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## Anti-corruption check report: LAW.pdf

### Critical Flags

17

1. **Невизначеність щодо сумнівів у дійсності бюлетеня** [Source >](#)  
Фраза 'якщо у членів дільничної виборчої комісії виникають сумніви щодо дійсності бюлетеня для голосування' є невизначеною і може призвести до різних тлумачень. Відсутність чітких критеріїв для визначення дійсності бюлетеня може створити можливості для маніпуляцій та корупційних дій.
2. **Невизначеність щодо умов анулювання результатів голосування** [Source >](#)  
У статті 36, пункт 5 зазначено, що Центральна виборча комісія може оголосити результати голосування недійсними, якщо встановлені об'єктивні обставини порушень під час виборів. Однак, не визначено чітких критеріїв, що саме вважається об'єктивними обставинами порушень, що може призвести до суб'єктивного трактування та зловживань.
3. **Відсутність детального фінансового обґрунтування витрат** [Source >](#)  
У статті 16 зазначено, що витрати на організацію та проведення голосування поштою покриваються з державного бюджету, але не надано детального фінансового обґрунтування цих витрат. Відсутність конкретних розрахунків та обґрунтувань може призвести до неефективного використання бюджетних коштів та створює ризик корупції.
4. **Невизначеність щодо впровадження та оцінки пілотного проекту** [Source >](#)  
Закон передбачає пілотне впровадження голосування поштою для оцінки його доцільності для постійного використання. Однак, не визначено чітких критеріїв оцінки успішності пілотного проекту, що може призвести до суб'єктивних рішень щодо його подальшого впровадження. Відсутність конкретних джерел фінансування та обсягів витрат створює ризики для корупції через можливість непрозорого розподілу бюджетних коштів.
5. **Невизначеність щодо процедур зберігання та обробки конвертів з бюлетенями** [Source >](#)  
Закон передбачає, що детальні виборчі процедури для забезпечення безпеки голосування, зберігання та цілісності конвертів з бюлетенями будуть встановлені регламентом, затвердженим Центральною виборчою комісією. Однак, відсутність чітких процедур у самому законі може призвести до неоднозначностей та можливих зловживань.
6. **Невизначеність у визначенні цифрової та людської верифікації виборців** [Source >](#)  
Процедури цифрової та людської перевірки виборців описані недостатньо детально, що може призвести до неоднозначного тлумачення та можливих зловживань. Наприклад, не вказано конкретні кроки для перевірки додаткової інформації з реєстру населення або як саме здійснюється людська перевірка через електронні засоби зв'язку. Відсутність чітких технічних стандартів може дозволити маніпуляції з результатами верифікації.
7. **Відсутність чітких процедур для виключення з виборчого списку** [Source >](#)  
У статті 18, частина 7, зазначено, що виборець виключається з виборчого списку для голосування поштою, якщо він скасує реєстрацію або якщо конверт з бюлетенями не надійде до виборчого органу за три дні до дня виборів. Однак, не вказано чітких процедур для перевірки та підтвердження цих умов, що може призвести до зловживань та маніпуляцій. Також не передбачено чітких процедур для повідомлення виборця про це та можливості оскарження такого рішення.
8. **Невизначеність критеріїв для відмови у реєстрації** [Source >](#)  
У статті 18, частина 6, зазначено, що реєстрація може бути відхилена за 'іншими об'єктивними критеріями, зазначеними в адміністративних актах Центральної виборчої комісії'. Відсутність конкретних критеріїв створює ризик суб'єктивного трактування та можливість зловживань. Це створює ризик для корупції, оскільки критерії можуть бути змінені або інтерпретовані на користь певних осіб або груп.
9. **Відсутність чітких інструкцій для виборців щодо друку бюлетенів** [Source >](#)  
У статті 34 зазначено, що виборець самостійно друкує бюлетень та слідує інструкціям, отриманим в конверті з виборчими матеріалами. Однак, не вказано чітких інструкцій або стандартів для друку бюлетеня, що може призвести до помилок або маніпуляцій.

