







# INTERNATIONAL ELECTION OBSERVATION MISSION Republic of Moldova – Presidential Election, Second Round, 3 November 2024

# STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

#### PRELIMINARY CONCLUSIONS

The second round of the presidential election on 3 November was administered efficiently and professionally and offered voters a choice between genuine political alternatives. Candidates were able to campaign freely, but the quiet ten-day campaign was marked by an increase in negative rhetoric from across the political spectrum targeting both contestants, often spread through online social networks. The challenges posed by foreign interference and vote buying schemes continued to reverberate in the run-off campaign. The incumbent continued to benefit from the misuse of administrative resources, albeit being significantly less widespread than in the first round, and from unbalanced media coverage. This did not provide equal opportunities for both contestants. The application of general campaign regulations to the short second round period resulted in conflicting provisions and ambiguities, limiting the effectiveness of legal remedies and campaign opportunities. Further, overly burdensome financial reporting requirements combined with limited disclosure impacted the transparency of campaign finances for the second round. Election day was generally calm and well-organized, and the voting process was assessed overwhelmingly positively by IEOM observers, with only a few procedural problems noted. The vote count and tabulation were assessed positively overall.

The two rounds of the 2024 presidential election and constitutional referendum were held in the context of the government addressing national security threats resulting from the war caused by the Russian Federation's invasion of Ukraine. Law enforcement authorities, many international actors and civil society have proclaimed that Moldova is the target of an ongoing "hybrid war" directed from abroad that includes various forms of manipulative interference to destabilise the country, illicit financing of political actors, disinformation campaigns, and cyberattacks.

The results of the first round were established by the Central Election Commission (CEC) on 23 October. The two candidates who had received the largest number of votes, President Maia Sandu and Alexandr Stoianoglo, advanced to the second round. The second round was held amid continuing investigations into interference from abroad and vote-buying schemes intended to influence the outcomes of the first-round presidential election and referendum. These investigations included detentions, searches of premises, seizure of materials, and the issuing of fines. According to law enforcement, the number of individuals involved might exceed 300,000 people and "the sums allocated for electoral corruption over the last two years may total hundreds of millions of dollars".

The election administration tabulated the results for the first round of the presidential election and the referendum efficiently and within the legal deadlines. First-round election results based on the original Precinct Election Bureau (PEB) protocols were published on 23 October. The CEC's preliminary results webpage displayed only the total number of valid votes divided per referendum options and did not reference the total number of participants. On 25 October, the CEC adopted and forwarded the referendum results protocol to the Constitutional Court for validation. On 31 October, the Constitutional Court considered the results protocol and related appeals and requests for recounts. The Court certified that the referendum had passed, interpreting the law to provide for the establishment of results based on valid votes cast.

The presidential election was conducted under the 2022 Electoral Code, which despite frequent amendments, provides an adequate basis for holding democratic elections. However, the application of

general campaign regulations to the short second round period results in conflicting provisions and ambiguities, despite a prior ODIHR recommendation in this regard. The start of the second-round campaign is not aligned with the deadlines for the tabulation of results and the adjudication of disputes, which undermines the effectiveness of legal remedies and limits campaign opportunities.

The second round was administered by the same three-tiered structure of election administration, with mostly unchanged composition. Electoral preparations for the second round by the CEC and District Electoral Councils (DECs) were efficient and professional, and the election administration met legal deadlines. The CEC continued to work in a collegial and transparent manner. All CEC sessions were announced in advance, open to observers and to the media, and streamed live.

The presidential election offered voters a choice between genuine political alternatives and, as in the first-round campaign, contestants could campaign freely and fundamental freedoms of assembly and expression were respected. However, interference from abroad, including the offering of illicit monetary incentives to influence voters, that marred the first-round campaign continued to reverberate in the period leading to the second round. According to Moldovan authorities and a number of other interlocutors, this foreign interference predominantly comes from the Russian Federation and pro-Russian political forces. Law enforcement agencies intensified investigative efforts and issued frequent updates on new findings that documented the magnitude of such manipulative efforts. Authorities also launched a public information campaign urging citizens not to sell their votes. The overall campaign discourse saw a significant rise in negative rhetoric from a variety of actors in the political sphere targeting both contestants, often spread through social networks, and included instances of discriminatory and intolerant language. Misuse of administrative resources favoring the incumbent was significantly less widespread but still present in the run-off.

The law does not explicitly regulate campaign finance for the second round. The two second-round candidates could resume campaign-related financial activities on 24 October, after the re-activation of campaign accounts. Prior to the run-off, the contestants shall submit one interim campaign-finance report covering only three days of the campaign, while the second interim report is due the day after the second round. Both contestants submitted the first interim report but the results of its verification were not published prior to the run-off. The lack of adjusted reporting requirements for the short run-off campaign created overly burdensome conditions for the two contestants and combined with the limited information available to voters, impacted the transparency of campaign finances for the second round.

Overall, voters were given sufficient information to make an informed choice, including through a debate between the two candidates. The same rules and CEC's regulations on media coverage as in the first round were applied in the second round, and candidates were given access to free and paid airtime on equal terms. The public broadcaster provided more coverage of the two candidates in the second round, although a large portion of its radio coverage was devoted to the government without critical analysis. The ODIHR EOM media monitoring showed that while overall monitored TV stations devoted fairly equal amounts of airtime in their newscasts to both candidates, there was bias benefiting the incumbent across all four monitored TV channels. Ms. Sandu was covered almost exclusively positively or neutrally, and negative coverage of her campaign was negligible. Meanwhile, Mr. Stoianoglo's candidacy was covered more critically, including through less positive and some negative coverage in the editorial programs.

DECs around the country received ten complaints related to the first-round election day. In some instances, the lack of registration of complaints by the DECs or polling stations denied complainants access to judicial review. Regarding results, there was one complaint requesting the recount of the referendum results from out-of-county voting that was rejected by the CEC as unfounded and denied by the Constitutional Court upon verifying the results. An appeal of the CEC's establishment of the first-round presidential election results was rejected as the campaign and election day issues raised in the appeal exceed the scope of the CEC decision on the results, opening questions about how the results

can be challenged on the basis of such issues. The CEC demonstrated partiality in its handling of the one complaint received regarding the second-round campaign, which it found inadmissible despite a previous decision to the contrary on a similar matter. After the first-round election day, the police and the National Anti-Corruption Center announced that some 350 individuals were sanctioned for receiving bribes for voting.

Election day was generally calm and orderly. The opening and voting processes were assessed positively in almost all polling stations observed, with established procedures largely followed. Secrecy of the vote was not always ensured, mainly due to the layout of the polling stations and the placement of video cameras. IEOM observers reported tracking of voters from 7 per cent of polling station observed, which is of concern. The majority of polling stations observed were not suitable for voting by persons with disabilities. The vote count was assessed positively in 62 of the 69 vote counts observed by the IEOM, with negative assessments due to lack of adherence to prescribed procedures and procedural errors. Some IEOM observers described the counting process as rushed. Tabulation was observed in all 36 DECs for in-country voting and assessed it positively in 33 of them.

