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**Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)**

**Honouring of obligations and commitments by Moldova**

**Information note by the co-rapporteurs on their fact-finding visit to Chisinau and Comrat (21-24 March 2011)<sup>1</sup>**

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<sup>1</sup> This information note has been made public by decision of the Monitoring Committee dated 14 April 2011.

## I. Introduction

1. We paid our first visit as newly appointed co-rapporteurs to Moldova from 21 to 24 March 2011.<sup>2</sup> We met, among others, the Speaker and acting President Marian Lupu, the Prime Minister Vlad Filat and a number of ministers as well as representatives of political parties in the parliament both from the ruling coalition and the opposition, leading members of the judiciary, election officials, the Ombudsman, representatives of the media, NGOs and diplomats. In Comrat, we met the President of the Gagauzia Popular Assembly and Governor of Gagauzia, as well as local officials. The programme of the visit is appended.

2. Moldova became a member of the Council of Europe on 13 July 1995. Moldova is under the monitoring procedure since 1996. A number of Resolutions have been adopted by the Assembly since then. In particular Resolution 1572 (2007) dealt with the honouring of obligations and commitments by Moldova. Several information visits were paid by the co-rapporteurs in 2009 and 2010 (leading to the adoption of Resolutions 1666 (2009) on the functioning of democratic institutions and Resolution 1692 (2009) on the functioning of democratic institutions: implementation of Resolution 1666 (2009). The 2009 Resolutions focused on the events of April 2009 and on the political deadlock resulting from the inability of the Parliament to elect the President of the Republic

3. During our visit, the following issues were addressed :

- current political situation and election of the President of the Republic: state of play;
- implementation of Resolution 1572 (2007) on the honouring of obligations and commitments by Moldova, Resolutions 1666 (2009) and 1692 (2009) on the functioning of democratic institutions, in particular the latest developments in the field of justice and the media;
- latest developments in the autonomous region of Gagauzia, following the elections of 12 December 2010;
- preparations for the 2011 local elections.

4. We would like to express our appreciation to the delegation of Moldova to the Parliamentary Assembly and its Secretariat for the excellent preparation of the visits. The support of Mr Ulvi Akhundlu, Head of the Council of Europe Office in Chisinau, was invaluable in organising our meetings with the representatives of civil society, the media and the diplomatic community. In this respect, we would like to thank the Ambassadors of Poland, Romania, Russia and Turkey, the Head of the EU delegation, the Deputy Head of the OSCE Mission in Chisinau and Deputy Head of EUBAM for sharing with us their views on the current situation in Moldova.

5. This information note highlights our first impressions, focusing attention on the political deadlock resulting from the Parliament's inability to elect the President of the Republic, and highlighting the main findings of the meetings we had.

6. Our general impression is that Moldova is on the right track and committed to adopt the necessary reforms in the context of its integration into Europe.<sup>3</sup> We believe however that Moldova still needs to adopt and implement a series of fundamental reforms to comply with its obligations and commitments. In this respect, we take good note of the adoption, on 17 February 2011, of a Governance Programme by the Government for 2011-2014 covering human rights protection, justice reform, public order, security and defence, fight against corruption, media liberalisation and freedom of expression, co-operation between civil society and the public sector. We strongly encourage the Moldovan authorities to adopt these reforms in consultation with the Council of Europe and to ensure that European standards will be incorporated in them. We also welcome the initiative launched by the Speaker of the Parliament and acting President to prepare systematic, updated information on the fulfillment of Moldova's obligations and commitments towards the Council of Europe.

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<sup>2</sup> Ms Christoffersen was appointed on 24 June 2010 to replace Ms Durrieu ; Mr Wach was appointed on 24 January 2011 to replace Mr Vareikis.

<sup>3</sup> Moldova is a partner country within the European Neighbourhood Policy (ENP) and is currently negotiating an Association Agreement with the European Union.

## II. Election of the President of the Republic: state of play since 2009

### i. Outcome of the early parliamentary elections

7. In order to understand the current political deadlock, it is worth recalling the recent electoral history of Moldova. On 5 April 2009, parliamentary elections took place (which were followed by violent incidents on 7 and 8 April 2009).<sup>4</sup> Due to the failure of the Parliament to elect the President of the Republic (which required a 3/5th majority) on 20 May and 3 June 2009, new parliamentary elections were organised on 29 July 2009. The Parliament again failed to elect the President of the Republic on 10 November 2009 and 7 December 2009. The proposal of the Communists Party of the Republic of Moldova (PCRM) to amend the Constitution with a view to electing the president in the Parliament in three rounds (with 61, 57 and 52 votes) was not accepted by the Parliament. The initiative of the Alliance for European Integration to organise nationwide, direct presidential elections was submitted to a referendum on 5 September 2010. The referendum however failed, due to an inadequate voter turnout (ie 30%, instead of the 33% required). On 29 September 2010, Mr Ghimpu, Acting President of Moldova, dissolved the Parliament and signed the decree calling early parliamentary elections for 28 November 2010.