10. Невизначеність щодо 'розумного строку' для повернення конвертів [Source >](#)

Фраза 'протягом розумного строку' у контексті повернення зовнішніх конвертів виборцями є невизначеною і може призвести до різних тлумачень. Відсутність конкретного визначення строку може створити можливості для маніпуляцій та корупційних дій.
11. Нечіткі критерії для відмови у реєстрації за IP-адресою та поштовою адресою [Source >](#)

У статті 18, пункт 6, підпункти е) та ф) зазначено, що реєстрація може бути відхилена, якщо більше семи заявок на попередню реєстрацію або реєстрацію для голосування поштою надійшли з однієї IP-адреси або поштової адреси. Це може створити можливості для маніпуляцій та непрозорих рішень.
12. Нечіткі інструкції щодо реєстрації для голосування поштою [Source >](#)

У статті 18, пункт 3, зазначено, що громадяни повинні слідувати інструкціям, затвердженим Центральною виборчою комісією, для реєстрації для голосування поштою. Однак, ці інструкції не описані детально в законі, що може призвести до непрозорості та можливих зловживань.
13. Невизначеність щодо 'інших необхідних записів' [Source >](#)

Фраза 'інші необхідні записи' у пункті f) статті 17 може бути інтерпретована по-різному, що створює можливість для зловживань. Відсутність чітких критеріїв для визначення, які саме записи є необхідними, може призвести до включення додаткових даних, що не мають прямого відношення до виборчого процесу.
14. Відсутність прозорості у фінансовій звітності [Source >](#)

У статті 16 пункт 2 зазначено, що облік витрат та фінансова звітність здійснюються відповідно до Закону про бухгалтерський облік, але не передбачено механізмів забезпечення прозорості та доступу громадськості до цієї інформації. Це може призвести до приховування зловживань та корупційних дій.
15. Невизначеність у розподілі фінансових ресурсів [Source >](#)

У статті 13 пункт d) зазначено, що другий рівень виборчого округу відповідає за розподіл фінансових ресурсів між виборчими дільницями, але не визначено чітких критеріїв та механізмів цього розподілу. Це може створити можливості для зловживань та нецільового використання коштів.
16. Нечіткі процедури формування виборчих органів [Source >](#)

Процедури формування виборчих органів, зокрема, другого рівня та дільничних виборчих бюро, не містять чітких критеріїв відбору членів, що може призвести до непрозорих призначень та потенційних зловживань.
17. Відсутність чітких процедур для оскарження рішень про виключення з виборчого списку [Source >](#)

У законі не передбачено чітких процедур для оскарження рішень про виключення виборців з виборчого списку для голосування поштою. Це може призвести до необґрунтованих виключень та обмеження виборчих прав громадян.



## Important Flags

## LAW

### on Piloting Mail-in Voting

The Parliament adopts this organic law.

#### Article 1. Purpose and Subject of Regulation. General Concepts

1. This law regulates the principles of participation in elections through mail-in voting, the electoral procedures characteristic of mail-in voting, and the powers of electoral bodies organizing mail-in voting.

2. The purpose of this law is to create the necessary regulatory framework for piloting mail-in voting to enable Moldovan citizens to exercise their voting rights using an alternative method and to assess the feasibility of implementing this alternative voting method on a permanent basis.

3. The provisions of the Electoral Code No. 325/2022 apply to electoral procedures related to mail-in voting, where not specified otherwise by this law.

4. For the purposes of this law, the following general concepts are defined:

- **mail-in voting**: an alternative method of voting abroad using postal services;

- **digital voter verification**: a digital or technological process to verify the voter's identity using digital neural networks that scan and analyze unique facial features from a photograph uploaded by the voter to the system and compare it with the photograph on the identity document, or establish the voter's identity by verifying additional information available to the population registry but not included in the identity document (e.g., grandparents' names, temporary residence address, etc.);

- **human voter verification**: the process of identifying the voter by a member of the electoral body using electronic means of communication, allowing the analysis of unique facial features from a photograph or video uploaded by the voter and comparing it with the photograph on the identity document;

- **voter list for mail-in voting**: an additional voter list including voters who have pre-registered, undergone verification, and are eligible to vote by mail.

#### Article 2. Direct and Free Mail-in Voting

1. A voter included in the voter list for mail-in voting who has received an envelope with a ballot or ballots must vote personally. Transferring received ballots to vote on behalf of another person is prohibited.

2. No one has the right to pressure the voter to vote or not to vote or to hinder their independent expression of will. A voter included in the voter list for mail-in voting who has received an envelope with a ballot or ballots is personally responsible for ensuring free voting and must report any influence attempts in accordance with the law.

3. Photographing or publicly displaying a completed ballot is prohibited.

### Article 3. Secret Voting

Mail-in voting is secret, excluding the possibility of influencing the voter's will. A voter included in the voter list for mail-in voting who has received an envelope with a ballot or ballots is personally responsible for ensuring the secrecy of voting. Electoral bodies ensure voting secrecy by using two different envelopes: a named envelope for voter identification and a secret voting envelope into which the ballot is placed.

