



**STATEMENT OF THE NATIONAL DEMOCRATIC INSTITUTE PRE-ELECTION
ASSESSMENT MISSION FOR MOLDOVA'S 2024 PRESIDENTIAL ELECTION AND
CONSTITUTIONAL REFERENDUM**

Chisinau, Moldova, September 6, 2024

This statement is offered by a pre-election election assessment mission (PEAM) organized by the National Democratic Institute (NDI) as part of an international election observation mission for Moldova's presidential election and constitutional referendum on European integration scheduled for October 20, 2024 (and possible presidential runoff on November 3, 2024). The delegation's purposes were to: accurately and impartially assess the legal framework and preparations for elections; review the environment in which the elections are being conducted; examine factors that could affect the integrity of the electoral process; offer practical recommendations to promote more inclusive, transparent and accountable elections; and demonstrate the international community's commitment to credible elections in Moldova.

SUMMARY

Moldovans will go to the polls on October 20, 2024 to vote for president and decide on a constitutional referendum about European integration. The presidential election and constitutional referendum will take place in a political context highly influenced by geopolitical tensions over the direction of the country - between those who seek greater integration with the European Union (EU) and those who want strong ties with Russia. These tensions have been exacerbated by Russia's ongoing invasion of Ukraine.

With just over six weeks until voting, preparations are well underway and administered in a professional and transparent manner by the Central Election Commission (CEC) based on a new Electoral Code that provides a sound legal basis for the presidential election and constitutional referendum. While the delegation was in Moldova, registration of candidates for the presidential election as well as political parties for the constitutional referendum were ongoing, all 37 district elections commissions (DECs) were constituted and the number and distribution of polling stations for voters abroad and for voters in Transnistria were announced.

The greatest threat to electoral integrity is foreign malign influence from Russia, including information manipulation and interference (FIMI), which predominantly involves propagating false information on social media platforms, as well as related illicit financing. These efforts are intended, first and foremost, to illegally influence the outcome of the constitutional referendum as well as the presidential election. Government agencies and the CEC have a responsibility to protect the information environment from malign influences and combat illegal foreign funding so that Moldovans are free to decide for themselves

the outcomes of their elections. The government has set up a strategic communications (stratcomms) framework to combat FIMI and the new Electoral Code provides a legal basis for monitoring campaign finance and sanctioning illegal activities. Civil society, including widely respected organizations such as Promo-LEX, has an important role to play in monitoring all aspects of elections (including the information environment and campaign finance), while investigative journalism is critical to exposing efforts by foreign malign actors.

At the same time, efforts to combat foreign malign influences from Russia must not undermine the principles of credible elections, including the free and open exchange of ideas. Parties and individuals from across the political spectrum must be free to contest the presidential election and to advocate for or against the constitutional referendum. Voters must be able to freely receive information from all perspectives about presidential candidates and referendum options. This will help ensure that the outcome of the presidential election and constitutional referendum are seen as legitimate and truly reflecting the will of the Moldovan people.

While not fundamentally undermining the credibility of the presidential election or constitutional referendum, various stakeholders raised legitimate issues about specific electoral processes beyond foreign malign influence from Russia. First is the challenge of ensuring the participation of voters in Transnistria. Concerns were raised both about whether they would be permitted to participate and, if allowed, whether voters from the Administrative Territorial Units of the Left Bank of the River Dniester (Transnistria) would face barriers accessing polling stations. Similarly, the disbanding of the Central Electoral Council of Gagauzia by the People's Council potentially raises concerns about the organization of the presidential election and constitutional referendum in the Autonomous Territorial Unit of Gagauzia (Gagauzia). Interlocutors also raised the decision to hold the constitutional referendum concurrently with the presidential election. While not inconsistent with international standards and fiscal responsibility, the decision could give the appearance of conflating electoral politics with debates on issues of national importance. Many stakeholders welcomed the introduction of postal voting to reduce the barriers for voters abroad who represent a significant portion of registered voters. However, the CEC was provided with little time to prepare for postal voting - even on a pilot basis - and some interlocutors took issue with the selection of the pilot countries. It is important to note that as of September 1, 2024 less than 1,500 voters had applied for postal voting out of more than 100,000 individuals who had indicated they plan on voting abroad. Some interlocutors also raised questions about the degree to which the presidential or constitutional referendum campaigns would focus on and engage specifically with women and minority groups.

