

STATUTORY FORUM

Local elections in the Republic of Moldova (20 October 2019)

Recommendation 443 (2020)¹

1. Following the invitation of 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 refers to:

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

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 XVIII 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 grassroots elections is a key element in the Congress' role as guardian of democracy at local and regional level.

3. The Congress welcomes the fact that the 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 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 Venice Commission's Code of Good Practice in Electoral Matters.

5. In the light of the above, the Congress invites the 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 to all contestants running in local elections,² notably put the required threshold of collected signatures, as well as other pertinent provisions, in line with the Venice Commission's Code of Good Practice in Electoral Matters;

¹ Discussion and adoption 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.

b. undertake measures to strengthen the participation of women in politics as voters and candidates, notably, through implementation of the legal quota rules on a minimum of 40% for both sexes on the candidate lists and 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 oversight and enforcement powers of bodies responsible for administration of elections, monitoring of the media and supervision of financial matters, including a 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 better 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 their activities relating to this member State.