LCRM – Legal Resources Centre from Moldova

Only the Government and the Judicial System Are Responsible for Failures in the Justice Sector

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The member organizations of the National Platform of the Eastern Partnership Civil Society Forum, signatories to this Statement, express their deep concern and indignation regarding the current Government's shrinking from the responsibility for the failure of the justice sector reform and shifting it to the development partners and civil society.

On 5 July 2018, the European Parliament adopted a resolution on the political crisis in Moldova following the invalidation of the mayoral elections in Chisinau**. The European Parliament, among other things, expressed its** grave concern over the further deterioration of democratic standards in Moldova, as well as regarding the lack of independence of the judiciary, urging the European Commission to suspend budgetary support and macro-financial assistance for the Republic of Moldova. The High Representative for Foreign Affairs and Security Policy/Vice-President of the European Commission, Federica Mogherini, confirmed the decision to put on hold the disbursement of the first tranche of the macro-financial assistance reserved for the Republic of Moldova.

On 6 July 2018, the Ambassador of the European Union (EU) and the ambassadors of EU member states to Chisinau met with the Prime Minister Pavel Filip and the members of the Cabinet to inform them about the EU position after the invalidation of elections in Chisinau. After the meeting, the Delegation issued a brief statement.

On 7 July 2018, the Cabinet of the Republic of Moldova issued a press release with its own clarifications regarding the meeting of 6 July. According to the press release, the resolution of 5 July 2018 is wrongful towards the Government and is politically charged, noting that „[…] all commitments to receive EU funding have been fulfilled, and the decision to suspend the funding is unjustified and represents an interference into the internal policy of the Republic of Moldova". Moreover, the press release states that the Prime Minister has called the attention of the EU Ambassadors to the fact that „**if things are not going as they have to in the justice sector, it is the responsibility of both the Government and the European partners as well as of the representatives of civil society who participated in the implementation of the justice sector reform**". The Prime Minister also noted that the information sent by the EU Delegation to Chisinau to the European officials is incomplete and asked for „this approach to be revised and notes sent to be objective".

In this context, we express our grave concern and indignation regarding:

- the way in which the Cabinet and the Government as a whole has chosen to react to the resolution of the European Parliament of 5 July 2018 and to the EU position on the invalidation of the election results in Chisinau municipality and the unprecedented language to which a high-ranking official of the Republic of Moldova has resorted, making unfair accusations regarding the way of the EU Delegation to Chisinau is informing the European officials, even giving instructions to foreign diplomats regarding what kind of information they should send to the EU institutions.
- the Government's shrinking from the responsibility for the state of affairs in the justice sector, shifting the responsibility for the failures of the justice sector reform to development partners and civil society representatives.

We have to draw Government and public opinion's attention to the fact that the responsibility for justice sector reforms rests only with the national authorities – the Parliament, the Government and, to a large extent, with the judiciary. The Cabinet, the parliamentary majority and the current Government as a whole bear the greatest responsibility for not promoting systemic reforms and policies aimed at ensuring the independent functioning of the judiciary and law enforcement institutions that are free from the influence of affiliated economic and political groups. They also bear responsibility for not using all the tools available to the Government and the Parliament to prevent the enforcement of court decisions that attack the fundamental right of citizens to elect and be elected. Dangerous practices have been instituted in the judiciary, and political influence on judges and prosecutors, a common phenomenon for the entire state apparatus, has increased.

The press release of the Government of the Republic of Moldova of 7 July 2018 states that the Government will remain firmly committed to the European path, the only viable strategic direction for modernizing the country.

In this context, **we recall that the fundamental values on which the European Union is based, shared by all Member States and assumed by the Republic of Moldova under the Association Agreement with the EU, are: human dignity, freedom, democracy, equality, the rule of law and human rights.**

Therefore, we urge the Government and all the authorities of the Republic of Moldova to respect these values, to abandon the practices established in recent years that are contrary to these values and to ensure the implementation of these values into life in the interests of the citizens of the Republic of Moldova.

Declaration in Romanian is available here.

Declaration in English is available here.

Declaration in Russian is available here.

Signatories:

Legal Resources Centre from Moldova

Institute for European Policies and Reforms

Association of Independent Press

Transparency International Moldova

Institute for Development and Social Initiatives „Viitorul”

“MilleniuM” Training and Development Institute

Foundation for Development

Eco-Tiras International Association of River Keepers

BIOS Public Association

Expert-Grup

Association Terra-1530

Centre for Policies and Reforms

Foreign Policy Association

Institute for Public Policy

Association for Efficient and Responsible Governance

Foundation for Education and Development

Est Europe Foundation

Centre for Independent Journalism

Labour Institute

Association of Professional and Business Women

National Youth Council of Moldova

Ecological Movement from Moldova

National Association of European Trainers from Moldova

International Centre “La Strada”

National Environmental Centre

National Roma Centre

Union of Organizations for Disabled from Moldova

Association for Rehabilitation of the Disabled from Moldova

Promo-LEX Association

(the list is open for signing)

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