

ELECTION OBSERVATION MISSION
ELECTIONS TO THE PEOPLE'S ASSEMBLY OF GAGAUZIA
19 SEPTEMBER 2021

INTERIM REPORT
3 August – 3 September 2021
www.pilgrim-demo.org.md



Kingdom of the Netherlands



**National Endowment
for Democracy**

Supporting freedom around the world

This publication is financed by the Embassy of the Netherlands in Bucharest and the National Endowment for Democracy. Opinions and conclusions expressed in this publication belong to their authors and do not necessarily reflect the opinion of the Embassy of the Netherlands in Bucharest the Netherlands in Bucharest and the National Endowment for Democracy.

I. EXECUTIVE SUMMARY

- The People's Assembly of Gagauzia (PAG) elections were initially scheduled for 16 May 2021 and the candidates' registration commenced, but due to the 31 March declaration of the state of emergency the electoral process was temporarily suspended. The 19 September PAG elections take place after a profound change on the Moldovan political landscape following the results of the 11 July early parliamentary elections, which brought a firm victory of the Action and Solidarity Party (PAS).
- The Electoral Code of Gagauzia was last amended on 16 July 2021, less than two months before elections. The changes include a substantial reform of the electoral administration, decreasing the number of the District Election Commissions (DEC) from 35 to 3.
- The PAG deputies are elected in 35 single mandates constituencies, through a majoritarian system, where the winning candidate must receive more than fifty per cent of valid votes cast. If no candidate obtains such a majority, a second round of election is to be held between the two leading candidates. Sizes of the constituencies differ to the extent it distorts the principle of equality of vote.
- The elections to the PAG are managed by the Central Election Commission of Gagauzia (CEC), 3 DECs and 66 Precinct Election Bureaus (PEB). The CEC is a permanent body, appointed for 5 years, which approves the composition and coordinates the activities of lower-level election administration bodies, supervises the enforcement of the Electoral Code and provides further regulatory framework. The current CEC was appointed on 26 January 2021.
- The CEC of Gagauzia is in charge of compiling the Registry of Voters of Gagauzia but does not have access to the State Registry of Voters maintained by the CEC of the Republic of Moldova. The voters' lists are compiled for each precinct by local public authorities and consequently are presented by PEBs for public scrutiny no later than 20 days before elections.
- The CEC registered 122 candidates, of whom 18 are women. 21 candidates represent the electoral bloc of Communists and Socialists (BeCS) and 2 candidates represent the Party "Build Europe at Home" (PACE); the rest of the candidates registered as independent.
- The campaign is low key, with some of the candidates reaching out to voters via direct meetings, leaflets and social media, especially Facebook. In general the candidates put little emphasis on electoral programs, presenting instead their former accomplishments, which improved the life of their communities, and highlighting their family and religious values. Isolated cases of black PR were noted.
- The CEC established that the total amount of donations received by a candidate could not exceed 40 MDL per number of voters in a constituency. Candidates are required to receive donations and incur expenditures only through a dedicated bank account. The

bank fees for opening an electoral account rose sharply over the last few months. The candidates need to submit weekly financial reports, which are published at the CEC website.

- CEC received one complaint on a candidate for alleged violation of the Electoral Code provisions requiring the politicians holding elected positions in ATU Gagauzia to suspend their duties from the moment of registration as candidates. The CEC and consequently the Comrat Appeal Court dismissed the complaint as unfounded. A prospective candidate appealed to the Comrat Appeal Court the CEC decision to reject his registration. The case is pending the adjudication.

II. INTRODUCTION

The public association PILIGRIM-DEMO monitors the elections of the People's Assembly of Gagauzia (PAG) of 19 September 2021. The monitoring is carried out within the framework of the project Promoting free and fair elections in Gagauzia – Election observation effort of Piligrim-Demo for elections to the People's Assembly of Gagauzia in 2021, implemented with the financial support of the Embassy of the Kingdom of the Netherlands in Bucharest and the National Endowment for Democracy.

Observation commenced on 3 August 2021, and will continue until the validation of the election results. The team of experts assesses the compliance of the elections with the current legislation of Gagauzia and Moldova, as well as with the pertinent international standards and commitments. The Election Observation Mission (EOM) monitors functioning of the electoral bodies, the campaign of electoral contestants, and the process of election disputes' resolutions.

