



**STATEMENT OF THE NATIONAL DEMOCRATIC INSTITUTE
PRE-ELECTION DELEGATION TO MOLDOVA**

Chisinau, Moldova, December 15, 2018

This statement is offered by an international delegation organized by the National Democratic Institute (NDI). The delegation's purposes were to accurately and impartially assess electoral preparations in advance of the 2019 parliamentary elections; review the broader political environment; examine factors that could affect the integrity of the electoral process; and offer recommendations that could contribute to peaceful, credible elections and public confidence in the electoral process.

SUMMARY

Democracy is one of Moldova's most essential assets. It is the key to sustaining stability, pursuing prosperity, and defending independence. It is the foundation of lasting and good faith alliances. Moldova can and should be a success story for democracy in the region. It has many achievements to its credit, including a competitive and pluralistic political environment, the proven capacity to conduct genuine elections, and motivated voters. However, Moldovans' confidence in political institutions and processes has declined; citizens feel disconnected from their elected representatives. These trends reflect a sense that hard-fought achievements are eroding. Parliamentary elections in February 2019 offer an opportunity to regain public trust, which could in turn be invested in a renewed commitment to democratic reforms.

As Moldova approaches the elections, several issues stand out as areas for restoring public trust. All parties and candidates should have confidence that they will have equitable opportunities to register and be allowed to campaign, take office, and fulfill their elected responsibilities freely. Intimidation should play no role in the electoral process. All parties and candidates should have equitable access to the media so voters are able to make informed choices. Rules regarding campaign financing, as well as distinctions between campaign and state activities, should be strictly and equitably enforced. The responsibility for meeting these expectations falls largely with government authorities and election management bodies. However, a legitimate election will require concerted and constructive efforts from all Moldovan stakeholders.

To address these challenges, the delegation offers a series of recommendations, including the

following:

- The government should communicate to all civil servants and political supporters that intimidation of parties, candidates, journalists, civil society representatives and voters will not be tolerated, and that violators will be held accountable and prosecuted to the full extent of the law. Parties and candidates should have full confidence that they will be able register and campaign freely.
- The judiciary should exercise its responsibilities in an impartial, fair, and transparent manner, in accordance with the rule of law and irrespective of political considerations..
- The government should communicate that abuses of administrative resources for partisan purposes will be prosecuted to the full extent of the law.
- All media outlets should provide equitable access to parties and candidates, in compliance with applicable laws and regulations.
- The international community should closely monitor the electoral environment while supporting domestic Moldovan efforts to promote transparency and accountability.

A credible election process would reinforce Moldova’s democracy. It would also inspire those working for democracy throughout the region. By the same token, a flawed process would have damaging consequences beyond the country’s borders. It is therefore vital for Moldova’s friends in the international community to stand side-by-side with all Moldovans in supporting a process that respects the will of the voters. This will help Moldova retain its place in the community of democracies.

POLITICAL CONTEXT

Moldova will hold parliamentary elections on February 24, 2019. There is a tendency among some in the international community to cast these elections as a contest between the West and East for Moldova’s allegiance. The concerns of Moldova’s citizens can get lost in these analyses. A key indicator of the success of these elections will be whether they give voice to and reflect the range of interests of Moldovan citizens.

Prime Minister Pavel Filip has stressed repeatedly, in public and private settings, that “no one is more interested than the government in having free and fair elections.” In this vein, he has stressed the country’s openness to international election observation.¹ President Igor Dodon assured the delegation of his interest in Moldova carrying out a democratic election. Similarly, Parliamentary Speaker Andrian Candu has emphasized repeatedly that Moldova’s parliamentary elections should be fair and transparent, so citizens can freely choose their representatives.² The NDI delegation offers its findings and recommendations in support of these commitments.

¹ “Pavel Filip: After last year of governance Moldova is closer to Europe,” Government of Moldova website, May 8, 2018. <https://gov.md/en/content/pavel-filip-after-last-year-governance-moldova-closer-europe>.

