LCRM – Legal Resources Centre from Moldova

Civil society organizations call on Parliament for real decision-making transparency in the process of finalizing the new law on non-profit

Gribincea Vladislav · Thursday, April 30th, 2020

44 civil society organizations (CSOs) welcome Parliament's intention to finalize the draft law on non-profit organizations (NPO Law) and call for consultations to be conducted in a transparent manner and with the involvement of all relevant civil society organizations. In an appeal to Parliament on 30 April 2020, CSOs express the hope that, especially in the current COVID-19 pandemic, the authorities will demonstrate a proactive and inclusive approach, so that the opinions of all relevant CSOs from the perspective of expertise and the field of activity can be sent to the authorities within the established terms.

CSOs request Parliament to **publish in real time** the updated version of the draft law, the registered amendments, as well as all opinions, comments or objections submitted on the Parliament's webpage dedicated to the project; **transparent and inclusive consultation of relevant CSOs** that have been involved in the drafting of this law, regarding any proposed amendments to the draft (including members of the Consultative Platform of Civil Society Representatives to the Parliament of the Republic of Moldova, members of the National Platform of the Eastern Partnership Civil Society Forum); **facilitating the online participation of CSOs** and in particular of all members of the working group that contributed to the drafting of the bill, at the meeting of the Committee on Legal Matters, Appointments and Immunities at which the draft law will be discussed; and the **immediate adoption in the final reading** of the draft Law on NPO, keeping all the provisions related to freedom of expression, the possibility to promote public policies or to access external funds by non-profit organizations.

Adopted in the first reading almost two years ago, on 3 May 2018, the Draft Law on NPO comes to considerably improve the functioning framework of CSOs in terms of the creation, organization and operation of the CSOs. It simplifies the registration of non-profit organizations and removes the rigid internal organizational structure imposed by current legislation. The draft limits the possibilities for abusive pressure on non-profit organizations and excludes unjustified restrictions on the establishment of non-profit organizations by certain categories of persons. Regarding the political activity, the draft imposes an absolute ban on non-profit organizations to support candidates in elections and sets clear limits on the relationship between non-profit organizations and political parties. The draft also establishes framework legislation on state funding or support for non-profit organizations, an area that is insufficiently regulated by current legislation. It does not require the re-registration of non-profit organizations and does not limit their external funding.

On 3 March 2020, more than 20 CSOs addressed a similar appeal to Parliament, calling to pass the draft in the final reading, without admitting amendments that would hamper the work of non-profit organizations, and to consult the civil society organizations regarding any proposed amendments to the project in a transparent and inclusive manner.

On 15 April 2020, the Commission for Legal Matters, Appointments and Immunities of the Parliament of the Republic of Moldova sent a letter to civil society organizations requesting their opinion in order to finalize the draft law on non-profit organizations.

The adoption of the NPO Law is part of the National Action Plan on the implementation of the Association Agreement with the European Union 2017-2019. The project was developed by a working group created by the Ministry of Justice in March 2016, which also included representatives of civil society.

The Public Call in Romanian is available **HERE**.

The Public Call in English is available **HERE**.

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