The mission is composed of two international experts working remotely and three Long Term Observers (LTOs) deployed to the three districts of Gagauzia: Comrat, Ceadir-Lunga and Vulcanesti. The mission members meet with the representatives of the electoral and local administration, candidates, representatives of the civil society, and media. Some of the meetings take place via video-conferencing platforms. Short Term Observers (STO) will be deployed to the polling stations on election day(s) to monitor opening of polling stations, the voting process, closing of polling stations, counting of votes and the aggregation of results in the District Election Commissions (DEC).

III. BACKGROUND AND POLITICAL CONTEXT

The Autonomous Territorial Unit of Gagauzia (ATU Gagauzia) is governed pursuant to the Law on the Special Legal Status of Gagauzia (Autonomy Law) and the Legal Code (*ulozhenie*). According to the latter, legislative power of the Autonomy is vested with the PAG - *Gagauzianin Khalk Toplushu*, composed of 35 deputies elected in direct suffrage for a four-year mandate. Of the PAG deputies elected in 2016, six have been affiliated with the

Party of Socialists of the Republic of Moldova (PSRM) and one with the Democratic Party of Moldova (PDM), the rest have been independent. There are only three women deputies in the outgoing PAG. The head of Gagauzia is *bashkan*, who leads the executive and is an ex officio member of the Moldovan Government. The incumbent *bashkan*, Irina Vlah, was elected for her second term in 2019, winning 91.2 per cent of votes in the first round.

The PAG elections were initially scheduled for 16 May 2021 and the candidates' registration – which is to start 60 day before elections – commenced. However, on 31 March the Parliament of Moldova declared a state of emergency citing the pandemic situation. Pursuant the decision, the electoral process was suspended in accordance with the State of Emergency Law.¹ On 28 April, the Constitutional Court annulled the state of emergency. Consequently, President Maia Sandu dissolved parliament, for it had declined twice to approve a new government, and called for early elections on 11 July.²

The elections' results brought a profound change on the Moldovan political landscape and a firm victory of the Action and Solidarity Party (PAS), which won 52.8 per cent of the vote (63 of the 101 parliamentary seats). Only two other parties crossed the thresholds: the Electoral Bloc of Communists and Socialists (BeCS) - 27.2 per cent of votes and hence 32 seats and Şor Party - 5.7 per cent of votes and 6 seats. The countrywide results are in the stark difference to those the electoral contestants obtained in Gagauzia, where BeCS received 80.75 per cent of votes, Bloc Renato Usatîi (BeRU) – 4.86 per cent and the PAS - 4.14 per cent.

IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The electoral legal framework is regulated by the Electoral Code of Gagauzia from 31 July 2015. The Electoral Code established the Central Election Commission (CEC), as a permanent election management body of the ATU.

The Electoral Code was last amended on 16 July 2021, less than two months before elections, against the electoral good practice. The changes include a substantial reform of the electoral administration, decreasing the number of the District Election Commissions (DEC) from 35 to 3.³ Furthermore, the provisions stipulating that a voter whose domicile and residence addresses differ should vote in PAG elections in the place of residence, were changed assigning the voter to the voter list of its domicile (Electoral Code Art. 9.2 and Art. 39.7). On 4 August, the Appeal Court of Comrat repealed the amendments related to the place of vote.⁴ The Court's decision has been appealed to the Supreme Court of Justice.

¹ [Law № 212 on the State of Emergency](#) from 24 June 2004, Art. 5.1.

² According to the Constitution, the president nominates a prime minister after consultations with parliamentary factions. The president dissolved the parliament in accordance with the Constitution for it declined twice to approve a new government.

³ 2002 Venice Commission Code of Good Practice in Electoral Matters, Section II.2.b. The fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election, or should be written in the constitution or at a level higher than ordinary law.

⁴ Appeal Court of Comrat Decision №3-19/2021 from 4 August 2021.

The PAG deputies are elected in 35 single mandates constituencies, through a majoritarian system, where the winning candidate must receive more than fifty per cent of valid votes cast. If no candidate obtains such a majority, a second round of election is to be held between the two leading candidates. The elections need to be repeated if less than a third of voters registered in a constituency cast their votes.

According to the Electoral Code a deputy of the PAG represents 5,000 voters, but each locality should have no less than one deputy. Such provisions lead great differences in the number of voters in constituencies, with the biggest constituency having 5,648 voters (Comrat constituency #2) and the smallest 418 voters (Karboliya).⁵ Such division of constituencies distorts the principle of equality of vote.⁶

V. THE ELECTION ADMINISTRATION

The elections to the PAG are managed by the CEC of Gagauzia, 3 DEC and 66 Precinct Election Bureaus (PEB). The CEC is a permanent body, appointed for 5 years, which approves the composition and coordinates the activities of lower-level election bodies, supervises the enforcement of the provisions of the Electoral Code and provides further regulatory framework.

