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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

by Jan Marinus Wiersma, Hannes Swoboda, Adrian Severin and Marianne Mikko

on behalf of the PSE Group

on the situation in Moldova

European Parliament resolution on the situation in Moldova

The European Parliament,

- having regard to its previous resolutions on the situation in Moldova, in particular that of 24 February 2005,
 - having regard to the Partnership and Cooperation Agreement between Moldova and the EU, which was signed on 28 November 1994 and entered into force on 1 July 1998,
 - having regard to the Action Plan for the Republic of Moldova adopted by the seventh EU-Moldova Cooperation Council meeting on 22 February 2005,
 - having regard to the Communication from the Commission to the European Parliament and the Council on the Eastern Partnership (COM(2008)0823) of 3 December 2008,
 - having regard to the statements by the Presidency on behalf of the European Union, by Mr Javier Solana, EU High Representative for the CFSP, and by Mrs Benita Ferrero-Waldner, Commissioner for external relations, on the situation in Moldova,
 - having regard to the statement of preliminary findings and conclusions of the International Election Observation Mission to the Republic of Moldova for the Parliamentary Elections of 5 April 2009 and to the OSCE/ODIHR's post-election report for the period 6-17 April 2009,
 - having regard to Amnesty International's Moldova Memorandum of 17 April 2009 on the situation in Moldova during and after the events of 7 April 2009,
 - having regard to the decision of the Constitutional Court of Moldova of 22 April 2009 validating the final result of the parliamentary elections of 5 April 2009,
 - having regard to the report of its ad hoc delegation to Moldova, whose visit took place from 26 to 29 April 2009,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the European Neighbourhood Policy and the programme for an Eastern Partnership recognise Moldova's European aspirations and the importance of Moldova as a country with deep historical, cultural and economic links with the Member States of the European Union,
- B. whereas, within the framework of this European Neighbourhood Policy, an Action Plan has been concluded, which includes proposals aimed at encouraging the political and institutional reforms which will enable Moldova to integrate progressively into EU policies and programmes,

- C. whereas a genuine and balanced partnership can only be developed on the basis of shared common values with regard, in particular, to democracy, the rule of law and respect for human and civil rights,
- D. whereas parliamentary elections took place in Moldova on 5 April 2009, which were monitored by an International Election Observation Mission composed of OSCE/ODIHR and representatives from the European Parliament, the OSCE Parliamentary Assembly and the Parliamentary Assembly of the Council of Europe,
- E. whereas the International Election Observation Mission concluded in its preliminary findings that the elections met many international standards and commitments, but that further improvements were required to ensure an electoral process free from undue administrative interference and to increase public confidence,
- F. whereas, however, opposition parties and Moldovan and international NGOs noted multiple irregularities and, in particular, cases of alleged fraudulent voting based on deficiencies in the voter lists, which allegations were considered by OSCE/ODIHR in a post-election interim report as credible but limited in scale,
- G. whereas, after a recount, the final results of the elections were published by the Central Election Commission on 21 April 2009 and validated by the Constitutional Court on 22 April 2009,
- H. whereas the rejection of the outcome of the elections by part of Moldovan society demonstrates a basic lack of trust between the different political forces in Moldova and the need for dialogue and a greater acceptance of and responsibility for the democratic process in the country,
- I. whereas thousands of people protested in the streets of Chisinau, trying to occupy several government buildings, including the Moldovan Parliament, and resulting in violent clashes between the Moldovan police and demonstrators, during which three people were killed, many were wounded and several hundred were arrested,
- J. whereas, according to different reports, the Moldovan police and security forces acted brutally in repressing the demonstrations and during the arrest of demonstrators and whereas, according to these reports, arrested demonstrators were denied access to their relatives and lawyers and any other form of support,
- K. whereas the Moldovan Government accused Romania of involvement in the post-electoral demonstrations and expelled the Romanian ambassador; whereas the Moldovan Government also restored the visa obligation for citizens of this EU Member State,
- L. whereas it must be stressed that no serious indications or evidence have come to light on the basis of which any EU Member State could be accused of being responsible for the violent events of the recent weeks,
- M. whereas the European Union seeks to establish, through its programme for an Eastern Partnership, greater stability, better governance and economic development in Moldova and in the other countries at its eastern borders,