² “Andrian Candu: Parliamentary Elections Must Be Correct So Citizens Can Freely Choose Their Representatives,” *Publika*, September 14, 2018. <https://www.publika.md/andrian-candu-alegerile-parlamentare-trebuie-sa-fie-corecte-ca-cetatenii-sa-si-poata-alege-liber-reprezentantii-3018796.html>.

Democracy is one of Moldova's most essential assets. The country has many achievements to its credit. In 2014, the country signed an Association Agreement with the European Union (EU). The agreement commits Moldova to economic, judicial, and financial reforms in return for closer cooperation in a range of areas, including a liberalized visa regime. The Association Agreement represents a significant government accomplishment. The visa regime is popular among Moldovans. Fundamental freedoms of expression, assembly, and association are largely respected. Civil society organizations play an active role in political life. Competitive multiparty elections are now routine; voters have a variety of political choices. Initiatives to increase women's participation in politics are underway. Polls show that citizens are motivated to vote. With the significant exception of the summer 2018 Chisinau mayoral election, discussed below, respected domestic and international observer organizations have in recent years consistently characterized Moldova's elections as credible. Thus, Moldova has demonstrated the capacity for carrying out a genuine electoral process. Moldova's democratic accomplishments are the building blocks for securing Moldova's stability, prosperity and independence over the long term.

At the same time, Moldova faces significant challenges. Confidence in political institutions is low. Successive governments are seen as having failed to respond sufficiently to the concerns of ordinary Moldovans. In a November 2018 survey by IRI, 71 percent of Moldovans said the country is going in the wrong direction and 86 percent said it is governed in the interest of some groups rather than in the interest of the majority of people.³

Moldovans are deeply concerned about corruption. Ninety-three percent say it is a big or very big issue, and many think it is more prominent in the parliament than in any other institution.⁴ In 2014, one billion dollars disappeared from three Moldovan banks, requiring the central bank to prop them up, in turn causing price hikes, credit squeezes and significant economic disruptions for ordinary Moldovans. Many believe the fraud involved some level of complicity from top political leaders. The same year, the Organized Crime and Corruption Reporting Project (OCCRP) exposed a criminal financial vehicle, dubbed the "Laundromat," that laundered billions of dollars from Russia through Moldovan banks, among others. Investigations into this scheme continue. In July 2018, the parliament passed a "capital amnesty law," which allows individuals to declare previously undeclared assets, without threat of prosecution, in return for a nominal tax. These developments have amplified a perception that Moldova's leaders tolerate and enable corruption.

Electoral events of the past year have contributed to mistrust. In June 2018, a court invalidated the victory of an opposition party candidate in the Chisinau mayoral elections. This was widely interpreted as a politically-motivated effort to prevent a popular opposition figure from holding this influential position. Despite a track record over the past 10 years of credible nationwide elections, more than half of Moldovans think the February 2019 parliamentary elections will not be fully free and fair.⁵

³ "Public Opinion Survey: Residents of Moldova" International Republican Institute, September 11-October 16, 2018, https://www.iri.org/sites/default/files/2018-11-15_moldova_poll.pdf.

⁴ Ibid.

⁵ Ibid.

Moldova has strong historic ties to Russia, and Moldovans see their northern neighbor as an important economic and political partner. At the same time, Moscow exerts considerable pressure on Moldova through the perpetuation of a frozen conflict in the Transnistrian region; interference among the minority community in Gagauzia; economic and energy pressure; infiltration of civil society, media, academic, religious and party organizations; and disinformation that contributes to separating Moldova from European and Western partners.

As Moldova heads to parliamentary elections, several parties are expected to compete. These include the Party of Socialists of the Republic of Moldova (PSRM), the ruling Democratic Party (PDM), the Party of Action and Solidarity (PAS), the Platforma DA party, the Communist Party (PCRM), the Liberal Democratic Party (PLDM), the Liberal Party (PL), and the Shor Party. PAS and Platforma DA have formed an alliance called Bloc Acum.