The composition of the CEC is approved by the PAG and composed of nine members equally nominated by the PAG, the Executive Committee of Gagauzia and the courts of Comrat, Chadir-Lunga and Vulkaneshti districts. Members of the CEC cannot be members of political or civic organizations and should refrain from engaging in political activities.

The current CEC was appointed on 26 January 2021. The Comrat Territorial Bureau of the State Chancellery challenged the legality of the CEC appointment in the Comrat Administrative Court.⁷ According to the Chancellery, the PAG's decision on the CEC appointment violated the Election Code of Gagauzia, which provides that nominees to the CEC seconded by the executive as well as from the judiciary cannot be declined and should be automatically approved⁸. On 18 August the plaintiff withdrew its charges. A number of EOM interlocutors opined that the manner of nomination of the CEC members does not

⁵ See [DECs Protocols for 2016 GPA elections](#).

⁶ The Venice Commission, in Section I.2 of its [Code of Good Practice in Electoral Matters](#), recommends that "seats must be evenly distributed among constituencies", whereas Section I.22.iv of the Explanatory Report provides that "[t]he permissible departure from the norm should not be more than 10%, and should certainly not exceed 15% except in special circumstances". Paragraph 21 of [General Comment 25 to Article 25 of the ICCPR](#) provides that "[...] The principle of one person, one vote, must apply, and within the framework of each State's electoral system, the vote of one elector should be equal to the vote of another. The distribution of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group [...]".

⁷ Comrat Territorial Bureau of the State Chancellery is headed by the Representative of the Government of Moldova in ATU Gagauzia

⁸ Article 16 also stipulates that the candidates should comply with the requirements of the Election Code further specified in the Art 20.

ensure the Commission's neutrality, especially if political affinities of the Executive Committee coincide with those of majority of the PAG.

According to the Electoral Code of Gagauzia, the CEC sessions should be open to observers and media with the announcements of the session made 48 hours in advance. During the electoral period the urgent sessions may be announced within a shorter timeframe. For these elections, the CEC announced its sessions on its website and via a Viber group either a day before or on the day of the session. The CEC sessions observed by EOM were generally short and the decisions were adopted unanimously and without deliberation. The CEC decisions and resolutions have been published on its website; CEC also published the decisions and resolutions adopted by DEC.

The CEC raised concerns about its scarce human resources. The Commission's secretariat has only six employees, including technical staff. The reform of the election administration, decreasing the number of DECs was – according to the CEC – dictated by budgetary reasons. All the DEC expressed confidence in their capacity to fulfill the increased volume of work and only one of the three reported the increased workload pressure.

DECs consist of 7 to 11 members, nominated by local government bodies, among which at least two members should have law or public administration degree.⁹ In case of lack of candidates, the CEC appoints DEC members from its registry of qualified election professionals. The CEC established DECs in Comrat, Chadyr-Lunga and Vulkaneshti on 28 July. The DEC sessions were not always announced in advance, and sessions attended by the LTOs were assessed as short and formalistic at times.

On 20 July the CEC established 35 electoral constituencies that coincide with the administrative division of the autonomy. Election precincts are established by DECs no later than 45 days prior to the voting day and include from 30 to 3,000 voters. PEBs are formed no later than 25 days prior to the voting day and should be composed of 5 to 11 members, depending on the number of voters within a given precinct. The local councils provide the lists of candidates for PEB members to be approved by the DECs.¹⁰ All PEBs have been established by the deadline of 26 August. Due to the COVID-19 pandemic, until the election day(s) PEBs located in the premises of schools and kindergartens will have a seat in local administration buildings.

The CEC Moldova and its Centre for Continuous Electoral Education (CICDE) delivered trainings for all DEC members and trainings for PEB members have been scheduled. The CICDE also developed and published manuals for DEC and PEB members, including detailed instruction on COVID-19 prevention measures to be applied during elections.¹¹

⁹ In case of the DECs the public governance body is the district administration (*rayonnaya administratsiya*) which is a non-elected body representing the Executive Committee at the district level.

¹⁰ Special precincts can be established in hospitals, sanatoria, elderly houses and other places with at least 30 voters. Military personnel votes in ordinary PEBs outside of the military unit.

