The 2018 Audiovisual Code provides for editorial independence, protection of sources of information, journalists' safety, the right of reply, and prohibits censorship. The Code also regulates public broadcasters and assigns the Audiovisual Council (AC) as the regulatory body for broadcast media.⁵⁹ Some media-related legal provisions require greater clarity and a number of relevant legislative drafts are pending.⁶⁰ Some ODIHR LEOM interlocutors opined that there is a general lack of political will to improve the media legislation.⁶¹

The Election Code and CEC regulations prescribe rules for media coverage during elections. The legislation provides for equitable conditions for contestants in media and calls for balanced coverage. During the campaign the candidates were provided with airtime in prime time free-of-charge on the broadcasters with national coverage (13 television channels and one radio).⁶² In addition, these broadcasters were required to organize their own debates in prime-time or re-broadcast live debates from the national public broadcaster. While the candidates could be represented by their proxies in the debates,

⁵⁴ Out of more than a 100 some 80 broadcasters were covering the campaign.

⁵⁵ Gagauziya Radio Television is operating in Gagauz and Russian languages. In addition, the national public broadcaster has programmes in the Bulgarian, Romani and Ukrainian.

⁵⁶ There are 90 newspapers and 77 magazines, and two print distributors, the state-owned *Posta Moldovei* and a private company *Moldpresa*.

⁵⁷ Most of the advertisement market is divided between agencies, affiliated with Vladimir Plahotniuc and PSRM.

⁵⁸ The Law on access to information provides up to 15 working day for responding to the information request. The official registries are limited for public scrutiny and have only paid access. Article 26 of the [1999 OSCE Istanbul Document](#) calls for the importance of the free flow of information as well as the public's access to information.

⁵⁹ The Audiovisual Council (AC) is in charge of overseeing compliance with the provisions of the Audiovisual and the Election Code and sanctioning violations. Its nine members are proposed by the parliament, president, government and civil society, and the parliament approves the composition.

⁶⁰ In 2018, a draft Law on Advertising which defines political advertising passed the first reading in the parliament, but its further consideration is pending. According to the new Law on Non-commercial Organizations, during the electoral campaign an NGO may not provide services to contestants. Referring to this Law, the AC informed an NGO-founded TV8 that it could not provide paid slots for the candidates. This decision was reversed on 9 October, after the Constitutional Court ruled in favour of non-commercial organizations.

⁶¹ Drafts and amendments to several other laws, including the Law on Access to Information, were rejected or their consideration is pending.

⁶² Five minutes within the first seven days of the campaign on TV and 10 minutes on the radio, as well as one minute per day for advertising. In the last two weeks of the campaign period, the national public television channel *Moldova 1* accommodated two rounds of debates in co-operation with a domestic observer NGO. At least three more private television channels with national coverage organised their own debates.

some did not participate at all.⁶³ Each candidate was also entitled to up to two minutes per day of paid ads in each broadcaster.⁶⁴

While print and online media are self-regulated through the Press Council, the AC oversees the campaign coverage of broadcasters.⁶⁵ Since the start of the campaign, the AC held six public meetings. The AC conducted media monitoring of the evening news of the national broadcasters.⁶⁶ It also reviewed complaints regarding the content of other broadcasters and beyond the news programmes in the monitored media.⁶⁷ The effectiveness of bi-weekly reporting for timely addressing potential violations is questionable.⁶⁸ The AC's reaction to violations was inconsistent, leaving some irregularities unaddressed while applying strict sanctions to other violations.⁶⁹

The ODIHR LEOM media monitoring, that started one month prior to election day, found that, overall, most of the news programmes of the monitored media presented diverse information on the candidates in a balanced and impartial manner.⁷⁰ Various political programmes, interviews, and televised debates contributed to the ability of voters to make an informed choice. In the news and current affairs coverage of all but two monitored channels, Mr. Dodon was covered the most, followed by Ms. Sandu;⁷¹ the campaigns of Mr. Ticu and Mr. Deliu were the least covered in the monitored media.⁷² In its news coverage within the campaign period *Moldova1* provided all the candidates with relatively equal coverage, predominantly in a neutral tone. A similar pattern is seen in the franchises of the Russian newspapers *Argumenty i Fakty* and *Komsomolskaya Pravda*, which have the biggest circulation in the country.⁷³ The monitored online outlets covered all candidates in a balanced and impartial manner.

