

INTERIM REPORT
13 September –2 October 2024

4 October 2024

I. EXECUTIVE SUMMARY

- The presidential election and constitutional referendum regarding the country's integration in the European Union (EU) will take place simultaneously on 20 October. The incumbent, President Maia Sandu and 10 other candidates are contesting the election. Opponents to the referendum, including those who declare themselves as pro-EU, criticise the decision to hold the referendum, including its simultaneous scheduling with the election.
- A presidential candidate who obtains at least half of the votes cast is considered elected and the election is valid, if at least one third of voters registered in the voters list participated. If no candidate obtains the required number of votes, a second round is held two weeks later between the two leading candidates. The candidate with the highest number of votes wins, subject to a turnout of at least one fifth of voters registered in the voters' lists. The constitutional referendum proposal is considered adopted if it receives a majority of the votes cast, while its validity requires the participation of at least one third of the persons in the voters list.
- The legal framework has been frequently reviewed, including shortly prior to the 2024 election. The amendments, *inter alia*, altered the dates for the election and the referendum, banned political parties, who had previously been suspended, from participating in elections, and introduced postal voting in select countries abroad. The Constitutional Court repealed provisions introduced before the 2023 local elections prohibiting contestants from unconstitutional political parties, and some provisions on political statements in the media. While some changes aimed at strengthening the integrity of campaign finance were adopted to address prior ODIHR recommendations, other ODIHR recommendations remain unaddressed.
- The presidential election and the constitutional referendum will be administered by a three-tier structure comprising the Central Election Commission (CEC), 37 District Electoral Councils (DECs) and 2,221 Precinct Electoral Bureaus (PEBs), of which 30 are established for voters residing on the left bank of the Nistru river (Transnistria), 231 for out-of-country voting, and three for handling of postal voting. The CEC has met almost all legal deadlines thus far, despite being understaffed in several departments. Its sessions are open to observers and the media and streamed online.
- The State Voter Register, extracted from the population register and maintained and updated by the CEC, includes, as of 1 September, 3,300,790 voters. Of these, 285,900 voters without a registered address in Moldova and 274,718 residing in Transnistria will not be included in the voters list and can be added to a supplementary list on election day.
- Presidential candidates can be nominated by political parties or electoral blocs or stand as independents. Each candidacy must be supported by 15,000 signatures collected in a minimum of 18 administrative-territorial units. Four initiative groups had their registration application denied as the CEC questioned their candidates' independent status as required for candidates nominated by initiative groups. The CEC received candidate registration applications from 12 out of 13 initially registered initiative groups, and ultimately rejected one and registered 11 presidential candidates; seven men and four women.

- Only political parties and electoral blocs can participate in the referendum campaign which must register with the CEC and expressly declare whether they intend to campaign in favour or against the referendum proposal. The CEC registered 16 referendum participants, of which one was later de-registered. Out of the 15 participants, 13 registered to campaign for a “Yes” vote and two for a “No” vote. Only two participants that had nominated a candidate for president, PAS and the Together Bloc, also registered for the referendum (both for “Yes”).
- The campaigns officially began on 20 September. While four presidential candidates launched their campaign activities on this day or shortly thereafter, most other candidates still had not begun their campaign a full week later, some citing delays caused by campaign finance rules. There have been a few formal complaints by candidates alleging misuse of administrative resources by the government and other campaign violations.
- Election and referendum campaigns can be financed from donations by individuals and legal entities, and funds of political parties and candidates. All campaign related transactions shall be made via a dedicated account, which, because of legal procedures, political parties can open earlier than independent candidates. Interim campaign finance reports are filed on a weekly basis by contestants and service providers. Contestants submit final reports three days after the elections. The CEC is in charge of campaign financing oversight and conducts *ex-ante* and *ex-post* control. It acts upon complaints or *ex officio*. Financing and reporting violations entail sanctions up to deregistration of a candidate, suspension of state funding, or the activity of a political party.
- Freedom of expression is enshrined in the Constitution. To protect information space, counter interference attempts from abroad and the influence of political figures over media, the government has adopted several restrictive measures but concerns about the spread of manipulative content in unregulated online spaces remain. The legal framework regulates the audiovisual media's coverage of the election and referendum campaigns regarding equal advertising conditions, free airtime and fairness, accuracy and impartiality. To date, 31 radio and TV stations have informed the regulator of their intention to cover the campaigns. On 20 September, ODIHR EOM commenced its media monitoring.
- The legal standing to file complaints is granted to voters, electoral contestants, referendum participants, observers and the election administration in regards to violations of their rights. Actions and decisions of the election administration can be challenged to a superior election commission, and appealed at court. Ten CEC decisions on the registration of candidates and referendum participants were appealed, with the courts upholding all but one. One case against the CEC decision on the establishment of polling stations abroad was rejected as inadmissible by courts. The CEC rejected eight complaints, primarily alleging campaign violations and misuse of administrative resources by the ruling party, as inadmissible, and granted one on formation of PEBs abroad.
- Citizen and international observers have the right to observe the entire election process, including voting abroad, and to access all election information and materials. By 2 October, the CEC had accredited international observers from 29 organizations and citizen observers from three organizations.

II. INTRODUCTION

Following an invitation from the authorities and in line with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 13

September.¹ The ODIHR EOM, headed by Ambassador Urszula Gacek, consists of an 11-member core team based in Chişinău and 26 long-term observers deployed on 20 September across Moldova. Mission members are drawn from 24 OSCE participating States and 56.8 percent of mission members are women. ODIHR has requested participating States to second 200 short-term observers to observe election-day proceedings.

