

Election FAQs: Moldova

Presidential Election and Constitutional Referendum October 20, 2024

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Election Snapshot

- Election Day: Sunday, October 20, 2024; a second round, if required, on Sunday, November 3
- Registered voters: 3,302,142 (as of September 1)
- **Polling stations:** 2,218 (1,957 in the country, 231 abroad, and 30 for voters residing on the left bank of the Dniester River
- Candidates: 11
- **Referendum participants:** Thirteen in support of voting "Yes" in response to the question "Do you agree with Moldova joining the European Union?" and two in support of voting "No"
- **Electoral Campaign Period:** September 20 to October 19, 2024 (extended to November 3 in case of a second round)

When is Election Day?

Voting for the Republic of Moldova's presidential elections and constitutional referendum will take place on Sunday, October 20, from 7 a.m. to 9 p.m. local time at 1,957 polling stations across the country (including 30 for voters residing on the left bank of the Dniester River) and 231 polling stations abroad.¹ Electoral districts and polling stations may request permission to hold elections over two days for "objective reasons" including "pandemics, exceptional circumstances, ensuring the right to vote under unusual conditions, the large number of voters registered at polling stations from abroad, etc."² Such requests must be made at least 25 days before elections are held. If no candidate wins a majority of votes, a second round will take place on November 3.

Moldovan citizens in Canada, Finland, Iceland, Norway, Sweden, and the United States have the option to vote by mail for the first time. According to the timeline provided by the Central Electoral Commission, citizens who have registered to vote using this method may receive their ballots after October 5 and must ensure that their ballots are delivered to the premises of the relevant precinct electoral bureau by 6 p.m. local time on October 17. In the event of a second round, ballots must be delivered to the electoral bureau by the end of the day on October 31.³

Why are this election and referendum important?

The October 20 presidential election and referendum are taking place at a decisive moment for Moldova and its citizens. Since pro-European president Maia Sandu took office in 2020, Moldova's drive to join the European Union (EU) has accelerated, with the country being granted official EU candidate status in June 2022 and accession negotiations formally launched in June 2024.⁴ As a result of these developments and strong popular support for European integration, ⁵ Sandu, backed by a parliamentary

¹ Central Electoral Commission of Moldova. (2024, September 14). HOTĂRÂRE Nr 2866.

² Electoral Code of the Republic of Moldova, Article 8.

³ <u>Law No. 109 of 26.04.24 on the partial implementation of postal voting</u>. Parliament of the Republic of Moldova. (2024).

⁴ Moldova. (2024). European Neighbourhood Policy and Enlargement Negotiations (DG NEAR).

⁵ International Republican Institute. (2024, June 15). <u>IRI Moldova Poll Shows Strong Voter Enthusiasm, Trust in President Sandu, Majority Support Joining the European Union.</u>

majority, called for an "EU referendum" on October 20, allowing citizens to decide whether provisions in support of Moldova's accession to the EU should be added to the Constitution.⁶ However, some political parties have accused the president of using the referendum to boost her reelection campaign, and others have expressed a preference for maintaining relations with Russia instead of the EU.⁷ A vote in favor of European integration could contribute to strengthening Moldova's commitment to meeting the benchmarks required to join the EU. In contrast, a rejection of the referendum could create serious political obstacles to accession and the potential economic, security, and political benefits to be reaped from it.⁸

Russian interference in the election and referendum is a major concern as Moldova seeks to strengthen its democratic institutions to meet EU standards. According to a joint statement by Canada, the United Kingdom, and the United States, the Kremlin is attempting to wage a hybrid war against Moldova by spreading disinformation and criticisms of Sandu's government to destabilize it ahead of the October 20 elections and keep the country within Russia's sphere of influence. In line with these efforts, the Kremlin is also reportedly supporting political entities that oppose President Sandu. Political parties and electoral blocs founded by fugitive Moldovan oligarch Ilan Shor have presented challenges to the current president over the past two years – staging anti-government protests, or orchestrating free trips to Russia for certain influential groups, and pursuing other tactics in the hopes of shifting popularity away from Sandu and her pro-Western Party of Action and Solidarity. In response to such threats in recent years, the Moldovan government banned the oligarch's Chance Party from participating in November 2023 local elections; however, international watchdogs criticized the moves as a violation of human rights, and the Moldovan Constitutional Court ruled against the ban in March 2024.