With just over six weeks until election day, there are still important and practical steps that can be taken to further improve the integrity of the presidential election and the constitutional referendum. The following are seven priority actions recommended by this delegation:

1. The government, in collaboration and coordination with the CEC, needs to lead on informing the public about threats to the electoral process and efforts to protect the integrity of the elections.
2. Government agencies and the CEC should ensure that efforts to combat false information do not unintentionally impinge upon the rights of Moldovans to contest the presidential elections, to advocate for or against constitutional referendum or to make informed choices.

3. Social media platforms should dedicate greater resources to Moldova to identify false information and patterns of inauthentic behavior, including allocating more resources for analyzing Romanian and Russian content, and proactively ensure that they are not accepting advertisements from sanctioned individuals or their proxies.
4. Presidential candidates and political parties should reject illegal foreign funding and fully comply with all campaign finance regulations in a timely manner.
5. All stakeholders, including the government, should communicate about issues related to the constitutional referendum in a way that does not undermine the rights of women and minority groups.
6. The relevant authorities should increase their efforts to protect CEC officials and staff, candidates and party activists, members of civil society, in particular citizen observers, and journalists from threats, intimidation and violence, both in person and online.
7. Political parties, civil society and citizens should engage proactively in the exercising of their democratic rights and foster a wide-reaching national conversation around the constitutional referendum on European integration.

POLITICAL CONTEXT

This will be Moldova's third presidential election since the country reverted to direct elections of the president in 2016. The president serves as the head of state for a term of four years but has relatively limited powers compared to those of the prime minister, who is the head of government. However, unlike the prime minister, who is chosen by parliament, the president is directly elected, giving the position greater standing and symbolic influence among citizens. Formal presidential powers include the ability to: appoint the government; exercise certain foreign relations and national security powers (including representing the country abroad); promulgate laws (but also send them back to the parliament for further consideration); and dissolve the parliament. A candidate must garner at least half of the valid votes cast to win the presidential election in a first round. If no candidate obtains the required number of votes, a second round of voting is held two weeks later between the two leading candidates. If turnout is less than one-third of registered voters (or one-fifth for the runoff) the presidential election is invalidated. Presidential elections in both 2016 and 2020 went to a second round. The presidential elections are scheduled for October 20, 2024, with a possible runoff election on November 3, 2024.

In announcing her intention to run for re-election, President Maia Sandu also called for a referendum on European integration. Since the election of President Sandu in 2020, Moldova has moved closer to joining the EU. Following Russia's invasion of neighboring Ukraine, President Sandu and her Action and Solidarity Party (PAS) formally applied for and received EU candidacy status for Moldova in 2022 and the Council of the European Union made its decision to start accession negotiations in December 2023. For a constitutional referendum to pass, a majority of votes must support the measure and turnout must be greater than one-third of registered voters. This will only be the country's second constitutional referendum. A previous referendum in 2010 on changing how the president is elected failed even though a majority of voters cast ballots in favor of the measure, as turnout did not meet the required threshold. The Electoral Code was amended without public consultation to allow for the referendum on European

integration to take place concurrently with the presidential election on October 20, 2024. Several opposition parties have questioned the need for a constitutional referendum and criticized conducting the referendum at the same time as the presidential election arguing that this is a political tactic by PAS to garner support for President Sandu's re-election effort.

The presidential election and constitutional referendum will take place in a political context highly influenced by longstanding tensions over the geopolitical direction of the country. As noted, the current ruling party, PAS, as well as others seek greater integration with Europe while many opposition parties desire strong ties with Russia. While Moldova has been actively preparing for greater integration with the EU, it still has significant historic ties with Russia. The breakaway region of Transnistria, on the left bank of the Dniester River, is effectively under Russian control, while the semi-autonomous region of Gagauzia, within Moldova proper, is heavily influenced by Russia. These East/West tensions have been exacerbated by Russia's ongoing invasion of Ukraine and potential threat to Moldovan sovereignty which led to the parliament declaring a state of emergency on February 24, 2022. It lasted nearly two years until the end of 2023. The tensions have also been worsened by Russia's efforts to manipulate Moldovan public opinion and the information environment to advance pro-Russian parties and candidates. Within the context of the emergency legislation, the Shor Party, led by pro-Russian oligarch Ilan Shor, was banned by the Constitutional Court in advance of the 2023 local government elections.

The greatest threat to credible elections in Moldova is attempts by foreign actors to destabilize the political arena and undermine electoral processes. These efforts to manipulate voters and gain unfair electoral advantage must be countered. In addition, it is equally important to ensure that elections in Moldova are inclusive, transparent and accountable; that individuals across the political spectrum are free to stand for elected office and to advocate for or against referenda (or to not participate); and that voters are able to freely receive information from all perspectives about candidates and referendum options. This will help ensure that the outcome of the 2024 presidential election and constitutional referendum are seen as legitimate and truly reflecting the will of the Moldovan people.