III. BACKGROUND AND POLITICAL CONTEXT

On 16 May the Parliament of the Republic of Moldova announced that the presidential election would be held on 20 October, simultaneously with a constitutional referendum related to the country's potential EU integration. The holding of the events concurrently required legal changes that were subject to legal challenge and political criticism.²

President Sandu, nominated by Party of Action and Solidarity (PAS), was elected in November 2020 with 57.7 percent of the vote after facing then-President Igor Dodon, of the Party of Socialists of the Republic of Moldova (PSRM), in the second round of the election.³ Following early parliamentary elections in July 2021, PAS won 52.8 percent of the vote and 63 out of 101 parliamentary seats.⁴

Women make up 39.6 percent of the parliament.⁵ In addition to the president, women serve in numerous high-level positions, including the heads of the Central Election Commission (CEC), the Constitutional Court, the Anti-Corruption Prosecutor's Office and the Audiovisual Council (AVC). Between August 2021 and February 2023, the prime minister was also a woman.

The incumbent president and PAS made the fight against corruption among their top priorities, introducing measures to address long-standing issues of institutional malfeasance and financial fraud. Since the war in Ukraine began in February 2022, the longstanding political discourse over the country's geopolitical orientation has intensified. The government has also increased investigations into interference from abroad, including those made through illicit funding, disinformation campaigns, and cyberattacks.

In June 2022, Moldova was granted the status of a European Union (EU) candidate country and began accession talks in December 2023. Later that month, the president requested the parliament to initiate a referendum on constitutional amendments on the irreversibility of Moldova's EU path.⁶ The referendum

¹ See previous [ODIHR election observation reports on Moldova](#).

² Under the Constitution, the presidential election shall be held within two months after the expiration of the incumbent's four-year mandate. In January 2024, the respective provision of the Election Code was amended with the rule that presidential election shall be held not later than 90 days before the expiration of the incumbent's mandate. Simultaneously, the prohibition to hold a referendum on the same day alongside an election was repealed. The Constitutional Court denied as inadmissible the complaint challenging the constitutionality of the date for presidential election.

³ Maia Sandu founded PAS in 2016 but following her election as president resigned from her position as the head of the party and withdrew her membership.

⁴ The remaining allocation resulted in the Bloc of Communists and Socialists receiving 32 seats and the Şor Party receiving six seats. In June 2023, on a petition by the government citing criminal convictions of the Şor Party leader and other members and repeated irregularities sanctioned by the CEC and the courts related to vote-buying and other campaign finance malfeasance, the Constitutional Court dissolved the party as unconstitutional and ordered its removal from the register of parties. Five Şor Party MPs retained their mandates as independent, while the sixth seat remains vacant after Mr Ilan Şor was stripped of his mandate, having been sentenced *in absentia* by a final court decision in April 2023 to 15 years imprisonment for fraud and money laundering.

⁵ A 40 per cent gender quota for electoral lists was introduced in 2016 and in 2019 it was strengthened to provide for a minimum of four candidates of the same sex for every 10 seats. In the 2019 elections, women won only 25.7 percent of seats in parliament.

⁶ The President made the request during her [annual public address](#) in December 2023.

was formally initiated by 46 PAS Members of Parliament (MPs) upon the president's proposal.⁷ After the favourable assessment of the constitutionality of the proposed amendments by the Constitutional Court,⁸ a parliamentary majority composed solely of PAS MPs approved the decree on the constitutional referendum, scheduling it simultaneously with the presidential election.⁹ The decision to hold the referendum has been criticised by opponents for a lack of consultation, its overall necessity at this point in the accession process, and its simultaneous scheduling with the presidential election.

IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The presidential election and the constitutional referendum are primarily regulated by the 1994 Constitution and the 2022 Electoral Code (both last amended in 2024), as well as the 2007 Law on Political Parties (LPP, last amended in 2024), and other relevant laws.¹⁰ The legal framework for elections is supplemented by CEC regulations, covering a wide area of issues.¹¹

The electoral legal framework has been frequently reviewed by parliament, with the new Electoral Code amended eight times since its entry into force in January 2023, including shortly prior to these elections. In 2023, the PAS parliamentary majority undertook several attempts to change the eligibility rules for election contestants by prohibiting the candidacy of individuals associated with political parties determined as unconstitutional.¹² Subsequently, these provisions were repealed by the Constitutional Court as unconstitutional.¹³

In January 2024, the parliamentary majority amended the Electoral Code and the LPP. Changes included: altering the dates for the presidential election; removing the prohibition on holding elections and a constitutional referendum on the same day, and introducing a ban on suspended political parties from

⁷ According to the Constitution, at least one third of all MPs (34 MPs) is required to table the initiative for constitutional amendments, along with a favorable conclusion on the constitutionality of the referendum initiative adopted by at least four of the six judges of the Constitutional Court.

⁸ Article 208 of the Electoral Code provides that a republican referendum decision shall be adopted if it gained the majority of the votes cast. Under Article 142(1) of the Constitution, "[t]he provisions on the sovereign, independent and unitary character of the state, as well as on its permanent neutrality can only be amended if they are approved at a referendum by the majority of citizens included in the voters lists". Article 11(3) of the Law on International Agreements states that "Ratification or accession to an international treaty that limits the sovereign... character of a state, ...which is expressed, in particular, ...in the transfer of national competence into the jurisdiction of a supranational structure is allowed only...after a referendum". On 16 April 2024, the Constitutional Court [concluded](#) that the amendments related to the EU integration do not pertain to the constitutionally established sovereign, independent, unitary, and permanently neutral character of the state (para 30).