### 3am Article 4. Mail-in Voting Period

1. In deviation from part (1) of Article (8) of the Electoral Code, mail-in voting is conducted in advance of election day. Sending ballots for mail-in voting begins no later than 20 days before election day. The receipt of outer envelopes for mail-in voting by electoral sections concludes three days before election day.

2. Detailed electoral procedures aimed at ensuring the security of voting, the storage, and integrity of envelopes with ballots received within the period specified in part (1), as well as outside this period, are established by a regulation approved by the Central Electoral Commission.

### Article 5. Place of Mail-in Voting

Mail-in voting is conducted by the registered voter at the location (address) indicated by the voter.

### Article 6. Right to Vote by Mail

The right to vote by mail is granted to individuals specified in Article 14 of the Electoral Code who have applied and been included in the voter list for mail-in voting.

### Article 7. Limits of Mail-in Voting in Pilot Mode



Mail-in voting in pilot mode will take place during the next nationwide vote following the enactment of this law in the United States of America and Canada.

#### Article 8. Electoral Bodies System for Mail-in Voting

1. The superior electoral body responsible for organizing mail-in voting is the Central Electoral Commission.
2. The second-level electoral district council and precinct electoral bureaus for organizing mail-in voting are established and operate during the electoral period.

#### Article 9. Task of the Central Electoral Commission

The task of the Central Electoral Commission is to create optimal conditions for the unhindered exercise of the right to vote by mail by Moldovan citizens during free, fair, and inclusive elections by ensuring compliance with international electoral legislation and international electoral standards.

#### Article 10. General Powers of the Central Electoral Commission

As a specialized electoral body and to ensure the conduct of mail-in voting, the Central Electoral Commission, in addition to the duties established by Articles 25–27 of the Electoral Code:

- a) develops and approves regulations and instructions aimed at regulating electoral procedures for conducting mail-in voting;
- b) maintains and manages the State Automated Information System "Elections," develops and approves regulations on the functioning of its information subsystems for pre-registration and accounting of persons included in voter lists for mail-in voting and for accounting of voters who voted by mail;
- c) forms the second-level electoral district council for conducting mail-in voting and supervises the activities of this council and lower-level electoral bodies;
- d) ensures the compilation and verification of voter lists for mail-in voting, interacting for this purpose with central and local public administration bodies, the Ministry of Foreign Affairs, diplomatic missions, and consular offices;
- e) establishes the forms of ballots for mail-in voting, self-adhesive seals, documents, forms, and other acts related to conducting mail-in voting.

#### Article 11. Formation of the Second-Level Electoral District for Mail-in Voting

The Central Electoral Commission forms a separate second-level electoral district for conducting mail-in voting.

#### Article 12. Formation of the Second-Level Electoral District Council for Mail-in Voting

1. For conducting mail-in voting, the Central Electoral Commission forms a separate second-level electoral district council located in Chisinau municipality. The council consists of an odd number of members, no fewer than seven and no more than 13.

2. In the case of parliamentary, presidential elections, and republican referendums, the personal composition of the second-level electoral district council is approved by the Central Electoral Commission no later than 50 days before election day.

3. Members of the second-level electoral district council are nominated no later than 55 days before election day in the following order:

a) two members are nominated by the Ministry of Foreign Affairs, one of whom, by virtue of their powers, serves as the chairperson of the respective electoral council;

b) two members are nominated by the Central Electoral Commission from among the persons included in the Register of Electoral Service Employees;

c) each political party represented in Parliament nominates one member.

4. If political parties do not nominate their candidates to the district council no later than five days before the expiration of its formation period, and if the number of candidates remains insufficient or the council's composition is even, the remaining seats are filled by the Central Electoral Commission from among the persons included in the Register of Electoral Service Employees.


5. Within three days from the approval of the personal composition of the second-level electoral district council, its members elect a secretary from among themselves. The results of this election are immediately communicated to the Central Electoral Commission.

