### MOLDOVA POLICY ALERT



## Disinformation and Foreign Interference in Moldovan Elections



The presidential elections and the constitutional referendum to be held on October 20, 2024, together with next year's Parliamentary elections, are crucial for keeping Moldova on track for EU accession. The Kremlin has always opposed this objective, its efforts to undermine the Moldovan democracy including a mix of hybrid threats. Disinformation, propaganda, and covert provocations pose the biggest threat to the integrity of the upcoming electoral exercises. The vulnerability of Moldovan democracy to this threat is determined by poor media literacy and a low level of trust in the authorities. It is exacerbated by the ongoing war in Ukraine, the complicated relations with the Transnistrian separatist Republic and Autonomous Territorial Unit of Gagauzia, as well as high levels of poverty affecting a significant share of the population.

Moldovan authorities have addressed some of these threats by improving the legislative and institutional framework, but also by taking a more hands-on stance in dealing with various cases of hybrid warfare and foreign interference, shielding at least partially Moldovan society from the malign influence of Russian-funded media and potential destructive activities of Russian backed proxies. Although some of the authorities' actions prompted opposition criticism, the international community has praised Moldova's resilience to Russian disinformation and subversive activities. The upcoming elections will again test the resilience of Moldovan society and institutions to these threats.

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The upcoming presidential elections and referendum have a strong practical and symbolic importance in ensuring the continuity of the European integration processes for Moldova.

The presidential election and referendum on European Union membership serve as confidence votes on President Sandu, safeguard or hinder the progress to European EU membership, and can significantly impact next year's parliamentary elections. The referendum itself is on whether Moldova's desire to join the European Union should be in the constitution, codifying and protecting the ascension process from opposition parties. The confidence vote component and the impact on next year's elections is due to the strong association of President Sandu with the European integration strategic goal as well as with the ruling majority represented by the Party "Action and Solidarity" (PAS) that she founded. After obtaining relatively good results in the local elections of 2023, the PAS will have to secure a strong majority in the upcoming Parliamentary Elections of 2025 to implement necessary reforms and carry out the accession negotiations.

The opposition of the Russian Federation to Moldova's Euro-integrationist ambitions is longstanding. While claiming to respect Moldova's right to choose its development path, in reality, the Kremlin employs duplicitous rhetoric, simultaneously executing its strategy to undermine the fragile Moldovan democracy and keep Moldova in its sphere of influence. This strategy includes a diverse toolset: disinformation, propaganda, espionage, cyber-attacks, staging protests, and violent activities meant to spread confusion and destabilization in Moldovan society.



Although growing in intensity, these are not novel threats, for the last several years Moldovans have been subjected to a constant flow of subversive messages and coordinated disinformation campaigns. The main themes of the Russianfunded propaganda and disinformation usually reflect current struggles facing society (the COVID-19 pandemic, war in Ukraine, energy crisis), which is not unique to Moldova, or social-political processes ongoing (European integration, elections). A distinct category of disinformation is focused on irrational/imagined threats, like conspiracies surrounding George Soros (similar to rhetoric espoused by the pro-Russian Georgian Dream government), Western countries and NATO interference, and unification with Romania. The overarching objectives of these disinformation attacks are to sow mistrust in the authorities, trigger fears and confusion, and amplify existing societal divisions that could be later operationalized for political gains.



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Western governments have <u>warned</u> Moldova about the growing threat of Russian subversive activities ahead of the 2024 elections. National authorities also shared concerns about these threats, with the Moldovan Security and Information Service issuing <u>alerts</u> about the Russian attempts to compromise the European integration referendum and the presidential candidates supporting it. To this end, long before the start of the electoral period, the informational space was already being infused with messages combining a diverse spectrum of topics targeting fears of <u>war</u> escalation, increased energy <u>prices</u>, hypothetical risk of loss of <u>sovereignty</u>, and damage to the already struggling economy. Many of these messages specifically <u>target</u> the upcoming referendum aiming to create negative associations between the European integration of Moldova and the mentioned risks and fears.