⁹ Of 80 MPs present at the [16 May plenary session](#), 56 MPs from the PAS voted in favour, 20 MPs abstained (of these, 6 were MPs without party affiliation, 14 of the Socialists and Communists bloc), and 4 MPs from the Socialists and Communists bloc voted against.

¹⁰ Other applicable legislation includes the 2002 Criminal Code and the 2008 Code on Contraventions, the 2018 Code on Audiovisual Media Services, the 2022 Law on Advertising, the 2011 Law on Personal Data Protection, the 2000 Law on Citizenship, the 2001 Law on the Administrative-Territorial Organisation (all last amended in 2024), the 2008 Law on Assemblies (amended in 2018), and the 1994 Law on Special Legal Status of Găgăuzia. Moldova is party to major international and regional instruments covering the holding of democratic elections.

¹¹ The CEC regulated most aspects of the electoral process, including voter and candidate registration, voter lists, the rules on election campaigning, including in the media, political and campaign financing, election disputes resolution, voting and tabulation of election results.

¹² The first bill on the amendments was adopted in July 2024, supported by 56 PAS MPs of 57 MPs present on the first reading on 14 July, and by 54 MPs on the final reading. The second bill on amendments was adopted on 4 October 2023 by 58 PAS MPs of 60 MPs present (1 PAS MP and 1 MP without affiliation abstained).

¹³ In the Joint Opinions ([CDL-AD\(2023\)031](#) and [CDL-AD\(2023\)048](#)) on the amendments and their [Joint amicus curiae brief](#) on the ineligibility of persons connected to political parties declared unconstitutional, the ODIHR and Venice Commission recommended revising the laws citing, *inter alia*, the deficiencies in compliance with the principles of foreseeability and proportionality, overly broad definitions, as well as the potential effect on the presumption of innocence, and the necessity an effective remedy, with guarantees of due process and possibilities for appeal.

participating in elections and distributing political advertising.¹⁴ Other recent changes to the Electoral Code were aimed at strengthening campaign finance rules and the efficiency of campaign finance oversight, as previously recommended by ODIHR. However, other ODIHR recommendations remain unaddressed, including those related to the limitations on active suffrage rights; voter registration and the timeline for a second round of the presidential elections. The amendments were adopted only shortly before the start of the current electoral period.¹⁵ In May 2024, a new law introduced postal voting abroad for select countries, and amended the Electoral Code to allow the CEC to act in case of early termination of the powers of the Central Election Council of the Autonomous Territorial Unit of Găgăuzia.¹⁶ In July 2024, the Constitutional Court repealed the Electoral Code provisions restricting public political statements in the media by candidates and third parties for noncompliance with the freedom of expression.¹⁷

The president is directly elected from a single nationwide constituency for a four-year term, with a limit of two consecutive terms. A candidate who obtains at least half of the votes cast is considered elected. The election is valid, if at least one third of voters registered in the voter lists participated.¹⁸ If no candidate obtains the required number of votes, a second round is held two weeks later between the two leading candidates. In the second round, the candidate who obtains the highest number of votes is considered elected, subject to a turnout of at least one fifth of voters registered in the voter lists.¹⁹ If the turnout is not achieved in the second round, repeat voting is conducted within two weeks.

The right to initiate a binding constitutional referendum belongs to the parliament, the government, and the citizens.²⁰ The proposal is approved through a referendum, if it receives a majority of the votes cast, while its validity requires the participation of at least one third of the persons in the voter lists. If passed, outcomes of constitutional referenda are binding and of legal supremacy.

The final version of the question for the referendum was formulated as follows: “Do you support the amendments to the Constitution in order to enable the Republic of Moldova to join the European Union?”, with the text of the amendments changing the preamble to include provisions confirming the European identity of the people of the Republic of Moldova, the irreversibility of the European path of the country and the integration into the EU as its strategic goal; and a new chapter of two articles, enabling

¹⁴ The activities of a political party can be suspended, *inter alia*, for financial or reporting violations, but not during an ongoing election campaign, if it is a participant. Other amendments to the Electoral Code and LPP concerned the mechanism and use of donations to political parties, financial reporting and oversight.

¹⁵ The January amendments were [adopted](#) on the first reading in two weeks after the bill was tabled, and in its final version within a month. The opposition did not participate in the voting (of 61 MPs present on the third reading, 57 were PAS MPs). The legally required public consultations were not conducted.

¹⁶ On 10 May 2024, a new law was adopted, which introduced postal voting as an alternative method of voting in select countries, and stipulated the scope for its implementation for the first time during the presidential election, limiting it to six countries, and also stipulating its application for the referendum, if conducted simultaneously. See the Venice Commission [Opinion](#) on the law. The amendments to the Electoral Code related to Găgăuzia were adopted in the aftermath of the decision of the local assembly to terminate the powers of the permanent Central Electoral Council of Găgăuzia.

¹⁷ By law, all media are obliged to submit a plan for election campaign coverage in advance to the AVC. Article 90 para 2 of the 2022 Electoral Code prohibited any interventions of contestants and third parties during election campaigns in programmes, other than those expressly declared by the media to the AVC as part of their planned programme for the electoral period.