The parliamentary elections offer Moldovan leaders a chance to restore the public and international trust that has been eroded by corruption scandals and political controversies. A democratic process would give Moldovans hope; spur constructive public engagement; strengthen transatlantic relationships; and serve to recommit the country to the path of transformation that many anticipated when pro-European parties gained a majority in parliament nearly 10 years ago. Election results that meaningfully represent the range of interests among Moldovan citizens would provide the new government, whatever its composition, with a strong mandate to govern and pursue the necessary but difficult reforms that lie ahead as the country seeks its rightful place among the community of democracies.

Responsibility for these steps lies primarily with Moldovans. Success will be strengthened by Western engagement through the parliamentary elections and well beyond.

OBSERVATIONS

Following are the delegation's observations about areas for improvement, as well as recommendations on how to address challenges. Some of the suggestions would need to be undertaken in advance of the February 24, 2019, elections, while other proposals are intended for longer-term consideration.

Intimidation

Intimidation has no place in an election. It can be difficult to quantify or prove, but even the perception of a threatening environment can have a chilling effect on all participants in the process. Where claims of intimidation are pervasive, it can cast a shadow on the legitimacy of the results. Government and parliamentary leaders therefore have an incentive as well as a responsibility to take extraordinary measures to build confidence.

One form of alleged intimidation has been accusations of electoral violations lodged against opposition figures and parties. A parliamentary investigative commission has accused Maia Sandu, head of the PAS party, and Andrei Nastase, head of the Platforma DA party, of accepting

funds from allegedly illicit foreign sources. Civil society groups, as well as the PAS and Platforma DA leaders, consider the allegations to be malicious attempts to discredit, intimidate, and potentially disqualify them.

Many mayors have reported to NDI over the past year that spurious criminal cases have been opened against them as leverage to secure their support for PDM. Some opposition parties reinforced these claims to the delegation. Some parties also reported to the delegation allegations of defamation, surveillance and threats of physical violence. Others noted widespread reluctance to report publicly or through official channels on instances of intimidation, due to concerns about retaliation.

Wherever possible and reasonable, victims of alleged intimidation are encouraged to provide evidence to relevant authorities or observers, recognizing the constraints that may be imposed by expectations of retaliation. Even in the absence of concrete evidence, however, the delegation heard allegations that were numerous and consistent enough across multiple sources to suggest a pattern, which in turn detracts from confidence in the electoral process. Moldovan citizens and international observers will focus close attention on whether parties and candidates are able to register, campaign, take office, and fulfill their duties free from threats or fear.

Judiciary

The NDI delegation heard repeatedly that confidence in impartial enforcement and adjudication of laws surrounding elections is low. This impression was fueled by a court decision to invalidate the result of the June 3, 2018, mayoral runoff election in Chisinau, which provoked intense domestic and international criticism. Andrei Nastase, head of Platforma DA, defeated PSRM candidate Ion Ceban with 52.5 percent of the vote. The courts voided the election on the grounds that both candidates had addressed voters on social media on election day, when campaigning was prohibited. Nastase and others argued that the candidates were not campaigning, but urging residents to vote, noting that other European courts have ruled that a simple call to vote on election day does not constitute illegal campaigning. In any case, the sanction of invalidating the result is disproportionate to the significance of the alleged infraction.

In a September 2018 statement, Promo-LEX assessed that the handling of the Chisinau mayoral election created a “dangerous precedent...fueling the concerns about the potentially negative impact of the judiciary system on the upcoming Parliamentary elections.”⁶ Indeed, many of the delegation’s political party and civil society interlocutors expressed concerns about politicization of the judiciary. In this context, Moldovan citizens and international observers will be scrutinizing whether the judiciary exercises its election-related responsibilities in an impartial, fair, and transparent manner.

⁶ “Follow-up on the implementation of the electoral reform in Moldova in the context of the upcoming Parliamentary elections,” Statement of Promo-LEX Association at the HDIM 2018. <https://promolex.md/wp-content/uploads/2018/09/Presentation-of-Promo-LEX-Association-at-HDIM-2018.pdf>.