6. The second-level electoral district council makes decisions by an absolute majority vote of its members.

#### Article 13. Powers of the Second-Level Electoral District Council for Mail-in Voting

The second-level electoral district council is vested with the following powers:


a) control over the implementation of the provisions of the Electoral Code No. 325/2022 and other normative acts containing provisions related to the organization and conduct of elections;

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- b) formation of precincts and precinct electoral bureaus for mail-in voting and supervision of their activities;
  - c) decision-making on the release of members of electoral bureaus from their official duties at their permanent workplaces or due to circumstances of their involvement during the period of their activity in these bureaus;
  - d) distribution of financial resources among precinct electoral bureaus and provision of materials and forms of electoral documents necessary for organizing and conducting mail-in voting smoothly;
  - e) ensuring the conduct of digital voter verification or, if necessary, human verification of voters pre-registered for mail-in voting, and entering data about these voters into the voter lists for mail-in voting, making changes to these voter lists;
  - f) determining the print run of ballots for voting and self-adhesive seals that must be printed for mail-in voting;
  - g) ensuring the storage, dispatch, and receipt of envelopes with ballots and other materials for conducting mail-in voting;
  - h) collecting and systematizing information from precinct electoral bureaus about voter turnout, making necessary changes as specified in part (2) of Article 4;
  - i) summarizing the voting results in the district, presenting election-related documentation and materials to the Central Electoral Commission, ensuring their posting in designated places.

#### Article 14. Formation of Precincts and Precinct Electoral Bureaus for Mail-in Voting

1. For conducting voting and counting votes, the second-level electoral district for mail-in voting is divided into precincts for mail-in voting. The formation of these precincts is carried out after the Ministry of Foreign Affairs issues a preliminary opinion on the fulfillment of the condition related to obtaining the consent of the competent authorities of the host country and the technical and logistical feasibility of ensuring the voting and vote counting process.

2. Precincts are formed no later than 30 days before election day if they include at least 300 and no more than 2500 voters included in the voter lists for mail-in voting in the territory of one of the countries or one of the regions of the country.



3. Precinct electoral bureaus for mail-in voting are established by the district electoral council no later than 25 days before election day, consisting of an odd number of members, with a minimum of five and a maximum of 11 people. The precinct electoral bureau for mail-in voting operates in the country of residence, usually at the diplomatic missions and consular offices of the Republic of Moldova and in locations approved by the Ministry of Foreign Affairs.

(4) Members of the Precinct Electoral Bureau are nominated in the following order:

a) One member is nominated by the Ministry of Foreign Affairs and, by virtue of their powers, serves as the chairperson of the respective electoral bureau;

b) One member is nominated by the Central Electoral Commission from among the persons included in the Register of Electoral Service Employees;

c) Each political party represented in Parliament nominates one member.

(5) In the event that entities do not nominate their candidates to the precinct electoral bureau within five days before the deadline for its formation, and if, after the nomination of candidates by all eligible entities, the number of members is still insufficient or the composition of the precinct electoral bureau is even, the remaining seats are filled by the district electoral council on the proposal of the Central Electoral Commission from among the persons included in the Register of Electoral Service Employees.

(6) Within two days from the formation of the precinct electoral bureau, its members elect a secretary from among themselves and immediately notify the district electoral council of the election results and inform the public about the composition of the electoral bureau, its location, and its contact details.

(7) The precinct electoral bureau makes decisions by an absolute majority vote of its members.

(8) From the date of the election announcement, information related to pre-registration for mail-in voting and the number of voters included in the voter lists for mail-in voting is regularly published on the information resources of the Central Electoral Commission.

#### Article 15. Duties of the Precinct Electoral Bureau

1. During its activity period, in addition to the duties established by Article 41 of the Electoral Code No. 325/2022, the precinct electoral bureau for mail-in voting performs the following duties:

a) Sends electoral materials, receives, and stores envelopes, self-adhesive seals, and other electoral materials to ensure the conduct of mail-in voting;


b) Reviews applications related to errors in the voter lists for mail-in voting.

2. Authorized persons may be present during all procedures carried out by the electoral bureaus.


#### Article 16. Provision of Resources Necessary for Mail-in Voting

1. Expenses related to the organization and conduct of mail-in voting are covered by the state budget within the appropriations approved annually by the budget law for the Central Electoral Commission.





2. Expenses for the organization and conduct of mail-in voting are a separate component of the Central Electoral Commission's budget. The accounting for expenses related to the organization and conduct of elections and the financial reporting on the management of allocated funds are carried out in accordance with the Accounting Law No. 113/2007 and regulations approved by the Ministry of Finance.