¹⁸ If this threshold is not met, the election shall be repeated within two weeks.

¹⁹ The turnout requirement for the second round of presidential election was introduced in the 2022 Electoral Code.

²⁰ Such referenda can be proposed by at least one third of all MPs in the parliament, or by at least 200,000 voters. The president may only initiate consultative non-binding referenda.

the parliament to adopt organic laws to accede to the EU founding agreements, and acknowledging the precedence of the EU *acquis* over the national legal framework.²¹

V. ELECTION ADMINISTRATION

The presidential election and the constitutional referendum are administered by a three-tier structure comprising the CEC, 37 District Electoral Councils (DECs), and 2,221 Precinct Electoral Bureaus (PEBs).²² Of the latter, 30 are established for voters residing on the left bank of the Nistru river (Transnistria), 231 for out-of-country voting,²³ which represents a 54 percent increase since the 2021 parliamentary elections, and three are assigned to handle postal voting, which is available for the first time in these elections to voters abroad residing in six designated countries.²⁴

The CEC is a permanent body appointed in 2021. It consists of nine members, one nominated by the president and eight by the parliamentary factions, proportional to their representation.²⁵ Five of the CEC members, including the chairperson, are women. The CEC has broad responsibilities in managing election processes; it coordinates the activities of all electoral bodies, oversees the election campaign and campaign finance, decides on complaints, operates election management systems, registers candidates and referendum participants, maintains the State Voter Register (SVR) and the roster of election officials.

DECs establish PEBs, participate in their training, supervise their activity, and distribute their funds and election materials; assist the CEC with campaign finance oversight, decide on complaints, and tabulate results at the district level. Each DEC has a permanently employed chairperson and members appointed *ad hoc* before each election by district courts, district councils and parliamentary parties.²⁶ Following the adoption of the 2022 Electoral Code, permanent DEC chairpersons were appointed in 2023. According to the CEC, these permanent appointments have facilitated election preparations and reduced the necessary training time. PEBs are temporary bodies, whose members are appointed by local councils and parliamentary parties. All DECs established their respective PEBs by the legal deadline of 25 September and PEB training sessions are ongoing and being observed by the ODIHR EOM. Seventy per cent of DEC members and fifty-nine per cent of DEC chairpersons are women.

Despite being understaffed in several departments, the CEC has so far met legal deadlines in preparation of the election and referendum, with one exception.²⁷ CEC sessions have been open to observers and to the media and streamed live, and recordings remained available online. Session agendas have been published on the CEC website ahead of each session, and the decisions adopted have been published promptly afterwards. Through CICDE, the CEC has been conducting trainings for election officials and

²¹ Under the Constitution, the parliament adopts constitutional laws by a two-thirds majority of Parliament (67 votes). Organic laws are adopted to regulate, *inter alia*, state governance and local administration by a majority of Parliament (51 votes). Under the Law on International Agreements, international agreements are ratified by an organic law. Article 8 of the Constitution requires revision of the Constitution prior to ratification of international agreements that are contrary to the Constitution.

²² The CEC established two municipal DECs (Chişinău and Bălţi), 32 *raion* DECs, one DEC for Găgăuzia, one for voters residing in Transnistria, and one for voters abroad.

²³ The decision to establish only 5 polling stations in the Russian Federation was criticized by some political actors and challenged in court by one (*see Election Dispute Resolution section*).

²⁴ The United States of America, Canada, Norway, Sweden, Finland, and Iceland. The possibility of adopting postal voting on a wider-scale permanent basis will be assessed following the 2024 election.

²⁵ The 2022 Electoral Code introduced a new 7-member CEC with one member nominated each by the President; the Ministry of Interior; the Supreme Council of Magistracy; civil society, and the parliamentary opposition, as well as two by the parliamentary majority. However, the new formula will only be applied in 2026 when the mandate of the current CEC expires.

²⁶ In Găgăuzia these elections will be administered by a temporary DEC.

²⁷ The CEC registered one participant in the referendum the day after the legal deadline.

other stakeholders and prepared a voter information campaign, including materials in six languages, as well as in Braille and with sign-language interpretation.²⁸

VI. VOTER REGISTRATION

Citizens aged 18 or older are eligible to vote, except those deprived of this right by a court decision on the basis of intellectual or psychosocial disability. Previously, ODIHR criticized suffrage restrictions based on such disability as being at odds with international standards.²⁹

Voter registration is passive, continuous and centralised. The CEC maintains the SVR, which is based on data extracted from the population register.³⁰ On 1 September, the SVR included 3,300,790 voters. Of these, 285,900 voters without a registered address in Moldova and 274,718 residing in Transnistria will not be included in the voter list and can be added to supplementary voter lists on election day.³¹ ODIHR EOM interlocutors did not question the inclusiveness of the SVR, however some expressed concerns regarding records of deceased citizens remaining in the register.

From 30 September voter lists should be available for public scrutiny at polling station premises. Voters can also verify their own records online. Corrections can be requested until 13 October.

Upon request, mobile voting will be available to voters in medical institutions, to prisoners and to voters homebound due to age, disability or illness. Voters who are not at their registered address on election day can request absentee voter certificates.

