



Plenary sitting

B8-0326/2018

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 ECR 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 Joint Statement by the European Parliament, the Council and the Commission laying down political pre-conditions for granting macro-financial assistance to the Republic of Moldova annexed to the legislative resolution of 4 July 2017,
 - having regard to the statements by the European Parliament Foreign Affairs Committee Chair, its Rapporteur and the Euronest co-Chair of 21 June 2018,
 - having regard to its previous resolution on Moldova, specifically the resolution of 21 January 2016 regarding the Association Agreement/Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine,¹
 - having regard to the vote of the Parliament of the Republic of Moldova on 20 July 2017 implementing changes in the electoral system,
 - having regards to the statements by the European External Action Service of June 20 and June 27, 2018, on the validation of the mayoral elections in Chisinau,
 - having regard to Article 1 of the Association Agreement between the European Union and the Republic of Moldova, which articulates 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 the Agreement”,
 - having regard to the Association Implementation Report on Moldova of 5 April, 2018,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. Whereas Andrei Nastase won the early electoral elections in Chisinau in a two-round contest held on 20 May and 3 June, 2018, where he received 52.7% of votes, defeating his opponent, Ion Ceban with 47.43 % of votes.
- B. Whereas on 19 June 2018, a Chisinau Court annulled the results of the second round of the mayoral elections, citing candidates’ social media address to their voters on the election day as a sufficient ground for such a decision; whereas none of the candidates of the electoral competition requested annulation of the elections,
- C. Whereas on 21 June, an appeals court in Chisinau endorsed the decision of the court of lower instance, concluding that candidates’ communications on social media with their electorate was illegal and ran counter to respecting human rights.”

¹ Texts adopted: P8_TA(2016)0018

D. 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,

E. Whereas Andrei Nastase led 2015 protests against corruption of the nominally pro-Western government in which the main force is the Democratic Party led by controversial oligarch Vladimir Plahotniuc;

F. Whereas Nastase and other critics accused Plahotniuc that he is controlling many Moldovan institutions, including judiciary;

G. Whereas the international community, including the European Union and the US Department of State have criticised the decision, underlining that the will of the voters needs to be respected and that Moldovan people trust in the state institutions have been undermined;

H. Whereas the international observers of the mayor elections in Chisinau recognised the results and the competitive character of the race,

1. Expresses serious concerns pertaining to the decision, on dubious grounds and in a non-transparent way, to invalidate the results of the election for Mayor of Chisinau by the Courts of Moldova;

2. Calls on the Moldavian authorities to ensure that the results of the Chisinau mayoral elections, as recognized also by national and international observers and reflecting the will of the voters, are respected;

3. Considers that, following the decision to cancel the results of the second round of the mayoral elections in Chisinau, the political conditions for the disbursement of Macro-Financial Assistance have not been met,

4. Calls therefore on the European Commission to suspend any foreseen disbursements of Macro-Financial Assistance to Moldova, believes that any decision on future disbursements should only take place after the planned parliamentary elections and, as a specific and concrete benchmark, on the condition that these elections are conducted in line with internationally recognised standards as assessed by specialised international bodies; reiterates in this regard its readiness to take part in the expected International Election Observation Mission for this election;

5. Reiterates its concerns about the decline of the rule of law, democratic institutions and standards, lack of independence of the judiciary, especially the cases of selective justice and politically motivated judicial cases, systemic corruption, lack of respect for human rights, lack of media pluralism and insufficient efforts by the government of Moldova to investigate the 2014 banking fraud,

6. Calls on the Moldavian authorities to reform the corrupt and oligarchic juridical system, including nomination of new judges, to prevent the judiciary from intervening in the election and political processes or undermining in any other way the will of the people of Moldova as expressed in the democratic process;

7. In this regard, calls on the European Commission to review its policy on judicial reforms and raise awareness about the ability of post-communist and post-soviet judiciaries in ex-Soviet bloc countries to intervene or overturn the democratic will of the people as expressed through elections or decisions of Parliaments;

8. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, the Organisation for Security and Cooperation in Europe and the President, Government and Parliament of Moldova.