LEGAL FRAMEWORK

Moldova approved a new Electoral Code in 2022, adopting a number of recommendations made by citizen and international observers. While the new Electoral Code remains largely unchanged since its adoption, in 2024 parliament passed two important amendments to the code.

The first, adopted in January 2024, eliminated a ban on referenda within 60 days of an election. The amendment, which was passed without public comment, changed the Electoral Code to allow for referenda and elections for political office to be on the same day. While the Constitutional Court upheld the legality of the amendment, the citizen observer organization Promo-LEX argued that ["the merger of ballots is not welcome as it can affect the equality of competitor's opportunities and the voters' freedom to form opinions."](#) Opposition parties criticized the amendment arguing that it was a political ploy to gain support for President Sandu in the upcoming presidential election.

In April 2024, the parliament also amended the Electoral Code to permit postal voting for Moldovan citizens living abroad. While Moldova has a high percentage of registered voters living outside of the country and postal voting can potentially reduce the barrier to their participation in elections, concerns

were raised about the lack of political consensus on the introduction of postal voting and the lack of transparency in the drafting of the amendment. Concerns were also raised about there being insufficient time to properly implement postal voting for the election in October.

The Constitutional Court also invalidated an amendment that would have barred individuals from standing for office who had been members of a banned political party. This amendment was drafted in response to the banning of the Shor Party in 2023 by the Constitutional Court due to the party's illegal financing. While the European Commission for Democracy through Law (Venice Commission) and the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) were sympathetic to the challenge created by the banning of a political party, they were critical of the amendment and found that as drafted it placed a limitation on "[the right to stand for election \[that\] is too wide to be proportionate to the legitimate aims pursued.](#)"

Recommendations:

- While changes to the legal framework within a year of an election should generally be avoided, if they are to be considered any such changes should be done through wide consultation with political actors and the public.

ELECTION ADMINISTRATION

Central Electoral Commission (CEC)

The Electoral Code sets out the CEC as the body responsible for conducting elections. The current CEC was formed in 2021 under the old Electoral Code and consists of nine persons with eight members nominated by parties in parliament on a proportional basis and one member nominated by the president. Due to the banning of the Shor Party, the CEC currently has five members appointed by PAS and three by the Bloc of Communists and Socialists (BCS) - which comprises the Party of Communists of the Republic of Moldova (PCRM) and the Party of Socialists of the Republic of Moldova (PSRM). The CEC reported that they are experiencing staffing shortages, in particular in the legal department and IT staff (due to the challenge of meeting salary expectations).

There are 37 second-level District Electoral Councils (DECs): 32 represent districts (or raions) of the country; two are for the municipalities of Chisinau and Balti; one in Gagauzia; one for voters in Transnistria; and one for voters abroad. The Central Electoral Council of Gagauzia, which is responsible for conducting elections for Gagauzia, is supposed to function as a DEC for national elections. However, this body was disbanded by the People's Assembly of Gagauzia. Subsequently, after consulting the courts the CEC created a temporary DEC to conduct elections for Gagauzia. DECs include among their members individuals appointed by each political party represented in parliament. Under the new Electoral Code, DEC chairpersons are permanent staff in order to enhance the capacity of the DECs. The CEC completed constituting all 37 DECs on September 1, 2024.

Below DECs there will be precinct election bureaus (PEBs) for each polling station and conduct voting and counting on election day. These must be established at least 35 days before voting. Polling stations can vary in size from a minimum of 30 to a maximum of 3,000 registered voters (with the possibility for polling stations in municipalities and towns to exceed the ceiling by 10 percent). Each PEB should

comprise five to 11 individuals with three members appointed by the local council and one member appointed by each political party represented in parliament. For the presidential elections in 2020 there were 2,143 PEBs.

The CEC's Center for Continuous Training in Elections (CICDE) conducts training courses and issues certifications that are required for all DEC and PEB officials. Concerns were raised about sufficient numbers of Moldovans having current certification to fill all positions on anticipated PEBs.

