

Memorandum from visit of the Moldovan civil society delegation to Brussels, 15th-19th June 2009

Introduction

The Moldovan path to democracy and European integration is under enormous threat. The unresolved political crisis after the April elections, and further polarization of the country, forced a group of the Moldovan think tanks to come to Brussels to address the EU institutions and call for more attention and support.

Moldova is part of the ENP (European Neighborhood Policy) and of the new “Eastern Partnership”, in which the participating countries commit themselves to a cooperation based on principles of international law and fundamental values, including democracy, the rule of law and the respect for human rights and fundamental freedoms. The crisis in Moldova is in fact a crisis of the practical translation of the ENP, and therefore, this crisis at the EU’s border should not be perceived as an internal matter of the neighboring states. We call on the EU to recognize that Moldova’s crisis shall be seen as a test case to prove EU determination to follow its principles and programs.

The delegation of four civil society representatives from Moldova visited Brussels between June 15 and 19, 2009 on behalf of the Moldovan civil society organizations, which are deeply concerned about the continuing crisis. The group consisted of the following activists: Nadine Gogu, Director of the Center for Independent Journalism; Igor Munteanu, Director of the Institute for Development and Social Initiatives (IDIS) “Viitorul”; Vlad Lupan, independent political analyst; and Sergey Ostaf, Director the Center for Human Rights “CONTACT”. The meetings were organized in cooperation with the European Partnership for Democracy (EPD, www.eupd.eu), a Brussels based organization aiming at improving European democracy assistance.

The delegation welcomed both the resolution of the European Parliament¹ from May 7th and also the Council Conclusions from June 15th which both express concerns over the political developments after the April elections and thus show the commitment of the EU to its neighbor. This report presents a short summary of the messages they have brought to Brussels and also a list of meetings held.

Political Crisis in Moldova

As events of early April 2009 illustrated, the efforts of the Moldovan civil society and of democratic political actors were insufficient to avoid massive violations of human rights, misuse of administrative resources, conduct of unfair elections, growing authoritarian tendencies, and geopolitical games for internal purposes. Limited international attention encouraged the ruling Communist Party to capitalize its full control over the state institutions. Widespread perception of rigged elections, and lack of political dialogue, left no choice for the

¹ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P6-TA-2006-0455+0+DOC+WORD+V0//EN>

democratic parties other than to block the election of the new president and call for new parliamentary elections.

Unfortunately, the main setbacks of the political and election systems (ruling party's control over state media, inconsistent list of registered voters, systemic abuse of administrative resources, political and economic harassment of opposition groups) still remain unresolved.

This might imply a repetition of the post-election events of April 2009, but on a larger scale and with much more prejudice to the people and rule of law institutions. Since the April elections it is estimated that more than 700 protesters have been arrested, many of them beaten and tortured by the police. Accusations were brought against the opposition leaders on organizing a 'coup d'état', without any evidence. Moreover, the ruling party launched a fierce hate speech campaign against 'enemies of statehood', which only deepens polarization of Moldovan society and undermines respect to the basic political rights and liberties. In addition, the ruling party has recently amended the Election Code, against clear warnings of the Venice Commission not to change the election legislation 6 months before the elections and without serious dialogue with the opposition.

On 4th May, a representative group of the civil society organizations launched a Roadmap for National Reconciliation and European Integration, which attempted to bring interested stakeholders to a common platform to stop violence, restore constitutional checks and balances, political pluralism and justice in Moldova. The Roadmap received wide recognition in Moldova, as well as abroad. It states that thorough reconstruction of the democratic institutions would ensure progress towards functioning of the democratic institutions ahead of the early elections. The domestic calls for improvement made by the various political actors and the civil society are not heard by the government. As a result the civil society calls for support from the European Union.

Proposed path of actions for the EU

The EU is the most important international voice which remains an authority to the Moldovan government. As stated in the Council Conclusions from June 15:

"... the Council expresses serious concern over the human rights abuses that took place after the 5 April parliamentary elections in the Republic of Moldova. It calls for a transparent, impartial and effective investigation of the human rights violations as well as the events around 7 April, through a process that includes the opposition as well as international experts. The Council underlines that the use of violence for political aims is unacceptable. The Council is also concerned by the deterioration of freedom of expression and media freedom and urges the Republic of Moldova to ensure equal access of political parties to the public media, to ensure transparent allocation of media licenses and to refrain from the use of administrative pressure against independent media, civil society organizations and political parties.

The Council is closely following political developments in the Republic of Moldova and underlines the need for constructive political dialogue. It urges the Moldovan authorities to ensure that the forthcoming parliamentary elections are free and fair and calls on them to work closely with the OSCE/ODIHR and the Venice Commission of the Council of Europe to address their recommendations"².

² See the Council Conclusions at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/gena/108527.pdf

The following recommendations are in line with the May resolution of the European Parliament, the Council Conclusions as well as the Roadmap presented by the Moldovan civil society:

- Moldovan civil society calls on the **European Parliament to send an Electoral Observation Mission** to support the democratic and peaceful character of elections. The observation mission will also play an important preventive role in the case of possible abuse of state power.
- Moldovan civil society encourages **the EU to strengthen its political presence in Moldova** in the last weeks before the July elections and a period after the elections to help the country to observe basic democratic standards. The mission of the EU Special Representative in the Republic of Moldova must be strengthened **in terms of its scope, means and voice**.
- Moldovan civil society is convinced that only full verification and updating of the voter rolls by the Central Electoral Committee, local authorities and state agencies, under active public and international scrutiny, with a full detailed report may convince the citizens of Moldova that the elections will not be rigged by administrative means. As the time is very short, the full verification may not be possible but **assistance should be provided to the relevant authorities in the verification** which was ordered by the CEC. Such assistance could be provided by independent organizations with the financial support of the European Union.
- Moldovan civil society requests that the EU ensures **free and fair access of all important political actors and civil society to mass media during the election campaign** for the conducting of free elections. It is of utmost importance in ensuring the acceptance of these elections, as a guarantee to rebuild confidence that Moldova can pursue a democratic model of governance.
- Moldovan civil society requests prompt **EU Commission support for the NGO community assisting election organization and monitoring** – following the principle ‘less budget support, more targeted support’ on mass media and democracy-building, which is an indispensable element for successful democratic elections – would ensure more transparency and fairness in the pre-election process;
- Moldovan civil society encourages **the EU to demand a full and complete investigation of the post-election violent actions** (riots and police mistreatment) by an international investigation mission which is stated in both EP resolution and EU Council Conclusions. The so-called investigation conducted currently by the incumbent governing party is not equidistant and this commission is not trusted by other political players and society. An independent parliamentary commission with participation of all parties which succeeded in elections and with participation of international actors would gain credibility of Moldovans and could result in a trustworthy account of the April events.

These messages have been addressed to the representatives of various European institutions and Member States’ representatives (see the list of meetings in the Annex). Efforts to bring Moldova, an EU neighbor, out of crisis and onto the path of genuine democratic transition and European integration – would not succeed without the joint involvement of the Moldovan society and EU institutions. Moldova simply needs more EU presence in these crucial pre-election moments as guardians of democratic practices and a promise to the largest part of the Moldovan citizens who see their identities strongly interlinked with Europe, and the European Union.