¹¹ The trainings and publications are supported by the Council of Europe.

The CEC of Gagauzia is not part of the national election administration system and is not reflected in the national electoral legal framework. Hence, during elections within autonomy the election administration does not employ the State Automated Information System “Elections” (SAISE) - an electronic tool used in national elections for voter registration, managing the data and documentation on election administration bodies, registration of candidates and observers, and submission of campaign finance reports by the contestants. The fact has implications especially for the voter registration process. (*See: Voter Registration*)

VI. VOTER REGISTRATION

Citizens of the Republic of Moldova, permanently residing within ATU Gagauzia, and who are 18 or older, have the right to vote. Convicts, regardless of the gravity of committed crime, and legally incapacitated persons are deprived of the right to vote. These blanket restrictions are contrary to international standards and good practice.¹²

By law, the CEC of Gagauzia is in charge of compiling the Registry of Voters of Gagauzia but does not have access to the State Registry of Voters maintained by the CEC of the Republic of Moldova.¹³ The local public authorities provide the CEC with annual updates of the voters' lists prepared on the basis of citizens' permanent residences (domiciles). The voters' lists are compiled for each precinct by local public authorities and consequently are presented by PEBs for public scrutiny no later than 20 days before elections and posted on the website of the CEC. Complaints regarding the accuracy of the voter lists can be lodged until a day before election day with the PEB, whose decisions can be appealed to the courts. Along with main voter lists, additional voters lists are compiled by the PEBs on election day. Until one day before elections voters may request the possibility of mobile voting.

On 16 July the PAG issued a resolution that taking into consideration effective spending of public funds and the depopulation of Gagauzia, the CEC should ensure a strict monitoring of the voters' lists formation so that the number of voters registered per locality for 19 September PAG elections does not exceed that of 2019 *Bashkan* elections.¹⁴ Consequently, on 20 July the CEC distributed a letter to the heads of local public administration instructing them to update the voter lists in line with the provisions of the PAG resolution. The latter was appealed to the Appeal Court of Comrat, which revoked the resolution on 4 August.¹⁵

¹² Paragraph 24 of the 1990 OSCE Copenhagen Document provides in part that “any restriction on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of the law”. CoE Code of Good Practice paragraph 1.1 d “deprivation of the right to vote and to be elected must be based on ... a criminal conviction for a serious offence”.

¹³ Art 38 of the Election Code of Gagauzia. The CEC informed EOM that in practice the Registry of Voters for Gagauzia does not exist.

¹⁴ There is a stark difference between the number of voters on the voters' lists for Moldovan and Gagauz elections. The number of voters registered for the 2019 *Bashkan* elections amounted to 106,435, whereas the number of eligible voters in Gagauzia for 11 July 2021 early parliamentary elections was 129,910.

¹⁵ Appeal Court of Comrat Decision №3-19/2021 from 4 August 2021.

Various interpretations were given by the local authorities met by EOM as to the actions that need to be undertaken in the course of voter lists' verification. While some informed that they would only remove the deceased and add those who turned 18, others stated they would remove from the voter lists the citizens who do not live in a locality for more than five years. The latter argued that if the voters excluded from the list come to vote on the election day, they can always be included in additional voters' lists. The practice of removal from the voter list of the voters, who do not live within ATU Gagauzia for some time was confirmed by several EOM interlocutors, who noted that the practice is related to the provision of 33 per cent turnout requirement (*See: Electoral System and Legal Framework*).

Changes of residence shortly before elections are perceived by some of the EOM interlocutors as a tool for manipulation of voter lists and essentially for securing the electoral victory by a candidate. In these elections the case of recent registration of a number of citizens in an apartment building in Budgeac raised allegations of electoral manipulation. The owner of the building who runs in PAG elections from Budgeac constituency denies allegations.¹⁶ *Bashkan* of Gagauzia called the newly registered citizens of Budgeac to return to their original domiciles and stated they would not be allowed to vote in the new place of residence.¹⁷

VII. REGISTRATION OF CANDIDATES

The nomination of candidates starts 60 days before and ends 30 days before election day. Candidates can nominate themselves (independent candidates) or be nominated by a political party, a civic organization, an electoral block or an initiative group. Parties, electoral blocs and civic organisations may nominate only one candidate per each electoral district. A person can be a candidate from only one constituency.

