



Plenary sitting

B8-0332/2018

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))

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on behalf of the GUE/NGL 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 Implementation Report on the Republic of Moldova of 3 April 2018,
 - having regard to its legislative resolution of 4 July 2017 on the proposal for a decision of the European Parliament and of the Council providing macro-financial assistance to the Republic of Moldova,
 - having regard to the Joint Statement by the European Parliament, the Council and the Commission laying down standards for granting macro-financial assistance to the Republic of Moldova annexed to the legislative resolution of 4 July 2017,
 - having regard to article 1 of the Association Agreement between the European Union and the Republic of Moldova, which states that “respect for democratic principles, human rights and fundamental freedoms...shall form the basis of the domestic and external policies of the parties and constitutes an essential element of this Agreement”,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas for several years Moldova faces persistent political and economic instability; whereas the political system is dominated by an corrupt oligarchy resulting in an extremely problematic situation of rule of law;
- B. whereas corruption and bad governance have eroded public trust in the political elite in Moldova, resulting in recurring waves of public protests; whereas opposition faces prosecution and trial; whereas the austerity policy combined with the widespread corruption have resulted in the selling-off of Moldova’s industry and resources and the devastation of its citizens’ livelihoods giving rise to continuing mass emigration;
- C. whereas in 2014 the biggest-known banking scandal in Moldovan history aggravated the already dire economic situation; whereas Moldovan leaders including former Prime Minister Filat are accused of having pocketed 1 billion € (17% of GDP that year); whereas the Moldovan authorities continue to avoid a credible and transparent investigation of the financial crimes;
- D. whereas gradually the money laundered through Moldova is seen in action inside the EU Member States; whereas therefore it is in EU’s interest to step in directly to investigation on the financial crimes, prosecute those responsible and support an independent asset recovery mechanism;
- E. whereas EU funds (561m€ during 2007-13) have not been used for the development of the country resulting in a significant reduction in Moldovans' trust in the EU; whereas the

Republic of Moldova remains the poorest country in Europe where 40% of the people live below the poverty line; whereas an estimated one-third of adult Moldovans work abroad, the highest proportion of any country in the world;

- F. Whereas Andrei Nastase won the early mayor elections in Chisinau, after a two round contest on 20 May and 3 June, receiving 52.7% of support defeating Ion Ceban, who received 47.43 % of votes; whereas the international observers of the mayor elections in Chisinau recognised the results and the competitive character of the race,
- G. Whereas on 19 June 2018 a Chisinau Court voided the results of the second round of the mayoral elections, on the grounds that both candidates had addressed voters on social media on election day, after the legal end of campaigning; whereas none of the competitors in the electoral process asked for the annulation of the elections; whereas on 21 June an appeals court in Chisinau upheld the decision of the court of lower instance, concluding that social-media communications with voters illegally affected the outcome of the elections; whereas on 25 June the Supreme Court of Moldova upheld the decisions of the courts of lower instances to invalidate the results of the elections of the Mayor of Chisinau,
- H. Whereas thousands of people have been protesting the decision of the courts in Chisinau,
- I. Whereas the invalidation is an important sign of the continuing deterioration of application of democratic standards in Moldova, demonstrates the increasing proclivity towards authoritarian and arbitrary rule and significant decrease of trust of the people in their authorities and institutions,
 - 1. Notes with deep concern the concentration of power in Moldovan policy and economics in the hands of a narrow group of individuals; reiterates its concerns about the deterioration of the rule of law, democratic standards, respect for human rights, the lack of independence of the judiciary, in particular the cases of selective justice being used as a tool to exert pressure on political opponents, the excessive politicisation of state institutions, systemic corruption, and the lack of media pluralism,
 - 2. Expresses its solidarity with the Moldovan civil society which despite all obstacles tries to participation in the political debate and political decision making process; calls on Moldovan authorities to refrain from stifling the activism of Moldovan civil society through harassment, prosecution and unnecessary and intrusive regulations;
 - 3. Reminds that elections are the cornerstone of any democratic system, maintaining the impartiality and independence of the judiciary from any kind of political influence is the bedrock of trust in the political system of the country; expresses deep preoccupation at the decision to invalidate the results of the election for Mayor of Chisinau by the Supreme Court of Moldova,
 - 4. Expresses grave concern about further deterioration of democratic standards in Moldova, recognises that the decision of the courts, which already have been many times cited as politically influenced and driven, is an example of state capture and a very deep crisis of institutions in Moldova; regrets that, despite numerous calls of the international community, the authorities continue to undermine the trust of the people in the fairness

and impartiality of state institutions,

5. Is deeply concerned that since November 2014, when around USD 1 billion from Moldova's financial system has been looted by criminal financial manipulations, the investigation of this scandal continues to stagnate; is concerned that despite the information provided by Moldovan solicitors, Moldovan law enforcement agencies have sought to prevent evidence from being notified, investigations being delayed, evidence being distorted and putting pressure on the same lawyers to cease their activities;
6. Is concerned that the authorities of Moldova have apparently not yet submitted a request for mutual legal assistance to the EU Member States concerned, and that there is still no disclosure of the existing accounts which are being used to launder stolen funds
7. Is concerned that political opponents and their lawyers are being persecuted by the Moldovan authorities through fabricated accusations and criminal proceedings, and that in doing so, the authorities are violating the rule of law and the rights of the political opponents and lawyers; Criticises the fact that the observation process by EU Member States' embassies or by the Moldovan delegation of the EEAS is increasingly inhibited by the exclusion of the general public; considers it incompatible with the Association Agreement that, through the actions of the Moldovan authorities, political opponents and their lawyers are increasingly being forced to seek political asylum in EU Member States;
8. Reminds that the “pre-condition for granting macro-financial assistance is that the beneficiary country respects effective democratic mechanisms, including a multi-party parliamentary system and the rule of law and guarantees respect of human rights”;
9. Considers that the continued domination of the political system by a corrupt oligarchy, the harassment and prosecution of the opposition, the lack of a credible and transparent investigation of the financial crimes committed in 2014, the lack of respect for democratic principles, human rights and rule of law violate the conditions for the disbursement of Macro-Financial Assistance; expects the European Commission to suspend any foreseen disbursements of Macro-Financial Assistance to Moldova;
10. Instructs its President to forward this resolution to the Council, the Commission, the parliaments and governments of the Member States, the Governments and Parliaments of Moldova, the OSCE, the Venice Commission and the Council of Europe.