1. Underlines the importance of a further strengthened relationship between the EU and Moldova and confirms the need to work together to contribute to increased stability, security and prosperity on the European continent and to prevent the emergence of new dividing lines;
2. Stresses that full compliance with international democratic standards before, during and after the electoral process is of the greatest importance for the further development of relations between Moldova and the European Union;
3. Notes the statement of preliminary findings and conclusions of the International Election Observation Mission, which stated that the elections met many international standards and commitments, but that further improvements are required to ensure an electoral process free from undue administrative interference and to increase public confidence;
4. Notes at the same time that serious allegations were made by opposition parties and Moldovan and international NGOs regarding multiple irregularities and, in particular, cases of alleged fraudulent voting based on deficiencies in voter lists;
5. Notes, furthermore, that the Constitutional Court of the Republic of Moldova validated the final result of the Moldovan parliamentary elections as presented by the Central Election Commission and that no further appeal is possible against this decision by the Constitutional Court;
6. Stresses that a national dialogue must be established, with the participation of the government and the opposition parties, which must make a serious effort to fundamentally improve the democratic procedures and the functioning of democratic institutions in Moldova and which must immediately address the deficiencies noted in the findings of the International Election Observation Mission;
7. Expresses its deep concern at the violent clashes between demonstrators and Moldovan police and security forces during the days following the parliamentary elections;
8. Condemns the excessive force used by the Moldovan police during these demonstrations when demonstrators, journalists and people singled out at random were arrested and beaten up;
9. Strongly condemns the brutalities exercised against detainees in the police stations during the first days of their arrest; equally condemns the refusal of access by the relatives and lawyers of the detainees and any other form of support to those victims of police brutality;
10. Is deeply concerned about the serious lack of respect shown by the Moldovan authorities for the basic human rights of those detained during the demonstrations;
11. Is satisfied that almost all those arrested during the period of the demonstrations have now been released, but urges the Moldovan authorities also to stop all further legal proceedings against those arrested because of their participation in the demonstrations;

12. Urges the Moldovan Government to establish a committee of investigation into the violent events of 6-7 April 2009, with the full participation of representatives of the government, the opposition and Moldovan civil society and with the support of international experts from the Council of Europe;
13. Insists that all those found responsible for the brutal violence against the detainees be brought to justice; insists, furthermore, that the findings of this committee of investigation should also lead to a genuine reform of the legal system and the police forces in Moldova;
14. Strongly deplors the decision by the Moldovan authorities to extradite the Romanian ambassador and to introduce a visa obligation for citizens of this European Union Member State; insists that discrimination against EU citizens on the basis of their national origin is not acceptable and calls on the Moldovan authorities to restore the free visa regime for Romanian citizens;
15. Urges the Council and the Commission, at the same time, to undertake a review of the EU's visa system for Moldova in order to make better regulated travel arrangements possible; hopes, however, that Moldovan citizens will not use a better visa and travel system to massively leave their country, but will be encouraged to make an active contribution to the further development of their home country;
16. Welcomes the initial efforts of the Romanian Government to react with calm to the tensions which thus arose and to restore good neighbourly relations between the two countries; deeply regrets, however, the initiatives of President Basescu to speed up the procedures for those Moldovan citizens applying for Romanian citizenship, which are contrary to the efforts to reduce those tensions;
17. Stresses that the Commission, the Council and the Member States must make full use of the European Neighbourhood Programme and, in particular, of the new programme for the Eastern Partnership to establish greater stability, better governance and balanced economic development in Moldova and in the other countries at its eastern borders;
18. Insists, however, that full adherence to democratic procedures and the good functioning of democratic institutions, full respect for the rule of law, human rights and the rights of minorities and the acceptance of constructive dialogue to resolve existing conflicts must be a priority issue for the Eastern Partnership Summit, which will take place on 7 May 2009 in Prague, and will also, more generally, be an essential element for successful implementation of the Eastern Partnership programme;
19. Calls on the Council and the Commission to strengthen the mission of the EU Special Representative to the Republic of Moldova, in terms of both its scope and its means;
20. Stresses once again that the European Union must do everything within its power to offer the people of Moldova a truly European future; urges all political forces in Moldova and Moldova's partners not to abuse the current situation of instability to divert Moldova from its European course;
21. Instructs its President to forward this resolution to the Commission, the Council, the

Parliamentary Assemblies of the Council of Europe and the OSCE, and the Government and Parliament of Moldova.