8. The International election observation mission (IEOM), including a 24-member PACE delegation<sup>5</sup>, concluded that the 28 November 2010 early parliamentary elections in Moldova “met most OSCE and Council of Europe commitments. ... the elections were administered in a transparent and impartial manner and a diverse field of candidates provided voters with a genuine choice. ... However, the introduction of a new mandate allocation system – shortly before the elections and without public consultations – was problematic. The quality of voter lists remained a weak point and led to diminished public confidence. Further efforts are needed to remedy remaining deficiencies and strengthen public confidence.”

9. Four parties passed the 4% threshold, namely :

- the Communist Party of the Republic of Moldova (PCRM) : 39.3% of the votes (42 seats)
- the Liberal Democratic Party of Moldova (PLDM): 29.4% of the votes (32 seats)
- the Democratic Party of Moldova (PDM): 12.7% of the votes (15 seats)
- the Liberal Party of Moldova (PLM):10% of the votes (12 seats).

10. Subsequently, a pro-European government formed by the Alliance for European integration (AIE) (comprising the PLDM, the PDM and the PLM) was set up. The AIE (comprising 59 members in Parliament) however still does not have the required qualified majority to elect the President.

### ii. Available options to solve the political deadlock

11. The question of the political deadlock was one of our main concerns. It was raised with the Speaker and acting President Mr Lupu, the Prime Minister Mr Filat, the Head of the PCRM Mr Voronin, and the leaders of the ruling political parties in Parliament.

12. The Constitutional Court was requested by two Communist lawmakers to specify if the timeframe stipulated in Article 90 of the Constitution – two months after the date when the post of Head of State falls vacant – is applicable when the post is held on an interim basis. The Court ruled on 8 February 2011 that it is within the competence of Parliament to select the date of the presidential elections. The judges considered that Article 90.4 of the Constitution states that the period of two months is applicable only when the President of Moldova leaves the post<sup>6</sup>, ie when President Vladimir Voronin resigned on 11 September 2009, which triggered the two-month term mentioned in article 90 (4). Parliament did not succeed in electing a President on 10 November 2009 nor in a second attempt on 7 December 2009.

13. The Constitutional Court ruled that the Constitution “has no provisions to regulate the legal situation that exists [...] in connection with the vacant presidential office and *ad interim* discharge of the presidential duties,” which arose on 28 December 2010 when the newly elected Parliament convened and Parliament Speaker and Acting President Mihai Ghimpu was automatically discharged from both offices. The Court refrained “from setting any terms for the election of the new President by the new Parliament.” The Court’s President Dumitru Pulbere also stated that the Parliament would have to adopt a new law to fill the gaps in

<sup>4</sup> See Doc. 11878

<sup>5</sup> See the report of the Ad Hoc Committee of the Bureau of the Assembly of 24 January 2011, Doc. 12476. The IEOM also comprised members of the Parliamentary Assembly of the OSCE, of the European Parliament, the European Parliament and the election observation mission of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR).

<sup>6</sup> Info-Prim Neo, 9 February 2011

the Constitution, adding that the legislature should hold the presidential elections within a reasonable time frame, of not more than 2-3 months.<sup>7</sup>

14. We addressed the issue of the political deadlock with all representatives of political parties. Several options were presented to us :

- Amending Article 78 of the Constitution (to lower the majorities required in Parliament for electing the President<sup>8</sup>) by referendum on the occasion of the local elections, which should ensure a higher turnout. This possibility was mentioned by Mr Lupu, but some observers pointed out that, after campaigning for the direct election of the President, the ruling coalition might find it difficult to support a new referendum in favour of the indirect election of the President.

- The election, by the Parliament, of a President who should represent the civil society, be apolitical and enjoy widespread support. This option is supported by the PCRM, however set aside by Mr Lupu, who considers that the President is the expression of a political majority, adding that, if the President was to be a non-political figure, the Constitution would need to be amended so as to establish a parliamentary regime.

- Organising early parliamentary elections - a possibility considered by Mr Voronin, Head of the PCRM for whom these elections would be ineluctable if the deadlock is not solved. This was however ruled out by Mr Lupu, who stressed the electoral *fatigue* and the need for political stability to launch and implement the necessary reforms.

- The adoption of an Organic Law to fill the gap in the current Constitution, following the decision of the Constitutional Court of 8 February 2011. This option was backed by Mr Ghimpu, Head of the Liberal Party, who suggested that the three-fifths requirement is only applicable to the case of the two months' period.<sup>9</sup> Mr Lupu indicated to us that he would seize the Constitutional Court to interpret the constitutional provisions and check the possibility of submitting a draft Organic Law to the Parliament. Mr Pulbere, President of the Constitutional Court, expressed however his concerns about such an Organic Law. He considered that any change of the Constitution should respond to a national interest, and not serve the interests of 3 political parties. He feared risks of manipulation to obtain the results desired by the politicians, since the mandate of 4 out of 6 members of the Constitutional Court will expire in 2013.<sup>10</sup>

15. On 6 April 2011, the Constitutional Court was seized by 3 MPs representing the parties of the Alliance (including Mr Ghimpu) and invited to answer three questions :

- Can the Parliament be dissolved after a repeated failure to elect President?
- Does the same procedure of electing the President apply after early elections caused by failure to elect the President?
- Can the Parliament develop, by means of an organic law, a mechanism of electing President allowing not to dissolve the Parliament?<sup>11</sup>

16. Political parties remain divided on this issue and reaching a consensus in a country that remains profoundly divided might not be easy. Some politicians await the results of the local elections of 5 June 2011 to assess the political forces and have strong views and a personal interest in these presidential elections. The political game is also open. The 3 parties of the ruling coalition do not share the same views, and PCRM Head Vladimir Voronin has been holding several bilateral meetings with Prime Minister Filat to find a "technical solution" to elect the President - at the risk of breaking up the ruling coalition.