### PRELIMINARY FINDINGS

#### **Background and Post-First Round Developments**

On 20 October, Moldova held the first round of the presidential election, simultaneously with a constitutional referendum that aimed to affirm the country's European path. Both were held in the context of the government addressing national security threats resulting from the war caused by the Russian Federation's invasion of Ukraine, <sup>1</sup> and amidst concerns over vote buying, disinformation, and other forms of domestic and foreign interference. Their impact on electoral integrity was widely denounced by a number of international actors, civil society and media, as well as by the incumbent herself.<sup>2</sup> There was criticism from across the political spectrum of the decision to hold the presidential election and referendum simultaneously, with claims that it was done to benefit the incumbent's reelection campaign, and misuse of administrative resources in the first round was noted.<sup>3</sup>

Turnout for the presidential election was 51.68 per cent, and for the referendum 50.72 per cent. According to the protocol on the first-round results adopted by the Central Election Commission (CEC) on 23 October, none of the 11 presidential candidates received more than 50 per cent of the vote necessary to secure a first-round victory. On 23 October, the CEC established that a second round would be held on 3 November between the two candidates with the highest number of votes: the incumbent Maia Sandu, nominated by the Party of Action and Solidarity (PAS), who received 42.49 per cent, and Alexandr Stoianoglo, nominated by the Party of Socialists of the Republic of Moldova (PSRM), who received 25.95 per cent.

This is referred as "the Russian Federation's full-scale war of aggression against Ukraine" by the EP and the PACE in their respective resolutions. See for example EP <u>2024/2526/RSP</u>, and PACE <u>2506/2023</u> and <u>2285/2024</u>. See also OSCE PA language since the adoption of the <u>2022 Birmingham Declaration</u>.

In a <u>live statement</u> just after 1:00 hrs. on election night, Ms. Sandu stated: "Moldova today and in recent months faced an unprecedented attack on freedom and democracy in our country. Criminal groups, together with foreign forces hostile to our interests, attacked our country with tens of millions of euros, lies and propaganda, with the most miserable means to lead our citizens and our country into an area of uncertainty and instability."

See IEOM <u>Statement</u> of Preliminary Findings and Conclusions for the first round presidential election and constitutional referendum on observed and reported cases of the misuse of administrative resources and the criticism of the simultaneous holding of the referendum and election by various actors including pro-EU voices as well as some members of civil society and academia.

If no presidential candidate obtains the required number of votes in the first round, i.e. more than half of the voters who participated, a second round is held two weeks after the first-round election day, between the two candidates who received the highest number of votes. The second-round election is valid if at least one fifth of voters in the voter lists participate.

The period leading up to the run-off was marked by the continuation of investigations of interference from abroad and vote-buying schemes to influence the outcomes of the election and referendum, including searches of premises, the detentions of individuals, the seizure of materials, and the issuing of fines. Law enforcement estimated that the number of individuals involved might exceed 300,000 people and that "the sums allocated for electoral corruption over the last two years may total hundreds of millions of dollars."

#### **Establishment of Results**

The election administration conducted the tabulation of results for the first round of the presidential election and the referendum efficiently and within the legal deadlines. Preliminary results compiled from data received electronically through the State Automated Information System "Elections" (SAISE) from each Precinct Election Bureau (PEB) were published on the CEC website on election night shortly after 22:00 hrs., contributing to transparency. First-round results based on the original protocols signed by each PEB were published for the presidential election on 23 October, along with the spreadsheet of polling station-level results as well as scanned copies of all PEB protocols. On 29 October the Information Technology and Cyber Security Service announced that they successfully thwarted systematic cyberattacks against the election infrastructure culminating on the first-round election day involving some 168,000 servers and originated from the Russian Federation.

On 25 October, the CEC adopted the protocol with the aggregated numbers of participants and votes cast for each referendum option and forwarded it, together with the report on the conduct of the referendum, to the Constitutional Court for validation. In line with the law, the CEC adopted the referendum results protocol but did not announce the outcome of the referendum. The CEC's preliminary results webpage displayed only the total number of valid votes divided per referendum options and did not reference the total number of participants. The CEC informed the ODIHR EOM that although the number of voters who participated in the referendum equals the number of ballots found in the ballot box, it has interpreted based on certain provisions in the Electoral Code that the referendum results should be calculated based on valid ballots, rather than ballots cast. On 31 October, the Constitutional Court considered the results protocol and related appeals and requests for recounts. The Court certified that the referendum had passed, interpreting the law to provide for the establishment of results based on valid votes cast.

# Legal Framework

The presidential election was conducted under the 2022 Electoral Code, which despite frequent amendments, provides an adequate basis for holding democratic elections. However, the application of

This includes six cases initiated by the <u>Anti-Corruption Prosecutor's Office</u> "regarding the illegal financing of political parties/electoral campaigns and the corruption of voters by the criminal group Şor." Law enforcement efforts included the searches of several individuals in <u>Cimişlia and Comrat</u>, and in <u>Ungheni</u>, and <u>pre-trial detentions</u> for a number of individuals suspected of electoral bribery. In addition, on 1 November the <u>National Anti-Corruption Centre</u> said it had issued more than MDL 3.5 million (EUR 180,000) in fines for electoral corruption. On 26 October, the National Police said that it had registered 489 reports of passive corruption and forwarded 262 of them to the National Anti-Corruption Center for review.

<sup>6</sup> See National Police <u>statement</u> of 26 October.

8 Article 27 of the Electoral Code.

The CEC <u>results protocol</u> for the referendum, as well as the table containing the <u>disaggregated data</u>, indicate that 1,531,392 voters participated in the referendum; of these, 749,719 voted in favour of the referendum proposal and 739,155 voted against; 42,518 ballots were invalid. The CEC's <u>preliminary results webpage</u> displayed the number of 1,488,874 valid votes and indicated that 50.35 per cent of votes has been cast in favor of the "yes" option.

Under Article 208 (1) of the Electoral Code "[a] republican referendum decision shall be considered adopted if it gained the [support of the] majority of voters who participated in the referendum".

Constitutional Court decision No 24 of 31 October 2024 paragraph 34 and 2 of the resolutive part. The dissenting opinions of Sergiu Turcan and Vladimir Turcan are not published yet.

general campaign regulations to the short second round period results in conflicting provisions and ambiguities, despite a prior ODIHR recommendation in this regard. The start of the second-round campaign is not aligned with the deadlines for election dispute resolution and the tabulation of first-round results, limiting the effectiveness of legal remedies. Other deadlines that lack alignment include those for organizing campaign events and campaign finance requirements, which limits the effective implementation of some rules and impacts campaign opportunities for contestants. The application of rules on free and paid airtime and of limits for campaign donations and expenditures for the second round is ambiguous, and the Audiovisual Council and the CEC did not issue decisions to clarify their applicability. The turnout requirement for the second round introduced in the 2022 Electoral Code was criticized by the ODIHR and Venice Commission for the potential to lead to repeated failed elections.

