

# LCRM – Legal Resources Centre from Moldova

## The Moldovan National Platform of the Eastern Partnership Civil Society Forum asks for the adoption without delay of the draft law on noncommercial organizations in the final reading

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**The Moldovan National Platform of the Eastern Partnership Civil Society Forum (NP EPCSF) calls on the Parliament to adopt without delay the Draft law on noncommercial organizations in the final reading, in version approved by the parliamentary Committee for Legal Matters, Appointments, and Immunities on 28 May 2020 with its immediate entry into force.**

**The member-organizations of the NP EPCSF** welcome the endorsement of Draft Law No. 109 by the parliamentary Commission for Legal Matters, Appointments, and Immunities for the final reading and that it was not complemented with provisions that can hinder SCOs' work. Thus, the draft law can be adopted in the final reading and since no additional actions are required for the enactment of Draft Law No. 109, it can come into force under the general rule – one month after its publication in the Official Gazette.

[Draft Law No. 109](#) on noncommercial organizations was registered in Parliament on 3 April 2018. It was prepared by a working group—which included civil society representatives—set up by the Ministry of Justice in 2016. The draft law passed repeated [public consultation](#) initiated by the Ministry of Justice, which resulted in its refinement, and has all [required endorsements](#). In its current version, the draft law transposes the [best practices and standards concerning freedom of association](#) recommended by the Venice Commission and the OSCE/ODIHR. The draft law passed its first reading in Parliament on 3 May 2018. On 28 May 2020, the parliamentary Committee for Legal Matters, Appointments, and Immunities proposed the adoption of the draft law in the final reading.

The draft law simplifies the registration of noncommercial organizations, provides for their free registration, and removes the rigid internal organization structure imposed on them by current laws. The draft law limits the authorities' possibilities for exerting pressure on noncommercial organizations and excludes unjustified limitations on the foundation of noncommercial organizations by persons from certain categories. The draft law completely prohibits noncommercial organizations from supporting election candidates and sets clear limits on the relationship between nonprofits and political parties. The draft law also establishes the legal framework concerning the government financing or support for noncommercial organizations—a field that has been insufficiently regulated by current laws. In addition, it addresses the legal gaps concerning the establishment of noncommercial organizations that appeared as a result of the 2019 amendment of the Civil Code. It does not require the repeated registration of noncommercial

organizations and does not restrict foreign funding for them.

Earlier, many civil society organizations (CSOs) requested that Parliament pass Draft Law No. 109 ([public appeal of 3 March 2020](#) signed by more than 20 SCOs and [public appeal of 30 April 2020](#) signed by more than 40 SCOs).

*The National Platform of the Eastern Partnership Civil Society Forum was established in 2011 and currently has 84 members, of which 6 are umbrella organizations for other 255 organizations. The mission of the Platform is to strengthen the European integration and democratic development of the Republic of Moldova and to contribute to advocacy and monitoring for the implementation of the EU – RM Association Agreement and other documents applicable to the Eastern Partnership and the EU – RM relationship.*

The Public Appeal in English is available [HERE](#).

The Public Appeal in Romanian is available [HERE](#).

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