VII. CANDIDATE AND REFERENDUM REGISTRATION

Citizens eligible to vote may stand for election if they are at least 40 years old, have resided permanently in the country for at least 10 years, and are proficient in the Romanian language. The 2022 Electoral Code introduced higher education as an eligibility requirement.³² Active military service personnel, persons sentenced to imprisonment or those with unexpunged criminal record for intentional crimes, and persons deprived of the right to occupy positions of responsibility by a final judicial decision may not stand.

Presidential candidates can be nominated by political parties and electoral blocs or, in the case of independent candidates, by groups of voters.³³ Registration is a two-step process; all nominating entities are required to first register initiative groups, which then collect and submit between 15,000 and 25,000 supporting signatures, with a minimum of 600 signatures from at least 18 out of the 35 administrative-territorial units. For the first time in this election, voters could sign in support of more than one presidential candidate, as previously recommended by ODIHR.

²⁸ The six languages are Romanian, Russian, Ukrainian, Romani, Bulgarian and Gagauz.

²⁹ Paragraph 7.3 of the 1990 [OSCE Copenhagen Document](#) states that the participating States will “guarantee universal and equal suffrage to adult citizens”. According to Articles 12 and 29 of the [UN Convention on the Rights of Persons with Disabilities](#) (CRPD), “State Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life” and ensure their “right and opportunity [...] to vote and be elected”. Paragraph 48 of [General Comment No. 1 to Article 12 of the CRPD](#) states that “a person’s decision-making ability cannot be a justification for any exclusion of persons with disabilities from exercising [...] the right to vote [and] the right to stand for election”.

³⁰ The State Population Register is maintained by the State Services Agency.

³¹ The Electoral Code provides for electronic verification of voter data on election day against the centralised register to safeguard against multiple voting.

³² The Electoral Code requires submission of a diploma of a completed bachelor degree, or an equivalent.

³³ In order to be nominated by voters, a presidential candidate shall create an initiative group of 25 to 100 voters; the creation of the initiative group shall comply with formal requirements determined by the Election Code.

Candidate nominations were made between 21 August and 20 September.³⁴ The CEC received 18 applications for registration and registered 13 initiative groups.³⁵ Of these, 12 subsequently submitted nomination documents and supporting signature lists. The CEC reviewed them within the deadline and registered 11 candidates, seven men and four women.³⁶ According to the Election Code, the CEC may de-register candidates at any time until election day.

Campaigning for the constitutional referendum can be conducted only by political parties and electoral blocs which register with the CEC and expressly declare whether they intend to campaign in favour or against the referendum proposal.³⁷ By the 20 September deadline, the CEC received applications for registration from 19 prospective referendum participants and registered 16.³⁸ Of the latter, the Chance party was later de-registered after a court ordered the limitation of the party's activities for three months (*see Election Dispute Resolution*), resulting in 15 registered contestants.³⁹

VIII. CAMPAIGN ENVIRONMENT

The official campaign period for both the presidential election and the constitutional referendum began on 20 September and will end on 18 October at midnight. During this period, electoral advertising is only allowed for candidates and referendum participants registered by the CEC. The use of administrative resources and the organisation of concerts or other performances that contain 'identification elements' of electoral competitors are prohibited.⁴⁰

³⁴ Initiative groups could be registered between 21 August and 31 August, and the period allocated for gathering support signatures was between 21 August and 20 September.

³⁵ Four initiative groups had their candidates' independent status questioned by the CEC. The CEC ultimately denied registration to initiative groups supporting: Mr Bolea, who is the chairperson of the Renaissance Party; Mr Tabarcea, for engagement in activities, including campaigning, for the Chance party; and Mr Borodachi, a member of the PACE political party. Mr Tarlev, a fourth candidate claiming to be independent, had the initial registration of his initiative group revoked, but was ultimately registered as a party candidate (Future of Moldova). The initiative group of Mr Pleșca was denied registration because he was nominated by the European Social Democratic Party of Moldova while being president of the Christian Social Union of Moldova (CSURM). His nomination was also not submitted in accordance with the nominating party's statute. The initiative group of Ms Corsun was denied registration after she failed to demonstrate Romanian language proficiency.

³⁶ The initiative group supporting Mr Munteanu submitted insufficient valid support signatures; the initiative group supporting Mr Arseni did not submit nomination documents and support signatures.

³⁷ A total of 13 parties were registered in support of "Yes": Green Ecologist Party, Respect Moldova movement, Alliance of Liberals and Democrats for Europe, Coalition for Unity and Prosperity, "Together" Bloc, Party of Action and Solidarity, National Alternative Movement, Home Democracy Party, Alliance for the Union of Romanians, "We" Political Party, Party of National Reunification "Home", European Social Democratic Party and the "People's Will" Party. Two parties were registered in support "No": Party of Communists of the Republic of Moldova (PCRM) and Renaissance. There is no option to register to campaign for a boycott of the referendum.

³⁸ The Victory electoral bloc was denied registration for failing to provide supplementary clarification requested by the CEC on the agreement to form the bloc and for applying to register with the same name as one of the member parties, contrary to a CEC instruction. The PACE party and the Victory party were denied registration for failing to prove that the application was submitted by those authorised to do so according to the party statute and, in the case of Victory, for representing a "camouflaged electoral bloc".