October 20 will be the first time that Moldova's new Electoral Code, adopted in 2022, serves as the framework for a presidential election or constitutional referendum. During 2023 local elections, the first implementation of the 2022 code, the Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights reported issues with the legislation and its implementation, including a failure to ensure press freedoms, create a level playing field for candidates, and mitigate conflicts of interest, among other issues.¹³ The upcoming presidential election and referendum will

⁶ Tanas, A. (2024, May 16). <u>Moldovan parliament votes to hold EU referendum, presidential election on Oct. 20</u>. Reuters.

⁷ Tanas, A. (2024, September 2024). *Eleven candidates, including incumbent, to compete in Moldova presidential vote.* Reuters.

⁸ Pleșca, L. (September 13, 2024). <u>What would a failed EU referendum mean for Moldova?</u> German Marshall Fund.

⁹ Gavin, G. (2024, June 13). *Russia meddling in Moldova, Western allies allege*. Politico.

¹⁰ McGrath, S. & Obreja, A. (2024, February 1). <u>Thousands from Russia-friendly party join anti-government protest in Moldova's capital</u>. AP News.

¹¹ Dermenji, D. & Soshnikov. (2024, August 9). <u>In Fugitive Oligarch's Long Shadow, Free Trips Recruit Hundreds Of Young Moldovans To Love Russia</u>. Radio Free Europe.

¹² Necsutu, M. (2023, December 19). <u>Venice Commission Critises Moldovan Ban on Oliqarch's Party as 'Disproportionate.'</u> Balkan Insight.

¹³ Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights. (2024, March 18). <u>REPUBLIC OF MOLDOVA ELECTION OBSERVATION MISSION</u>, 5 November 2023.

provide an opportunity to evaluate Moldova's progress in aligning its electoral legislation with international standards and best practices.

Who and what are citizens voting for on Election Day?

The Central Electoral Commission has registered 11 presidential candidates:

- Alexandr Stoianoglo, supported by the Party of Socialists. Stoianoglo served as prosecutor general of Moldova from 2019 to 2021, when he was charged with, and subsequently acquitted of, abuse of power.¹⁴
- Maia Sandu, supported by the Party of Action and Solidarity. Sandu is the current president of Moldova, and previously held the position of prime minister. ¹⁵
- Renato Usatîi, leader of and supported by Our Party. Usatîi is the former mayor of the town of Bălți. He ran for president in 2020, finishing in third place. 16
- Vasile Tarlev, supported by the Party for the Future of Moldova. Tarlev served as prime minister from 2001 to 2008.¹⁷
- Irina Vlah, supported by a citizens' assembly. Vlah served as governor of the autonomous region of Găgăuzia from 2015 to 2023. 18
- Ion Chicu, supported by the Party of Development and Consolidation of Moldova. Chicu served as prime minister from 2019 to 2020.¹⁹
- Andrei Năstase, supported by a citizens' assembly. Năstase is a former lawyer who served as deputy prime minister and minister of Internal Affairs from June to November 2019.²⁰
- Octavian Ţîcu, supported by the TOGETHER Electoral Bloc. Ţîcu served as a member of Parliament in 2019 and leader of the Party of National Unity until 2021. He ran for president in 2020, receiving approximately 2 percent of the votes.²¹
- Victoria Furtună, supported by a citizens' assembly. Furtună served as an anti-corruption prosecutor until her resignation in March 2024.²²
- Natalia Morari, supported by a citizens' assembly. Morari is a prominent journalist best known for her 2007 report detailing the Kremlin's use of secret funds to bribe political parties²³ and her 2017 to 2019 talk show on television station TV8.

¹⁴ Alexandr Stoianoglo acquitted of abuse of power. (2024, February 28). IPN Press Agency.

¹⁵ <u>Biography of the President of the Republic of Moldova Maia Sandu</u>. (n.d.). Presidency of the Republic of Moldova.

¹⁶ Renato Usatii – Candidate Profile. (n.d.). Moldova Live.

¹⁷ Vasile Tarlev launched electoral campaign for President. (2024, September 21). Moldpres.

¹⁸ Pro-Moscow, Former Gagauzia Leader to Run for Moldovan President. (2024, July 17). Radio Free Europe.

¹⁹ Ion Chicu launches campaian: I will be a President of all Moldovans. (2024, September 23). IPN Press Agency.