Abuse of State Resources and Campaign Financing

The machinery of the state should remain neutral and its resources should be used for the benefit of the electorate, rather than for the benefit or detriment of any of the political contestants.

In practice it can be difficult to distinguish between the advantages of incumbency and abuses of administrative resources. In past Moldovan elections, political parties and civil society groups have noted a blurring of the lines between state and campaign resources with respect to differential use of administrative premises for campaign activities, pressure on state employees to campaign or vote in specific ways, use of state-owned cars and gas for campaign purposes, and officials not recusing themselves from their official capacities. Civic groups and opposition parties have expressed concern about the potential for the abuse of administrative resources in single mandate districts. In a November 2017 statement, Promo-LEX noted several vulnerabilities, including insufficient regulation, as well as concern that mayors and local councilors, the majority of whom Promo-LEX believes are members of the ruling party, could be pressured or incentivized to use state resources on behalf of the party's preferred candidates.⁷ The delegation received no evidence of such incidents, but the widespread nature of the concern warrants extraordinary efforts by party leaders, campaigns and local elected officials to respect the distinction between state and campaign resources and to avoid even the appearance of impropriety. Based on experience from previous elections, some of the delegation's interlocutors noted that voter bribery could emerge as an issue and should be guarded against.

Campaign finance is regulated by multiple laws and regulations. Amendments introduced in 2017 set donation limits for individuals and legal entities at 50 and 100 average monthly salaries, respectively. Spending limits for contestants are determined by the CEC, but have not yet been set for the parliamentary elections. The CEC is responsible for overall campaign finance oversight, with some oversight functions assigned to district commissions. The Commission acknowledges that the administrative burden will be significant.

In the recent past, financing from abroad has been a key area of concern. In the 2014 parliamentary elections, the Patria Party was disqualified on the grounds that it had illegally used foreign funds in its campaign. In 2016,⁸ investigative journalists reported on alleged financing from abroad for the Party of Socialists. Several interlocutors raised the importance of closely monitoring the activities of charitable foundations affiliated with contestants, which could allegedly be used to circumvent campaign finance restrictions.

Information Environment

The media should be able to gather and impart news free from interference or intimidation. All parties and candidates participating in the elections should have equitable access to the mass

⁷ Promo-LEX, "Single-Member Constituencies – Between Political Opportunity and Lawfulness," November 23, 2017.

<https://promolex.md/11014-circumscripitiile-electorale-uninominale-intre-oportunitate-politica-si-legalitate/?lang=en>

⁸ Rise Moldova, "Russian-Linked Offshore Helps Fund Socialist Campaigns," September 28, 2016,

<https://www.rise.md/english/russian-linked-offshore-helps-fund-socialist-campaigns/?lang=ru>

media. Political coverage of parties and candidates should be fair and balanced. Voters should have access to adequate information to make informed choices.

Most Moldovans report getting their political news from television. They can choose from a variety of outlets. However, their access to impartial coverage or a range of views is constrained by the concentration of media ownership in a few hands. The vast majority of domestic television stations are reportedly owned by groups affiliated with the two largest political parties. Leaders from the other political parties reported difficulty appearing on these stations. There are small outlets not owned by the two large groups, such as TV8 and the opposition channel Jurnal TV, but these have limited reach and struggle to remain financially viable. The public broadcaster, Moldova 1, has a particular responsibility to provide balanced coverage. Digital platforms offer a wide range of views, but are also channels for unregulated disinformation.

The delegation heard allegations that journalists were subject to surveillance and other forms of harassment. Freedom House finds that reporters often experience political pressure from the government, such as denial of access to information and events, or public denunciations by government officials. This contributes to self-censorship and the suppression of critical news coverage.⁹

During the election campaign, broadcasters are required by law to ensure fair and impartial coverage and equitable conditions for all electoral contestants, and to provide free airtime and print space for each contestant. These requirements have become more demanding in light of the addition of 51 single mandate constituencies. Broadcasters are awaiting clarification from the CEC about specific requirements under the law, as well as resolution of inconsistencies that have emerged. The delegation noted with appreciation programs dedicated to voter education as well as plans to conduct debates, including a joint initiative between Promo-LEX and Moldova 1 TV. Representatives of broadcasters told the delegation that parties sometimes fail to take advantage of invitations to debates and political talk shows.