3. The Central Electoral Commission determines the expenses for the organization and conduct of elections in coordination with the Ministry of Foreign Affairs and the Ministry of Finance. The expense estimate separately includes costs for the development and maintenance of the information subsystem for registration for mail-in voting and remote voter identification, printing and purchasing envelopes, ballots for voting, self-adhesive seals, and other electoral materials, postal expenses necessary for sending envelopes with electoral materials, the activities of electoral bodies, and other possible expenses depending on the type of organized elections.

4. The resolution approving the expense estimate is sent to the sectoral bodies within three days after adoption to ensure the necessary financial resources for organizing and conducting the elections.

5. Financial resources not used for organizing and conducting mail-in voting are returned to the state budget.


#### Article 17. Subsystem for Registering Voters for Mail-in Voting

1. The procedure for creating, maintaining, and updating the subsystem for registering voters for mail-in voting is established by the Central Electoral Commission.

2. The subsystem is part of the State Voter Register and contains separate modules necessary for registering voters for mail-in voting, remote and/or electronic identification of pre-registered voters, accounting for envelopes, ballots for voting, self-adhesive seals, and automatic compilation of voter lists for mail-in voting.

3. In addition to the general data contained in the State Voter Register, the following data about each voter are entered into the subsystem for registering voters for mail-in voting:

- a) The date, month, and year of the registration application and the date, month, and year of digital identification or human identification of the voter;
- b) The date, month, and year of sending the voter an envelope with a ballot(s) for voting, self-adhesive seals, and other electoral materials;
- c) The time, day, month, and year the electoral body receives the outer envelope from the voter;
- d) Automatic data exchange on the issues specified in point c) and on the voter voting at a regular polling station if applicable;



e) The address specified in the voter's registration application abroad (country, city, street, house, building, apartment, postal code, email address, and phone number for contact);


f) Other necessary records.

4. The data and information contained in the subsystem for registering voters for mail-in voting are intended exclusively for electoral processes and are available on the official website of the Central Electoral Commission within the limits set by it.

#### Article 18. Registration for Mail-in Voting

1. Registration for mail-in voting is a procedure by which Moldovan citizens with the right to vote must register on the official website administered by the Central Electoral Commission. The purpose of the registration is to determine the number of voters who intend to vote by mail.

2. Registration for mail-in voting is mandatory. Voters can register from the day the election date is announced and no later than 45 days before the respective voting date. In the event of a second round of voting in the presidential elections and repeat voting, the initial registration remains valid. In case a voter decides not to vote by mail, they have the right to cancel the previously made registration no later than 25 days before the election day.



3. To register for mail-in voting, Moldovan citizens with the right to vote who will be abroad on election day and intend to vote by mail must follow the instructions approved by the Central Electoral Commission and enter the special section on the official website of the Central Electoral Commission.

4. The registration procedure is considered complete only after the applicant receives a notification from the Central Electoral Commission confirming the completion of the registration procedure for mail-in voting.

5. By completing the registration procedure for mail-in voting, the voter expresses their intention to participate in the elections for which the application is activated and agrees to be included in the voter lists for mail-in voting and to be excluded from the main voter lists. By completing the procedure, the voter also takes responsibility for the accuracy and truthfulness of the data provided and consents to its processing by authorized persons in the electoral bodies for the purpose of organizing and conducting elections and/or referendums.



6. Registration is rejected by the electoral body in the following cases:

a) The applicant did not pass the verification in the digital identification system or human identification;

b) The applicant specified a non-existent (physical) postal address;

- c) Such a voter is not identified in the State Voter Register;
- d) The registration procedures are not completed;
- e) More than seven pre-registration requests for mail-in voting are sent from the same IP address;
- f) More than seven registration applications for mail-in voting are submitted from the same postal address;
- g) Other objective criteria specified in the administrative acts of the Central Electoral Commission.

7. If within the period specified in part (2), the voter cancels the registration for mail-in voting or the envelope with the voting ballots does not arrive at the electoral body three days before the election day, the voter is excluded from the voter list for mail-in voting and included in the main voter list.

8. Information about citizens collected during the registration for mail-in voting is considered personal data and is processed only by authorized persons in the electoral bodies in accordance with the Personal Data Protection Law No. 133/2011. The data collected during the pre-registration process is processed exclusively for the purpose of organizing and conducting elections and/or republican referendums. They are protected and must not be disclosed to any state institution in the country or abroad, except in cases explicitly provided by law.

#### Article 19. Voter Lists for Mail-in Voting

1. Voter lists for mail-in voting are documents certified by the Central Electoral Commission, which include all citizens with the right to vote who have registered for mail-in voting.