⁶³ Neither Mr. Dodon nor his proxies attended any debate. In some debates only one participant was present. Civil society representatives urged the candidates to participate in election debates in order to provide information for the voters.

⁶⁴ All candidates except Mr. Ticu chose to pay for airtime on the monitored television channels. Even though the AC opined that the public broadcaster shall not have paid slots during the campaign, a price of 900 Euro per minute on *Moldova1* was approved, which was seen as high by some ODIHR LEOM interlocutors.

⁶⁵ On a weekly basis all the broadcasters that are covering the campaign should submit reports on the free-of-charge and paid airtime to the AC and the CEC. Only one report was approved by the AC and published on its website.

⁶⁶ The first report with findings from the AC media monitoring of 2-15 October was presented in a public session on 22 October, the second report shall be issued within a week after the election day. There is no provision requiring the publication of the AC reports.

⁶⁷ According to the AC, it received seven campaign-related notifications from civil society organizations.

⁶⁸ Based on findings of AC media monitoring, sanctions are applied gradually in case of recurrent violations of the same rules, starting with a public warning and followed by fines. Considering the duration of the campaign, the sanctions may not be sufficiently dissuasive. Further, a public session presenting the report takes place within one week after the report is issued, therefore, the AC cannot address violations within the campaign in a timely manner.

⁶⁹ According to the AC's monitoring in a number of broadcasters some candidates benefited from a larger and "obviously positive" coverage, which was considered by the AC "within the limits of normalcy." On 26 October, upon a complaint the AC fined TV8 7,000 MDL for a first-time violation.

⁷⁰ On 1 October ODIHR LEOM launched the monitoring of prime time coverage on *Moldova1* (national public television), *Jurnal TV*, *NTV*, *Prime TV*, *Pro TV*, and *TV8*; as well as newspapers: *Argumenty i Fakty*, *Gazeta de Chisinau*, *Komsomolskaya Pravda*, *Moldova Suverana*, and *Ziarul de Garda*; and politics-related releases in online outlets: esp.md, newsmaker.md, nokta.md, and unimedia.info.

⁷¹ Mr. Dodon and Ms. Sandu were covered mostly in neutral tone on *Moldova1* with 19 and 15 per cent, on *Prime TV* with 26 and 18 per cent, on *Pro TV* with 24 and 14 per cent and on *TV8* with 26 and 32 per cent, respectively. On *Jurnal TV*, Mr. Dodon received 56 per cent of the coverage, mostly in negative tone and Ms. Sandu received 5 per cent mostly in neutral tone. On *NTV* Mr. Dodon received 34 per cent of the coverage mostly in positive tone and Ms. Sandu 35 per cent mostly in negative tone.

⁷² All other candidates, were covered in mostly neutral tone and Mr. Deliu received between 2 and 8 per cent of the coverage on all channels, Mr. Ticu between 3 and 11 per cent, Ms. Ivanov between 5 and 16 per cent, Mr. Năstase between 6 and 13 per cent, Mr. Chirtoacă between 3 and 15 per cent and Mr. Usati between 3 and 12 per cent.

⁷³ *Argumenty i Fakty* and *Komsomolskaya Pravda* provided 48 and 51 mostly of positive coverage to Mr. Dodon respectively, and 33 and 38 mostly of negative coverage to Ms. Sandu.

Complaints and Appeals

Election dispute resolution is primarily regulated by the Election Code and the Administrative Code. While the rules are generally in place, several ODIHR LEOM interlocutors opined that their complexity undermines the accessibility of dispute resolution for election participants.