The Audio Visual Coordination Council (CCA) is responsible for enforcing the broadcast provisions. It adheres to a comprehensive and transparent monitoring methodology. At the same time, it is under-resourced and has limited leverage to enforce broadcaster compliance. The delegation heard that the fines it can impose are insufficient to effectively deter violations. There are no provisions for regulating political news on digital platforms.

WatchDog.MD, a civil society think tank, concluded in a July 2018 report that Moldovans have access to considerable Russian media content, including significant disinformation, due primarily to Moldovan television stations retransmitting Russian broadcasts.¹⁰ In January 2018 the parliament passed a so-called "media propaganda" law, which effectively bans the

⁹ Freedom House, *Freedom in the World 2018: Moldova Profile*, <https://freedomhouse.org/report/freedom-world/2018/moldova>.

¹⁰ Valeriu Pasha, Vasile Cantarji, Irina Sterpu, "Republic of Moldova's Television Content and the Manner in Which It Is Shaping Electoral Behavior: An Assessment of Russia's Influence on the Country's Geo-Political Options," Watchdog.MD, July 14, 2018, <https://watchdog.md/wp-content/uploads/2018/07/Study-WatchdogMD-on-Russian-propaganda.pdf>

rebroadcasting in Moldova of Russian television programs on news, analysis, politics, and military issues. In the short run this appears to have reduced the amount of Russian news content in Moldova, although some Moldovan stations are taking advantage of loopholes in the law to skirt the restriction.¹¹ In addition, the legislation does not address the issue of disinformation channeled through digital platforms and social media.

While Russian interference cannot be discounted, domestically-produced Moldovan disinformation is becoming a more prominent feature of the political landscape. These attacks are disseminated through traditional media, social media and other digital platforms, as well as social organizations such the church. According to some of the delegation's interlocutors, this contributes to mistrust of electoral institutions, parties and potential candidates, and ultimately of truth itself.

Electoral Framework and Administration

A democratic process requires a sound legal framework and an impartial and effective election administration that conducts its activities in an open manner, including counting and reporting accurately, honestly and publicly the electoral results. It depends on a legal process that is impartial and capable of providing effective and timely remedies to political contestants, those eligible to vote, and others involved in electoral-related activities.

The parliament revised the electoral code in 2017. With the February 2019 elections, Moldova will transition from a fully proportional to a mixed system. Of the 101 MPs, 50 will be elected by proportional closed lists in a single nationwide constituency, and 51 will be elected from single-mandate constituencies. Other amendments focus on constituency delimitation; funding for parties, campaigns, and the election administration; enhancing women's participation; and voter and candidate registration.¹² The NDI delegation noted with appreciation that some of these changes reflect previous recommendations from the Venice Commission and OSCE/ODIHR. Other recommendations remain to be addressed.

The process for registration of single mandate candidates is potentially labor- and time-intensive. The delegation's interlocutors identified multiple points where technicalities could be used to disqualify legitimate candidacies or delay campaigning. These involved procedures for receiving integrity certificates (which confirm eligibility to hold public office and disclose personal finances), collecting signatures, and procuring registration. It will be important for all candidates to be allowed to register; the bar for candidate disqualification should be high.

The electoral code revisions generated controversy. As noted by the Venice Commission of the Council of Europe, the changes were made without the broad consensus derived from extensive public consultation.¹³ Some opposition political parties and several NGOs with whom the

¹¹Ibid.

¹² Article 73 (2) Elections to the Parliament shall be conducted based on a mixed voting system (proportional and majority) in a national constituency and in uninominal constituencies.