2. The voter list for mail-in voting includes the information specified in part (1) of Article 61 of the Electoral Code No. 325/2022. The voter lists are compiled by polling stations based on the information available in the registration system, subject to the conditions specified in part (2) of Article 14 of this law. The assignment of voters to polling stations is carried out by authorized electoral service employees according to the procedure established by the Central Electoral Commission.

3. The voter lists for mail-in voting are sent by the Central Electoral Commission to the second-level district electoral council no later than 22 days before the election day. The voter list is immediately transmitted to the precinct electoral bureau for verification by voters, representatives of electoral competitors/referendum participants, and observers. After making changes, no later than two days before the election day, the lists, certified by the electronic signature of the chairperson of the Central Electoral Commission, are sent to the electoral bureau.

4. Changes in the voter lists can be requested at the Central Electoral Commission or the electoral bureau and made no later than three days before the election day. The electoral bureau

immediately notifies the registered voter for mail-in voting of any changes made to the voter lists through the government electronic notification service.

5. The same voter lists for mail-in voting are used for the second round of voting or repeat voting.

#### Article 20. Verification of Voter Lists for Mail-in Voting

Voter lists for mail-in voting are verified in accordance with Article 62 of the Electoral Code No. 325/2022, with exceptions provided by this law.

#### Article 21. Form and Content of Ballots

##### for Mail-in Voting

1. The form and content of ballots for mail-in voting are established by a resolution of the Central Electoral Commission in accordance with Article 73 of the Electoral Code No. 325/2022, with exceptions provided by this law. The form and security elements of self-adhesive seals are established by an order of the chairperson of the Central Electoral Commission.

2. Inside each rectangle of the ballot for voting, a circle with a diameter of 15 mm is printed on the right side at an equal distance from the upper and lower edges, in which the voter, voting for the respective electoral competitor or for one of the options in the referendum, pastes a self-adhesive seal for mail-in voting with the inscription "Votat."

3. For the second round of voting, the form and content of the ballot for voting with the electronic signature of the chairperson of the electoral body and electronic identification marks are sent electronically to the second-level district electoral councils no later than 10 days before the second round of voting. The ballot for voting is sent to the email address specified by the voter.

4. For voting in the second round, the voter personally prints the ballot in a format accessible on their printer. The authenticity of the ballot for voting in the second round is ensured by the electronic signature of the chairperson of the electoral body, electronic identification marks on the ballot, and the self-adhesive seal with the inscription "Votat."

#### Article 22. Printing of Ballots for Mail-in Voting

1. The printing of ballots for mail-in voting is ensured by the Central Electoral Commission no later than 21 days before the election day in a quantity corresponding to the number of voters and sends

them to the respective second-level district electoral council. Each ballot is stamped with two numbers corresponding to the electoral district's serial number and the respective polling station's serial number.

2. The printed ballots for voting are stored in the second-level district electoral council and transmitted to the precinct electoral bureau. The transmission of ballots for voting is carried out by diplomatic mail or regular postal services provided by authorized postal service providers in the countries where the envelope must be delivered.

#### Article 23. Production of Self-adhesive Seals for Mail-in Voting

The Central Electoral Commission ensures the production of self-adhesive seals for mail-in voting no later than 21 days before the election day in a quantity corresponding to the number of voters and the number of voting rounds. In elections where a second round of voting is possible, self-adhesive seals for the second round are produced and sent to the respective second-level district electoral council along with the electoral materials for the first round, packaged in separate envelopes with separate instructions. Each self-adhesive seal is stamped with security marks established by an order of the chairperson of the Central Electoral Commission.

#### Article 24. Content of Outer Envelopes

Special envelopes with ballots for voting contain the following electoral materials:

- a) An outer envelope(s) on which the voter's surname and first name and their registration number in the voter list are indicated;
- b) An anonymous inner envelope(s);
- c) A ballot(s) for voting;
- d) A self-adhesive seal(s) with the inscription "Votat";
- e) Instructions for mail-in voting;
- f) Prepaid self-adhesive stamps for returning the envelopes with ballots for voting.

#### Article 25. Period of Mail-in Voting

1. The mail-in voting period begins when the voter receives the electoral materials and ends when the electoral body receives the envelopes with ballots for voting, no later than 18:00 local time in the voter's country of residence on the Thursday before election day.