³⁹ Two days before the November 2023 local elections, a Commission for Exceptional Situations, established as part of a state of emergency declared due to the war in Ukraine, ordered the de-registration of all candidates nominated by the Ilan Șor affiliated Chance Party, affiliated to the bloc "Chance. Duties. Realization" (Șansă, Obligații, Realizări, ȘOR) founded by Ilan Șor following the banning of the Șor Party. The order was based on claims of vote buying and violations of campaign finance rules, including the use of undeclared funds through sponsorship projects initiated by Mr. Șor. This was overturned by the Chișinău Court of Appeal in December 2023. In May 2024, the Ministry of Justice requested new restrictions based on the party's failure to comply with CEC requirements. On 16 August, the Bălți Court ordered a three-month suspension of the party, which was confirmed by the Bălți Court of Appeal on 11 September 2024.

⁴⁰ Prohibitions include launching or participating in the launching of infrastructure projects or public procurements carried out from the national public budget and the use of public equipment, means, and goods.

By the official start of the campaign period on 20 September, the CEC had completed registration procedures for only four out of 11 candidates.⁴¹ While these candidates launched their campaign activities on this day or shortly thereafter, most other candidates still had not begun campaigning a full week later. Some reported delays to the start of their campaign stemming from campaign financing rules (see *Campaign Finance section*). As of 29 September, all candidates had launched their campaigns.⁴²

Although access to information of public interest is constitutionally guaranteed, the Electoral Code does not require the government to provide objective information to the voters on the referendum options in line with good practice.⁴³ In only two cases is a party who has nominated a presidential candidate also registered to participate in the referendum campaign.⁴⁴ President Sandu's support for voting "Yes" in the referendum is a visible part of her presidential campaign. The government continues to provide public information on the "benefits and opportunities offered by" the EU.⁴⁵ Observers have observed very few of the 15 referendum participants actively campaigning. There have been a few formal complaints by candidates alleging misuse of administrative resources by the government and other campaign violations (see *Election Dispute Resolution*).

Campaign activities by presidential candidates include rallies, press conferences and tents in Chişinău and in other parts of the country, including in Făleşti, Cahul and Soroca. The EOM observed public gatherings in Chişinău and Comrat denouncing President Sandu and the EU by actors not registered as participants in either the presidential election or the constitutional referendum. While certain campaign regulations are applicable to campaign activities on social networks, as the online space remains underregulated, there is no clarity on their enforcement.⁴⁶ Approximately one-third of registered candidates are actively campaigning on social networks as are political actors who are not registered as participants.⁴⁷ On 24 September, the CEC launched a code of conduct, committing the signatories to conduct a fair campaign, respectful to other participants, free from sexist language or hate speech, avoiding intimidation of electoral officials and refraining from corruption in any form.⁴⁸

⁴¹ Mr Stoianoglo, Ms Sandu, Mr Usatii and Mr Tarlev were registered by 20 September. Ms Vlah, Mr Chicu, Mr Năstase, Mr Ţicu, Ms Furtună, Ms Morari and Mr Ulianoschi were registered by 24 September and within the legal deadline for signature verification.

⁴² Four candidates: Mr Ţicu, Mr Ulianoschi, Ms Vlah, and Ms Furtună launched their campaigns on 29 September; the last to do so.

⁴³ Guideline I.3.1.d and the Explanatory Memorandum of the Venice Commission's Code of Good Practice on Referendums state, in part: "The authorities must provide objective information... This implies that the text submitted to a referendum and an explanatory report or balanced campaign material from the proposal's supporters and opponents should be made [directly] available to electors sufficiently in advance... in order to enable voters to arrive at an informed opinion...". The Law on Advertising defines public information on election and referenda as information of public interest, and prohibits inclusion of political advertising, or information aiming to influence adoption of legislative acts. The legislation requires such information to be provided in a comprehensive and objective manner.

⁴⁴ The "Together" Bloc, which nominated Mr Ţicu; and PAS, which nominated Ms Sandu.

⁴⁵ The [website](#) of the Government of Moldova directly links to the "[Europa pentru tine](#)" (Europe for you) webpage.

⁴⁶ Campaign materials shall be distributed on social media on a contractual basis, be marked as campaign advertising, referencing the contractor. The restrictions on aggressive, discriminatory or harmful content, symbols of foreign states and organisations, and images of foreign public figures apply to campaigns on social media.

⁴⁷ On 23 September, Ilan Şor announced via Telegram a promise that if citizens vote "No" in the referendum all households would receive free gas in December. He also promised two billion dollars in investment and a ban on "LGBT propaganda".

⁴⁸ On 24 September, the [code of conduct](#) was [signed](#) by Mr Stoianoglo, Ms Sandu, Ms Vlah, Mr Chicu, Ms Furtună, Mr Ulianoschi and Ms Morari as well as by [five parties](#) participating in the referendum. It remains open for signature. Mr Tarlev announced his intention not to sign.

IX. CAMPAIGN FINANCE

Campaign finance rules apply to both election and referendum campaigns. These can be financed from monetary and in-kind donations by individuals and legal entities, and funds of political parties and candidates. Contestants are also entitled to state-subsidised resources.⁴⁹ The campaign expenditure and monetary donations are limited to 0.1 percent of the state revenues for the election year, which is doubled if the same contestant participates in both the election and referendum campaigns.⁵⁰

Donations by individuals and candidates cannot exceed six average monthly salaries up to 30 percent of the donor's annual income. Legal entities can donate up to 12 average monthly salaries.⁵¹ Political parties can transfer up to 70 percent of the party's funds within the general threshold. The law prohibits donations from a number of sources subject to foreign influence, and from public resources.⁵² In-kind donations, including voluntary work, goods and services, shall be calculated and reported based on their average market values. Unlawful donations shall be transferred to the state budget.