¹³ European Commission for Democracy through Law (Venice Commission), OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), "Republic of Moldova Joint Opinion on the Law for Amending and

delegation met opposed the changes, due primarily to questions about the vulnerability of single mandate districts to electoral manipulation.

Moldova's Central Election Commission is considered experienced and technically capable. The changes to the electoral system place added demands on election administrators, who will need to update systems and provide training to commissioners at all levels. They have also generated high demand for clarification about procedures. There is a risk of voter confusion due to the changes. The CEC's Center for Continuous Electoral Training has responsibility for voter education as well as training for election administrators. The delegation noted with appreciation the Commission's voter education efforts across a variety of channels and platforms, as reflected on the voteaza.md website and in televised public education campaigns, as well as outreach efforts to all first-time voters. The delegation also commended the networks of youth and civic activists that will mount extensive on- and offline campaigns to educate and mobilize voters.

The parliament in late November decided to hold two referenda in parallel with the parliamentary elections. The non-binding referenda will ask voters about creating a mechanism for recalling MPs and reducing the number of parliamentary seats from 101 to 61. To date virtually no public education has been conducted on the implications of these proposed changes.

The government decided to install video cameras in all polling stations, which it explained was to enhance transparency. Some civic groups and opposition parties expressed concerns that the cameras could have an intimidating effect on voters. To overcome misgivings, it will be important for the government to clarify the electoral integrity problem the cameras are intended to ameliorate and whether the potential voter intimidation factor outweighs such benefits.

Enfranchisement and Participation

The universal right to take part in government is directly affected by the issue of eligibility and voter registration. It will be important for election administrators to make transparent, fair and reasonable accommodations for all eligible Moldovans wishing to vote, honoring as closely as possible the principle of "one person, one vote."

Up to 1.5 million Moldovans, of a total population of approximately 3.5 million, are living abroad, mostly in Russia, Europe, and North America. Moldovans living abroad are eligible to vote in polling stations established in the country's 41 diplomatic representations abroad as well as additional locations proposed by the authorities based on estimations of expected demand. Three of the 51 single-mandate districts have been allocated to Moldovans living abroad. Efforts to reach out to these voters are underway. An initiative encouraging these individuals to pre-register their intention to vote does not appear poised to yield reliable information.

Completing Certain Legislative Acts (Electoral system for the Election of the Parliament)," Adopted by the Council for Democratic Elections at its 61st meeting (Venice, 15 March 2018) and by the Venice Commission at its 114th Plenary Session (Venice, 16-17 March 2018), [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2018\)008-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2018)008-e).

Some interlocutors raised concerns that the criteria by which the government will determine the number and location of international polling locations are poorly understood and open to interpretation. The CEC noted the legitimate challenges to making these determinations in the absence of comprehensive information about these potential voters. In the 2016 presidential election, Moldovan voters in the U.S. and Europe stood in long lines, and some stations ran out of ballots. The number of ballots to be issued to each overseas polling station in February 2019 has increased from three to five thousand, which is a positive development. However, the number and exact location of polling stations abroad will not be confirmed until 35 days before the elections. In making these determinations, the government should be transparent about its criteria and should be guided above all by the principle of full enfranchisement, rather than any partisan political considerations.

The delegation read reports that the Russian government, in cooperation with President Dodon, is offering an amnesty to Moldovans living in Russia whose visas have expired. To benefit from the amnesty, Moldovans have to leave Russia no later than February 1, 2019, and return no earlier than March 15, 2019, overlapping with the parliamentary elections. The President has estimated that up to 180,000 citizens could take advantage of this benefit. Those who return to Moldova would have the opportunity to vote in their home constituencies around the country, rather than being restricted to one of the diaspora constituencies. This could potentially influence the outcome in those districts.

Two constituencies will be dedicated to Moldovan citizens living in the Transnistrian region. They will be able to vote in a number of dedicated precincts in neighboring districts that are under the control of the Moldovan government. The CEC is conducting an information campaign to encourage citizens in the Transnistrian region to avail themselves of this opportunity.