#### **Election Administration**

The second round of the presidential election was administered by the same structure of election administration, with mostly unchanged composition, except some replacements at the PEB level. <sup>14</sup> In the first round, PEBs administering voting abroad faced difficulties in effectively managing the flow of voters, who had to be manually added to the supplementary voter lists. Based on this experience, the CEC decided to supplement the number of SAISE operators responsible for voter identification in some out-of-country polling stations to improve the efficiency of the process. <sup>15</sup>

The CEC held seven sessions in which it announced the results of the 20 October referendum and election and the second round, accredited observers, considered complaints and reviewed results of campaign finance oversight. The CEC continued to work in a collegial and transparent manner. All sessions were announced in advance, open to observers and to the media, and streamed live. Session recordings remained online and, in line with its own regulation, the CEC published its decisions within 24 hours. ODIHR EOM observers noted that DECs were well-prepared and adequately resourced.

CEC and DEC preparations for the second round were efficient and professional and met legal deadlines. Between the two rounds, the CEC's Center for Continuous Training (CICDE) did not conduct any in-person refresher trainings for PEB members, but it did identify a need for supplementary training for newly-recruited out-of-country SAISE operators, which it conducted the day before the election. Positively, the CEC continued its voter education programme between rounds and distributed new materials on voting procedures, including dedicated materials for students and for first-time voters. The Ministry of Foreign Affairs posted a public announcement regarding changes of address of 11 polling stations abroad.

In paragraph 25 of the <u>1999 Istanbul Document</u>, OSCE participating States agreed to "follow up promptly the ODIHR's election assessment and recommendations." Paragraph 58 of the Council of Europe Venice Commission <u>Rule of Law Checklist</u> states that "[the law] must ... be formulated with sufficient precision and clarity to enable legal subjects to regulate their conduct in conformity with it".

Article 146 (4) of the Electoral Code states that the second-round election shall be organised two weeks after the first round. This deadline is not in line with the results tabulation deadlines under Articles 81, 82, and 85, which allow 18 and 48 hours to the PEBs and DECs, respectively, to tabulate and transfer the results, and five days to the CEC to tabulate the final results. Given the three-day election dispute resolution deadlines, the campaign for the second round starts before such disputes are resolved.

See paragraph 121 of the ODIHR and Venice Commission <u>Joint Opinion</u> on the draft Electoral Code. See also paragraph 247 of the 2020 Venice Commission <u>Report</u> on Electoral Law and Electoral Administration in Europe, which underlines the potential negative impact of turnout requirements in the absence of "an absolutely accurate voter register".

Most replacements followed resignations. On 26 October DEC 36 dismissed two members of a PEB in the Autonomous Territorial Unit Găgăuzia after receiving evidence of proxy voting and breaches of the secrecy of the vote during mobile voting at a home for the elderly. On 1 November the CEC announced that other PEB members who were being investigated by the police for election-related corruption had also been replaced.

The SAISE provides electronic verification of voters' IDs against the State Voter Register to safeguard against multiple voting.

The CEC ordered the same number of ballots to be printed as for the first round, including in the same five minority languages. <sup>16</sup> As there is no legal requirement to update voter lists between rounds, they were not available for public scrutiny, and the same voter lists that had been printed for the first round were used. <sup>17</sup> However, the State Voter Register is continuously updated, and thus newly eligible voters who turned 18 in-between the two rounds and voters who changed their address could be added to supplementary lists on election day. While deaths reported to the authorities are reflected in the population register and thus in the State Voter Register, as voter lists are not updated for the second round, these updates are not reflected.

Voters could vote at a different polling station than the one they were assigned to if they requested absentee voter certificates by 2 November. Voters eligible for mobile voting had to apply by the same deadline, regardless of whether they had been registered for mobile voting in the first round. <sup>18</sup> The ODIHR EOM noted that not all visited PEBs were open during working hours; this limited voters' opportunity to apply for mobile or absentee voting.

Citizen and international observers could apply for additional accreditation between rounds, and in an inclusive process, the CEC accredited 342 more observers from two national and six international organizations. Three prospective IEOM observers were denied entry into the country by the Moldovan border police and were denied accreditation by the CEC. According to the CEC, its decision was based on the input from the checks conducted by the Security and Intelligence Services.

## **Campaign Environment**

The campaign officially commenced on 23 October and ended on 1 November. The Electoral Code contains no separate campaign provisions specific to the second round and the regulation of campaign activities remained applicable.

The presidential election offered voters a choice between genuine political alternatives and, as in the first-round campaign, contestants could campaign freely, and the fundamental freedoms of assembly and expression were respected. However, interference from abroad, including the offering of illicit monetary incentives to influence voters, that marred the first-round campaign continued to reverberate in the period leading to the second round. Concerns over the impact of these illicit activities were highlighted in campaign messages from Ms. Sandu appealing to voters not to sell their votes.<sup>19</sup> According to Moldovan authorities and a number of other interlocutors, this foreign interference predominantly comes from the Russian Federation and pro-Russian political forces.<sup>20</sup>

Law enforcement agencies intensified investigative efforts and issued frequent updates on new findings, documenting the magnitude of the hierarchical network directed from abroad to influence the outcomes of the election and referendum. Authorities have claimed the network included 130 leaders throughout

Ballots for out-of-country PEBs were printed immediately after the CEC announced the second round. Voters who had opted for postal voting used ballots which, considering the eventuality of a run-off, had already been sent ahead of the first round and included all 11 registered candidates. On 1 November the CEC decided to print additional ballots for one Chişinău PEB where many students were expected to vote on the supplementary list. The five minority languages are Russian, Ukrainian, Romani, Bulgarian and Gagauz.

Voter lists printed for the first round already had a separate signature column for the eventuality of a second round.

Electoral Code provisions for mobile voting applications include two deadlines – until 14:00 hrs. on the day before the election, or until 14:00 hrs. on election day, but only with the submission of a medical certificate.

In a 24 October <u>video</u> posted on Facebook, Ms. Sandu said that "If the justice system does not wake up at the last moment and turns a blind eye to the selling of the country, Moldova's future for decades will be at risk. Moldovans deserve to decide the future of their country without theft. Only your vote can protect the country."