All campaign-related transactions shall be made to and from bank accounts for initiative groups and election campaigns.⁵³ Political parties may open them before registration, while independent candidates only after registration. To open a bank account a unique fiscal number is required. Transactions to the accounts are allowed from the point of registration, but expenditures earlier than 30 days prior to elections are prohibited. The banks are obliged to open campaign accounts within a three-day deadline. Some contestants alleged delays in acquiring a unique fiscal number and opening bank accounts that impacted the start of their campaigns.

Interim campaign finance reporting obligations are imposed on contestants and service providers on a weekly basis.⁵⁴ Additionally, contestants must submit final reports for the work of the initiative groups three days after submission of signatures and the final audited campaign reports three days after the election day.⁵⁵ The CEC elaborated financial reporting templates and maintains an online submission platform, which requires technical improvements to be fully operational.

The CEC is in charge of campaign financing oversight and conducts *ex-ante* and *ex-post* control, including planned and extraordinary full or partial financial audits. It acts upon complaints or *ex officio*. The CEC's oversight capacity is weakened by understaffing, but it may, however, request support of

⁴⁹ These include free airtime, meetings venues, and interest free loans partially refunded by the state in proportion to the valid votes cast for the respective contestant. The amounts of the loans are determined by the CEC. The interest free loans are not allocated for referendum campaigns. Parliamentary political parties are entitled to annual state funding proportional to their representation.

⁵⁰ The CEC announced the limit on expenditure for the [presidential](#) and [referendum](#) campaigns of MDL 65,930,540 (EUR 3,350,000) each.

⁵¹ EUR 4,188 for individuals and EUR 8,376 for legal entities. Donations from Moldovan citizens residing abroad, recipients of social benefits and public servants are subject to additional limitations.

⁵² This includes national legal entities with any form of public funding, ownership or affiliation, any foreign or foreign funded public or private entities, any public associations, anonymous or third-party donations.

⁵³ Small cash donations are allowed, subject to documentation, but cannot be used before transfer to the campaign account.

⁵⁴ Banks, advertising companies and media outlets shall report to the CEC. The reports shall disclose all campaign-related transactions, including in-kind.

⁵⁵ Contestants competing in the second round have to report after the second round on the entire campaign. On average, candidate's nomination expenses amounted to EUR 15,000-17,000 (Mr Usatii, Ms Vlah, Ms Morari); Mr Chicu and Ms Sandu reported the highest nomination-related expenses of approximately EUR 25,000; nominations of Mr Chicu, Mr Usatii, Ms Sandu were primarily funded by their designating parties; Mr Stoianoglo and Mr Tarlev reported to rely solely on donated services amounting to EUR 700 and 500, respectively; Mr Țicu funded his own campaign; the others relied on individual donations. The CEC issued warnings to five candidates for late submission of the final nomination reports, and sanctioned one candidate for campaigning after the submission of nomination signatures.

specialised governmental agencies.⁵⁶ The failure of contestants to provide information upon the CEC's request, as well as any financial violations, entail sanctions up to deregistration of a candidate or suspension of activities of political parties.⁵⁷ The CEC is obliged to publish reports on the campaign finance control results within a three-day deadline, the conclusions and applied sanctions can be appealed.

X. MEDIA

The most popular sources for news and information are search engines and social media platforms, followed by television. The internet penetration rate stands at 71.5 percent, but mobile coverage is available all over the country.⁵⁸ Freedom of expression is enshrined in the Constitution and generally respected. Editorial independence and access to information is legally guaranteed and censorship is forbidden. The 2021 amendments to audiovisual legislation that brought the appointment and dismissal of the management of the public broadcaster *TeleRadio-Moldova* (TRM) and its regulator under parliamentary control were publicly criticized.⁵⁹

The media landscape is polarised along political lines and constantly faces challenges of information manipulation and interference from abroad.⁶⁰ In addition, until recently a significant part of the media market was controlled by outlets affiliated to influential business people. The government has tried to address these issues by enacting legislation to fight disinformation and adopting restrictive measures to protect its information space, including closing down broadcast media outlets. Content from some of the closed media outlets later reappeared in the less regulated online media environment.

During campaign periods, audiovisual media's political coverage is tightly regulated to ensure fairness, accuracy and impartiality. Contestants should be granted equal advertising conditions and are allocated an amount of free airtime on radio and TV.⁶¹ Audiovisual media must submit an editorial statement to their regulator, the AVC, for approval if they want to cover the campaigns. By the legal deadline of 27 September, 31 of them have done so, of which 17 intend to host debates. The AVC has started monitoring them. After training of monitors, part of the monitoring was outsourced to civil society.

Online media and social networks are far less regulated. The EOM has been informed that the largest volume of disinformation and false information appears online. Institutions tasked with overseeing

⁵⁶ The CEC is part of an inter-agency working group with the law enforcement and fiscal agencies, facilitating the exchange of data. The CEC stated that the DECs' field monitoring of expenditures by political players contributed to the efficiency of the oversight, assisting in identifying unreported expenditures.

⁵⁷ Sanctions for political parties also include deprivation of entitlement to state funding. During the reporting period, the activities of one political party were suspended for financial violations, and proceedings to limit the activities of seven parties, due to the failure to submit financial reports, were pending decisions.

⁵⁸ See [Moldova. Vibrant Information Barometer 2024](#), Irex.