2. Voting in the second round begins when the voter receives the ballot for voting electronically and ends when the electoral body receives the envelopes with ballots for voting, no later than 18:00 local time in the voter's country of residence on the Thursday before the second round of voting.

3. The polling station decides to extend the deadline for receiving envelopes with ballots for mail-in voting by no more than two hours if courier or postal service providers have reported that electoral materials are to be delivered. The extension is reported to the district electoral council and the Central Electoral Commission.

#### Article 26. Sending Special Envelopes

Electoral procedures related to the receipt of ballots by the precinct electoral bureau, the storage of ballots for voting, the sending of ballots, and their receipt after voting are approved by the Central Electoral Commission based on the following:

- a) Only electoral service employees and technical personnel of the electoral bodies or diplomatic missions/consular offices can participate in the receipt, storage, and sending of electoral materials;
- b) In case of service agreements for postal services, only diplomatic postal services or postal service providers authorized in the United States and Canada can be used;
- c) When sending electoral materials to the voter's address, an accompanying document indicating the date and time of sending the envelope by courier service, diplomatic mail, or mail must be prepared;
- d) Upon receipt of the electoral materials, the voter signs and confirms the receipt of the envelope, indicating the date and time of its receipt;
- e) The voter returns the outer envelope to the courier or post office according to the instructions provided;
- f) The state ensures the delivery of envelopes to the voter and their return using prepaid stamps or seals;
- g) The voter can use the services of another faster courier or postal service provider authorized in the United States or Canada, but the costs will be covered by the voter.

#### Article 27. Procedure for Filling Out the Ballot for Mail-in Voting

1. The ballot for mail-in voting is filled out by the voter while ensuring the secrecy of voting. The detailed procedure for filling out, sealing, and sending the envelopes with ballots for voting must be described in the instructions provided to the voter in a special envelope.

2. The voter pastes the self-adhesive seal with the inscription "Votat" in the circle of only one rectangle, indicating that they have voted for the respective electoral competitor or one of the options in the referendum.

3. A voter can vote for only one electoral competitor in the elections or one option in the referendum.

4. Even if the voter has registered for mail-in voting or voted by mail, upon their personal appearance at the polling station, the precinct electoral bureau issues them a new ballot for voting. This is noted in the line "Number of unused and canceled ballots for voting" of the precinct electoral bureau's results protocol for mail-in voting and in the voter list.

#### Article 28. Ensuring the Security of the Mail-in Voting Process

1. On Thursday before election day, after 18:00 or, depending on the circumstances, 20:00 local time in the voter's country of residence, the chairperson of the precinct electoral bureau for mail-in voting, in the presence of at least half of the bureau members, ensures the counting of received envelopes with ballots for mail-in voting. Based on the account of the envelopes, records are made in the "Notes" section of the voter list, indicating the date and time of receipt of the outer envelopes. This information is also entered into the State Automated Information System "Elections," which confirms the receipt of the ballot for voting. Outer envelopes are stored in sealed ballot boxes in the polling station until they are counted.

2. If the ballot envelope was sent to the voter, but the outer envelope was not received back by the deadline for receiving outer envelopes, the polling station notifies the voter by email to the contact address provided by the voter. Such notification is equivalent to recognizing the ballot sent by the polling station as canceled. The respective voter is excluded from the voter list for mail-in voting and has the right to exercise their voting right at the polling station where they are registered in the main voter list, or if they are abroad, at any polling station established abroad, subject to the conditions specified in part (4) of Article 27.

3. The precinct electoral bureau ensures the public announcement of information about the electoral materials sent to voters for mail-in voting, the received outer envelopes, and the canceled ballots.

#### Article 29. Counting Votes and Summarizing Results by the Precinct Electoral Bureau

1. On Sunday, after the polling stations close in the respective country, the chairperson of the precinct electoral bureau declares the voting closed. The polling station begins counting the votes.

2. Before starting the vote count, members of the precinct electoral bureau check in the State Automated Information System "Elections" if cases have been recorded where voters who voted by mail also voted at one of the polling stations and make appropriate entries in the voter lists.

3. Members of the precinct electoral bureau check the integrity of the seals on the ballot boxes and ensure the sealing of the ballot boxes in which the inner envelopes should be placed.

4. After unsealing the ballot boxes with outer envelopes, they are counted, and the envelopes sent by voters who voted at the polling stations are excluded from the counting process. These envelopes are sealed separately without further unsealing and are considered canceled.