17. The failure to elect the President of the Republic may be seen as a low key issue. *De facto*, the acting President is assuming all the duties of the President<sup>12</sup>, and this situation does not prevent the Government

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<sup>7</sup> [Info-Prim Neo](#), 9 February 2011

<sup>8</sup> The Communists considered that the draft was no longer up-to-date, as it was submitted to avoid the 5 September 2010 referendum on the amendment of the presidential election procedure.

<sup>9</sup> IPN, 19 February 2011

<sup>10</sup> Members of the Constitutional Court are elected for a 6-year mandate, renewable.

<sup>11</sup> The text of the request is available at following address :

[http://www.constcourt.md/RO/05\\_activitate\\_jurisdictionala/sesizari/parvenite/2011/9b\\_06.04.2011.pdf](http://www.constcourt.md/RO/05_activitate_jurisdictionala/sesizari/parvenite/2011/9b_06.04.2011.pdf)

<sup>12</sup> According to the Constitution, the President is empowered to enter official discussions, take part in negotiations, conclude in the name of the Republic of Moldova the international treaties resulting there from, and submit those treaties to Parliament for ratification (art. 86). He is the Commander-in-chief of the armed forces (art. 87), appoints public officials under the law and awards higher ranks to officials holding positions with Magistrates' Courts and Civil Courts, and to other civil servants provided in the law (art. 88). See <http://www.president.md/const.php?page=8320&lang=eng#8320>.

and the Parliament from functioning. In the current political context, the political deadlock could be seen as a convenient *status quo*. However, we believe that the absence of a President is incompatible with the separation of powers between the Head of State and the Speaker of the Parliament, and leads to the concentration of powers in one man, which is not in line with democratic standards. We therefore urge all political parties to address the issue and find a legal and legitimate solution, based on a large consensus, in the interest of the country.

### III. Recent developments

#### *i. Latest development concerning the settlement of the Transnistrian conflict*

18. In its Resolution 1572 (2007), the Assembly reiterated its conviction that "the settlement of the Transnistrian conflict must be based on the inviolable principle of full respect for Moldova's territorial integrity and sovereignty. Any proposed settlement option should be carefully examined and discussed with all national and international stakeholders and in particular the majority and opposition politicians of Moldova, as well as international mediators and observers. Full use should be made of the available expertise on comparative constitutional law developed in particular by the European Commission for Democracy through Law (Venice Commission)." (para. 15). Furthermore, in its Resolution 1666 (2009), the Assembly called on "Moldova and its neighbours and partners, particularly Romania, Ukraine and Russia, which are also members of the Council of Europe, to play a constructive role in calming the tensions and promoting dialogue between all the political stakeholders, while respecting the country's sovereignty and territorial integrity." (para. 9).

19. Five rounds of informal discussions on the Transnistrian conflict settlement were held in 2010 in the format of 5+2 [Moldova and Transnistria as the conflicting sides, Russia, Ukraine and the OSCE as international mediators and guarantors; and the European Union and the United States as observers]. Further informal discussions were organised in Vienna in February 2011 and April 2011.

20. Mr Carpov, Deputy Prime Minister for Reintegration Affairs, mentioned the setting-up of a governmental Reintegration Commission<sup>13</sup> on 15 March 2011, the confidence-building measures developed on both sides of the river, the need to have effective peacekeeping operations. He deplored the direct support granted by Russia to the region (ie 27 million dollars to support people and a debt for gas amounting to 2.5 billion dollars). He indicated that Moldova would be ready to grant a large autonomy to Transnistria (after the decriminalisation and democratisation of the region), ruling out however any confederation that would be constituted by Moldova, Transnistria and Gagauzia on an equal footing. He expressed the wish to transform the peacekeeping operation into a multilateral force.

21. We noted that Russian Minister of Foreign Affairs, Mr Lavrov, evoked the dismantling of the three ammunition depots located in Transnistria when he met Moldova's Minister for Foreign Affairs Mr Leanca in Moscow on 29 March 2011.<sup>14</sup> On 5 April 2011, the leader of Transnistria, Mr Smirnov, invited for the first time Prime Minister Mr Filat for an "official visit" to Transnistria.<sup>15</sup> We will follow with attention the follow-up given to these initiatives.

22. During our visit, we also discussed the fate of Ilie Casac, tax inspector, and Ernest Vardanyan, journalist arrested respectively on 24 March 2010 and 7 April 2010, and sentenced for alleged high treason and espionage on behalf of Moldova respectively in March 2010 to 14 years of imprisonment, and in December 2010 to 15 years of imprisonment. The lawyer appointed in Tiraspol did not provide the family with information on the legal procedure. Their lawyers based in Chisinau pointed out that the ruler of Transnistria, Mr Smirnov, aimed at demonstrating his powers and proving that the international community would be powerless to intervene. The two lawyers announced that they would lodge a complaint against Moldova and Russia to the European Court of Human Rights. They urged Moldova to identify mechanisms to ensure access to justice and protection of human rights of the Moldovan citizens residing in Transnistria.