Voters' List

The CEC manages the State Register of Voters (SRV) as part of the State Automated Information System "Election." The CEC [reported](#) on September 1, 2024 that there are approximately 3.3 million voters in the SRV, of whom 2.74 million live in the country's 32 districts, the municipalities of Chisinau and Balti and Gagauzia. In addition, there are 274,718 registered voters in Transnistria and 285,900 registrants without addresses. The list is based on automatic updates provided by the State Register of Population (civil register) that is maintained by the Public Service Agency. Concerns were raised about the accuracy of the SRV related to the potential inclusion of deceased individuals as well as those individuals on the voters' list without addresses. In addition to the inherent risks of illegal voting associated with inaccuracies in the SRV, an inflated voters' list could lead to higher numbers of voters required to reach turnout thresholds and thus the potential invalidation of results if these falsely inflated turnout requirements are not met. While legally entitled to access to the SRV, including the basic voters' list and supplementary voters' list used on election day, the political parties and election observers are in practice not provided this information in an analyzable format consistent with the [Open Election Data Initiative](#) principles, making an independent assessment of the quality of those lists impossible.

Voting Abroad and Postal Voting

Article 2 of the Electoral Code ensures that Moldovans residing abroad have the right to vote. Voting abroad is particularly important given the large Moldovan population believed to reside outside of the country. In 2020, it was [estimated that more than 1 million Moldovans had emigrated](#) compared to approximately 2.5 million residing in the country. For the 2020 presidential elections, voters abroad cast over 150,000 votes in the first round and over 250,000 in the second round. Concerns were raised about the number and distribution of polling stations abroad with some polling stations running out of ballot papers. The citizen observer organization [Promo-LEX recommended increasing the number of days for voting abroad from one to two and introducing new methods of voting for those abroad](#).

For the 2024 elections, the CEC has announced a significant increase in the number of polling stations for voting abroad from 139 to 278 with the largest number in Italy (62) followed by Russia (29) and Germany (23). As of September 1, 2024, a total of 111,389 voters had voluntarily indicated that they plan to vote abroad, including 13,377 new registrants. However, voters are not required to notify the CEC that they intend to vote abroad and [this information is used only for planning purposes](#). Individuals will be permitted to vote abroad even if they do not inform the CEC in advance.

Postal voting is being introduced on a pilot basis for voters in six countries (Canada, Finland, Iceland, Norway, Sweden and the United States). While the adoption of postal voting was welcomed by many

interlocutors, concerns were raised that postal voting was not available for all Moldovans living abroad and about the criteria and process for selecting countries to participate in the pilot program. Elections stakeholders generally indicated that they did not yet know the procedures for postal voting nor were they aware of possible safeguards to protect the integrity of postal votes. However, as of September 1, 2024 only 1,028 individuals had applied for postal voting. Voters have until September 6, 2024 to request to vote by postal ballot.

Recommendations:

- The CEC should provide access for political parties and election observers to the SRV in an analyzable format consistent with the [Open Election Data Initiative](#) principles to allow for independent assessment of quality of the SRV.
- The CEC should proactively provide easy-to-understand information about the procedures and safeguards for postal voting, including the ratio of number of expected postal votes in relation to the total number of registered voters.

CAMPAIGN FOR PRESIDENCY AND CONSTITUTIONAL REFERENDUM

Electoral Blocs for Presidential Elections and the Constitutional Referendum

The CEC received two applications to register electoral blocs for the 2024 elections: “Victory” and “Together.” The “Victory” electoral bloc is opposed to European integration and was formed in Russia in April 2024 by convicted oligarch Ilan Shor and includes the Alternative Force for the Salvation of Moldova (FASM), Chance, Renaissance and Victoria political parties. The CEC rejected the “Victory” electoral bloc’s registration stating that the application did not provide sufficient information about the electoral bloc’s financing or leader. The CEC did approve the application of the pro-European integration “Together” electoral bloc which comprises: the Coalition for Unity and Wellbeing, the Dignity and Truth Platform Party, the League of Cities and Communes and the Party of Change.

Presidential Candidates

Nomination of candidates for president commenced on August 21, 2024 and will close on September 20, 30 days before the election. Within seven days from the date of receipt of the necessary documents, the CEC makes the decision to register or refuse to register the candidate. If approved, candidates must then submit signatures from a minimum of 15,000 (and at most 25,000) registered voters who support their candidacy. Under the new Electoral Code a voter can support the nomination of more than one candidate.

For the first time, the CEC adopted regulations that presidential candidates will be required to demonstrate their knowledge of the Moldovan state language (Romanian). This is based on Article 136 of the Electoral Code which states that candidates for president must “possess the state language.” Concerns were raised to the delegation that the use of language as a criteria can be subjective and potentially open to abuse.