On 3 October, the Anticorruption Prosecutor's Office, in cooperation with the National Investigative Inspectorate, announced the seizure of materials belonging to "people affiliated with the criminal organization led by Ilan Şor...made up of persons located on the territory of the Russian Federation", and described a hierarchical scheme that included "the opening of accounts in the (Russian) commercial bank PromsvyazBank" for the purpose of receiving monetary incentives to influence the outcomes of the election and referendum.

the country, nearly 2,000 poll workers, more than 50,000 activists, and more than 80,000 people who received between MDL 800 and 1,500 (EUR 41 to 77) to vote according to instructions;<sup>21</sup> monetary incentives transferred through the Russian bank Promsvyazbank are estimated to have reached USD 15 million in September and USD 24 million in October.<sup>22</sup> Ahead of the second round, the National Police engaged in a public information campaign via phone, text messages, social networks, and announcements on public transit and supermarkets urging citizens not to sell their votes and reminding that violators faced a MDL 37,500 (EUR 1,900) fine.

Overall, campaign activities by presidential candidates were modest, with very few campaign events and mostly focused on local mobilization of voters, including public tents and door-to-door material distribution. Campaign messages differed significantly from the first round, with Ms. Sandu shifting to personal attacks on Mr. Stoianoglo's integrity while encouraging supporters to bring to the polls voters who had abstained in the first round, and Mr. Stoianoglo challenging the government's achievements while aiming to appeal to a broader electorate.<sup>23</sup>

The overall campaign discourse saw a significant rise in negative rhetoric from a variety of actors in the political sphere. The growth of negative campaign materials where PAS supporters and party members made discrediting claims against Mr. Stoianoglo was noted.<sup>24</sup> For their part, members of PSRM made disparaging remarks against Ms. Sandu.<sup>25</sup> The ODIHR EOM also observed instances of intolerant language, often spread through social networks, from first-round presidential candidates targeting Ms.

See National Police <u>statement</u> of 26 October. The National Police also released a <u>video</u> documenting the efforts of criminal networks affiliated with Mr. Sor to "subvert the elections [and] attack democracy and the rule of law."

See <u>statement</u> of 3 October by the Anticorruption Prosecutor's Office. See also the video from National Police available <u>here.</u>

Ms. Sandu discredited Mr. Stoianoglo's record as a former Prosecutor General and linked him to fugitive oligarchs Şor and Platon. With the slogan "We Save Moldova," Ms. Sandu's campaign encouraged supporters to bring to the polls voters who had abstained in the first round, warning of Moldova's isolation, including the loss of EU financial assistance, infrastructure support, and visa liberalization, should Mr. Stoianoglo come to power (see official website). Mr. Stoianoglo accused Ms. Sandu of being divisive, saying that she had undermined human rights and failed to deliver on anti-corruption and other reforms. In an interview on 25 October, Mr. Stoianoglo said: "Have human rights improved? No, all rankings show the opposite. Progress in fighting corruption? Not at all – the situation is poor. Freedom of the press? Not at all – television stations are being shut down one after another. All of this indicates continuous degradation." With slogans such as "justice for all" and "Moldova decides," he aimed to position himself as a technocratic candidate who would pursue both European integration and relations with Russia.

Campaign material observed by ODIHR EOM for Ms. Sandu called Mr. Stoianoglo a "weak" and "controlled" man, while members of PAS accused her opponent of being associated with "thieves", "thugs" and "traitors". In a Facebook post, PAS Vice President and MP Radu Marian wrote: "If [former President and PSRM head Igor] Dodon's candidate wins, that means ... the return to Moldova of [Ilan] Şor, [Veaceslav] Platon and other individuals who robbed this country. With schemes, bandits, thugs, intimidation and the suppression of democracy ... We can certainly avoid this scenario by voting for Maia Sandu and convincing at least one person who did not vote or voted for someone else to do the same." In another Facebook video, Minister of Foreign Affairs Mihai Popşoi said: "Mr. former Attorney General Stoianoglo, how can people expect to receive justice when you protect thieves, bandits, and traitors? You gave a free pass to your friend Platon, covered for your neighbor Şor, and let your political sponsor Dodon off the hook."

In an online broadcast posted on Facebook on 28 October, PSRM leader Dodon said: "Throughout my political career, I have participated in over 20 different electoral campaigns, but honestly, I have never seen one as dirty as this... Over the last four years, you've [Ms. Sandu] allowed yourself to label citizens with terms reminiscent of those used in Nazi Germany and Bolshevik Russia in the 1930s... Either you're a female Antonescu [considered responsible for the Holocaust in Romania] or you're doing exactly what the Bolsheviks did... You've divided us into good and bad ... In 30 years of independence, society has never been this divided... Moldova's number one problem is Maia Sandu... Every time Sandu fails to accomplish something in her campaign, she blames the war... Maia is not European, she's a dictator in a skirt... She is not psychologically stable."

Sandu,<sup>26</sup> and discriminatory language used, allegedly by PAS supporters, to attack Mr. Stoianoglo.<sup>27</sup> The use of such discriminatory language was widely denounced, including by Ms. Sandu and PAS.<sup>28</sup> While both candidates appealed to other first-round contestants for their support, only Mr. Stoianoglo received a formal endorsement.<sup>29</sup>

With less campaigning observed in general, misuses of administrative resources during the second round was significantly less widespread and not the subject of official complaints, but still present, which is not in line with OSCE commitments and good practice. Some members of the cabinet continued to actively campaign for the incumbent while promoting the achievements of the government.<sup>30</sup> ODIHR EOM interlocutors alleged instances of pressure on citizens to vote for Ms. Sandu, as well as reports of intimidation against PSRM supporters.<sup>31</sup>

During the quiet 10-day campaign, the EOM observed four campaign events, most of which were for Ms. Sandu, with women being well-represented among attendees and speakers. While there was little discriminatory language towards Ms. Sandu as a woman candidate during the first round, in the second

In a <u>post</u> from 24 October, first-round presidential candidate Mr. Chicu wrote "We have to 'thank' Maia Sandu for at least one thing – we learn in practice how Fascism and Nazism are born. We only knew the theoretical part, from the history of Hitler and Mussolini," while on 27 October, first-round candidate Ms. Morari posted on her YouTube channel a <u>video</u> in which she said that Ms. Sandu is "striving for a second term at the cost of division, hatred, xenophobia, and even Nazism in our country."

On 21 October, multiple PAS supporters posted two videos on social media that used xenophobic language against Mr. Stoianoglo, as an ethnic Găgăuz. In the first video, which has since been removed, one user declared: "We give the country to the hands of a Găgăuz. If Stephen the Great were to wake up, he would die again seeing whom we put in charge." As of 24 October, the video had been viewed more than 500,000 times and received more than 11,000 likes. In the second video, another user said that "A Moldovan will never vote for a Găgăuz. Găgăuz means a traitor to the country." As of 1 November, this video was viewed more than 339,000 times, shared more than 3,300 times, and received more than 6,700 likes.

On 22 October, PAS issued a Facebook <u>post</u> in response, while Ms. Sandu issued a <u>post</u> on 24 October. The Council for Equality, an independent public authority whose members are appointed by parliament, issued a <u>statement</u> calling "on electoral competitors and their supporters to use a balanced public discourse and to avoid any form of hate speech, incitement to discrimination or intolerance," as did <u>the ombudsman</u>. In a press conference on 24 October, the police <u>announced</u> it had registered two cases of incitement to discrimination. First round presidential candidate Mr. Chicu submitted a formal complaint to the Prosecutor's Office, requesting to initiate a criminal investigation.

