

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 443 (2020)¹ Local elections in the Republic of Moldova

1. Following the invitation by the authorities of the Republic of Moldova to observe local elections held in the country on 20 October 2019, the Congress of Local and Regional Authorities of the Council of Europe refers to:

a. Article 1, paragraph 2, of the Charter of the Congress of Local and Regional Authorities appended to Committee of Ministers' Statutory Resolution CM/Res(2020)1 relating to the Congress of Local and Regional Authorities of the Council of Europe and the revised Charter appended thereto;

b. the principles laid down in the European Charter of Local Self-Government (ETS No. 122), which was ratified by the Republic of Moldova on 2 October 1997;

c. Chapter XIX of the Rules and Procedures of the Congress on the practical organisation of election observation missions.

2. It reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance. Observation of grass-roots elections is a key element in the Congress' role as guardian of democracy at local and regional levels.

3. The Congress welcomes the fact that polling day was, apart from some incidents, calm and orderly and the elections were, by and large, effectively administered, following a generally free, though rather low-key, campaign prior to the second round.

4. The Congress recognises the efforts made by the Moldovan authorities to improve the legal framework for elections, in particular amendments aiming at a better regulation of financing of political parties and regulation of campaign activities, though the amendments were adopted shortly before the elections, contrary to the Code of Good Practice in Electoral Matters of the European Commission for Democracy through Law (Venice Commission).

5. In the light of the above, the Congress invites the Moldovan authorities to overhaul the legal framework, notably to eliminate inconsistencies and close loopholes, and further optimise the practical side of electoral management, in particular to:

a. revise the overly restrictive provisions related to the registration of independent candidates in order to provide a level playing field for all contestants running in local elections,² notably by bringing the required threshold of signatures collected, as well as other pertinent provisions, into line with the Venice Commission's Code of Good Practice in Electoral Matters;

b. undertake measures to strengthen the participation of women in politics both as voters and candidates, notably through implementation of the legal quota rules on a minimum of 40% of representatives of both sexes on the candidate lists and the introduction of prioritisation rules for women candidates;

c. establish clarity between the legal terms "domicile" and "temporary residence", to avoid concerns related to supplementary voters' lists on election day and to tackle the issue of "artificial voter migration";

d. further strengthen the supervisory and enforcement mechanisms of the various bodies responsible for administration of elections, monitoring of the media and supervision of financial matters, including better harmonisation of their roles, with regard to the implementation of provisions regulating financing of political parties and campaign activities and concerning the impartiality of media coverage during electoral campaigns;

e. consider introduction of measures aiming at greater participation of candidates for mayor of the capital city in the pre-election media debates;

f. improve accessibility of polling stations to support participation of voters with impaired mobility or other disabilities.

6. The Congress calls on the Committee of Ministers, the Parliamentary Assembly and other relevant institutions of the Council of Europe to take account of this recommendation regarding the 2019 local elections in the Republic of Moldova and of the explanatory memorandum in document [CG-FORUM\(2020\)01-04](#) in their activities relating to this member State.

1. Debated and adopted by the Statutory Forum on 28 September 2020 (see Document [CG-FORUM\(2020\)01-04](#)), explanatory memorandum), rapporteur: Vladimir PREBILIC, Slovenia (L, SOC/G/PD).

2. Recommendation 375 (2015) and Resolution 382 (2015) on criteria for standing in local and regional elections.