Campaigning

All parties, candidates, and campaign teams should be free to express their messages to the public and have an adequate opportunity to do so, including the freedom and opportunity to organize peaceful assemblies and other demonstrations of public support and to move freely throughout the country to seek votes.

By law, the campaign period does not begin until 30 days before the elections, or January 24. It is thus too soon to assess the extent to which parties' appeals to voters will be forward-looking and issue-based. An approach focused on citizens' interests will be important for promoting public confidence in the process and laying the foundation for representative and accountable governance following the elections.

Women's Participation

Moldova's women are underrepresented in governance and politics. Of the 101 deputies in the current parliament, 22 are women. In NDI's analysis, the key barriers to women's participation are the failure of parties to promote women, voters' biases toward men, and cultural stereotypes about women in public life. The delegation noted with appreciation that several provisions have

been introduced to encourage parties to put women forward as candidates. A law introduced in 2016 mandates that 40 percent of all party candidates on proportional lists must be women. However, without corresponding provisions to ensure they are not clustered at the bottom of those lists, the provision may not have the full intended effect. For single mandate districts, the signature collection requirements are lower for women candidates than for men, introducing so-called “positive discrimination.” In addition, parties for which at least 40 percent of their single-mandate representatives are women will receive a 10 percent increase in state funding.

Election Observation

Domestic and international observation of the elections will be robust and the government has expressed its support for these efforts. OSCE/ODIHR is planning to deploy 26 long term observers (LTOs) and 200 short-term observers (STOs). IRI will field five teams of LTOs and will deploy a high-level election day mission. ENEMO, which is composed of the leading non-partisan domestic monitoring groups from Central and Eastern Europe and Eurasia, will have a long term presence of 18, supplemented by 20 short-term observers. ENEMO leaders hope to secure sufficient funding to deploy mobile observers to polling stations on election day.

Promo-LEX, Moldova’s leading election monitoring and human rights organization, will field long term observers in all administrative districts of Moldova (Chisinau, Balti, Gagauzia and 32 rayons). They will particularly focus and report on campaign financing and spending. For election day they will deploy observers to all precincts, including polling stations abroad, and will conduct a parallel vote tabulation (PVT). The PVT will allow observers to accurately assess the quality of election day processes and to independently verify the results.

Many of the delegation’s interlocutors stressed the importance of greater international engagement with Moldova, particularly around the elections. Election observation is one way to meet this demand.

RECOMMENDATIONS

To the Government

- Convey publicly and repeatedly, in unambiguous terms, that intimidation of parties, candidates, journalists, civil society representatives and voters will not be tolerated, and that violators will be held accountable and prosecuted to the full extent of the law. Parties and candidates should have full confidence that they will be able to register and campaign freely.
- Undertake a visible, concerted effort to communicate to all civil servants and the public that abuse of administrative resources will not be tolerated, and that violators will be held accountable.
- Ensure that law enforcement bodies respond to allegations of administrative or criminal violations in a timely, impartial, transparent and effective manner.
- Make every effort to enfranchise voters living abroad by opening sufficient numbers of polling stations, locating them where Moldovan voters are concentrated, publicizing the criteria for these determinations, and providing the polling stations with sufficient

resources to accommodate all citizens wishing to vote.

- Clarify the purposes of the polling-station video cameras, as well as terms for accessing the videos, including for domestic and international observer groups.

To the Courts

- Exercise their responsibilities in an impartial, fair, and transparent manner, in accordance with the rule of law and irrespective of political considerations.

To the Parliament

Following the parliamentary elections, the new parliament should:

- Undertake an inclusive and consultative process to build consensus around the election code for future nationwide elections.
- Consider developing rules governing media ownership that prohibit monopolies and avoid conflicts of interest by restricting ownership of media holdings by public officials.
- Consider adjustments to make existing provisions for enhancing women's participation more enforceable.

To Election Administrators

- Ensure that all candidates have equal opportunities to register.
- Sustain efforts to provide comprehensive training for election commissioners at all levels.
- Sustain voter education campaigns to familiarize citizens with changes and promote public confidence.
- Provide timely clarification to broadcasters, parties and other stakeholders about election-related requirements.