<sup>13</sup> This Commission replaced the inter-ministerial commission on the reintegration of Moldova founded in 2003. It is composed of 29 members (including deputy premiers, ministers, and heads of law enforcement bodies) and is headed by Prime Minister Vladimir Filat. It should ensure and coordinate the enforcement - "by all institutions in the Republic" - of the promotion of a common policy in the country reintegration field, consider proposal on creating conditions for the Transnistrian region's reintegration into Moldova, consider the situation in populated areas on the left [eastern] Dniester bank, coordinate actions to settle emerging problems and ensure their implementation.

<sup>14</sup> <http://euobserver.com/24/32095>

<sup>15</sup> <http://en.rian.ru/world/20110405/163387357.html>

ii. *Upcoming local elections of 5 June 2011*

23. On 31 March 2011, the Parliament fixed the date of the local elections, to be held on 5 June 2011. Much of the attention of the political parties is now devoted to these new elections, which might assess the respective clout of the political parties. It is to be noted that the Liberal Democratic Party (PLDM) and the Moldova Noastra Alliance (AMN)<sup>16</sup> decided to merge whereas the European Action Movement Party (MAE) dissolved itself and merged with the Liberal Party (PL) on 13 March 2011.<sup>17</sup>

24. We met Mr Ciocan, newly appointed chairman of the Central Electoral Commission (CEC), who indicated that all local authorities had sent the updated electoral rolls. He felt confident about the preparation of the elections. Capacity building programmes have been launched for the 5 new members of the CEC (out of 7). Media regulations are currently worked out with the Broadcasting Co-ordinating Council in order to adjust the provisions of the Electoral Code. The Code foresees for example that each candidate has the right to appear 5 minutes on TV and 10 minutes on radio, which will prove impossible considering the number of candidates for the local elections. Access of persons with disabilities has also been taken into account by the CEC. The CEC will also ensure and support the co-operation of NGOs for awareness-raising campaigns and the observation of elections.

25. On 1 April 2011, the parliament amended the Electoral Code as follows: the implementation of the electronic voter register has been postponed for 2015; local elections will take place four years after the date of the last local elections (and not after the validation of the mandates); no free airtime on public TV and Radio to candidates will be provided during the local elections.

26. In its *Needs assessment mission report on the local elections of 5 June 2011* published on 5 April 2011, the OSCE/ODIHR highlighted some remaining problems, in particular the postponement of the production of a centralised electronic voter register; the review of provisions for the allocation of free airtime to election contestants; and the review of rules of voting by students.<sup>18</sup>

27. We believe that special attention should be paid to the remaining problems identified at the last early parliamentary elections, ie. the accuracy of the rolls and the existence of a supplementary or special voters' roll, aiming at enabling as many citizens as possible to vote.<sup>19</sup> This system is not backed up by legal procedures for ensuring the accuracy of the voters' rolls and avoiding risks of duplication, where particular groups of voters, such as students and people living abroad, could easily be on the ordinary and supplementary rolls at the same time.

iii. *Economic situation*

28. Moldova remains one of the poorest countries in Europe. According to the 2011 Index of Economic Freedom<sup>20</sup> that covers 183 countries, Moldova ranks at the 120th position. Moldova's economic freedom score is 55.7, up by two points since last year. The situation in business and labour freedom worsened. Moldova's economy still suffers from "lack of freedom" to a large extent. The country ranks 40th among 43 European countries and its overall score is below the regional (66.8 points) and world averages (59.7 points).<sup>21</sup> The Human Development Index of the UNDP gives a rank of 99 out of 169 countries.<sup>22</sup>

29. Further to the agreement reached with the International Monetary Fund (IMF) on the completion of the second review of the Extended Credit Facility/Extended Fund Facility (ECF/EFF) arrangements in February

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<sup>16</sup> The AMLN, headed by Serafim Urechean, polled only 2.05% of the votes at the last parliamentary elections in November 2010.

<sup>17</sup> IPN, 14 March 2011

<sup>18</sup> See <http://www.osce.org/odihr>

<sup>19</sup> These categories include voters who live on the territory of a precinct where they are not on the ordinary voters' roll, upon presentation of a document confirming their place of residence; voters with a voting certificate (for voting outside their place of residence); voters with no registered permanent or temporary place of residence, who may vote in their last place of permanent residence; persons under arrest or in custody pending final sentencing; voters who on election day are in hospitals, health resorts or rest homes located far from their place of domicile; persons voting in their homes with mobile ballot boxes who have applied in writing up to two weeks prior to polling day and no later than 6 pm the day before polling. On polling day, applications may also be submitted in writing until 3 pm upon the presentation of a medical certificate. According to the Central Electoral Commission (CEC), 165 546 voters were on the supplementary voters' rolls for the early parliamentary elections on 28 November 2010 (including 64 199 in foreign countries and 12 035 students), whereas 2 645 923 voters were on the rolls for the early parliamentary elections on 28 November 2010.

<sup>20</sup> This Index is released by the Heritage Foundation and The Wall Street Journal.