According to the Election Code, voters and candidates can challenge actions, inaction and decisions of election bodies, other candidates, and media.⁷⁴ Complaints must be filed with the election body or a court within three days and resolved within five days, but no later than the election day.⁷⁵ However, no expedited deadlines are prescribed for the CEC to resolve complaints on campaign financing and for complaints made after the election day.⁷⁶ Decisions of election bodies should be first appealed to the higher level body and then to court. Complaints on campaign coverage in broadcast media are submitted to the AC, whose decisions may be appealed in court. Complaints against printed media and the candidates can be filed directly to court. There are limited opportunities to challenge election results.⁷⁷

Complaints and appeals were handled by the CEC and courts in an open and transparent manner, overall within the legal deadlines, and decisions were promptly published online.⁷⁸ The CEC received few complaints during the campaign period. A total of 13 appeals against CEC acts were made to the Chisinau Court of Appeals (CCA), which dismissed all but two appeals as inadmissible.⁷⁹ The Supreme Court reviewed 12 appeals against CCA decisions and upheld these decisions in all but four cases.⁸⁰

At odds with international good practice, while deciding on the admissibility of the appeals, the courts, at times, interpreted the legal interest of the complainant very narrowly.⁸¹ There is also no legal possibility to bring complaints in the public interest.⁸² Direct complaints to courts against candidates on campaign-related violations were found inadmissible because they were not first reviewed by an administrative

⁷⁴ Appeals against election-related decisions of administrative bodies to the courts are dealt under the provisions of the Administrative Code. For appeals to be considered admissible the Administrative Code requires that an appellant rights are violated.

⁷⁵ Complaints against PEBs and DEC's should be considered within three days. Appeals against court decisions must be filed within one day and decided by appeal courts within three days. Complaints submitted on election day should be considered the same day.

⁷⁶ The general term of 30 days is prescribed by the Administrative Code.

⁷⁷ It is possible to appeal against PEB and DEC voting results protocols, however it is not possible to appeal against final election results, as they are not enacted by the CEC but proclaimed by the Constitutional Court. Paragraph II.3.3.f of the [Code of Good Practice in Electoral Matters](#) states that "all candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections."

⁷⁸ The CEC also was regularly receiving letters and requests that were posted online together with the answers, contributing to the transparency.

⁷⁹ The CCA admitted and reviewed the appeal of a rejected prospective candidate, Adrian Candu, and by Mr. Ticu on an alleged misuse of administrative resources. Both appeals were rejected as unfounded. The reasons that the CCA provided for inadmissibility for other cases included missing the legal deadline, appeal of a non-binding document, and the absence of violation of rights by the appealed administrative act.

⁸⁰ The Supreme Court returned to the CCA for a new consideration appeal against the CEC campaign finance 'circular', the appeal of Electoral Bloc UNIREA and the Liberal Party which challenged the CEC's opening of 9 polling stations in the embassy building in Moscow, and Mr. Năstase's appeal against the CEC's decision to set up polling stations for voters from Transnistria. The CCA further found Năstase's appeal unsubstantiated while the two other complaints were again found to be inadmissible.

⁸¹ Political parties were considered lacking legal interest in the complaints since they were not contestants in a presidential election. At least in two appeals the CCA's decisions on inadmissibility based on the absence of a legal interest by political parties were overruled by the Supreme Court. Paragraph II.3.3.b of the [Code of Good Practice in Electoral Matters](#) states that "the procedure must be simple and devoid of formalism, in particular concerning the admissibility of appeals."

⁸² Observers may lodge complaints only as voters, which does not enable them to seek redress for violations.

authority.⁸³ Such legal gaps, in conjunction with the courts' formalistic approach to admissibility, have undermined the availability of effective remedies in election disputes.