5. The opening and verification of the contents of the outer envelopes are carried out according to the following procedures:

a) After opening the outer envelope, it is checked whether the inner envelope is properly sealed. If the inner envelope is not properly sealed, it is considered invalid, packaged, and sealed separately with other such envelopes. After extracting the anonymous inner envelopes, the named outer envelopes are counted, packaged, and sealed separately;

b) If the anonymous inner envelope is properly sealed, it is placed in a sealed ballot box, ensuring the mixing and counting of these envelopes;

c) The ballot box with anonymous inner envelopes is opened, and the contents of each envelope are checked. One member of the precinct electoral bureau checks the presence of only one ballot for voting in the same type of voting. If the envelope contains more than one ballot for voting in the same type of voting, they are considered invalid, packaged, and sealed separately

with the envelope or envelopes. This is noted in the bureau's protocol;

d) The counting of ballots extracted from the anonymous inner envelopes is carried out according to the procedure provided in parts (6) and (8) of Article 81 of the Electoral Code No. 325/2022.

6. The protocol on the results of the vote count is drawn up in accordance with the provisions of the Electoral Code No. 325/2022.

#### Article 30. Invalid Ballots for Voting

1. In addition to the situations provided in Article 82 of the Electoral Code No. 325/2022, ballots for voting are considered invalid if:

a) Two or more ballots for voting in the same type of voting are found in the inner envelope;

b) The self-adhesive seal with the inscription "Votat" is not pasted in any circle or any rectangle on the ballot;

c) The voter's surname is indicated or written on the ballot, which is equivalent to violating the secrecy of the vote;

d) The self-adhesive seal with the inscription "Votat" is pasted in several rectangles of the ballot.



2. The chairperson of the precinct electoral bureau ensures that all members of the bureau and authorized persons have the right to be present during the electoral procedures and the opportunity to examine the ballot that is subject to invalidation.

3. If the members of the precinct electoral bureau have doubts about the validity of the ballot for voting, the issue is decided by voting. The results of the vote are recorded in the minutes of the bureau's meeting.

#### Article 31. Protocol and Report of the Precinct Electoral Bureau

The precinct electoral bureau draws up the protocol in three copies according to the procedures and information specified in Article 83 of the Electoral Code No. 325/2022.

#### Article 32. Summarizing Voting Results by the District Electoral Council and the Central Electoral Commission

After receiving the protocols and reports from the precinct electoral bureaus with the vote count results, the district electoral council summarizes the voting results in accordance with Article 84 of the Electoral Code No. 325/2022, and the Central Electoral Commission does so in accordance with Article 85 of the Electoral Code No. 325/2022.

#### Article 33. Storage of Electoral Documentation

The electoral documentation (materials) related to the conduct of mail-in voting is stored in accordance with Article 87 of the Electoral Code No. 325/2022.

#### Article 34. Second Round of Voting or Repeat Voting. Special Provisions

1. In the event of a second round of voting or repeat voting, the ballot for voting is sent electronically to the voter at the address specified in the registration application for mail-in voting no later than 10 days before the election day. The voter independently prints the ballot and follows the instructions received in the envelope with the electoral materials. The authenticity of the ballot for voting in the second round is ensured by the self-adhesive seal.

2. Outer envelopes are returned by the voter within a reasonable time after receiving the electronic version of the ballot for voting. The ballots for voting must be received by the electoral bureau no later than Thursday before the election day.


## Article 35. New Elections

Mail-in voting in new elections is conducted based on the voter lists and registrations made for the regular elections declared invalid or unsuccessful.

## Article 36. Final and Transitional Provisions


1. This law comes into force on the day of its publication.

2. The Central Electoral Commission shall adopt within three months from the entry into force of this code the normative acts necessary for organizing and conducting mail-in voting in a pilot regime.



3. The government shall ensure the coverage of expenses necessary for conducting mail-in voting in a pilot regime and propose appropriate amendments to the state budget law.

4. The results of mail-in voting in a pilot regime generate legal consequences and have the same legal force as the results of voting directly at the polling station.



5. The Central Electoral Commission, by its powers or on the proposal of the district electoral council, declares invalid the results of voting at the polling station(s) for mail-in voting if objective circumstances of violations during the elections are established.

6. After the completion of mail-in voting in a pilot regime, the Central Electoral Commission shall prepare a report within three months, which is sent to Parliament. Based on this report on mail-in voting in a pilot regime, the feasibility of its application on a permanent basis will be considered, with appropriate amendments to the Electoral Code.

PRESIDENT OF THE PARLIAMENT