While nomination of candidates is not yet complete, as of September 1, 2024 a total of 14 individuals had applied to contest the presidential election.¹ These include the current president, Maia Sandu, who is standing as an independent supported by PAS; Alexandr Stoianoglo, Moldova's former prosecutor general, who is standing as an independent supported by the Party of Socialists of the Republic of Moldova (PRSM); Irina Vlah, former governor (Baskan) of Gagauzia who is standing as an independent; and Octavian Ticu, former member of parliament, of the newly formed "Together" bloc. The CEC has rejected the applications of four candidates. Valeriu Plesca was rejected due to irregularities in how he was selected to be the presidential candidate by the European Social Democratic Party (PSDE). Vasile Bolea's independent candidacy was rejected because he is the leader of the "Victory" bloc whose registration was rejected. Ludmila Corsun was not permitted to stand because the CEC determined that she did not adequately speak Romanian. Vasile Tarlev's candidacy was initially rejected as he applied as an independent candidate even though he is the leader of the "Future of Moldova" bloc. When Tarlev resubmitted his application to contest as leader of the "Future of Moldova" bloc it was subsequently approved by CEC. Former President Igor Dodon, who contested both the 2016 and 2020 presidential elections for PRSM, and Ion Ceban, current mayor of Chisinau and leader of National Alternative Movement (MAN), both publicly announced that they would not run for president.

Constitutional Referendum

The constitutional referendum question is "Do you support amending the Constitution with a view to the accession of the Republic of Moldova to the European Union?" with voters selecting either "Yes" or "No." If passed, the preamble to the Constitution will include two new paragraphs with one "reconfirming the European identity of the people of the Republic of Moldova and irreversibility of the European course" and the other "declaring integration into the European Union as a strategic objective of the Republic of Moldova." It would also add a section to the Constitution on "Integration in the European Union."

Article 200 of the new Electoral Code requires political parties to register as participants if they wish to campaign either "for" or "against" a constitutional referendum. While voters should be free to not participate in a constitutional referendum, the law does not envision political parties advocating for voters to boycott. As of September 3, 2024, one party of the three parties in parliament had declared their intention to campaign on the constitutional referendum. Overall, just three parties had registered to campaign "for" and just two parties had registered to campaign "against" the constitutional referendum of Moldova's 65 registered political parties..

Campaign Activities and Finance

Campaign activities and campaign finance are highly regulated in Moldova which at times creates complex and challenging compliance requirements. While these regulations are intended to create an even playing field and combat the use of illicit funding in elections, they can have the unintended consequence of limiting free expression and creating incentives for stakeholders to conduct election-related activities outside of the electoral framework. For example, the electoral campaign cannot be more than 30 days for all elections. This creates a long period of time when voters are aware of an election, but when parties are

¹ One additional individual initially applied to be a presidential candidate, but withdrew his application the same day.

not permitted to impart information and voters are not allowed to receive information about that election. In terms of finances, electoral competitors are required to set up a specific bank account within three days of being registered and must submit weekly financial reports during the month-long campaign period as well as a final report three days after elections. This can be extremely onerous, particularly for smaller parties and independent candidates. As a result, political competitors de facto begin campaigning before the official campaign period has begun and often miss deadlines, undermining the effectiveness of financial regulations.

Abuse of Administrative Resources

The use of administrative resources for electoral advantage has been a long-standing challenge for Moldovan elections. The new Electoral Code states that “[c]andidates shall be prohibited from using administrative resources, including by launching of infrastructure projects or public procurements carried out from the national public budget, the use of public equipment, means and goods, during the electoral period.” While the official campaign period has not yet commenced, concerns were raised to the delegation about the potential that administrative resources could be used to encourage voters to vote “Yes” on the constitutional referendum on European integration. Promo-LEX raised concerns about the government information program “Europe for You” that appeared to encourage only those who support European integration to participate in the constitutional referendum. While the government has a duty to inform voters about a constitutional referendum, including its contents and implications, as well as to combat false information, it should not advocate whether voters should vote “Yes” or “No.” This undermines the intent of a constitutional referendum to determine the true will of the people.

Vote Buying

Vote buying has been a persistent and widespread challenge to electoral integrity in Moldova. Most stakeholders raised this in relation to malign foreign influence from Russia and the vulnerability of voters in Gagauzia and Transnistria. References were made to the payment of 2,000 Moldovan Leu (MDL) to pensioners and public sector employees in Gagauzia which were publicly credited to Shor on the website of the former Shor Party. Concerns were also raised about the opening of GagauziyaLand, an amusement park built by Shor. The opening provided free food and beverages and was attended by Vasile Bolea, the intended presidential candidate of the “Victory” electoral bloc. In order to combat vote buying, the government added a new offense to the Contravention Code in 2024 of “passive electoral corruption” with penalties starting at 500 MDL for accepting an electoral bribe.