From Ms. Furtună. He also received a formal endorsement by The Party of Communists of the Republic of Moldova (PCRM), while the Ecologist Green Party issued a formal endorsement of Ms. Sandu. Numerous candidates urged their supporters to vote either against Ms. Sandu or Mr. Stoianoglo, while third-place candidate Renato Usatîi said he would not vote for either candidate.

Article 1 of the Electoral Code defines administrative resources, while Article 16 specifies the persons to which such provisions apply. On 23 October, Deputy Prime Minister and Minister of Economic Development and Digitalization issued several posts on visits to factories or business associations (on 23 October, 28 October and 29 October) to advocate for Ms. Sandu. On 24 October, the Minister of Foreign Affairs wrote of his campaign activities in Basarabeasca, where he promoted the installation of solar panels and the building of water towers, urging voters to "save Moldova" and vote for Ms. Sandu. On 30 October, Ms. Sandu announced pension benefits for citizens working in Italy and, on the same day, the Ministry of Labour and Social Protection announced that 31,000 pensioners will receive a one-time payment of MDL 2,300 (EUR 119). Interlocutors at the local level reported concerns about the involvement of mayors in the campaign. The ODIHR EOM also received allegations of the misuse of administrative resources at the local level, including the presence of campaign materials for Ms. Sandu in the Strășeni City Council lobby and the mobilization of education, healthcare, and other public sector professionals to campaign for Ms. Sandu in Sîngerei. The ODIHR EOM received reports of similar instances in Cahul, Cantemir, and Criuleni.

In Căuşeni, two interlocutors reported that recipients of social assistance were notified that they would no longer receive benefits if they did not vote for Ms. Sandu, with a similar instance in Cantemir, while in Făleşti, PSRM claimed that government workers felt pressured to participate in campaign activities under the threat of losing their jobs. PSRM reported that two of their supporters had been attacked in Chişinău; police confirmed receipt of the report, which remains under investigation.

round attempts to discredit her through the use of derogatory language were observed."<sup>32</sup> As in the first round, women's issues did not feature in campaign messages.

While there was limited offline campaigning, contestants were active on social networks. Ms. Sandu posted messages of support from public figures, such as actors, academics, and entrepreneurs, as well as videos directly targeting voters; Mr. Stoianoglo primarily reposted videos from television interviews, a livestream with diaspora voters, and a campaign clip. In contrast to the first round, there was little discussion about disinformation campaigns, until the last day of the campaign, when several fake email messages were circulated and debunked. During the seven-day period of 23 to 29 October, the Meta Ad Library for election related advertising indicated that Ms. Sandu was the highest spender. Mr. Platon was the second-highest spender, with ads negatively targeting Ms. Sandu, while an unknown NGO called "Moldova Free State" was the third-highest spender, with ads negatively targeting Mr. Stoianoglo Mr. Stoianoglo ranked in fifteenth place in ad purchases on Meta. 35

### **Campaign Finance**

Under the law, the last transfers from the first-round campaign accounts are allowed on the day after election day, which coincides with the submission of the last interim report covering the last campaign week. The accounts shall be suspended from the second day after election day, and the final campaign finance reports are due next day. This arrangement does not allow due time for effective processing of data and may have contributed to the numerous corrections introduced to the financial reports by the majority of contestants. By the end of the first-round campaign, all but one presidential candidate, who did not proceed to the second round, complied with the campaign finance reporting obligation.

The law does not explicitly regulate campaign finance for the second round and reporting requirements are not adjusted to the short run-off campaign, creating overly burdensome conditions for contestants.<sup>36</sup> Candidates have to proactively apply for the unblocking of their campaign accounts upon the announcement of the second round, which coincides with the start of the second-round campaign. Further, the second-round campaign finance reporting requirements include two weekly interim reports, of which only one is submitted prior to the second-round election day. There are additional obligations to notify the CEC about all planned transactions. The final report shall be submitted on the Wednesday after the second round, two days after the last interim report.

The two second-round candidates could resume campaign-related financial activities on 24 October, after the re-activation of campaign accounts. Prior to the run-off, they submitted one interim campaign-finance report accounting for three days, showing that immediately upon the start of the run-off

Following a 27 October debate between the two candidates, Mr. Lungu <u>wrote</u> on Telegram: "On Maia Sandu's podium during the debate, it would have been worth placing a bottle of valerian. This morning, Moldova saw its president in all her splendor: a nervous woman who began a conversation with insults and unfounded accusations." On <u>Facebook</u>, former Prime Minister Vlad Filat wrote of the "hysteria with which she [Ms. Sandu] clings to power."

The <u>police</u> and <u>PAS</u> warned the public about fake emails and calls urging citizens to vote "for a certain electoral candidate" in exchange for financial compensation. The police also <u>warned</u> of a "new form of attack through fakes, through which journalists and public figures from the Republic of Moldova are threatened with death."

According to the Meta Ad Library, during 23-29 October, Ms. Sandu spent EUR 13,218; Mr. Platon spent EUR 5,093; and Moldova Free State spent EUR 4,208. Mr. Stoianoglo spent EUR 198. In the last 90 days, Ms. Sandu spent EUR 53,006 on Meta ads and Mr. Platon spent EUR 50,318 on Meta ads. PAS spent an additional EUR 11,879.

For example, on 25 October, Ms. Sandu posted a Facebook <u>video</u> speaking in Russian, Romanian, Gagauz, Ukrainian, and Turkish, saying: "I ask you to maintain unity; we all strive for peace and mutual understanding," while a 29 October <u>video</u> called on citizens who voted for Mr. Usatîi in the first round to vote for her in the second. Ms. Sandu also reposted messages of support from the <u>Roma community</u>, from <u>Găgăuzia</u>, and from the <u>diaspora</u>.