<sup>21</sup> <http://economie.moldova.org/news/moldova-up-by-five-positions-in-index-of-economic-freedom-216161-eng.html>

<sup>22</sup> <http://hdrstats.undp.org/en/countries/profiles/MDA.html>

2011<sup>23</sup>, Moldova adopted a budgetary law on the budgetary criteria agreed upon by the IMF. The state budget deficit will account for 1.9% of the Gross Domestic Product (GDP)<sup>24</sup>, or 1.3 billion lei, and will be covered from state securities, foreign loans and privatisation proceeds. The GDP will stand at 82.1 billion lei in 2011 (ie 4.5% more than in 2010). The average inflation rate will stand at 7.5%. The imports are expected to hike by 14%, while the exports by 15%. The average salary will go up by 11%, reaching 3,300 lei.<sup>25</sup>

30. This budget is in compliance with the IMF requirement to cut public spending. However, this should lead to the reduction of the number of public employees by 8%, the reduction of the number of schools in rural areas, the cut of agricultural subsidies and less favourable retirement conditions for judges, prosecutors, public employees, military and police staff. The acting President Mr Lupu stressed that the economic situation in Moldova remains difficult. Moldova relies on imported energy (especially gas from Russia) and consumer goods prices are rising. Such economic reforms are therefore unlikely to produce an attractive political impact, and massive information campaigns are needed to inform the population, according to Mr Lupu.

#### **IV. Functioning of democratic institutions**

##### *i. Local self-government*

31. The Republic of Moldova is divided into villages, cities, raions (districts) and the autonomous territorial unit of Gagauzia. There are 32 raions, 3 municipalities, the autonomous territorial unit of Gagauzia and territorial unit Stinga Nistrului (Transnistria).

32. Moldova needs to reform local self-government, with a view to bringing its standards in line with the standards of the European Charter of Local Self-Government, and to its European integration. The Moldovan Government has established a permanent commission to guide and oversee the decentralisation process. Mr Bodiu, Secretary General of the Government (in charge of local authorities), indicated that the Parity Commission (PC) brings together, on an equal basis, representatives of the central and local governments. He presented the decentralisation Strategy for local government in the Republic of Moldova currently finalised with the support of UNDP and the Council of Europe. This Strategy should address the following issues: decentralisation of services and competences, financial decentralisation, decentralisation of patrimony, local development, administrative capacity, institutional capacity, democracy, ethics, human rights and gender equality. Mr Bodiu stressed that the separation of powers and fiscal decentralisation should be achieved by 2016. The reform would aim at setting up functional local units (which would be able to implement the Governance Programme at local level), as was underlined by Prime Minister Mr Filat and self-sustainable local authorities. In this perspective, a territorial reorganisation could eventually take place in the future, Mr Bodiu pointing out that 30% of the villages have less than 1500 inhabitants. In order to ensure a large participation in the final drafting of the strategy, the setting up of a council of NGOs, public debates and internet consultation have been scheduled.

33. We welcome this move towards a decentralisation strategy and invite the Moldovan authorities to work closely with the Council of Europe to ensure that local authorities will have the fiscal and institutional capacity to perform services, will rely on a efficient and transparent transfer system, that responsibilities (with adequate financial resources) and an efficient management of capital assets and property will be clearly assigned.

##### *ii. The Autonomous Territorial Unit of Gagauzia*

34. During our visit, we went to the Autonomous Territorial Unit of Gagauzia (Gagauz-Yeri). This region was set up by the Law of the Republic of Moldova on the Special Status of Gagauzia No. 344-XIII of 23 December 1994. It spans three principal districts and a total of 85 km<sup>2</sup>, with a population of approximately 155 000 inhabitants (82% of the inhabitants declare themselves Gagauz), ie 4,5% of the Moldovan population. As regards the hierarchy of legislation in Gagauzia, the Moldovan Constitution is followed by the Law on the Special Status of Gagauzia, the Legal Code of Gagauzia and, eventually, Gagauz laws adopted by the People's Assembly of Gagauzia.<sup>26</sup>

<sup>23</sup> Subject to the approval by the IMF Management and Executive Board in April 2011, the completion of the review will enable Moldova to draw about US\$ 77 million under the arrangements to support its budget and the external reserve position <http://www.imf.org/external/country/mda/index.htm>.

<sup>24</sup> Compared to 2.5% in 2010 and 4.5% in 2009.

<sup>25</sup> Moldpress, 12 March 2011

<sup>26</sup> See Explanatory memorandum of the Elections to the People's Assembly in Gagauzia (Republic of Moldova) observed on 16 and 30 March 2008, CG(15)11REP, 28 April 2008 (Rapporteur: Paolo Rondelli, San Marino (R, SOC)).

35. Gagauzia can be highlighted as a good model for the peaceful coexistence of different national communities. The NGO representatives we met however complained about the discrimination they face in Moldova, mostly due to their poor command of the State languages when applying to the University in Chisinau or for jobs.