Recommendations

- The government should ensure that the use of public funds is limited to educating the public about the presidential elections and constitutional referendum as well as encouraging participation.
- The government should make extra efforts to explain to the public the government’s role in providing public information as opposed to the positional political advocacy that political parties and candidates will engage in as part of their platforms.

FOREIGN MALIGN INFLUENCE

Information Environment

Foreign information manipulation and interference (FIMI) is one of the biggest challenges facing Moldova's democracy and the integrity of upcoming elections. Moldova is part of the Russian information space, with political, analytical and entertainment content shared widely. Moldovans could watch Russian news and political talk shows on television until they were banned in 2022, and they can still access Russian entertainment content on most television channels. This ample informational export from Russia has been instrumentalized by Kremlin authorities to influence and shape public opinion. While political content (especially since 2014) has been aimed to distort perceptions about Western partners, Ukraine and the general course of European integration, entertainment has been used to shape among Moldovans a worldview convenient for Russian interests abroad.

Since the beginning of the Russian full-scale invasion of Ukraine, Russia has intensified its false information campaigns in Moldova. Experts [estimate](#) that for the local government elections in 2023 alone Russia deployed the equivalent of \$50 million for false information and hybrid warfare efforts in Moldova. In addition to supporting pro-Russian political forces, funds were directed to flow to pro-Russian media, influencers and Telegram channels.

Some of the most prominent FIMI narratives spread by the pro-Russia actors in Moldova are: "Moldova is ruled by foreigners and Western powers", "The pro-European Government is installing a dictatorship", "Maia Sandu is war", "The current Government is not truly pro-European, but uses the EU to cover up its illegal activities", "Joining the EU means Moldovans lose their moral values and become gay", "Moldova will lose its sovereignty if it joins the EU", "The upcoming constitutional referendum on EU accession is illegal", "Maia Sandu is setting the stage to falsify the presidential elections", among others.

Multiple governmental bodies in Moldova are seeking to curb FIMI in Moldova. In 2022 and 2023, the Commission for Emergency Situations [suspended the licenses of 12 television channels](#) for "efforts to destabilize the situation in Moldova and serve the interests of other countries." Thirty-one (31) websites, twenty-one (21) of which were administered directly from Russia, were blocked by the Security and Information Service. In addition, the Audiovisual Services Code was amended in 2022 to include sanctions for spreading false information, and in 2023 a new governmental structure was formed - the Center for Strategic Communication and Combating False Information - aimed at ensuring a holistic approach against FIMI in Moldova. Civil society is also involved: organizations like WatchDog.MD and StopFalls monitor the information space and counteract FIMI; the Independent Journalism Center runs media literacy courses; and media organizations like RISE or Ziarul de Garda investigate FIMI campaigns.

Despite these concentrated efforts, major challenges remain. Most state and non-state institutions are understaffed or struggling to fulfill their communication and information integrity goals. Another big obstacle is the low trust in national authorities and the media in Moldova. Only one in four Moldovans trust the government or the media. The latter is also particularly vulnerable, as a key actor on the frontlines of ensuring information integrity. Most independent media outlets in Moldova are strongly

dependent on donor funding. This limits their capacity to produce quality content to compete with malign information, especially online. A significant challenge for information integrity actors is cooperation with digital platforms like Telegram and TikTok, which are frequently unresponsive to reports of false information. Meta and Google are also slow to take countermeasures, allocating limited capacity to monitoring online sources in Romanian. Finally, while robust regulations pertaining to television, press and radio exist, they have yet to be extended to social media— leaving this increasingly popular source of information virtually unregulated. These challenges dictate the need for additional steps and support for ensuring information integrity in Moldova as the country enters this critical election period.

Recommendations:

- Government should intensify its dialogue with digital platforms. This could include: forming task forces or working groups to engage with platforms like Meta and Google; focusing on election-specific moderation of ads and content, particularly to prevent sanctioned actors from spreading false information; and implementing international best practices for transparency to ensure accountability and protect electoral integrity.
- Social media platforms should dedicate greater resources to Moldova to identify false information and patterns of inauthentic behavior, including employing more Romanian and Russian speakers, and proactively ensure that they are not accepting advertisements from sanctioned individuals or their proxies.
- Government should combat false narratives with a clear, consistent message on the security and integrity of the election process and highlight safeguards, monitoring efforts, and fairness guarantees to build public trust.
- Government agencies and the CEC should ensure that efforts to combat false information do not unintentionally impinge upon the rights of Moldovans to contest the presidential elections; to advocate for or against constitutional referendum; or to make informed choices.
- The CEC should communicate more regularly about the challenges of false information in order to ensure that citizens are more aware of emerging false narratives around the elections.
- Civic organizations should further expand their monitoring of false information and patterns of inauthentic behavior related to the presidential election and constitutional referendum.