See paragraph 90 of the ODIHR and Venice Commission <u>Joint Opinion</u> on the draft Electoral Code. See also paragraph 258 of the ODIHR and Venice Commission <u>Joint Guidelines</u> on Political Party Regulation, which recommends that "reporting requirements should be such that smaller parties can also fulfil them, and should not hinder such parties' participation in political life".

campaign an additional MDL 1.96 million was channeled to finance Ms. Sandu's campaign.<sup>37</sup>. Additional expenses for Mr. Stoianoglo's run-off campaign amounted to MDL 1.3 million.<sup>38</sup>Additionally, in the first week of the run-off, Mr. Stoianoglo reported on employing the services of volunteers.<sup>39</sup> The results of the verification of the second-round interim report were not published prior to the run-off, which combined with the limited reporting prior to the run-off impacted the transparency of campaign finances for the second round.<sup>40</sup>

The CEC received a complaint requesting deregistration of two first-round candidates for alleged illicit campaign financing. Based on the complaint and police reports, the CEC initiated a financial control of the two candidates and four political parties, to be completed by March 2025.<sup>41</sup> The CEC decided not to initiate the deregistration procedure, as it was considered inefficient at this late stage of the process and due to ongoing investigations into the use of illicit foreign funding. While the law provides a range of sanctions, the implementation practice appeared not to serve the purpose of dissuading violations.<sup>42</sup>

#### Media

The same rules and CEC regulations on media coverage as in the first round were applied in the second round. Contestants were allocated one minute of free airtime per day in public broadcast media and could purchase up to two minutes of paid advertising in public and private broadcasters with national coverage. The Audiovisual Council monitored media coverage and published weekly reports, sanctioning media which did not comply with the rules, including in the coverage of the first round and referendum campaigns, and addressed complaints in a timely manner.<sup>43</sup>

Unlike in the first round, Ms. Sandu reached out to Mr. Stoianoglo immediately after the announcement of the first-round preliminary results and invited him to debate. The Press Council and the CEC reminded contestants that it is not their prerogative to dictate the terms and that the format shall be decided by broadcasters in line with their editorial policies. Contestants eventually disregarded this reminder and settled on a face-to-face live event on 27 October where they asked questions directly to each other, which was broadcast on main TV channels and online media sites. Both contestants were

Totalling EUR 100,000. During the first three days of the run-off campaign, PAS forwarded MDL 800,000 (EUR 40,000) from party funds, and raised MDL 1.2 million in donations (MDL 675,000 or EUR 33,000 from individuals and MDL 475,000 or EUR 23,000 from legal entities). The expenses amounted to EUR 65,000 and EUR 21,000 for promotional materials.

Monetary donations amounted to MDL 20,000 (EUR 1,000). The expenses for promotional materials amounted to MDL 778,000 (EUR 39,000) and for advertising to MDL 527,000 (EUR 26,000).

The in-kind contributions amounted to MDL 86,000 (EUR 4,300).

Paragraph 247 of the ODIHR and Venice Commission Joint Guidelines on Political Party Regulation states that "Transparency in ... campaign finance is important... to protect the rights of voters, prevent corruption and keep the wider public informed. Voters must have relevant information as to the financial support given to political parties, as this influences decision-making and is a means of holding parties accountable."; paragraph 261 recommends "Reports providing oversight bodies and the public with preliminary information on campaign incomes and expenses of parties and candidates several days before election day".

Mr. Țîcu for alleged unlawful financing of Mr. Tarlev and Ms. Furtună, *inter alia* by using unlawful foreign sources via the criminal group affiliated with Mr. Şor and the "camouflaged bloc" of political parties (Victory bloc), while the police reported undeclared financial support of both candidates from the resources of four political parties of the Victory bloc, as well as from 'Future of Moldova'.

On some occasions, contestants opted for violating the stringent campaign finance rules and being sanctioned. For example, the Party for the Future of Moldova repeatedly violated the requirement of advance payment for campaign-related services. Even though the violations were of a prolonged nature and their material scope exceeded the legally prescribed margin, which under the law entails a candidate's deregistration, the sanctions imposed on them were only monetary.

The Audiovisual Council fined five TV stations MLD 5,000 (approximately EUR 260) each for broadcasting profiles of candidates, their statements, and interviews with voter and experts on election day, interpreting it as forbidden campaigning on election day. It also fined *Canal Regional* MLD 15,000 (approximately EUR 780) for running pro-EU advertisement on the 20 October election day and MLD 10,000 MDL (approximately EUR 520) for not organising electoral debates as promised. Audiovisual Council criticised *Moldova 1*'s coverage of candidates and referendum contestants as unbalanced and fined it and *Cinema 1* MLD 5,000 for incorrectly displayed opinion polls.

able to express their views in a calm atmosphere, and voters had a chance to directly compare their political track records. Mr. Stoianoglo refused to participate in a second debate organized by the public broadcaster *Moldova 1* the following day, claiming it is affiliated with ruling party. Ms. Sandu attended and was asked questions by journalists from eight media outlets.

Public broadcaster *Teleradio Moldova*, which during the first-round campaign devoted a large proportion of its newscasts to the government to the detriment of contestants, provided more coverage of the two candidates in the second round. Still, while public TV *Moldova 1* covered the candidates in a more balanced manner, *Radio Moldova* continued to devote large amount of its news coverage to the official activities of the government, with little scrutiny of its decisions. This impacted a level playing field for contestants.<sup>44</sup>

The ODIHR EOM media monitoring showed that overall, the monitored TV stations devoted fairly equal amounts of airtime in their newscasts to both candidates, with slightly more airtime being devoted to Ms. Sandu. 45 What significantly tipped the balance in the incumbent's favor was the tone of the coverage. Ms. Sandu was covered almost exclusively positively or neutrally, and negative coverage of her campaign was negligible. Meanwhile, monitored media covered Mr. Stoianoglo's candidacy more critically, including through less positive and sometimes negative coverage in the editorial programs. 46 The government received between 2 and 5 per cent of news coverage on the three monitored private channels. Combined with extensive political coverage in online media, overall voters were given sufficient information to make an informed choice.

# **Election Dispute Resolution**

Complaints related to election day violations can be submitted to PEBs, challenged to DECs, and subsequently to the local courts. The decisions on tabulated results by PEBs and DECs can be contested at the hierarchically superior election commission and are subject to review by the judiciary. The CEC decision on the nationwide tabulated results can be appealed to the Chişinău Court of Appeals (CCA) and reviewed by the Supreme Court of Justice (SCJ). The Constitutional Court decides on requested recounts, based on decisions by the CEC and judgments of the administrative courts on related appeals. <sup>47</sup>

Following the announcement of preliminary results for the referendum, the CEC received one formal complaint, requesting the partial invalidation of the referendum results due to alleged violations in several polling stations abroad, as well as a recount of all referendum votes cast

On *Moldova 1*, 13 per cent of news coverage was devoted to the government, 19 per cent to the incumbent and 16 per cent to Mr. Stoianoglo. On *Radio Moldova*, the proportion was 36 per cent for the government, 22 per cent for the president and 18 per cent for Mr. Stoianoglo.

Ms. Sandu received 60 per cent of news coverage on *ProTV*, 54 per cent on *Moldova 1*, 43 per cent on *JurnalTV* and 48 per cent on *TV8*. Mr. Stoianoglo received 40 per cent on *ProTV*, 46 per cent on *Moldova 1*, 57 per cent in *JurnalTV*, and 52 per cent on *TV8*. Coverage of the government was limited at 5 per cent on *JurnalTV*, 3 per cent on *TV8*, and 2 per cent on *ProTV*.