Opinion polls show that Moldovans continue to use television as their main source of information, however, social media and internet news sites are growing in popularity. It is important to note that in recent years most of the disinformation has migrated away from the audiovisual channels towards the online space, as a result of increased regulation of traditional media and the harsher penalties on the TV and Radio broadcasters for identified irregularities. This shift represents a serious challenge that authorities still must address. Online media continues to be poorly regulated and potential regulatory policies must carefully balance informational security and the right to freedom of expression.

An additional challenge for regulation is the complexity of the online media ecosystem. Malicious actors are spread along several layers of media sources, often working in a coordinated manner to amplify the disinformation's "legitimacy" and impact. Most prevalent are "open" media sources like news websites, both legitimate pro-Russian media outlets as well as ad-hoc temporary news sites, online-only television, and video channels and podcasts produced and distributed by formal or informal media groups or influencers on various platforms (YouTube, TikTok, Facebook, Instagram, etc.).

At the same time, an important role is played by another layer of somewhat "obscure" or anonymous media that is invitation-based or members-only, and broadcasting on unregulated messaging platforms like <u>Telegram</u> and <u>TikTok</u>. Several public figures openly help legitimise various messages, especially among specific societal groups. The most prolific in this regard are representatives of the <u>Socialists Party</u>, the <u>fugitive oligarchs</u> Veaceslav Platon and Ilan Shor with their affiliates, satellite entities, proxy political figures, and influencers.



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# Intelligence, subversive activities, and destabilization

Disinformation and propaganda are not the only tools Russia uses to destabilise the Moldovan social-political situation. Unseen to the public but highly instrumental in the Russian strategy of undermining Moldovan politics are various covert networks of agents that carry out intelligence work and subversive activities. In the summer of 2023, Moldova expelled 45 Russian diplomats and embassy employees after The Insider published an investigation about the activities of Russian intelligence services in Moldova and their use of specialised technical equipment for intercepting communications and hacking. In 2024, again, the Moldovan public was shaken by two consecutive scandals linked to the exposure of high-profile officials accused of treason and espionage in collaboration with the Russian Federation. First, an investigation published by The Insider in June 2024 put the spotlight on the former Chief of the General Staff of Moldova Igor Gorgan, who allegedly provided Russia with sensitive information related to the war in Ukraine. One month later, the Prosecutor's Office for Combating Organised Crime and Special Cases (PCCOCS) detained two Moldovan public servants on suspicions of treason and conspiracy against the Republic of Moldova. One of the detained suspects is allegedly the head of the Legal Department of the Moldovan Parliament. These are not the first episodes of this kind, and most probably not the last ones.

Subversive activities are another serious threat to the stability of the Moldovan political processes, particularly electoral exercises. In the spring of 2023, Moldovan authorities managed to uncover several groups preparing violent actions during the opposition's protests, as well as recruiting paid participants for the staged protests against the authorities. This year is no different, several vandalism instances and attempts to provoke public disorder have been recorded. Police have detained several groups of young people for vandalising several governmental buildings, instilling violent behavior during protests, or recruiting paid participants to be involved in organizing violent protests. According to preliminary data, some of these people are part of larger groups trained and paid by Moscow to destabilise the social-political situation in Moldova. Most importantly, authorities have uncovered a large criminal network established and funded by Ilan Shor for buying Moldovan voters at a scale unseen before. It is estimated that only in September 2024 around 15 million US dollars have been funneled to the accounts of more than 130,000 Moldovans.

The Moldovan authorities have addressed the aforementioned issues through a combination of legislative, institutional, and coercive measures.



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#### Improvements of the legislative framework

In terms of legislation, authorities have introduced several improvements and updates to relevant laws and regulations to curb the spread of disinformation and make it more difficult for political actors to engage in subversive activities or dishonest practices aimed at influencing election results in their favor.

To strengthen the legal framework and align it with General Assembly Resolution 76/227, which urges states to 'combat all forms of disinformation,' the Audiovisual Media Services Code was amended to define disinformation and introduce additional sanctions for media outlets that repeatedly disseminate content in violation of media and electoral laws. Additionally, the amended Code imposes restrictions on broadcasting news and analytical programs produced in countries that have not ratified the Convention on Transfrontier Television. These measures provided the audiovisual regulatory authority with more tools to combat malicious information flows on TV and radio, including suspending the right to broadcast advertising or withdrawing a media outlet's license for up to seven days.

