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*Plenary sitting*

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**B8-0330/2018**

3.7.2018

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on the political crisis in Moldova following the invalidation of the mayoral elections in Chisinau  
(2018/2783(RSP))

**Petras Auštrevičius, Beatriz Becerra Basterrechea, María Teresa Giménez Barbat, Charles Goerens, Marian Harkin, Ivan Jakovčić, Ilhan Kyuchyuk, Patricia Lalonde, Valentinas Mazuronis, Louis Michel, Javier Nart, Urmas Paet, Maite Pagazaurtundúa Ruiz, Jozo Radoš, Frédérique Ries, Robert Rochefort, Marietje Schaake, Jasenko Selimovic, Pavel Telička, Ramon Tremosa i Balcells, Viktor Uspaskich, Ivo Vajgl, Johannes Cornelis van Baalen, Hilde Vautmans, Renate Weber, Cecilia Wikström**  
on behalf of the ALDE Group

**European Parliament resolution on the political crisis in Moldova following the invalidation of the mayoral elections in Chisinau (2018/2783(RSP))**

*The European Parliament,*

- having regard to the Association Agreement and the Deep and Comprehensive Free Trade Agreement between the European Union and Moldova, which entered into force on 1 September 2014, which affirms that respect for democratic principles, human rights and fundamental freedoms form the basis of EU-Moldova relations;
- having regard to its previous resolutions on Moldova, specifically the resolution from 21 January 2016 on the Association Agreements and the Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine;
- having regard to the OSCE/ODIHR and Venice Commission recommendations of 19 June 2017;
- having regard to the Joint Statement by the European Parliament, the Council and the Commission laying down the political pre-conditions for granting macro-financial assistance to Moldova in the legislative resolution of 4 July 2017;
- having regard to the vote of the Parliament of Moldova of 20 July 2017 introducing changes to the electoral system;
- having regard to the Council conclusions on Moldova of 26 February 2018;
- having regard to the statements of the European External Action Service of 20 June 2018 and of HR/VP Federica Mogherini and Commissioner Johannes Hahn of 27 June 2018 on the validation of the election of the Mayor of Chisinau;
- having regard to the statement of the European Parliament Foreign Affairs Committee Chair, the Rapporteur on Moldova and the Euronest co-Chair of 21 June 2018 on the developments in Moldova;
- having regard to Rule 123(2) of its Rules of Procedure;
- having regard that Moldova is a member of the Council of Europe since 13th July 1995;

- having regard to the European Convention on Human Rights, ratified by Moldova in 1997;
- A. Whereas Moldova is part of the Eastern Partnership, a member of the Council of Europe, and a signatory of the Association Agreement and is and should remain a close partner of the European Union;
- B. Whereas Moldova has committed itself to safeguarding European values including human rights and freedoms, democracy, equality and the rule of law, via its participation in the Eastern Partnership, Council of Europe and Association Agreement with the EU;
- C. Whereas the government of Moldova has agreed to the precondition of respecting democratic institutions, including a multi-party parliamentary system, in order to receive loans and grants from the European Union;
- D. Whereas Andrei Nastase gained a clear majority in the Chisinau mayoral elections of 3 June 2018;
- E. Whereas a local court voided the results of the second round of the mayoral elections on 19 June 2018, arguing that social media posts by both candidates on election day breached campaign rules and that the invitation to voters to cast their ballots, launched on social media by Andrei Nastase on E-day, without any mention of candidates or campaign messages, was considered "electoral agitation";
- F. Whereas on 21 June, an appeals court upheld the decision of the local court, and the Supreme Court of Moldova upheld the decision on 25 June;
- G. Whereas the President of the Supreme Court of Moldova, (Ion Druta), who was one of the judges in charge with the decision, was involved in a legal proceeding in 2015, initiated by Andrei Nastase, who, in his position of a lawyer, was asking for criminal liability on corruption grounds;
- H. Whereas national and international observers of the mayoral election have recognized its results as reflecting the will of the voters;
- I. Whereas thousands have been protesting against the invalidation of the mayoral election results;
- J. Whereas the court invalidation is a concerning and significant sign of the continuing backsliding of democratic standards in Moldova, as an independent and transparent judiciary is a key pillar of democracy and the rule of law;

- K. Whereas the change of the electoral law of Moldova in July 2017 was contrary to the Venice Commission and the OSCE/ODIHR recommendations, and raised concerns over issues such as undue influence on candidates and over the risk of continued inadequate representation of minorities and women;
- L. Whereas, in October 2017, due to insufficient progress in reforming the justice sector in Moldova and country's failure to fulfill the EU's conditions, the EU made a decision to withhold EUR 28 mln. transfer, which was to be paid to Moldovan state budget under the justice reform programme;
1. Expresses serious concern as regards the annulment of the Chisinau mayoral election, which is taken on dubious grounds and through an opaque process, infringing article 6 of the ECHR and leading to serious doubts regarding the fairness and impartiality of the judiciary, despite being confirmed by the Moldovan Supreme Court;
  2. Emphasizes that credible, transparent, fair and inclusive elections are essential elements of democracy, and necessary to cultivate public trust in the government;
  3. Expresses solidarity with the Moldovan people's demand that authorities ensure that results of the mayoral election, recognized by national and international observers, are respected;
  4. Calls on the government to ensure judicial transparency and independence and warns against any further deterioration of democratic standards and the rule of law in Moldova, recalls that politically influenced courts amounts to state capture;
  5. Reiterates its concerns about the deterioration of the rule of law, democracy, respect for human rights and fundamental freedoms, in particular freedom of the media, independence of state institutions, shrinking space for civil society, and selective justice being used to pressure political opponents;
  6. Recalls the concern voiced over the decision of the Parliament of the Republic of Moldova to change the electoral law despite the strong recommendation made by the Venice Commission and OSCE/ODIHR and risk that the new legislation might have further detrimental effects on a multi-party parliamentary system and overall democratic standards in the Republic of Moldova;
  7. Underlines that the democratic backsliding in Moldova is not in line with the preconditions set forth by the European Union for Moldova to receive macro-

financial assistance; urges the Commission to uphold the conditionality of foreseen EUR 100 million. macro-financial assistance by suspending future disbursements to Moldova until after parliamentary elections that respect European Union values and standards are conducted, in line with internationally recognised standards as assessed by specialised international bodies;

8. Regrets the fact that following the 2014 bank fraud, the Moldovan authorities made a very little progress in conducting a thorough and impartial investigation into this matter and urges to ensure that additional and continued efforts are taken with a view to recovering the diverted funds and bringing those responsible to justice, irrespective of any political affiliation;
9. Instructs its President to forward its position to the Council, the Commission and the national parliaments.