Candidates should collect no less than 100 and no more than 150 support signatures on the templates provided by the CEC in order to be registered.¹⁸ Pursuant the CEC Regulation on Support Signatures if a voter signs for more than one candidate, only the signature that was given first is considered valid.¹⁹

The CEC registered 122 candidates, of whom 18 are women. In 64 per cent of constituencies (19) there are solely male candidates on the ballot. 21 candidates represent the electoral bloc of Communists and Socialists (BeCS), 2 candidates represent the Party "Build Europe At

¹⁶ According to the primar of Budgeac around 450 voters were registered in the apartment building (Pavlov str, 5) between December 2020 and April 2021, which would constitute 70 per cent of increase of the village electorate since the initial number of registered voters was 615. According to the Budgeac candidate Vladimir Kyssa, this relocation of voters aims to manipulate the elections' results in favour of Mr. Kyssa's competitor and the building owner - Aleksandr Chendighelean.

¹⁷ [Башкан Гагаузии Ирина Влах встретила с советниками Бужака](#), GRT, 17 August 2021.

¹⁸ If the number of voters registered in a given district is smaller than 500, a candidate may submit minimum 50 and maximum 75 signatures supporting his candidacy.

¹⁹ CEC Regulation on Compilation and Verification of Support Signatures (№287/63 from 1 February 2019).

Home” (PACE); the rest registered as independent candidates.²⁰ The biggest number of candidates, i.e. seven, registered in Comrat constituencies #1 and #4. The voters in the Kotovscoe constituency are presented with no electoral choice as only one candidate runs there for the PAG.²¹

Three candidates were denied registration due to – respectively – insufficient number of presented support signatures, submission of incomplete documentation after the registration deadline, and due to submission of support signatures from citizens who had vouched their support before for another candidate. In the latter case, the prospective candidate appealed the CEC decision to the Comrat Appeal Court. (*See: Complaints and Appeals*)

VIII. CAMPAIGN ENVIROMENT

A candidate can campaign from the moment of completion of the registration process until the electoral silence, which starts 24 hours before the election day, which means the length of campaign varies for each candidate, distorting a level playing field. The electoral good practice recommends the commencement of campaign period after the completion of the candidates' registration.²²

The law provides candidates with an equal access to the public venues for holding meetings and rallies. Furthermore, all localities need to secure a place for display of candidates' agitation materials. The Electoral Code explicitly prohibits the misuse of administrative resources for campaign purposes.

Over the monitoring period the campaign was low key, and some of the candidates the EOM spoke with informed they would start their campaign activities closer elections' date. Those who started their campaign already reach out to the voters via direct meetings, leaflets and social media, especially Facebook. A few candidates organized social actions such as cleaning of public spaces or repairing local roads.

²⁰ The Moldovan Law on Political Parties provisions requiring for a political party registration 4,000 members and a territorial representations comprised of at least 120 members in each of at least half of Moldova's 32 districts were found unconstitutional ([Constitutional Court Decision from 25 February 2020](#)). Although [the amended provisions](#), decreasing the required size of the membership to no less than 1,000 and abrogating the requirement of territorial representation in at least 16 districts, would allow for parties of regional character on the territory of Gagauzia, none of the registered candidates represents a party of a regional level (*See: Candidates registration*).

²¹ In Budgeac constituency appeared the phenomenon of identical names of prospective candidates; apart from the incumbent PAG Vladimir Kyssa and the businessman Aleksandr Chendighelean, another Aleksandr Chendighelean registered as candidate and later resigned from the candidacy, whereas the rejection of registration of another Vladimir Kyssa (DoB 1963) has been appealed.

²² Paragraph 7.6 of the 1990 OSCE Copenhagen Document calls on participating States to ensure that contestants are able to compete with each other on a basis of equal treatment before the law and by the authorities. Section I.1.3v of the 2002 Venice Commission Code of Good Practice in Electoral Matters provides that validation of signatures must be completed by the start of the election campaign.

In general the candidates put little emphasis on electoral programs, presenting instead their former accomplishments, which improved the life of their communities, and highlighting their family and religious values. The majority of interlocutors were of the opinion that the victory in the PAG elections depends more on candidates' reputation, then on their programs. The candidates exhibit little interest in electoral debates and often do not appear on those organized by the local public broadcaster – Radio Television Gagauzia (GRT), limiting the voters' opportunity to make a well-informed choice.