The Criminal Code was also <u>supplemented</u> to include a more detailed definition of treason, which would also allow for the criminal prosecution of individuals for the act of treason, expressed as "providing assistance in carrying out hostile activities against the security of the state." The opposition as well as <u>Amnesty International</u> have expressed <u>concerns</u> that the adopted amendments represent a threat to the freedom of expression and may be used as a tool for silencing political opponents of the ruling party. Nevertheless, the PAS representatives point to the fact that the final adopted <u>amendments</u> did not include the disinformation as a form of treason, this being left up to the law enforcement institutions to demonstrate the act of treason, i.e. the existence of intentional disinformation campaigns directed by a foreign state aimed at jeopardizing the security of the Republic of Moldova.

Lastly, but importantly, starting from January 2023, the Republic of Moldova has a new electoral code in force, with stronger provisions regarding the transparency and reporting of campaign finances and media coverage. The Law on Political Parties has been recently updated to strengthen the oversight of political financing and criminalise electoral and political corruption. According to newly adopted provisions in the Law on Political Parties, the activity of a political party can be restricted for up to six months if its leadership fails to submit all the requested documents regarding the party's financing to the Central Electoral Commission.

Some of these actions were planned in the National Informational Security Strategy, adopted back in 2018. Unfortunately, its implementation was rather partial, and with its expiration in 2024, there is a pressing need for a new comprehensive document responding to the current challenges and guiding future policymaking in this sector.



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# **Development of a relevant institutional framework**

The second tier of measures undertaken by the Moldovan authorities focused on consolidating existing institutions or establishing new ones. There are several state authorities responsible for fighting disinformation and/or countering foreign interference respectively: the Audiovisual Council, Security and Information Service, Coordinating Council on Ensuring Information Security, Center for Strategic Communication and Combating Disinformation (Stratcom), and the National Cybersecurity Agency.

Aside from empowering the Audiovisual Council to better regulate the activities of the media outlets through the mentioned improvements in the media legislation, the Moldovan authorities initiated an upgrade of the laws governing the intelligence service. To that goal, the Security and Information Service developed a set of laws on counterintelligence activities and external information activities. They were approved by the Parliament, enhancing the independence and effectiveness of the institution. The other mentioned institutions are relatively new, often have overlapping responsibilities, and still have to develop clear measures advancing their objectives and contributing to fighting disinformation and malign foreign interference.

The Coordinating Council on Protecting Information Security established in 2022 in accordance with the old National Informational Security Strategy 2019-2024, is a collective body whose mission is to signal information security risks, analyse incidents, and propose effective measures to the authorities. However, observers have noted that the respective entity was not functional, and its activity stalled soon after its establishment.

To improve the cooperation between state institutions and consolidate the state's capacity to combat disinformation and foreign interference a dedicated institution was <u>established</u>, the Center for Strategic Communication and Combating Disinformation. The Center has struggled with several challenges related to institutional development and staffing, which slowed down its establishment. Nevertheless, the Center managed to develop the <u>Concept of strategic communication and countering disinformation</u>, information manipulation, and <u>foreign interference for the years 2024-2028</u>. The document was approved by the Parliament, amid strong <u>criticism</u> from the part of the parliamentary opposition parties.

Another institution with high importance in ensuring state security is the <u>Cybersecurity Agency</u>, established less than a year ago and tasked with implementing state policies in the field of cybersecurity and securing the networks and information systems of public service providers.



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The institution is still working on developing its <u>capacities</u> and once fully operational it will significantly enhance the existing cyber security framework of the state. This is a positive development, especially in the context of the growing number of cyber-attacks targeting <u>governmental systems</u>, <u>postal service</u> and <u>media institutions</u>. These cyberattacks are expected to intensify in number and severity closer to the upcoming elections. To better protect society from disinformation campaigns and cyberattacks, the authorities have to speed up the process of establishment of these new institutions, while also making sure to clarify any existing contradictions and overlaps of responsibilities.