Illicit Financing

In an attempt to “level the political playing field,” Moldovan authorities have in recent years sought to increase the transparency of and regulate the financing of electoral contestants (political parties and independent candidates) for all elections, including constitutional referenda. The 2022 Electoral Code introduced a series of innovations aimed at strengthening financial regulations including detailed and timely reporting on contributions, penalties for failure to provide financial reports, reduced limits on donations that could be made by party members in cash and increased penalties for violating regulations. The CEC also established ceilings for election campaign spending.

It remains difficult for the CEC to enforce these provisions. First, while the CEC monitors political financing and the body has access to a significant amount of data, it does not have adequate capacity to analyze it in depth, as it is experiencing challenges with staffing— particularly with respect to IT and data experts. Second, in recent years the use of cryptocurrencies as a way to conduct illegal political financing

has increased. Currently, their use is illegal in Moldova. Consequently, they are traded on the black market outside the reach of state monitoring and regulation.

Recommendations:

- The CEC should streamline campaign finance procedures to reduce the reporting burden for presidential candidates and parties and ensure there is sufficient trained staff to process reports in a timely manner.
- Presidential candidates and political parties should reject illegal foreign funding and fully comply with all campaign finance regulations in a timely manner.
- The international community should work with Moldovan authorities to monitor the emergence of new organizations and companies which are operating as proxies for sanctioned individuals and groups and report on these attempts to circumvent the law.

INCLUSIVE ELECTIONS

Women's Participation

Women have significant representation in Moldovan political life. The current president is a woman; five women have applied to contest the presidential election; 40 percent of the current members of parliament are women; the new Electoral Code calls for the principle of “gender equity” to be applied when forming election bodies; and the chairpersons of the CEC and the Audiovisual Council are women. However, stakeholders spoke to the barriers women face due to voters’ biases towards men, cultural stereotypes about women and the endemic violence against women in Moldova. President Maia Sandu has been a target of gender-based false information questioning her sexual orientation and faced hostile and personalized attacks, including those based on her status as a single woman. Online media focused on opposition candidate [Irina Vlah's wardrobe](#) as opposed to her political platform. [Two women journalists](#) were harassed while covering a pro-Russian demonstration in May. Interlocutors stated that women were much less likely to be included in election-related programming on television and other media. [UN Women](#) describes violence against women in Moldova as a “widespread and systemic phenomenon.” These factors create barriers to women's full participation in political life despite Moldova being a signatory to the Istanbul Convention on preventing and combating violence against women and domestic violence.

Persons with Disabilities (PWDs)

Both the CEC and observers have raised the issue of the accessibility of polling stations and CEC offices. For example, a [2019 CEC study](#) found that of 612 polling stations, 432 (70 percent) were inaccessible. Similarly Promo-LEX observers for the [2020 presidential elections](#) assessed that just over half of all polling stations were accessible. They also reported that many DEC and PEB offices were not accessible to persons with disabilities. The CEC in 2023 adopted new regulations to promote unrestricted and non-discriminatory access to electoral processes for persons with disabilities. The regulation was based on the United Nations Convention on the Rights of Persons with Disabilities to which Moldova is a signatory. The regulations call for the CEC to provide special equipment (such as templates for ballots,

rulers, lamps, magnifying glasses, etc.) for persons with disabilities to facilitate their ability to exercise their right to vote without assistance.

LGBTQI+ Inclusion²

LGBTQI+ persons have limited rights and face significant discrimination with homophobic speech and perspectives widespread in Moldova. The LGBTQI+ community was able to organize a Moldova Pride March this year, but it required police protection. A counter-protest was organized in association with the Orthodox church. Pro-Russian efforts to undermine public support for the constitutional referendum have argued that European integration would require Moldova to legalize same-sex marriage. At the same time, even pro-European integration parties have downplayed the EU's commitment to human rights protections for LGBTQI+ persons.

Transnistria Voters

Transnistria is a region in Moldova that remains under de facto Russian control, with international efforts to resolve the conflict yielding little progress. Transnistria is officially recognized as part of Moldova by the international community, but de facto operates independently and hosts a significant Russian military presence. While Transnistrians can vote in Moldovan elections at special polling stations, concerns were raised that local leadership could discourage participation in the presidential election and constitutional referendum. Further, that voters from Transnistria would have inadequate access to CEC voter education information as well as presidential and constitutional referendum campaigns that were not aligned with Russia. There were also concerns about the organized busing of voters to polling stations from Transnistria which is prohibited in the Electoral Code. Other interlocutors argued that it is possible that voters who travel from the left bank of the Dniester River could be prevented from voting when they arrive at designated polling stations. The CEC has announced that there will be 83 polling stations for voters from Transnistria for the 2024 elections. This is an increase from the 42 that were created for the 2020 presidential election.