In *Moldova 1* news and editorial coverage Ms. Sandu was portrayed 56 per cent positively, and 44 per cent neutrally, while Mr. Stoianoglo's coverage was 5 per cent negative, 12 per cent positive and 84 per cent neutral. In *ProTV* Ms. Sandu was portrayed positively in 63 per cent of programmes and Mr. Stoianoglo in 17 per cent, and 1 per cent of his coverage was negative. In *TV8*, Ms. Sandu had no negative coverage and Mr. Stoianoglo had 4 per cent, but the positive tone amounted to 31 and 18 percent respectively. The most critical was *JurnalTV*, where Mr. Stoianoglo was covered 12 per cent negatively and 13 per cent positively, while Ms. Sandu's respective coverage was 40 per cent positive.

The Constitutional Court is not entitled to consider evidence or review the decisions by the election administration or the judiciary, but only decides if the violations established by the CEC or the courts on appeal are sufficient to necessitate a recount.

abroad. <sup>48</sup> The CEC rejected the complaint as unfounded, as the evidence was not considered conclusive, and forwarded the recount request to the Constitutional Court to be examined during the validation of the referendum results, as required by the law. On 31 October, the Constitutional Court rejected the recount request, relying on the CEC's assessment of the facts. <sup>49</sup>

Following the 20 October election day, according to information received by ODIHR EOM observers, the DECs received ten complaints, four of which were rejected as unfounded, two as inadmissible, and four were granted. The ODIHR EOM was informed of multiple instances when complaints submitted to the PEBs and DECs were not officially registered, which limited the possibility of judicial review. The CEC decision on the first-round election results and on the second-round announcement was appealed to the CCA, with the complainant citing unresolved campaign violations. The complaint was rejected as unfounded; at the same time the Court noted that some of the matters would be considered by the Constitutional Court while verifying the results.

After the first-round election day, the police and the National Anti-Corruption Center announced that some 350 individuals were sanctioned for receiving bribes for voting (see *Background and Post First Round Developments*).<sup>54</sup> According to law enforcement, most misdemeanor fines were imposed on voters who received monetary transfers via a certain foreign banks, or cash payments and only in some cases were substantiated with the explicit admission of guilt by the voters, which raises questions about how the receipt of bribes for voting is established.<sup>55</sup> The police announced that prior to the second election day, at least 20 individuals were in custody for active vote buying and multiple searches were

PCRM requested the invalidation of the election results in several polling stations abroad, including in Romania and in the Russian Federation, as well as recounts for all polling stations abroad, alleging *inter alia* violations of the campaign silence and illegal campaigning for the referendum in the vicinity of polling stations abroad, the prevention of voters in the Russian Federation from being able to exercise their right to vote due to the inadequate number of polling stations established there, as well as indications of vote buying with voters photographing their ballots. At a post-election <u>press conference</u>, Mr. Tarlev also alleged electoral violations and publicly requested recounts, but no formal complaint substantiating the allegations was filed.

At the time of consideration by the Constitutional Court there was a pending appeal of the CEC decision on the same matter which was ultimately rejected. The SCJ upheld the rejection upon review.

Two complaints alleged prohibition of access of observers to the PEBs, one of which was denied as it was established that the observer had not been duly accredited, while in the other case the PEB stated that the observers were not allowed to enter into the polling station due to space limitation; in one case a voter complained about not receiving one of the ballots, which was addressed by the PEB; one complaint was filed by a PEB member in Chişinău alleging tampering with the results protocol by another PEB member; two complaints by party representatives about the EU flags in polling stations were rejected as inadmissible as submitted by unauthorised subjects; one from a PEB chair about an internal conflict was rejected as unfounded. The four granted complaints, all in Chişinău, concerned the right to vote, and the voters were eventually allowed to vote.

ODIHR LTOs reported that several unregistered complaints were filed by PSRM, including objections to EU banners, posters, and stickers displayed in polling stations, as well as allegations of harassment by local authorities affiliated with PAS (the allegations of harassment were reported in Criuleni). In several cases when objections to EU material being displayed in the polling station premises were raised, PEB members removed the flags, while in some cases the voters and party representatives were informed about the legality of the display. Several voters complained about the absence of ballots in certain minority languages and the PEBs offered to use the ballots in Romanian or Russian.

The complaint was submitted by Mr. Chicu, based on claims of multiple unresolved issues during the campaign and violations on election day, including cases of unlawful campaigning and misuse of administrative resources, and cases of voters denied the right to vote in Moldova based on the SAISE account that they had voted abroad. The complaint also cited the cases of vote buying alleged by Ms. Sandu in a <u>live statement</u> on election night.

The court *inter alia* stated that the scope of the contested CEC decision included only the arithmetical data, and did not concern any conclusions as to the legality of the electoral process, which excluded the possibility to contest the adequacy of the data based on circumstantial evidence.

Individual fines ranged from MDL 25,000 to MDL 35,000 (approximately EUR 1,290–1,806).

According to the police, the transfers were attributed to vote buying based on the bank from which they were made and the amounts of transferred funds, as the investigation established the amounts of bribes earmarked for different roles in the vote buying scheme. However, there was no additional information as to how the law enforcement prove that the voters charged with passive corruption expressly agreed to receive the money, and received it in exchange for their vote.

ongoing around the country to curb vote buying.<sup>56</sup> The first-round presidential candidate Ion Chicu submitted a complaint to the Prosecutor's Office, requesting to initiate a criminal investigation regarding the alleged xenophobic rhetoric against Mr. Stoianoglo (see *Campaign Environment*).

In between the two rounds, the CEC received one complaint related to the second-round campaign. The CEC demonstrated partiality in its handling of the one complaint which was alleging the use of inflammatory content in Ms. Sandu's campaign materials.<sup>57</sup> The complaint was considered inadmissible although the CEC had previously admitted and considered a complaint on a similar matter from the ruling party; the CEC decisions in the previous matter were upheld on appeal.<sup>58</sup> The judiciary upheld three CEC decisions on campaign finance oversight, and two decisions by the Audiovisual Council sanctioning two media for electoral silence violations on the first election day (see *Media*).<sup>59</sup>

## **Election Day**

Election day was generally calm and orderly. The CEC announced that turnout was 54.30 per cent. It started posting preliminary results on its website at around 22:00 hrs. on election night, contributing to transparency. In violation of campaign silence rules, PAS sent text messages, and Ms. Sandu posted videos and several posts on her social media account, calling on people to vote.

The opening process was assessed positively in all 71 polling stations where it was observed. Opening procedures were almost always followed, but IEOM observers reported isolated instances of procedural errors and omissions, including three cases of ballot boxes not being properly sealed.

IEOM observers assessed voting positively in the overwhelming majority (98 per cent) of the 846 polling stations observed, describing the process as well-organized, smooth and efficient. However, IEOM observers reported from 7 per cent of polling stations observed that people other than PEB members were keeping track of voters who had voted and also noted a few isolated cases of tension or intimidation of voters in and around polling stations (8 and 4 cases, respectively).