²⁰ Sengupta, K. (2024, July 21.) <u>Andrei Nastase was targeted by Russian mafia for exposing corruption. Now he aims</u> to bring Moldova into the EU. Independent.

²¹ <u>Historian Octavian Ticu has become the candidate for President from the ÎMPREUNĂ bloc</u>. (2024, August 5). Infotag.

²² Străjescu, C. (2024, July 3). *Former prosecutor Victoria Furtună will compete for president*. Radio Moldova.

²³ <u>Natalia Morari candidează la președinție pentru a transforma R. Moldova într-un "nou miracol economic."</u> (2024, July 18). Europea Liberă Moldova.

- Tudor Ulianovschi, supported by a citizens' assembly. Ulianovschi served as minister of Foreign Affairs and European Integration from 2018 to 2019.²⁴

In the referendum, Moldovans will have the opportunity to vote "Yes" or "No" on the question "Do you agree with Moldova joining the European Union?" If a majority vote "Yes" and turnout is greater than 33 percent, the Constitution of Moldova will be amended to declare EU accession a strategic goal and add provisions to the Constitution on the EU integration process. ²⁵ Twelve political parties and one electoral bloc have registered to participate in the referendum in support of voting "Yes," and two have registered to support voting "No." ²⁶

What is the electoral system?

The president of Moldova is elected using the majoritarian model, which requires a candidate to receive at least half of the total votes cast in an election. If no candidate receives the votes necessary to cross this threshold, a second round will be held between the two candidates who receives the most votes in the first round. The candidate who receives the most votes in the second round will then be declared president of Moldova.²⁷ The president serves for a mandate of four years and can be elected for a maximum of two consecutive terms.²⁸

Presidential candidates can be nominated by registered political parties, registered electoral blocs of parties, and Moldovan citizens who submit their own applications, including independent candidates. To nominate a candidate, political parties and electoral blocs must approve an individual in accordance with their respective statutory provisions; establish initiative groups to collect 15,000 to 25,000 signatures from at least half of the second-level administrative-territorial units of Moldova in support of their candidate; and submit the necessary documents for registration. Similarly, a citizen who submits an application for registration must establish an initiative group to collect signatures in support of their candidacy and collect the necessary documents for registration.²⁹ All registration materials (defined in Article 68 of the Electoral Code) must be submitted to the Central Electoral Commission (CEC) no later than 30 days before Election Day. The CEC then has seven days to register or refuse to register the nominated candidate.³⁰

What is the system for conducting a referendum?

A constitutional referendum can be initiated by at least 100,000 Moldovan citizens who are eligible to vote, one-third of the Members of Parliament, the president, or the government.³¹ Within three months of the proposal to initiate it, Parliament must adopt a decision to call the referendum, reject it, or

²⁴ *Tudor Ulianovschi*. (n.d.) Progressive Governance Summit.

²⁵ Tanas, A. (2024, May 16). <u>Moldovan parliament votes to hold EU referendum, presidential election on Oct. 20</u>. Reuters.

²⁶ Central Election Commission of Moldova. (2024). <u>Înregistrarea participanților la referendum.</u>

²⁷ Constitution of the Republic of Moldova, Article 78.

²⁸ Constitution of the Republic of Moldova, Article 80.

²⁹ Constitution of the Republic of Moldova, Article 63.

³⁰ Constitution of the Republic of Moldova, Article 68.

³¹ Electoral Code of the Republic of Moldova, Article 183.

resolve the question without holding the referendum.³² The provision of the Constitution that is subjected for such a referendum must be adopted if it receives at least half of all votes from those who participated in the referendum.³³

Under the Electoral Code, political parties may participate in a referendum by campaigning for either the "Yes" or "No" option. To do so, eligible parties must apply for registration no earlier than 60 days and no later than 30 days before the referendum is held. Following the submission of all application materials, the CEC has three days to adopt a decision to register or refuse to register a political party as a referendum participant.³⁴

What is the legal framework for conducting the election and referendum?

Elections in Moldova are primarily regulated by the Electoral Code, most recently re-written in 2022. The legal framework also includes the Constitution; the laws on Political Parties, Assembly, and Advertisement; relevant sections of the Criminal Code, the Contraventions Code, and the 2018 Administrative Code; and regulations adopted by the Central Electoral Commission and Parliament to supplement the Electoral Code. Moldova is also a signatory to major international and regional human rights treaties and agreements related to the holding of inclusive and democratic elections. These include treaties connected to Moldova's membership in the Council of Europe and the Organization for Security and Co-operation in Europe.

