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MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission
pursuant to Rule 103(2) of the Rules of Procedure

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on behalf of the ALDE Group

on the situation in Moldova

B6-0262/2009

European Parliament resolution on the situation in Moldova

The European Parliament,

- having regard to its previous resolutions on Moldova,
 - having regard to the Partnership and Cooperation Agreement between Moldova and the European Union (EU), which was signed on 28 November 1994 and entered into force on 1 July 1998,
 - having regard to the EU-Moldova European Neighbourhood Policy (ENP) Action Plan for Moldova adopted at the Cooperation Council on 22 February 2005,
 - having regard to the Final Statement and Recommendations of the EU-Moldova Parliamentary Cooperation Committee meeting of 22 and 23 October 2008,
 - having regard to the statement of preliminary findings and conclusions of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Election Observation Mission to the Republic of Moldova for the Parliamentary Elections of 5 April 2009 and the post-election interim report,
 - having regard to the numerous reports by the media and civil-society organisations on the abuse and violation of basic human rights in Moldova in the aftermath of the parliamentary elections on 5 April 2009,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the Republic of Moldova has deep historical, cultural and economic links to the Member States and has declared on numerous occasions its aspiration towards deeper European integration,
- B. whereas a genuine and balanced partnership can only be developed on the basis of common values with regard, in particular, to democracy, the rule of law and respect for human rights and civil liberties,
- C. whereas the EU-Moldova ENP Action Plan is aimed at encouraging political and institutional reforms, in particular in the field of human rights and fundamental freedoms, that will enable Moldova to become progressively integrated into EU policies and programmes,
- D. whereas in its preliminary report the OSCE/ODIHR Election Observation Mission stated that the parliamentary elections that took place in the Republic of Moldova on 5 April 2009 represented a notable improvement in terms of overall organisation of the elections but the authorities failed to guarantee equal access of the media to all parties concerned and serious concerns were expressed about government abuse of administrative resources for the benefit of candidates of the ruling party,

- E. whereas opposition parties have made well substantiated allegations of widespread fraud, such as multiple voting, voting without appropriate ID documents, forged signatures on voter lists, voters with identical ID numbers and the inclusion of deceased people on the electoral roll, and whereas their appeal to the Constitutional Court was rejected on procedural grounds,
- F. whereas the de-facto authorities of the breakaway region of Transnistria prevented the participation of a large number of Moldovan citizens in the elections,
- G. whereas initially peaceful demonstrations on 7 April were followed by violent attacks on the buildings of the President's administration and Parliament and serious questions remain unanswered over the action of the police during the tumultuous events around and inside Parliament and the President's administration building,
- H. whereas the brutal response by the police and security forces that followed was disproportionate and points to the serious and systematic failure of the Moldovan authorities to uphold the rule of law and fully respect Moldova's own laws and its commitments as a member of the Council of Europe,
- I. whereas hundreds of people were detained and whereas those reported to have been arrested included peaceful demonstrators, journalists and youth activists who were severely beaten and abused in the detention facilities,
- J. whereas cases of police ill-treatment, including the degrading and humiliating treatment of men and women, have been widely documented in Moldova by international organisations and national and international NGOs,
- K. whereas the expulsion of the head of the Romanian mission and the Minister-Counsellor of the Romanian Embassy by the Moldovan authorities violates the good-neighbourly relations between the European Union and Moldova,
- L. whereas the regime governing travel by Romanian citizens to the Republic of Moldova is regulated by the Visa Facilitation Agreement between the European Union and the Republic of Moldova, and whereas the introduction of a visa regime for Romanian citizens is in breach of the existing agreements,
 1. Condemns the disproportionate use of force and is appalled by the numerous reports of ill-treatment of detainees and prevention of their access to justice; calls on the authorities to immediately release all those protestors and youth activists that remain in custody and to ensure the highest standards in any judicial proceedings;
 2. Urges the Moldovan authorities to set up an independent and credible investigation of all allegations of use of excessive force and ill-treatment by police officers; expects the investigation to be thorough and impartial, and that anyone reasonably identified as responsible will be brought to justice in fair proceedings; underlines that the opposition must be strongly represented and fully involved in such an investigation in order to ensure a legitimate outcome;
 3. Calls on the Council to consider with the Moldovan authorities and the opposition whether

the European Union could play a facilitating role in appointing an independent commission for such an investigation in the shortest time possible;

4. Calls on the Council to make European Union funding to the Republic of Moldova dependent on the outcome of the independent investigation into the post-electoral violence;
5. Reminds the authorities of the Republic of Moldova and its President, Vladimir Voronin, that they bear full political and judicial responsibility for securing the right to peaceful and democratic protest and for upholding and implementing Moldova's own laws and international commitments; expects a thorough, objective and independent judicial investigation of all alleged instances of lawlessness, including those committed by the police, judicial officials or security forces;
6. Calls on the Moldovan authorities to demonstrate their unequivocal commitment to the consolidation of democracy, the rule of law and respect for human rights and to take concrete measures to restore confidence in the election procedures and implement all of the OSCE/ODIHR recommendations in order to secure qualitatively different elections in the future;
7. Notes that the opposition parties are united and determined to use their constitutional right to block the election in Parliament of the new President and thus force a new general election as stipulated in the Constitution; emphasises however that any new election requires a consensus between the opposition and government on concrete improvements to the election process;
8. Notes with concern the documented discrepancies in media coverage between the ruling Communist party and the opposition by Radio Television Moldova and calls for further steps to ensure editorial independence of all media and in particular of Radio Television Moldova; calls on the Commission to offer EU assistance and expertise in this field; points out that the public broadcasting company has the obligation to transmit objective and impartial information to the general public and must not be a mouthpiece for the authorities or for any particular party;
9. Calls on the Moldovan authorities to allow opposition access to the electoral roll and ensure that independent verification of allegations can take place through existing judicial procedures under the laws of the Republic of Moldova;
10. Expresses its serious concern over recent moves by the Ministry of Justice against a number of civil-society organisations following the events of 7 and 8 April, and underlines that administrative and fiscal measures should not be misused in order to silence critics of the government;
11. Calls on the Council to mandate the EU senior representative in the Republic of Moldova to investigate possibilities of reinforcing the EU's role in the field of promotion of the rule of law and respect for human rights;
12. Calls on the Commission to ensure that EU funding available to the Republic of Moldova in the field of human rights and fundamental freedoms has greater outreach, in particular

by making full use of the European Instrument for Democracy and Human Rights and within the ENP instrument;

13. Welcomes Moldova's participation in the Eastern Partnership, but underlines that true partnership can only be based on a real commitment to further reforms;
14. Reiterates its support for the territorial integrity of the Republic of Moldova and points out that a more robust EU role in finding a solution for the Transnistrian question is needed;
15. Stresses that considerable discrepancies between the OSCE/ODIHR preliminary report on the conduct of the elections and the assessment and accusations by the opposition parties and a considerable number of Moldovan citizens concerning fraud must be taken into account in any future review of OSCE/ODIHR election monitoring activities and EU contributions to international election observation missions;
16. Urges the Moldovan authorities to immediately restore the travel regime for Romanian citizens wishing to visit the Republic of Moldova, and to comply with the Visa Facilitation Agreement between the European Union and the Republic of Moldova;
17. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the President and Parliament of the Republic of Moldova, the OSCE/ODIHR and the Council of Europe.