36. In its Resolution 1572 (2007), the Assembly invited the Moldovan authorities to work with the Council of Europe to harmonise the legislation of the Autonomous Territorial Unit of Gagauzia with the Moldovan Constitution and the national legislation. The clarification of the distribution of the competences between the Autonomous region and the central authorities was clearly requested by the local and regional authorities we met. They complained that the laws passed by the Popular Assembly could be annulled by the Moldovan Supreme Court. Therefore the authorities are eager to resume the talks with Chisinau to ensure that the Law on the Special Status of 1994 becomes an Organic Law mentioned in the Moldovan Constitution. The elected regional representatives also request a representation of the Gagauz region in the Moldovan parliament.<sup>27</sup>

37. Our discussions with the Governor, the representatives of the executive committee and the People's Assembly also highlighted the following requests :

- the need to receive funds to teach the State language and preserve the Gagauz language and culture;
- the setting-up of a Supreme Court of Gagauzia (since there is no legislative branch in the region);
- the grant of a proportional part of excise taxes and VAT, as well as of funds and grants allocated by the international community;
- a better access of minorities to the justice system.

38. It is quite surprising that the competences of the Autonomous Unit of Gagauzia in relation to the Moldovan Constitution have still not been clarified since 1994. We would invite the Moldovan authorities to use the legal expertise and knowledge that the Council of Europe (ie the Venice Commission, the Congress of Local and Regional authorities) can provide to improve the legislative framework and the sustainability of the region.

39. Moldova has granted to the region of Gagauzia a large autonomy and can be seen as a model of interethnic relations in Europe. This experience will also be instrumental for the reintegration process of Transnistria. In this respect, the Bashkan (Governor) issued a very clear message to the co-rapporteurs : "the status of Gagauzia should not be lower than the one in Transnistria. Otherwise we will not guarantee political stability in the region".

*iii. Elections of the Bashkan in December 2010*

40. The election of the Bashkan (governor) of Gaguzia took place on 11 and 26 December 2010. The then-incumbent Bashkan of Gagauzia Mikhail Formuzal received 51.4% and his opponent Nikolai Dudoglo, the Mayor of Comrat town (Gagauzia's capital) and leader of the New Gagauzia Movement, 48.6%.

41. The domestic Pilgrim-Demo Association which monitored the elections considered that the second round of the elections was "free but not correct". The main problems identified by Pilgrim-Demo related to the non-transparency of the Gagauzia Central Electoral Commission (CECG), the lack of funding, biased media coverage of the elections<sup>28</sup>, the poor quality of drawing up voter registers, etc.<sup>29</sup>

42. The results of the elections were challenged by Mr Dudoglo, who lodged a complaint before the Comrat Court of Appeal, arguing that massive fraud occurred during the campaign and on the Election Day. The Comrat Court of Appeal validated the results of the vote and rejected the complaint by Mr Dudoglo on 25 January 2011.

<sup>27</sup> Mr Formuzal, Governor, considered that Gagauzia should be represented by 5 parliamentarians in the Parliament.

<sup>28</sup> This is also confirmed by the Center of Independent Journalists in their report of 2010 (see [http://www.ijc.md/Publicatii/mlu/FOP\\_Annual\\_Report\\_2010.pdf](http://www.ijc.md/Publicatii/mlu/FOP_Annual_Report_2010.pdf) pp. 11-12), where they consider that "Teleradio-Găgăuzia (TRG) made no progress as a public institution in 2010. On the contrary, in contrast with the development of Teleradio-Moldova, the failure of the regional public Independent Journalism Center broadcaster was even more evident", covering the events of electoral competitors "disproportionately from the point of view of frequency and duration and neglected the educational function of a public broadcaster during a campaign" and providing no free air time to competitors to present their programmes or to advertise.

<sup>29</sup> <http://politicom.moldova.org/news/governor-elections-in-gagauzia-were-free-but-not-correct-216918-eng.html>



43. While Mikhail Formuzal was officially introduced as (*ex-officio*) member of the Government by the acting President Mr Lupu and Prime Minister Mr Filat on 14 January 2011 and inaugurated as Bashkan on 14 February 2011 and, Mr Dudoglo appealed to the Moldovan Supreme Court demanding a vote recount. The Supreme Court allowed Mr Dudoglo to verify the electoral rolls. Subsequently he produced a 20-page report and five boxes of documents, pointing out 6000 irregularities of 16 different kinds. Ms Irina Zelinscaia, Head of the CECG, explained to us that she and her Deputy Head Valentina Lisnic were invited by the Supreme Court to examine Mr Dudoglo's findings in about 30 minutes. The Chairwoman and her deputy could not reach a common position on the impact of these irregularities on the outcome of the election, and Ms Zelinscaia's request to postpone the hearing in order to allow all members of the CECG to look at the material was rejected by the Supreme Court, which finally validated the results of the elections. Without challenging this decision, Ms Zelinscaia however expressed her regrets that the evidence collected by Mr Dudoglo could not be thoroughly examined by the CECG and that the question is still considered as pending by the people. Mr Dudoglo has decided to request the General Prosecutor to open an investigation.

## V. Rule of law

### i. Reform of the judiciary system

44. In our meetings with Mr Tanase, Minister of Justice, Mr Valeriu Zubco, General Prosecutor of the Republic of Moldova, Mr Ion Muruianu, Chairman of the Supreme Court of Justice, and Mr Timofti, Chairman of the Supreme Council of Magistrate, we discussed the reform of the judiciary system.