Who is eligible to run as a candidate?

Citizens of Moldova who are eligible to vote are 40 years of age or older on Election Day, live or have lived on Moldovan territory for at least 10 years, know the Romanian language, and have completed a bachelor's degree or equivalent are eligible to run as presidential candidates. The Central Electoral Commission will evaluate whether a potential candidate has sufficient knowledge of the Romanian language, in accordance with the Law on Citizenship of the Republic of Moldova.³⁵

The Electoral Code stipulates that the following are ineligible to run as candidates for any office: active military personnel, persons sentenced to prison by a final court decision, persons who have active criminal records for deliberately committed crimes, and private individuals whose right to hold responsible public offices has been removed by a final court decision. Eligible candidates subject to conflict of interest regulations and other special legal rules to prevent the unlawful use of administrative resources must suspend their professional activities during the 30-day campaign period. ³⁶

³² Electoral Code of the Republic of Moldova, Article 189.

³³ Electoral Code of the Republic of Moldova, Article 208.

³⁴ Electoral Code of the Republic of Moldova, Article 200.

³⁵ Electoral Code of the Republic of Moldova, Article 136.

³⁶ Electoral Code of the Republic of Moldova, Article 16.

What are the campaign expenditure and donation limits?

The Central Electoral Commission (CEC) determines the maximum amount of funds that may be used to finance the campaigns of electoral contestants and referendum participants. This amount is equal to 0.1 percent of the revenues set in the state budget law for the year an election will take place.³⁷ For the 2024 presidential elections, the CEC has determined that this amount is 65,830,540 MDL (approximately 3,742,466 USD).³⁸

The CEC also determines the ceiling for funds that an initiative group can use in an election by dividing the equivalent of 0.1 percent of revenues set in the state budget law for the year the when election takes place by 25,000 (the maximum number of signatures necessary for an initiative group to register a political candidate for an election). This quotient is then multiplied by the number of voters on the State Register of Voters on the day the expenditure ceiling is calculated.³⁹ For the 2024 presidential elections, the CEC determined that this figure is 498,610.29 MDL (approximately 28,346 USD).

Political parties that receive funding from the state and choose to create an initiative group ahead of elections may use up to 70 percent of such funds for electoral campaigns.⁴⁰

In accordance with Article 54 of Moldova's Electoral Code, Moldovans may donate up to the equivalent of a total of six months' average wages to support initiative groups and electoral campaigns but cannot give more than 30 percent of their total income from the previous year. Donations made by a public servant are capped at 10 percent of that individual's annual income and may not exceed six months' average wages, which the CEC has been determined to be 82,200 MDL (approximately 4,662 USD). Individuals who receive income only through social benefits may only donate an amount equivalent to one average month's worth of allowance from those sources, which the CEC has determined to be 13,700 MDL (approximately 779 USD). Citizens may make cash donations equal to or less than one average monthly wage for that year; all other donations must be made by bank transfer. Donations in foreign currency coming from foreign banks must be made by legal persons and are limited to the equivalent of 12 average months' wages for that year. Donations from legal entities are also limited to the equivalent of 12 average months' wages. In-kind donations, such as volunteer services, are included in the donation limits, and must be declared at market value; however, the definition of "market value" is not specified in the Electoral Code or statements from the Central Electoral Commission. 41

What is the election management body? What are its powers?

The Central Electoral Commission (CEC) is Moldova's primary electoral management body. ⁴² Its nine members include a chairperson, deputy chairperson, and secretary. ⁴³ One member is appointed by the president of Moldova, and the others are nominated by political parties based on the proportion of

³⁷ Elector<u>al Code of the Republic of Moldova</u>, Article 53.

³⁸ Central Electoral Commission of Moldova. (2024, August 14). <u>HOTĂRÂRE Nr. 2701</u>.

³⁹ Electoral Code of the Republic of Moldova, Article 53.

⁴⁰ Electoral Code of the Republic of Moldova, Article 51.

⁴¹ Electoral Code of the Republic of Moldova, Article 57.

⁴² Electoral Code of the Republic of Moldova, Article 18.