### **Application of sanctions**

The final component, in addition to the legislative and institutional measures undertaken by the authorities, is the more consistent application of coercive measures against foreign or national entities violating the media and electoral laws. This pro-active approach in dealing with malicious interference included banning Russian-funded TV stations and online media outlets that were aggressively spreading Russian propaganda and fake news, expelling from the country Russian diplomats and embassy employees, revoking registration of the Shor political party, and denying registration to a number of political actors intending to run in the upcoming presidential elections.

Over the span of 2022 and 2023, authorities have banned 12 TV stations and 31 websites, some of which were among the most popular. These media outlets were accused of conducting Russian disinformation and propaganda representing a threat to national security. response raised concerns in the media community and human rights defenders, on the grounds of poor transparency and disproportionality of the applied measures. Furthermore, Kremlin mouthpieces along with Moldovan opposition parties accused the authorities of censorship and limitations of the press freedoms. This year again, the Security and Information Service has ordered the blocking of seven websites including that of the Russian state agency RIA Novosti's website, due to "risks to national security".

Similarly, drastic measures were applied to political actors accused of using illegal money to fund campaigns, carry out disinformation activities, pay participants for staged protests, and bribery of voters. Thus, in June 2023, the Constitutional Court of Moldova declared the Shor Party unconstitutional, being repeatedly sanctioned for illegal campaign funding and acting against the sovereignty of the Republic of Moldova. To participate in the 2023 local elections Shor established

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an alternative political project, the Chance Party. However, their candidates had their registered status cancelled just two days before the local elections by the decision of the Commission for Exceptional Situations (CES). This was based on findings from the Security and Information Service, highlighting significant campaign finance violations and national security threats.

This year, the Moldovan authorities have applied similar measures to filter a number of pro-Russian political parties and candidates from participating in the presidential elections and campaign against the constitutional referendum. The electoral block "Victory" established by Shor was denied registration for participating in the upcoming presidential elections. The candidate put forward by the electoral block "Victory", Vasile Bolea tried to register as an independent presidential candidate, however CEC has denied registration of his initiative group.

These episodes have again brought to the surface the struggles of the Moldovan authorities to carefully secure the social-political space from the hybrid attacks and interference attempts carried out by Russian-funded proxies while also ensuring the legality of the applied measures. Banning and dissolving a political party on grounds of illegal funding proved to be a partial solution since the sanctioned politicians established or acquitted other political parties continuing their illegal practices. Better regulations are needed regarding the registration of political parties and requirements for their participation in electoral exercises.

To conclude it must be noted that Moldovan authorities have made some progress in combating disinformation, foreign interference, and hybrid threats, primarily through legislative updates, institutional reforms, and sanctions targeting media outlets and political actors. However, these efforts also reveal ongoing challenges, such as the need for clearer institutional roles, and a careful balance between ensuring security and protecting democratic freedoms.

As Moldova approaches the critical 2024 elections, the resilience of its democratic processes and society will be put to the test, requiring sustained vigilance and strategic action to safeguard the country's European trajectory.



#### **About the author:**



Petru Culeac – co-founder and Executive Director the Moldova Development Institute, a newly established organization dedicated to improving the social, political, and economic landscape in Moldova. With over 15 years of experience in Moldova's non-profit sector, Petru has an in-depth understanding of the country's context and its development agenda as well as extensive organizational management experience. Until 2023, Petru served Soros Executive Director of Foundation Moldova, renowned non-profit foundation, part of the Open Society Foundations network, recognized as a key civil society actor in the Republic of Moldova. Under Petru's leadership, the foundation expanded its portfolio and successfully numerous technical implemented assistance including for Moldovan authorities in areas such as anticorruption, justice reform, elections, and education, as well as emergency response projects at the onset of the COVID-19 pandemic. Previously, Petru worked in areas of democracy promotion, free and fair elections, local development, citizen engagement, and youth activism, successfully cooperating with local and international organizations, such as USAID, Chemonics, East Europe Foundation, and IFC. Petru's academic background includes degrees in Business Management, and European International Studies from institutions in Moldova, France, and the United States.



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