Election Observers

The Election Code grants access for observers to the entire electoral process both in the country and abroad, providing them with broad rights, including the right to attend sessions of election bodies at all levels, request documents, and notify electoral bodies of irregularities. Within the established deadline of 24 October, civil society organizations and international organizations could accredit an unlimited number of observers. The authorities, including the CEC, facilitated entry and unrestricted observation opportunities for international observers in spite of the COVID-19 pandemic. In total, the CEC accredited over 1,800 national observers, including some 230 for PEBs abroad, and over 300 international observers. The inclusive accreditation of observers contributed to the transparency of the electoral process.⁸⁴

Election Day

The ODIHR LEOM did not observe election-day proceedings in a systematic or comprehensive manner. The mission members visited a limited number of PSs in 31 districts, including several PSs for voters residing in Transnistria.

At the polling stations visited by the ODIHR LEOM, voting was generally well-organized. The polling procedures, including for voter identification were followed, but secrecy of the vote was at times compromised due to PS layout and some voters not folding the ballots before casting them. In several PSs observed, limited space contributed to longer queues and overcrowding. Compliance with public health measures varied, with some PEBs not fully ensuring social distancing and use of available personal protection equipment. Only several of the visited PS provided for unassisted access for voters with disabilities, in line with international standards.⁸⁵

Observers were present in all PSs visited contributing to transparency of the process. At the same time, observers were occasionally seen keeping track of voters and making records of vehicles outside polling stations that could indicate an undue influence on voters. Wide-spread allegations of vote-buying and organised transportation of voters amplified by supporters and some contestants, led to road-blockages and tensions which interfered with voters' freedom of movement and access to PSs in several areas.

In the polling stations observed by the ODIHR LEOM, counting was smooth and efficient. The votes were counted accurately, but some PEBs omitted important procedural steps, such as establishing the number of voters who received the ballot before opening the ballot box and displaying ballots to all when determining their validity. In nine DEC observed by the ODIHR LEOM the tabulation process was well-organized, however, at times overcrowding was noted, violating health protection protocols and limiting the possibilities for observation.

⁸³ The Administrative Code provides for an administrative review before an appeal can be made to court. Mr. Ticu's complaint against Mr. Dodon on the use of administrative resources was found inadmissible by a territorial court due to the absence of a prior administrative decision on this issue. The CEC initially also refused the complaint because the Election Code provides that such complaints should be made directly to the court but then admitted it after Mr. Ticu went through all judicial appeals.

⁸⁴ Civil society organisations associated in the Civil Coalition for Free and Fair Elections conducted long-term observation activities, including assessment of election preparations and participation of persons with disabilities, media monitoring, as well as observation on election day. They released several observation reports prior to election day.

⁸⁵ Article 29(a)i. of the [CRPD](#) states that "parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake... Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use."

The CEC published turnout on its website throughout the day and held five press-conferences on the polling progress and incidents. The turnout announced was 42.76 per cent. Preliminary results, summarised by districts, were published on the CEC website immediately after the end of the count in the PSs, enhancing transparency. Several candidates publicly announced that they had made dozens of complaints about election-day irregularities and incidents.

***The English version of this report is the only official document.
Unofficial translations are available in the State and Russian languages.***

MISSION INFORMATION & ACKNOWLEDGEMENTS

Chisinau, 2 November 2020 – This Statement of Preliminary Findings and Conclusions presents an assessment of the election with respect to OSCE commitments and other international obligations and standards for democratic elections, as well as national legislation.

The ODIHR LEOM includes 10 experts in the capital and 22 long-term observers deployed throughout the country. In line with ODIHR methodology, on election day mission members visited a limited number of polling stations in 31 districts and in the capital but there was no systematic observation of the opening, voting, counting, and tabulation of results.

The ODIHR LEOM wishes to thank the Central Election Commission for the invitation to observe the election, and to the Ministry of Foreign Affairs and European Integration for its assistance. The ODIHR LEOM also expresses its appreciation to other institutions, candidates, political parties, media and civil society organizations, as well as the OSCE Mission to Moldova and international community representatives for their co-operation.

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