

## ***Moldova Weekly – August 18 – Report on the current situation in Moldova in the weeks after the preliminary elections held on 29 July***

The European Partnership for Democracy (EPD) is a Brussels-based organization active in the field of democracy assistance which has Moldova as one of the target countries. Using our partner organizations in Moldova we try to bring current information from established international and Moldovan news agencies in order to provide an independent view on Moldova to the Brussels decision makers. Please address any questions or comments to [kristinaprunerova@eupd.eu](mailto:kristinaprunerova@eupd.eu).

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## **MOLDOVA POLITICS**

### **Democratic quartet form coalition, seek 'dialogue' with Communists**

The four leaders said the election of a technocrat president was not an option. The four democratic parties which entered parliament - PLDM, PL, PDM, and AMN - announced on Saturday they had formed a coalition titled "Alliance for European Integration". The next stage, according to them, is to establish dialogue with the Communist Party. "Immediately after our partners return from vacation (Communist leader Vladimir Voronin will be on vacation until August 15 - editor's note), we'll enter into dialogue with them. There is no other way", declared Marian Lupu, PDM president, at a news conference on Saturday August 8, highlighting the importance of a "reasonable dialogue, in line with European political culture standards". "We want dialogue with the PCRM, not negotiations", stressed AMN leader Serafim Urecheanu, adding: "There will be no negotiations with them concerning the sharing of positions". "I think they will offer not only eight votes (which the coalition is short of in order to elect a president - editor's note), but forty-eight, because they love their fatherland more than we do, according to their electoral speeches", said PL president Mihai Ghimpu.

The newly formed coalition intends to achieve five major goals: restore the rule of law; overcome the socioeconomic crisis and foster economic development; decentralize the government and promote local autonomy; achieve Moldova's territorial reintegration; achieve Moldova's European integration and follow a balanced, consistent and responsible foreign policy. A joint government program built on the principles set out in the coalition declaration is to be presented shortly. The four leaders, however, failed to say when and how the power-sharing would take place or whom they would nominate for president, but said the election of a technocrat president was not an option. The PLDM, PL, PDM and AMN obtained in the recent legislative elections a combined number of 53 seats in the 101-seat Parliament. The coalition thus may elect a speaker and a prime

minister with 51 votes, but not a president, which requires 61 votes at least. Source: *Info-Prim Neo*, 8 August 2009,

## **New Parliament to come together for first meeting on August 28**

The first sitting of the Parliament elected on July 29 will take place on August 28. The outgoing president of Moldova Vladimir Voronin signed a decree, convening the newly-elected Parliament, Info-Prim Neo has learnt from the presidential press service. Under the existent regulations, the first sitting is chaired by the oldest MP. It starts with the hoisting of the flag and the singing of the anthem. Afterwards, the chair invites to the rostrum the president of the Constitutional Court, who presents the report on the election outcome and the validation of the MPs' seats.

Immediately after the constitution of the Parliament, if the MPs agree, the parliamentary groups are formed. If a consensus is not reached, the first meeting is closed and there is given 10 days to form the groups. When the parliamentary groups are created, one group or a coalition of groups announces the constitution of the parliamentary majority, while the other groups form the Opposition. The government coalition "Alliance for European Integration" formed by the PLDM, PL, PDM and AMN holds together 53 seats, while the PCRM – 48 seats. Source: *IPN 2009-08-18*

## **Constitutional Court validates 29 July parliamentary polls**

The Constitutional Court (CC) on Friday August 14 validated the results of the 29 July snap parliamentary elections, as well as the mandates of those 101 lawmakers of Moldova's parliament of the 18th convocation. Under the decision adopted by the Constitutional Court, the Party of Communists will have 48 MP mandates in the new parliament, Liberal Democratic Party - 18, Liberal Party - 15, Democratic Party - 13, and Our Moldova Alliance 7 MP mandates. The parliament is to hold its first meeting by 29 August 2009.

The Court's decision on the elections of last July 29 does not refer to the applications filed by the PL and AMN, whereby they dispute the way in which the seats of MP were distributed. The AMN's representative to the CEC Nicolae Raileanu said that after they will hold discussions inside the party they will probably appeal to the ECHR. The CC does not have legislative powers, the Court's president Dumitru Pulbere has told the reporters. "The representatives of the AMN and PL do not challenge the norms from the Electoral Code, but the way in which the seats were distributed. It will be the new Parliament that will introduce the necessary amendments to the electoral legislation," Pulbere said. Moldpres, IPN, 14 August 2009