⁴³ Central Electoral Commission of Moldova. (2024). *Componența CEC 2021-2026*.

seats they hold in Parliament.⁴⁴ The chairperson, deputy chairperson, and secretary are elected from among the members of the CEC by an absolute majority; they may be nominated by any CEC member, including themselves.⁴⁵ All CEC members are elected for five-year terms, and there are no term limits. ⁴⁶ However, once the mandates of the current members end in 2026, new provisions for the composition of the commission and the terms of its members will come into force.

The CEC has the power to draw up and approve regulations and instructions for electoral procedures; ensure the exercise and protection of Moldovan citizens' electoral rights; oversee and control financing of political parties and electoral campaigns; ⁴⁷ enforce the Electoral Code; issue decisions on the organization and conduct of elections; compile and verify voters' lists; provide voters with electoral information; examine election-related complaints; tabulate elections at the national level; ⁴⁸ collaborate with other bodies to organize and conduct elections; ⁴⁹ and perform other duties as defined under Articles 25 through 28 of the Moldovan Electoral Code.

Lower-level electoral management bodies include second-level district electoral councils (DECs), first-level DECs, and precinct electoral bureaus (PEBs). DECs are composed of an odd number of members, ranging from seven to 11, one of whom acts as chairperson. The chairperson of the second-level DEC, a permanent position, is appointed in accordance with Law No. 158/2008. Of the other members, two are appointed by the court that has jurisdiction over the area where the DEC is located, two are appointed by the second-level local council that has jurisdiction over the area, and one is appointed by each political party represented in Parliament. First-level DECs are established by second-level DECs and must also consist of seven to 11 people. Two members are nominated by the relevant first-level local council, and all others are nominated by political parties represented in Parliament. For polling stations abroad and on the left bank of the Dniester River, the CEC will establish separate electoral councils headquartered in Chisinau. ⁵⁰ DECs establish and supervise PEBs; enforce the implementation of the Electoral Code; collect and systematize information from PEBs; tabulate district-level election results, draw up reports, and deliver them to the CEC; and carry out other responsibilities.

PEBs are the lowest-level electoral body. They are made up of five to 11 members, three of whom are nominated by the corresponding local council and the others by a political party represented in Parliament (one per party). ⁵¹ PEBs are primarily in charge of receiving, storing, and updating voters' lists and ballot papers; preparing polling stations; organizing voting on Election Day; ensuring order at polling stations; tabulating votes, drawing up reports, and delivering them to the relevant DEC; and other tasks. ⁵²

⁴⁴ Electoral Code of the Republic of Moldova, Article 20.

⁴⁵ Electoral Code of the Republic of Moldova, Article 21.

⁴⁶ Electoral Code of the Republic of Moldova, Article 20.

⁴⁷ Electoral Code of the Republic of Moldova, Article 26.

⁴⁸ Electoral Code of the Republic of Moldova, Article 27.

⁴⁹ Electoral Code of the Republic of Moldova, Article 28.

⁵⁰ Electoral Code of the Republic of Moldova, Article 35.

⁵¹ Electoral Code of the Republic of Moldova, Article 38.

⁵² Electoral Code of the Republic of Moldova, Article 41.

With the exception of the second-level DEC chairpersons, who hold permanent positions, the mandates of members of the DECs and PEBs end once election results have been validated and all outstanding complaints have been resolved.⁵³

All prospective election officials at any level must attend training courses at and receive certification from the Center for Continuous Electoral Training. They may then serve as an official for at least one election, after which they are added to the Register of Electoral Officials. If political parties or local councils fail to nominate members before DECs are formed, the CEC will fill the remaining seats with individuals from the register.⁵⁴

Who can vote in these elections, and how many registered voters are there?

Moldovan citizens aged 18 or older on Election Day have the right to vote unless this right has been voided by a court decision. ⁵⁵ Registration for voting is passive and based on information from the State Register of the Population. ⁵⁶ Citizens on the left bank of the Dniester River are not included in the voters' list but may be added to a supplementary list on Election Day.

As of October 2, 3,302,142 voters were registered to participate in the presidential election and referendum.

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?

