LCRM – Legal Resources Centre from Moldova

The attack on civil society organizations is inadmissible and erodes trust in state authorities

admin2706 admin2706 · Friday, May 19th, 2017

Supporting democratic institutions and expressing opinions on issues related to the electoral system do not represent political affiliation. We invite the representatives of public authorities, political parties and media institutions to refrain from attacks on civil society organizations that are active, independent and have critical views on the initiatives of the authorities. We call for a return to an open dialogue with all civil society organizations in order to promote the rule of law and the reforms that are really necessary in the society.

On 5 May 2017, several civil society organizations condemned (declaration available in Romanian, Russian and English) the manner in which the draft law no. 60 (proposing the introduction of the uninominal system in the parliamentary elections) and the draft law no. 123 (which envisaged the introduction of the mixed system) (50% on party lists and 50% according to the uninominal system) were adopted in the first reading. Both draft laws were voted with serious procedural violations and without the Venice Commission's opinion, although this was requested, while the promoted amendments are crucial to the functioning of democratic institutions in the country. Between 5 and 14 May 2017, protests were held daily in Chisinau, attended by representatives of civil society. Protests were organized to raise public and Parliament's awareness about the serious consequences for democracy of the adoption of these draft laws.

On 15 May 2017, during the TV show "Punctul pe Azi" from TVR Moldova, the Speaker, Andrian CANDU, mentioned that the electoral system will change from the proportional into the mixed one regardless of the views against this change and that now the discussions are being held only about the improvements to the draft laws. Mr. Andrian CANDU has also labelled the organizations that publicly opposed the initiative to amend the electoral system as "politically affiliated organizations". According to the Speaker, the statement that an electoral system is bad for the country is a political decision and a political discourse which NGOs should not have. Some media sources affiliated to political parties made similar assertions. Moreover, the day before, on 14 May 2017, the authorities undertook a series of measures to discourage citizens from participating at a protest. Numerous local bus routes to Chisinau have been cancelled and local train services have been stopped throughout the country. Also, there have been reported symptomatic cases imposing fines to several drivers who were transporting citizens to Chisinau.

At the same time, Speaker's statement that the decision to change the electoral system in the mixed system has already been taken before the Venice Commission's opinion is worrying, because this opinion might be a negative one. Democracy does not mean the right of the government to make

decisions at the expense of democracy, through unilateral measures and manipulation of the public opinion. The draft law on the introduction of the mixed electoral system in general has not been subject to public hearings and debates. It was suddenly introduced on Parliament's agenda on 5 May 2017 in the absence of the approval of the Government and of the parliamentary committees and was voted on the same day.

The signatory organizations underline the importance of plenary involvement of the society in the debate on proposed reforms, especially when it comes to changing the electoral system, and especially when in the neighbouring countries the proposed system proved to be detrimental to democracy and encouraged corruption. The change of the electoral system has direct consequences on the functioning of the state. It depends on the electoral system to what extent the elections will truly reflect the will of the people. Changing the electoral system is not a decision that belongs only to the governing parties, but is a decision of high public interest which determines the manner in which the state functions further, and therefore is an issue which must be widely debated in the society.

Civil society organizations have not only the right, but also the responsibility to engage when reforms that endanger the rule of law and democracy are promoted. That is why expressing opinions on the change of the electoral system is not political affiliation, but the civic responsibility of every citizen and of every civil society organization in the Republic of Moldova. Organizations that criticized the initiatives to change the electoral system have operated with valid arguments and have exemplified the relevant experiences of neighbouring countries. Their arguments have not been followed by adequate answers. Instead, they are being attacked in a manipulative manner. Attacks against active civil society organizations lead to the division of the civil society, through the use of different methods, including trolls and organizations affiliated to the power. Tolerance of aggressive rhetoric of political leaders with high positions in the legislative branch can stimulate the reaction of affiliated political structures to launch a 'witch hunting' to demonstrate their political utility, reverting to the tools of intimidation and harassment used during the ruling of PCRM.

From the above-mentioned considerations, labelling of political affiliation of organizations that do not share the point of view of governing parties is an attempt to silence these organizations and limit their involvement in the decision-making process. Such behaviour is inadmissible in the process of debating such an important initiative as changing the electoral system. Such speeches are not suitable for state officials and erode public confidence in state authorities.

We therefore ask the representatives of public authorities and political decision-makers:

- **to immediately cease attacks against civil society organizations that have different or critical views regarding actions or initiatives of the government;**
- **to engage in an open and inclusive dialogue with all civil society organizations on the real priority reforms for the country (e.g. poverty reduction, central and local public administration reform, fighting corruption, political party financing, justice reform, education, etc.).**

We also appeal to all media and opinion-makers to abide by deontological and common sense norms, as well as provide an equally balanced reflection of the debates taking place in the society on initiatives to change the electoral system and other issues of public interest.

Declaration is available here (in English)

Declaration is available here (in Romanian)

Declaration is available here (in Russian)

Signatories *(in Romanian alphabetical order)***:**

1. Amnesty International Moldova
2. Association for Participatory Democracy (ADEPT)
3. Association for Efficient and Responsible Governance (AGER)
4. Foreign Policy Association (APE)
5. Association of Independent Press (API)
6. Association of Independent Tele-journalists
7. Expert Group Independent Think-Tank
8. Centre for Analysis and Preventing Corruption (CAPC)
9. Women Law Centre
10. Child Rights Information Center (CIDDC)
11. GENDERDOC-M Information Centre
12. Centre for Investigative Journalism (CIJ)
13. Centre for Politics and Reforms (CPR-Moldova)
14. Legal Resources Centre from Moldova (CRJM)
15. International Center for Women Rights Protection and Promotion “La Strada”
16. Center for Health Policies and Studies (Centrul PAS)
17. „WatchDog.MD” Community
18. Institute for Public Policy (IPP)
19. Institute for European Politics and Reforms (IPRE)
20. Institute for Development and Social Initiatives (IDIS)
21. PROMO-LEX
22. Transparency International Moldova

This entry was posted on Friday, May 19th, 2017 at 4:02 pm and is filed under News
You can follow any responses to this entry through the Comments (RSS) feed. Both comments and pings are currently closed.