To the Parties and Candidates

- Convey to party leaders, activists and campaign teams that intimidation, threats and bribery are unacceptable practices and will not be tolerated.
- Take full advantage of all opportunities to participate in constructive, issue-based political talk shows and debates in order to inform voters about their options.
- Eschew disinformation, hate speech and campaign rhetoric that vilifies individuals or amplifies societal divisions.
- Comply fully with all laws and regulations relating to party and campaign finance.
- Encourage supporters living abroad to pre-register as voters to inform the number and distribution of polling stations.
- Comply with the quota and incentives related to gender equity and include objectives related to gender equity in policy agendas.
- Wherever possible and reasonable, support allegations of intimidation, threats, or bribery with evidence and pursue electoral violations through the appropriate administrative or judicial channels.
- Activists campaigning on election day should make particular efforts not to contribute to an atmosphere of intimidation around polling stations.

To the Media

- Provide fair and impartial coverage and equitable conditions for all electoral contestants,,

in compliance with applicable laws and regulations.

To the International Community

- Ensure that credible domestic and international organizations have sufficient funding to conduct robust, comprehensive election, media, and judicial monitoring programs.
- Facilitate frequent, sustained and substantive personal engagement by senior government and legislative representatives with Moldovan counterparts.

In addition, all stakeholders and citizens should work to ensure that disinformation, whether originating inside or outside the country, is exposed and not allowed to interfere with the ability of voters to make free and informed decisions

ABOUT THE DELEGATION

The delegation included Michael Carpenter, Senior Director of the Penn Biden Center for Diplomacy and Global Engagement; Katie Fox, Deputy Director of NDI's Eurasia programs; Laura Jewett, Director of NDI's Eurasia programs; Samantha Schifrin, Legislative Assistant to U.S. Representative and Co-Chair of the Congressional Moldova Caucus David E. Price; Pamela Hyde Smith, former U.S. Ambassador to Moldova; Zlatko Vujovic, President of the Governing Board of the Center for Monitoring and Research in Montenegro and Secretary General of the European Network of Election Monitoring Organizations; and Andrew Young, Director of NDI's programs in Moldova.

From December 12-15 , the delegation held meetings in Chisinau with: representatives of political parties across the political spectrum; domestic and international observer groups; representatives of the media; government leaders; election commissioners; government agencies; members of parliament; mayors; representatives of civil society; and the diplomatic community. The delegation conducted its activities in accordance with the laws of Moldova and the *Declaration of Principles for International Election Observation*,¹⁴ which was launched in 2005 at the United Nations. NDI is among 55 intergovernmental and international nongovernmental organizations that have endorsed the Declaration. The delegation does not seek to interfere in Moldova's elections process, nor does it intend to render a final assessment of the election process at this time. Ultimately, it will be the people of Moldova who will determine the credibility of their elections and the country's democratic development. The delegation therefore offers this pre-election statement in the spirit of supporting and strengthening democratic institutions and processes in Moldova.

The delegation's observations are also informed by NDI's ongoing work in the country, the needs assessment mission of the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR), and the ongoing monitoring efforts of Promo-LEX, the European Network of Election Monitoring Organizations (ENEMO), and the International Republican Institute (IRI), each of which will conduct long- and short-term observation. NDI staff in Chisinau will remain in close contact with these groups before, during

¹⁴ [ndi.org/files/DoP-ENG.pdf](https://www.ndi.org/files/DoP-ENG.pdf).

and after the elections.

The delegation wishes to express its appreciation to the National Endowment for Democracy, which has funded the work of this delegation and, along with the United States Agency for International Development and the Department of State, supports NDI democracy assistance programs in Moldova. This delegation is also grateful to all those in Moldova who contributed valuable time to share their views freely. Their perspectives have informed this statement and made possible the work of the mission. NDI stands ready to continue to assist Moldovan efforts to build and sustain democratic practices, institutions and values.