The Electoral Code recommends that polling places be established on the ground floor of public buildings and set up to facilitate access to elderly persons and persons with disabilities. Additionally, polling places may be established in hospitals, health resorts, asylums, and elder care homes with at least 30 voters. To Voters who are unable to come to a polling station due to an illness or other reason may request that the relevant Precinct Electoral Bureau select two bureau members to come to their residence with a mobile ballot box and all relevant voting materials. Such requests must be submitted within two weeks of Election Day and until 2 p.m. on the eve of Election Day, or until 2 p.m. on Election Day if a voter submits a medical certificate. To find out if their polling station is accessible to persons with disabilities, voters can check the accessibility map prepared by the Central Election Commission.

To ensure the participation of ethnic minorities, district-level electoral bodies can request that ballot papers be prepared in a language other than Romanian.⁵⁹ Additionally, for this election and referendum the Center for Continuous Training in the Electoral Field has prepared voter education campaigns in the

⁵³ Electoral Code of the Republic of Moldova, Article 46.

⁵⁴ Electoral Code of the Republic of Moldova, Article 35.

⁵⁵ Electoral Code of the Republic of Moldova, Article 32.

⁵⁶ Electoral Code of the Republic of Moldova, Article 60.

⁵⁷ Electoral Code of the Republic of Moldova, Article 38.

⁵⁸ Electoral Code of the Republic of Moldova, Article 80.

⁵⁹ Electoral Code of the Republic of Moldova, Article 73.

Romanian, Russian, Ukrainian, Romani, Bulgarian, and Găgăuz languages, and voter education materials with sign language interpretation and Braille.⁶⁰

Is out-of-country voting allowed?

Out-of-country voting is allowed for the presidential election and referendum.⁶¹ For those voting in person at polling stations abroad, pre-registration is optional.⁶²

For the first time, Moldovan citizens in Canada, Finland, Iceland, Norway, Sweden, and the United States will have the option to cast their votes by mail. Pre-registration is required for this method of voting, and the deadline to do so for the 2024 presidential election and referendum was September 6. A total of 1,986 voters were registered by the deadline, and a total of 1,809 had their registration confirmed: 508 in Canada, 70 in Finland, 26 in Iceland, 127 in Norway, 90 in Sweden, and 988 in the United States.

Who can observe during Election Day? How can they be accredited?

Moldova's Electoral Code allows for the accreditation of both national and international election observers.

National election observers are defined as Moldovan citizens who have the right to vote and are accredited by the proper electoral bodies at the request of a Moldovan civil society association in the electoral field, a training or research institution in the electoral field, or a non-governmental organization in the human rights protection field. To receive accreditation, national observers must submit a request to either a district electoral commission (DEC) or the Central Electoral Commission (CEC) by following the instructions on the CEC website. Those accredited by a DEC may only observe the election in that district.

International observers are defined as Moldovan citizens who are eligible to vote or foreign citizens who represent a foreign electoral authority, an international organization, a foreign government, a foreign civil society organization, or a foreign non-governmental organization in the field of elections or democratic governance. To receive accreditation, international observers must receive a letter of invitation from the CEC or from the Moldovan Foreign Ministry at the request of the CEC. Prospective observers must then follow the instructions on the CEC website to submit the request.

Requests for accreditation must be submitted to the CEC or a DEC no later than seven days before the election. The election management body must either reject or accept a request from a potential national observer no later than five days after receiving it and must reject or accept a request from an international observer no more than 10 days after receiving it, or on Election Day at the latest if the request is submitted less than 10 days before the election.⁶³

⁶⁰ Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights. (2024, October 4). *Interim Report*.

⁶¹ Electoral Code of the Republic of Moldova, Article 2.

⁶² Central Electoral Commission of Moldova. (2024). <u>REGULAMENTUL privind înregistrarea prealabilă</u>.

⁶³ Electoral Code of the Republic of Moldova, Article 88.

Who is managing security on Election Day?

The chairperson of a precinct electoral bureau (PEB) is responsible for ensuring public order at and within 100 meters of the polling station on Election Day and is empowered to make binding decisions in that area. Members of the PEB and the chairperson are also responsible for ensuring that ballot boxes are sealed and ballot papers are secure. Only law enforcement authorities are permitted to maintain a permanent or continuous presence inside a polling station, and police may enter with weapons only if they are casting a vote or have been invited by the PEB chairperson.⁶⁴

Where are vote counting and tabulation held?