The majority of the polling stations observed were not suitable for voting of persons with disabilities. Sixty-seven per cent did not provide for independent access, and the interior layouts of 23 per cent of polling stations observed were not suitable for such voters. Long queues of voters waiting to vote were noted outside 2 per cent of polling station observed, and overcrowding inside 2 per cent.

Women constituted 89 per cent of PEB members and 88 per cent of PEB chairpersons in polling stations observed. Candidate representatives were present in 93 per cent of polling stations observed; in two

The police reported conducting 30 searches and detention of 11 regional leaders in vote buying schemes on 29-30 October in Chişinău, Orhei, Floreşti, Sîngerei, Dubăsari, Criuleni, Şoldăneşti, Ocnița, Edineț, Nisporeni, Cimişlia. An additional 20 searches were conducted on 31 October.

Mr. Stoianoglo complained alleging Ms. Sandu's campaign materials included inflammatory content against him. The CEC denied reviewing on merits, citing limits of jurisdiction and lack of expedited deadlines for such complaints. The complaint was forwarded to the police to examine the case. During the first-round campaign, the CEC issued a warning to a referendum contestant upon a complaint by PAS for similar claims. Paragraph 5.9 of the 1990 Copenhagen Document states that "all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. [...], the law will prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground".

The CEC refused to consider the matter on its merits, citing limits of jurisdiction and a lack of expedited deadlines for such complaints. The complaint was forwarded to the police to examine. Paragraph 5.9 of the 1990 Copenhagen Document states that "all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. [...], the law will prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground".

The CCA upheld three CEC decisions revoking PCRM's state funding for two and four months, and the Renaissance's for four months, as a sanction for violating the campaign finance reporting requirements. The SCJ upheld the decisions regarding the PCRM. The courts found that the sanctions were adequate and within the discretionary power of the CEC.

polling stations, they were observed interfering in the work of the PEB. Citizen observers were present in 42 per cent of polling stations observed, contributing to transparency.

The voter identification and electronic verification system in the polling stations observed was efficient overall, but IEOM observers reported problems with the SAISE, mainly connectivity issues, from 1 per cent of polling stations observed. In 8 per cent of polling stations observed, one or more voters were turned away or redirected to a different polling station, mostly because they were not on the voter list of that polling station or could not present a proper identity document.

Most voters marked their ballots in secrecy; however, the layout of the polling stations and the placement of the video camera recording the ballot box in the polling station did not ensure the secrecy of the vote in 2 and 12 per cent of polling stations observed, respectively. IEOM observers reported that voters took or attempted to take pictures of their marked ballot in 14 cases. In 3 per cent of polling stations observed, the ballot boxes were not properly sealed.

While 62 of the 69 vote counts observed by the IEOM were assessed positively, seven counts were assessed negatively, due to lack of adherence to prescribed procedures and procedural errors; IEOM observers noted that in some cases, PEBs rushed the count at the expense of accuracy. Seven PEBs did not count the signatures on the voter list, four did not securely store the voting stamps before opening the ballot box. In over one third of counts observed, the PEB chairperson did not show each ballot to those present, at the expense of transparency. Fourteen PEBs did not decide on the validity of disputed ballots by taking a vote, as required by law. In 11 counts observed, the PEBs had difficulties completing the results protocol, 7 protocols were not completed in the presence of PEB members and other authorized persons, 14 protocols had been pre-signed, and in 29 cases the copy of the protocol was not publicly posted, reducing transparency.

Tabulation was observed in all 36 DECs for in-country voting and assessed positively in 33 of them. Three DECs were too small to be adequate for the receipt of election materials from PEBs, 4 DECs were overcrowded, and in 5, not everybody had a clear view of the procedures. In one DEC, IEOM observers were prevented from observing the verification of results protocols, ostensibly because the room was overcrowded. In 10 DECs, not all protocols reconciled correctly. Tension was reported from one DEC. While citizen observers were present in 29 of the DECs observed, candidate representatives were only identified in 3.

The Information Technology and Cyber Security Service reported several cyberattacks that temporarily disrupted the CEC's systems on election day but that security measures restored functionality. Bomb threats were made against several polling stations in Moldova and abroad.

IEOM observers reported that in the large majority of PEBs observed, no formal complaints were submitted on election day. At the same time, in a few PEBs observers noted that the official complaint register was not maintained, potentially limiting opportunities for voters to obtain legal remedy on election day. The CEC reported two complaints, on violation of electoral silence and on organized transportation of voters, but did not announce the decisions on them. The police reported 225 election-related incidents, which were under investigation. One person was detained and a number of misdemeanour cases were initiated on active and passive corruption of voters.

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

The report mentioned *inter alia* 76 attempts to photograph ballots, with 7 misdemeanour cases initiated, 30 violations of electoral silence, 26 cases of vote buying, 24 cases of organised transportation of voters, and 9 violations of the right to vote.

## MISSION INFORMATION & ACKNOWLEDGEMENTS

Page: 15

Chişinău, 4 November 2024 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE) and the European Parliament (EP). The assessment was made to determine whether the election complied with OSCE commitments and other international obligations and standards for democratic elections and with national legislation. This assessment should be read in conjunction with the Statement of Preliminary Findings and Conclusions published on 21 October following the first-round election day.

Lucie Potůčková was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the OSCE short-term observer mission, and headed the OSCE PA delegation. Jone Blikra headed the PACE delegation, and Marta Temido headed the EP delegation. Ambassador Urszula Gacek is the Head of the ODIHR EOM, deployed from 13 September.

This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the election will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some months after the completion of the electoral process. The OSCE PA will present its report at its Winter Meeting on 20–21 February 2025. The PACE will present its report at its Standing Committee meeting on 28 November in Luxemburg. The EP will present the report at one of the next meetings of the Foreign Affairs Committee.

The ODIHR EOM includes 13 experts in the capital and 26 long-term observers deployed throughout the country. On election day, 197 observers from 31 countries were deployed, including 174 observers deployed by ODIHR, as well as a 9-member delegation from the OSCE PA, a 9-member delegation from the PACE and a 3-member delegation from the EP. There were 43 per cent of women among observers. Opening was observed in 71 polling stations and voting was observed in 846 polling stations across the country. Counting was observed in 69 polling stations, and the tabulation in 36 DECs.

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

For further information, please contact:

- Urszula Gacek, Head of the ODIHR EOM, in Chişinău (+373 69 874 937);
- Katya Andrusz, ODIHR Spokesperson (+48 609 522 266), or Vittoria Zanellati, ODIHR Election Adviser, in Warsaw (+48 695 917 357);
- Nat Parry, OSCE PA Head of Communications and Press (+4560108177);
- Ivi-Triin Odrats, PACE Deputy Head of Elections Division (+33 607067773);
- Raffaele Luise, EP Administrator, DG External Policies (+32 470880101).

#### **ODIHR EOM Address:**

75 Alexei Mateevici str., Chişinău, MD-2009, Moldova Office telephone: +373 69 874 937 email: office@odihr-moldova.org