45. As pointed out in the previous monitoring reports, Moldova adopted, in 2002-2006, a series of laws in the field of justice and rule of law.<sup>30</sup> In its Action Plan 2011-2014, the Government plans to reform the judiciary, including the reforms of the Superior Council of Magistrates and the Supreme Court of Justice, the prosecution system, the administration of funds and resources of the judiciary. Mr Tanase presented some of the components of this reform, which would modify the role of the Court of Cassation - that would be a last resort court, which would only review the legal basis of the cases -, introduce fewer but better qualified judges and dismantle the specialized and military courts. The two economic courts should be replaced by economic units in regional appeal courts with a view to eliminating corruption.

46. Mr Zubco, General Prosecutor, recalled the adoption of the Law on the Public Prosecution Service (PPS) of 25 December 2008 and explained that the Public Prosecutor's Office (*Prokuratura*) is independent from the legislative and executive branches. He deplored the lack of means (outdated equipment, lack of investigation tools) that hampers the work of the General Prosecution Service, which is preparing a draft law in co-operation with the OSCE, to reform the PPS. The draft law would propose to change the term of the General Prosecutor (who would be elected for a single 7-year instead of a renewable 5-year term), change the composition of the Superior Council for Prosecutor, dismantle the territorial and specialised courts, demilitarise the prosecution, etc. The success of such a reform was however subject to political will. Mr Tanase, Minister of Justice, added that this complicated reform required a multidimensional approach to clarify for example the competences and status of the General Prosecutor or the possibility to appeal against the decisions of the General Prosecutor.

47. We encourage the Moldovan authorities to carry out the reform of the Public Prosecution Service and to draft a comprehensive law complying with Council of Europe standards enshrined in particular in Recommendation (2000)19 of the Committee of Ministers of the Council of Europe on the role of public prosecution in the criminal justice system and Assembly Recommendation 1604 (2003) on the role of public prosecutor's office in a democratic society governed by the rule of law.

48. Mr Muruianu, Chairman of the Supreme Court of Justice (SCJ), regretted the lack of financial autonomy of the Chairman of this Court, the appointment procedure of the appeal judges and the members of the Superior Council of Magistrates (by the President of the Republic), the lack of well-trained specialists (leading to different decisions for similar cases) and voiced his concerns about the grounds for sanctioning judges.

49. Mr Timofti, Chairman of the Supreme Council of Magistrates, feared the decreasing independence of judges due to the deteriorating social and material conditions, insufficient financial support granted to the justice system resulting from budgetary negotiations between the Government and the Parliament, the lack of assistance granted to judges (as now granted to the Supreme Court of Justice). He also pointed out the lack of experience of the newly graduated students from the National Institute for Justice (NIJ), who automatically become judges once they graduate. Minister Tanase confirmed that this is a problem which will

<sup>30</sup> See Doc. 11374, para. 91-120

be tackled in the upcoming reform of the training of judges that will make initial traineeship of NIJ graduates compulsory.

50. We discussed with Minister Tanase the follow-up to PACE Resolution 1787 (2011) on the implementation of judgments of the European Court of Human Rights, where the Assembly deplored "the continuing existence of major systemic deficiencies which cause large numbers of repetitive findings of violations of the Convention and which seriously undermine the rule of law in the states concerned" (para. 5.3). The Assembly had urged Moldova to "promptly take measures to ensure the enforcement of domestic final judgments, in particular in so-called social housing cases (the Court's pilot judgment *Olaru and Others v. Moldova*). Moreover, it should also strengthen its efforts in order to avoid further cases of ill-treatment in police custody and ensure effective investigations into such abuses. Additional measures should also be taken with a view to improving conditions in detention facilities and filling lacunae in procedures concerning arrest and detention on remand, revealed by the Court's judgments. Lastly, it is essential that an effective domestic remedy is introduced in response to the pilot judgment of *Olaru and Others*." (para. 7.4).

51. Mr Tanase explained that Moldova was confronted with budgetary constraints resulting from the implementation of the *Olaru and Others* judgment. According to the Minister, 30 million Euros are needed to provide housing, which could be covered by the Council of Europe Bank of Development and the local authorities.

52. Mr Tanase confirmed that an appeal procedure would be created when the judgments of the Court were not implemented in reasonable time. The Moldovan authorities had indicated previously that draft laws providing a general remedy in case of excessive length of judicial and enforcement proceedings had been approved by the Government and sent to Parliament for adoption, as acknowledged by the Committee of Ministers on 10 March 2011.<sup>31</sup>

53. Access to justice was also discussed with Mr Anatolie Munteanu, Director of the Center for Human Rights (the ombudsman institution of Moldova). The Center received 1700 complaints in 2010 (relating to access to justice, safety and security of persons, protection of private property, health care and education). 144 recommendations were subsequently addressed, and 17 cases brought to prosecution. Mr Munteanu expected reforms to be implemented faster and mentioned that the Center is preparing an appeal to the Constitutional Court to challenge the provisions of the law on the Superior Council of Magistrates.

ii. *Corruption, money laundering, criminal financing*

54. The Council of Europe Group of States Against Corruption (GRECO) adopted the Addendum to the Second Round Compliance Report in 2008 and concluded that 10 out of the 15 recommendations addressed to Moldova had been implemented satisfactorily or dealt with in a satisfactory manner. It noted that, since the adoption of the Compliance Report, Moldova has made further efforts to achieve the practical implementation of several recommendations, but that for the time being the vast majority of measures introduced have still not been brought to fruition. GRECO urged the Moldovan authorities to amend the legislation concerning special investigative techniques, conflicts of interest and declarations of assets, protection of whistleblowers, the criminal liability of legal persons for corruption and trading in influence offences and accounting offences".<sup>32</sup>