After a polling station is closed, the members of the precinct electoral bureau (PEB) must remain on its premises until the vote counts are finalized. This begins with PEB members determining the number of voters by counting the signatures on voters' lists and canceling any unused ballot papers. Next, the PEB chairperson opens the ballot boxes in the presence of poll workers and authorized observers. The PEB members then count the ballots for each electoral competitor or referendum option separately. Once the results have been established, they are recorded in a protocol, and a report is drafted for the district electoral council (DEC). PEBs within Moldova and abroad must deliver ballot papers, voters' lists, and other electoral materials to the DEC by non-electronic and electronic means using the State Automated Information Elections System "Elections". After receiving the protocols and other materials from the entire electoral district, the DEC will tabulate the votes and record the results at its office.

In the case of presidential elections, results will be given to the Central Electoral Commission (CEC) and displayed at the entrance of the DEC premises.⁶⁷ Thereafter, the CEC is responsible for tabulating the final election results at its premises.⁶⁸

When will the official results be announced?

Upon receipt from all district electoral councils, the Central Electoral Commission (CEC) must tabulate all votes. It must then inform the public of the results as soon as possible, so long as they have not been affected by complaints submitted to the CEC or Constitutional Court.⁶⁹

Once the CEC has established that one presidential candidate has received at least half of the votes cast, it must declare the election valid and the winning candidate elected. The CEC must then send a signed record of the voting results in protocols and a CEC decision on the summary of results to the Constitutional Court within 24 hours of the tabulation of votes. 70 Within 10 days of receiving the

⁶⁴ Electoral Code of the Republic of Moldova, Article 80.

⁶⁵ Electoral Code of the Republic of Moldova, Article 81.

⁶⁶ Central Electoral Commission. (2017). <u>Central Electoral Commission – 20 Years of Permanent Activity</u>.

⁶⁷ Electoral Code of the Republic of Moldova, Article 84.

⁶⁸ Electoral Code of the Republic of Moldova, Article 85.

⁶⁹ Electoral Code of the Republic of Moldova, Article 86.

⁷⁰ Electoral Code of the Republic of Moldova, Article 147.

documents, the Constitutional Court must adopt a decision confirming or rejecting the election results and the election of a candidate, which must be published immediately.⁷¹

In the case of a referendum, the CEC must submit a signed record of the voting results in protocols to the Constitutional Court within 24 hours of the tabulation of votes. The Constitutional Court then has 10 days to examine the documents and adopt a decision confirming or denying the referendum results.⁷²

How will election disputes be adjudicated?

Individuals, political parties, candidates, initiative groups, and referendum participants wishing to register a complaint related to the organization and conduct of elections must submit such a request in writing, either by post or electronically, ⁷³ to the competent authority defined under Articles 91, 97, and 98 of the Electoral Code. During the electoral period, complaints must generally be submitted within three days of when an offense is identified, ⁷⁴ although there are specific deadlines and regulations for some requests as defined in Article 95 of the Electoral Code. After a complaint is submitted, the competent authorities must examine and issue a ruling within three days, but no later than Election Day. ⁷⁵ Some exceptions are defined in Article 100 of the Electoral Code. Appeals to the ruling of the competent authority on a complaint must also be submitted to the competent Court, defined in Article 98 of the Electoral Code, within three days of that decision. ⁷⁶ Thereafter, the Court has three days to examine and rule on the appeal. ⁷⁷

⁷¹ Electoral Code of the Republic of Moldova, Article 148.

⁷² Electoral Code of the Republic of Moldova, Article 207.

⁷³ Electoral Code of the Republic of Moldova, Article 92.

⁷⁴ Electoral Code of the Republic of Moldova, Article 95.

⁷⁵ Electoral Code of the Republic of Moldova, Article 100.

⁷⁶ Electoral Code of the Republic of Moldova, Article 95.

⁷⁷ Electoral Code of the Republic of Moldova, Article 100.

Resources

- Electoral Code of the Republic of Moldova (2022) English Translation
- Constitution of the Republic of Moldova
- ODIHR Election Observation Mission Final Report Republic of Moldova Local Elections November 5, 2023

About IFES in Moldova

The International Foundation for Electoral Systems (IFES) implements a program of electoral assistance in Moldova under funding provided by the United States Agency for International Development. IFES first worked in Moldova in 1994. Alongside state and independent local partners, IFES provides technical assistance through international good practice that supports the organic development of democratic elections and political culture.

Disclosure

These FAQs reflect decisions made by the Central Electoral Commission of the Republic of Moldova as of [publication date], to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.