⁵⁹ See the November 2021 legal analysis by the OSCE Representative on Freedom of the Media. See also the open letter by the European Broadcasting Union (EBU).

⁶⁰ In 2022 and 2023, under rules of emergency regime, licences of 12 TV stations which were retransmitting content from Russia's TV channels were suspended for disseminating disinformation about war in Ukraine among other offences (see ODIHR EOM final report on local elections 2023). In 2024, the government withdrew the licences of eight more audiovisual media outlets under auspices of Council for the promotion of investment projects of national importance. In the majority of cases, the given reason is financial transactions showing affiliation to sanctioned individuals or fugitives Ilan Sor and Vladimir Plahotniuc whose investments are deemed contradictory to state security. Security and Intelligence Service (SIS) continues to block websites on grounds of spreading false information, including seven during the election period so far (six of them with a Russian domain). In April 2024, AVC imposed record fines (60 000 and 40 000 lei, respectively) on Gagauzian regional public broadcaster GRT and regional outlet ATV for spreading disinformation which is prohibited by provisions of protecting national audiovisual space which were introduced in Audiovisual Media Services Code in 2022.

⁶¹ The Electoral Code envisages five minutes of free airtime in TV stations and 10 minutes in radio for each candidate and referendum participant, allocated in the first 15 days of campaign.

compliance with the campaign finance rules and media coverage have identified this as a significant problem.

On September 20, the ODIHR EOM started monitoring four television channels, one radio, and five online news outlets.⁶² To emphasise the special responsibility of public broadcasters during election and referendum campaigns, both TV and the radio channel of TRM are included in the monitoring sample.

XI. ELECTION DISPUTE RESOLUTION

Voters, electoral and referendum contestants, observers and the members of election administration bodies have standing to file complaints about any alleged violations of their individual rights. Actions, inactions and decisions of election management bodies can be challenged to the superior election commission, and their decisions can be appealed to the court. Complaints about the activities of presidential candidates and referendum participants are to be submitted to the CEC. The CEC decides on complaints related to violations of campaign rules and financing, while complaints related to the media are decided by the AVC. The Chişinău Court of Appeal (CCA) decides on appeals of CEC and AVC decisions. The Supreme Court of Justice (SCJ) is the final instance of judicial review. The deadlines to submit and decide on complaints are three days; election day complaints should be decided on the same day.

Since the call of the elections, twelve CEC decisions have been appealed to the CCA, ten of which were subsequently reviewed by the SCJ.⁶³ The CCA rejected all but one of the appeals as unfounded, and the SCJ rejected the further appeals as inadmissible. Two complaints were filed at the CCA against the CEC for failing to adopt formal decisions while rejecting initiative groups. One case was denied and in the other the CCA obliged the CEC to review the case and adopt a formal decision.

The CEC informed that it received eight complaints alleging misuse of administrative resources by the government and other campaign violations, allegedly made by PAS, all of which were rejected.⁶⁴ As of 2 October, the CEC has not published online some of its decisions on complaints. The CEC granted a complaint against a DEC for voting abroad, which failed to form 3 of 5 PEBs in the Russian Federation, requesting the DEC to form all PEBs.

XII. CITIZEN AND INTERNATIONAL OBSERVERS

The Election Code provides for observation of the electoral process, including out-of-country voting, by citizen and international observers. Accredited observers have the right to access all election information and materials and to observe all electoral procedures. Citizen observers can be appointed by civil society organizations and institutions conducting training and research in the field of elections. Electoral contestants may not appoint observers but enjoy the right to scrutinise the electoral process.

⁶² EOM monitors *JurnalTV*, *Moldova 1*, *PRO TV*, *TV8* and *Radio Moldova* during primetime hours of 18:00 to 24:00. Online news sites *newsmaker.md*, *noi.md*, *point.md*, *stiri.md* and *zdg.md* will be monitored qualitatively.

⁶³ Seven of these concerned the CEC rejections to register the initiative groups for the presidential election, and two the rejection to register an electoral bloc, and a party, for the referendum and presidential election. The CCA denied as unfounded a complaint against the CEC's inadmissibility decision on a complaint alleging campaign violations by Ms Sandu and the decision to deny registration of Mr Munteanu. The PSRM requested the CCA to partially repeal the CEC decision on polling stations abroad regarding the polling stations in the Russian Federation, the CCA and the SCJ denied the admissibility of the complaint.

⁶⁴ The complaints were filed by Mr Bolea, Mr Chicu, Mr Voronin and Mr Usatîi, and citizens. The allegations concerned, inter alia, the "Europe for You" campaign launched by the government after the announcement of the election and the referendum, early campaigning and alleged participation of the underaged in the electoral campaign and the President's donation to a charity.

By 2 October, the CEC had accredited international observers from 29 organizations and citizen observers from three organizations. Among the latter, Promo-LEX, the largest citizen observer organization, has deployed 45 LTOs and aims to deploy approximately 600 stationary STOs and 70 mobile STO teams and to cover all polling stations established for voters residing in Transnistria and 50 polling stations abroad.

XIII. ODIHR EOM ACTIVITIES

The ODIHR EOM commenced its work on 13 September. The ODIHR EOM has met with the Ministry of Foreign Affairs, the CEC, candidates, the AVC, civil society organizations, and representatives of OSCE participating States. It has established working relations with relevant stakeholders involved in the election process. LTOs have met stakeholders at the local level in their respective areas since their deployment on 20 September.

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