## **IPP expert: Voronin violates the principle of separation of powers in state**

"It is evident that holding simultaneously the post of head of state, part of the executive and head of Parliament Vladimir Voronin violates the principle of separation of the powers in the state stipulated in the Constitution," said Vitalie Catana, expert of the Institute for Public Policy (IPP). The expert detailed this issue in the study "Aspects regarding the incompatibility of V. Voronin's posts after his election as speaker of Moldova's Parliament". According to the principle of incompatibility of the post of head of state and other paid positions, the tainted post is that of MP, not of president of the country, the expert said. "Consequently, Vladimir Voronin cannot be punished as head of state because the principle of incompatibility protects the president. Voronin holds the post of head of state under article 80 (2) of the Constitution," Catana says in his study. The expert stresses that the Parliament is the one that can sanction the president, but, in the given case, the Parliament

adopted the decision whereby the Constitution is violated. According to Catana, Vladimir Voronin cannot hold the seat of MP. "If V. Voronin tenders his resignation as head of state after the MP seat is validated, he should lose the MP seat. If the newly elected president swears an oath after the MP seat is validated, V. Voronin should be deprived of the MP seat because the incompatibility arises when it is born. If the seat of MP is withdrawn, V. Voronin will be also discharged from the post of head of Parliament," the expert said. Catana also said that the incompatibility of the posts held by V. Voronin and its effects disappeared when the seventeenth legislature was dissolved. Vladimir Voronin can avoid a situation of incompatibility if he resigns as head of state before his MP seat is validated, he stated. *Source: IPN, 17 August 2009*

### **Alliance for European Integration about president's election**

'We have solutions for all the situations, but we don't think we will go so far. The president will be elected. It will be a person who will have qualities of a real head of state: who will be the president of all the people not of only one party,' the leader of the Liberal Democratic Party (PLDM) Vlad Filat has told. The leader of the Liberal Party (PL) Mihai Gimpu is also optimistic about the appointment of the head of state. 'I'm sure that the head of state will be elected on the day when the candidate is proposed. The Alliance for European Integration will not be discredited,' Mihai Gimpu said. 'The Constitution expressly describes the situation when the president is not elected. If we do not reach a consensus, we will have early elections. The Democratic Party (PDM) is categorically against early elections,' said the PDM president Marian Lupu. Serafim Urecheanu counts on the decency of some of the Communists. 'No one can be absolutely sure that the head of state will be elected. We live in the Republic of Moldova and must be ready for everything. But we will overcome the situation,' said the president of the Moldova Noastra Alliance (AMN). The government coalition - the Alliance for European Integration formed by the PLDM, PL, PDM and AMN – holds 53 seats and needs eight more votes to elect the president. The head of state is elected by secret vote with a minimum of 61 votes. If no candidate obtains the necessary number of votes, the elections are rerun. The same candidates or new candidates can be put forward for rerun elections. If the head of state is not elected in the first or the second round of voting, the outgoing president dissolves the Parliament. The legislature can be dissolved only once in a year and if the head of state is not elected by the eighteenth Parliament we could have early legislative elections not sooner than February 2010, independent expert Ion Creanga stated. The Constitutional Court will examine the Central Election Commission's report on the results of the 29 July early legislative elections at a plenary meeting on 14 August. If the elections and the seats of MP are validated, the president of Moldova will have to convene the eighteenth legislature for the first sitting by 29 August. *Source: IPN, 13 August 2009*

## **FOREIGN ENGAGEMENT**

### **German Parliament welcomes formation of Alliance for European Integration**

Four MPs of the Federal Parliament of Germany signed a statement in support of the PLDM, PL, PDM and AMN leaders' decision to form the government coalition 'Alliance for European Integration'. The signatories - Manfred Grund, Michael Link, Markus Meckel and Rainer Steenblock said that it is imperative now to agree on a government program and on the ruling team. Facing serious economic and political problems when the budget is inadequate, the Republic of Moldova needs a government able to act as soon as possible, the German MPs say. They stress the importance of all the parliamentary groups reaching a consensus so that the new head of state is elected and the coalition government is constituted immediately. 'It will be hard to stabilize the country

financially, economically and politically without the support of the European Union and international financial organizations. The Bundestag should back this move,' the statement says. *Source: IPN, 12 August 2009*

### **Romanian publication: K. Mizsei' has low influence on EU projects in Moldova**

The official Bucharest should discreetly suggest delegating an envoy to the Swedish presidency of the EU, who will replace the Communists' supporter Kalman Mizsei, says the publication 'Romania Libera' ('Free Romania'). 'The EU Special Representative for Moldova Kalman Mizsei is unfortunately a sad and almost discredited figure. Mizsei is deeply mistrusted in Chisinau,' Cristian Ghinea says in the 12 August edition of the paper. It is said that the EU representative for Moldova tried to convince the Opposition parties to offer the golden vote to a Communist candidate for presidency and that he had different discussions with the Opposition and the ruling party. 'He counted on the fact that Voronin's party will remain in power and banked on stability at any cost. He staked badly and should be therefore discharged,' the author of the article says. Mizsei has a powerful symbolical role, but a low influence on the EU's projects in Moldova, he added. 'If the talks between the four-party alliance (the Alliance for European Integration) and Voronin over the election of a new head of state do not open soon, European mediation will be needed. As Mizsei is not credible for the Opposition, while a Romanian mediator will not have the necessary force and credibility for the Communists, the official Bucharest should tactfully suggest sending an envoy to the Swedish presidency of the EU,' Cristian Ghinea said. Ghinea considers that the signing of the basic treaty between Romania and Moldova will be a sign that the Romanians are interested in the stability of a democratic government in Chisinau more than in the sentimental-historical divergences. Yet Romania's president Traian Basescu believes that the signing of the given document would mean that he supported Molotov and Ribbentrop. *Source: IPN, 12 August 2009*