Some of the candidates employed in civil service capitalize on the possibilities to appear on public events together with the *bashkan*. Although a number of candidates informed EOM about different means of pressure the candidates and their supporters are ready to exert on voters, no evidence of undue influence on voters' choice was presented thus far. Isolated cases of black PR were noted.

IX. CAMPAIGN FINANCE

The Electoral Code of Gagauzia and the CEC Instruction on Campaign Finance No 29/8 adopted on 24 September 2016 regulate campaign finance. PAG candidates are not entitled to public funding but can receive donations from private persons and legal entities from the territory of ATU as well as use their own funds. The law provides for the ceiling on total amount of received donations, which the CEC established for these elections at the level of 40 MDL per number of voters in a constituency. Donations from foreigners, publicly funded organizations, anonymous persons as well as charity, religious and professional organizations are forbidden. The Election Code provides that the financial and other types of material means used in the campaign should be declared and published in the media; registered candidates should announce those means before using them.

All contestants in PAG elections – independent candidates, parties, civic organisations and electoral blocs - should open separate bank accounts to manage campaign finances. All donations and expenditures should be processed through the dedicated bank account. The bank fees for opening the electoral account rose sharply over the last few months. Whereas until the beginnings of 2021 the bank fee amounted 50 MDL, currently the candidates need to pay 5,000 MDL for opening a bank account for campaign financing.²³ Reportedly, of the banks on the territory of the ATU only *Energbank* provides free of charge the service of opening the electoral account for candidates. Several EOM interlocutors raised a concern that the increase of bank fees may have prevented many candidates from opening the electoral accounts, which can decrease the transparency of campaign finance. Candidate's decision not to open a bank account needs to be communicated to the CEC. According to the CEC, some 80 per cent of the candidates will not open an electoral account.²⁴

²³ Reportedly 4,000 MDL is needed to close the account after elections.

²⁴ The BeCS opened one joint electoral account for all its PAG candidates and has been presenting joint weekly financial reports.

The candidates need to submit weekly financial reports, which are published at the CEC website. According to the Election Code, the CEC publishes a summary of the candidates' financial report two days before elections. CEC is the campaign finance oversight body. The Commission informed the EOM it does not scrutinize the weekly reports and will only verify the submitted information at the stage of preparing the final campaign finance reports.

X. COMPLAINTS AND APPEALS

The Electoral Code establishes the mechanism for complaints and appeals, which is further regulated by the Gagauzia CEC Regulation on complaints. The right of complaint on decisions, actions, and inactions of election administration bodies as well as on actions and inactions of electoral contestants is extended to candidates and voters. The burden of proof lies with the complainant, except in cases of complaints on decisions of election administration bodies. In cases of infringements of the Electoral Code by voters and candidates, sanctions and punishments provided in the Contravention Law and Criminal Code apply respectively.²⁵

On 17 August a candidate Aleksandr Chendighelean filed a complaint to the CEC on his competitor in Budgeac constituency – Vladimir Kyssa, who is also the incumbent Chairperson of the PAG. The plaintiff calls for the deregistration of Mr. Kyssa for alleged violation of the Electoral Code provision requiring the politicians holding elected positions in ATU Gagauzia to suspend their duties from the moment of registration as candidates. The CEC and consequently the Comrat Appeal Court dismissed the complaint as unfounded.²⁶

The Electoral Code provisions do not provide a clear jurisdiction for election disputes related to actions, inactions and decisions of election administration bodies. The CEC is mandated to consider and adjudicate on complaints on DEC's and PEB's (EC Art 26.1.n) and at the same time the complaint can be submitted to a superior election administration organ, and subsequently appealed to the respective court (EC Art 66.) On election day the decisions of PEB's related to the right to vote or election's administration, can be appealed directly to the court.

On 23 August Vladimir Kyssa (DoB 1963) appealed to the Comrat Appeal Court the CEC decision to reject his registration. Mr. Kyssa was not registered for some of his support signatures came from citizens who had vouched their support for another candidate, and were hence considered invalid. The CEC accepted only 92 of the submitted support signatures – a number insufficient for the candidate's registration. The CEC informed the EOM that the support signatures of Mr. Kyssa were sent to the prosecutor's office for investigation. On 2 September the Appeal Court of Comrat repealed the CEC decision and obliged the CEC to register Vladimir Kyssa (DoB 1963) as a candidate. The CEC appealed the decision to the Supreme Court of Justice.

²⁵ Contravention Law Art. 47-53 and Criminal Code Art. 181-182.

²⁶ See the [CEC Decision from 19 August 2021](#).