Recommendations:

- Political debate should be concentrated around the policies and issues that matter to the citizens of Moldova including the issues that matter to women in Moldova.
- Politicians and media should agree not to use targeted, gender-based attacks discrediting women politicians based on their physical appearance or their private lives.
- All stakeholders, including the government, should communicate about issues related to the constitutional referendum in a way that does not undermine the rights of women and minority groups including the LGBTQI+ community.
- The CEC should select polling station locations that take into account accessibility issues for all types of disabilities. If it is necessary to locate a polling station in a location that does not accommodate voters with disabilities, then the CEC should make all reasonable accommodations to enhance the accessibility of the location.

² LGBTQI+ refers to Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex with the additional "+" to include other identities not encompassed in the short acronym.

- Political parties, civil society and citizens should engage proactively in the exercising of their democratic rights and foster a wide-reaching national conversation around the presidential election and constitutional referendum.

ELECTION OBSERVATION

Independent and non-partisan election observers play a critical role in enhancing the credibility of elections, when appropriate, and exposing electoral malfeasance when it occurs. Article 88 of the new Electoral Code provides for both national (or citizen) and international observers. All observer organizations must be accredited to observe an election. Accredited observers can monitor all electoral processes and attend all meetings held by the CEC. Citizen observers are permitted to bring to the attention of the CEC irregularities they witness in the election. As in the past, Promo-LEX will be observing the presidential election and constitutional referendum and will have a core team, long-term observers and short-term observers. The Independent Journalists Center (IJC) will be monitoring television while Watchdog.MD is monitoring social media. In terms of international observers, ODIHR and the International Republican Institute (IRI) are expected to observe the 2024 elections in addition to NDI as well as the regional observer organization the European Network of Election Monitoring Organizations (ENEMO). To date, the CEC has accredited 95 citizen observers from Promo-LEX, five from the civic organization ADEPT, seven from ENEMO and 15 from NDI.

ABOUT THE NDI PRE-ELECTION ASSESSMENT MISSION

The delegation was led by Pekka Haavisto, Member of the Finnish Parliament and Former Minister of Foreign Affairs of Finland and included: Joakim Edvardsson Reimar, former Swedish diplomat and false information expert; Eva Busza, NDI Regional Director for Eurasia; Richard L. Klein, NDI Global Director for Elections; and Martin Angeby, NDI Senior Resident Country Director for Moldova.

The delegation traveled to Moldova from September 1 to 6, 2024 and held meetings in Chisinau and Comrat with a wide array of election stakeholders, including election commissioners and staff of the Central Election Commission; officials from relevant government entities; representatives of political parties and presidential candidates as well as individuals associated with different perspectives on the European integration constitutional referendum; representatives from civil society (including from citizen observer groups); representatives from the media; and members of the diplomatic community. The delegation conducted its activities in accordance with the [Declaration of Principles for International Election Observation](#) and laws of Moldova and in reference to international and regional standards for elections, including the [Universal Declaration on Human Rights](#) and OSCE's [Existing Commitments for Democratic Elections](#), as well as Moldova's electoral framework. The delegation does not seek to interfere in Moldova's election processes, nor does it render a final assessment of the overall process until it is complete. Ultimately, it will be the people of Moldova who will determine the credibility of their elections and democratic development. The delegation offers this statement in the spirit of supporting and strengthening institutions and processes in Moldova.

The delegation's findings and recommendations were also informed by NDI's programmatic work in Moldova as well as the Institute's past observation missions to the country; ongoing monitoring efforts of Promo-LEX; and previous observation reports by ODIHR, IRI and ENEMO.

The delegation is grateful to all those Moldovans who gave of their valuable time to meet with us and shared their views. The delegation wishes to express its appreciation to the United States Agency for International Development (USAID) which is funding all aspects of NDI's international election observation mission for Moldova. The findings and recommendations, though, solely reflect the views of the delegation and NDI.

About the National Democratic Institute

The National Democratic Institute is a non-profit, non-partisan, non-governmental organization that works in partnership around the world to strengthen and safeguard democratic institutions, processes, norms and values to secure a better quality of life for all. NDI envisions a world where democracy and freedom prevail, with dignity for all. NDI has observed approximately 200 elections in every region in the world, including Moldova's 2019 parliamentary elections and 2020 presidential election. The Institute has carried out programs in Moldova since 2003.