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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 Marie Anne Isler Béguin and Elisabeth Schroedter

on behalf of the Verts/ALE 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 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 Eastern Partnership due to be launched shortly 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, on 6 April, thousands of people gathered spontaneously in the main squares of Chisinau protesting peacefully against the conduct and outcome of the elections; whereas, on 7 April, a group of demonstrators stormed and ransacked, and stole material and documents from, several government buildings and set fire to the Moldovan Parliament and the Presidential Palace; whereas these actions resulted in violent clashes between the Moldovan police and demonstrators, during which three people were killed, many people were wounded and several hundred people were arrested,
- J. whereas the Moldovan police and security forces acted brutally and violently in repressing the demonstrations, during the arrest of demonstrators, in police stations and in prisons, and whereas many of the people were arrested by officers in plainclothes who did not identify themselves; whereas many people arrested were denied access to their relatives and lawyers and any other form of support,
- K. whereas Moldovan and foreign journalists were also subjected to acts of intimidation, harassment, arrest, denial of access to the country preventing them from performing their job and thus limiting the possibility to spread information and report on the tragic events,
- L. whereas, in the aftermath of the elections, the Moldovan authorities stepped up the pressure on NGOs, accusing some of them of organising the demonstrations and requiring them to provide within a short period of time documents concerning their tax

situation and bank accounts,

- M. whereas the Moldovan Government accused Romania of involvement in the post-electoral demonstrations and expelled the Romanian ambassador; whereas the Moldovan Government also restored a visa obligation for the citizens of this EU Member State,
- N. 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,
- O. whereas about one quarter of Moldovan citizens live abroad; whereas the voting turnout among Moldovan expatriates was very low, owing to the lack of information and the limited number of polling stations available,
- P. whereas the present visa facilitation regime between the EU and Moldova is a cause for concern and frustration for Moldovan citizens, whose visa applications are not sufficiently followed through by Member States,
 - 1. Firmly condemns all acts of violence and vandalism that took place during the demonstrations and the violent, disproportionate and indiscriminate crackdown of the police and security forces on demonstrators and bystanders, with people being randomly arrested, beaten up, ill-treated and subjected to practices that could be assimilated to torture;
 - 2. Urges the competent ministries of the Moldovan Government, in this regard, to draw the necessary conclusions about the grave and persistent human rights abuses and infringements of legal procedures vis-à-vis those detained during and after the demonstrations, assume political responsibility for what happened and, where appropriate, resign;
 - 3. Expresses its satisfaction at the fact that 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;
 - 4. Calls for the setting-up of an independent and impartial 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 international experts from the Council of Europe and the EU;
 - 5. Takes the view, in this respect, that the setting-up of this committee is a key element aimed at rebuilding confidence between the parties with a view to laying the foundations of a national dialogue between the government, the opposition parties and representatives of civil society; considers that such a dialogue must make a serious effort to fundamentally improve democratic procedures and the functioning of democratic institutions in Moldova, and should immediately address the deficiencies noted in the findings of the International Election Observation Mission;
 - 6. Insists that all those found responsible for the brutal violence against the detainees be

duly prosecuted and brought to justice; insists, furthermore, that the findings of this committee of investigation should lead to a genuine reform of the legal system and the police forces in Moldova;

7. Expresses its serious concern at recent measures taken by the Ministry of Justice against a number of civil society organisations following the events of 7 and 8 April; stresses that administrative and fiscal controls should not be misused in order to silence critics of the government;
8. 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;
9. Takes note of 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 draws attention to the fact that further improvements are required to ensure an electoral process free from undue administrative interference and to increase public confidence;
10. 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 the voter lists in a context of unbalanced or restricted access to media for the opposition forces;
11. 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;
12. Regrets that the Moldovan Government made no efforts to facilitate voting by Moldovan citizens living abroad, in line with the suggestions of the Venice Commission; calls on the Moldovan authorities to adopt the necessary measures for this to take place in due course;
13. Urges the Council and the Commission 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;
14. Welcomes the initial efforts of the Romanian Government to react with calm to the unilateral measures of the Moldovan Government against the Romanian ambassador and Romanian citizens 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;
15. Stresses that the Commission, the Council and the Member States must make full use of the European Neighbourhood Programme and, in particular, the new programme for the

Eastern Partnership to establish greater stability, better governance and a balanced economic development in Moldova and in the other countries at its eastern borders;

16. 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 be, more generally, an essential element for successful implementation of the Eastern Partnership programme;
17. 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;
18. Reiterates its full support for the territorial integrity and sovereignty of the Republic of Moldova and calls for stronger involvement of and a leading role for the EU in the negotiating process relating to the Transnistria conflict;
19. 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.