55. Corruption remains a serious problem, which was acknowledged by the authorities we met. Mr Viorel Chetaru, Director of the Center for Combating Economic Crimes and Corruption, confirmed that corruption deeply penetrates the state institutions. He deplored the lack of means of the governmental institutions which should enforce the law, the lack of legal provisions to carry out "integrity test", the absence of State mechanisms to seize assets - which are presumed to be legally acquired, according to art. 46 of the Constitution<sup>33</sup> - when officials are corrupt. He underlined the link between the shadow economy and economic crimes, deplored the political interference into the Center (placed under the government<sup>34</sup>), which has a negative impact on the work of the Center. He emphasised the need to depoliticise the Center, to remove the subordination from the government, to put the Center under the responsibility of the Parliament (in order to ensure a greater public oversight) and to provide safeguards for the staff to promote their stability

<sup>31</sup> Decision of the Deputies on Case 19 adopted at the 1108<sup>th</sup> meeting of 10 March 2011.

<sup>32</sup> See [www.coe.int/Greco](http://www.coe.int/Greco), Greco RC-II (2008) 8E Addendum, Second Evaluation Round Addendum to the Compliance Report on Moldova adopted by GRECO at its 48th Plenary Meeting (Strasbourg, 27 September – 1 October 2010).

<sup>33</sup> (art. 46 of the Constitution reads as follows : "No assets legally acquired may be confiscated. The effective presumption is that of legal acquirement.").

<sup>34</sup> The Director of the Center is appointed by the government. Mr Chetaru noted that he is the 5th director appointed in 8 years.

and integrity. Mr Chetraru stressed the need to put in place mechanisms to comply with the UN Convention against corruption ratified by Moldova on 1 October 2007.

56. Mr Chetraru also regretted that there is no criminal liability for officials failing to submit their declaration of interests to the special commission set up by the Law of 2001 that should check the incomes of officials. Mr Chetraru mentioned that a draft law prepared by the Government could lead to the setting up of an ethics commission that would look into the declarations on conflicts of interest. Technical assistance would be provided by the Center that could investigate if risks are identified by this ethics commission.

57. The Minister of Justice, Mr Tanase, indicated that the Center for Combating Economic Crimes and Corruption will be restructured. It is envisaged to divide the tasks. Combating economic crimes would be devolved to the Government, whereas the fight against corruption would be carried out by the Center.

58. On 6 April 2011, GRECO published its Third Round Evaluation Report on Moldova. It acknowledges improvements in the legislation to fight corruption and regulate political funding, but concludes that improvements are needed to combat bribery and calls for a stricter supervision and greater transparency of political funding. Several deficiencies remain which need to be addressed: the concept of "persons holding positions of responsibility" used in the relevant bribery provisions does not cover all civil servants and public employees and does not ensure coverage of foreign and international public officials or foreign jurors and arbitrators; active and passive bribery offences in the public sector lack consistency and clarity, and bribery in the private sector and trading in influence are not fully addressed by the country's legislation. While GRECO recognises that Moldova has gradually introduced legislation on political funding, there are still significant shortcomings in the legislation and, above all, in practice, which are linked, for example, to the lack of in-depth, proactive supervision and the very restrictive range of sanctions – scarcely applied so far – for infringements of the rules on political financing. GRECO calls upon the authorities of Moldova to increase the level of disclosure obligations relating to ordinary party funding and to extend the supervision of political finances to services provided in kind and to entities related to a political party or under its control. GRECO also welcomes the plan to introduce state aid for the regular financing of political parties.<sup>35</sup>

## VI. Human rights

### *i. Freedom of expression and media*

59. In 2009, the Center of independent journalists noted that the Moldovan media market had entered into a gradual process of democratisation, important reforms had taken place, and sound competition among the media had begun. According to the "Press Freedom Index" published in October 2010 by Reporters without borders, Moldova ranked 75<sup>th</sup> in 2010 compared with the rank of 114th in 2009.<sup>36</sup>

60. The representatives of the media we met in Chisinau and Comrat acknowledged that progress was achieved but mentioned problems related to funding of the media and the share of advertising received by private and public media, considering that public broadcasting media were subsidised by the State. Mr Marian Pocaznoi, newly appointed Chairman of the BCC, pointed out that public broadcasting media face higher expenditure. The funds allocated by the State only cover 35% of the needs. He added that regulations on advertising are the same for private and public media. If need be, the National Agency for the Protection of Competition should look into this issue.

61. Journalists deplored the insufficient access to public information as well as to politicians and civil servants. They mentioned pressure and even, in some cases, threats, especially targeting investigative journalists who were requested by the General Prosecutor or the police to reveal their sources. The Ministry of Justice however denied such allegations. Journalists also pointed out that the Audiovisual Code was not properly implemented. We will follow this question with great attention. We would also like to recall the recently adopted Recommendation 1950 (2011) on the protection of journalists' sources.<sup>37</sup>

62. Mr Marian Pocaznoi highlighted on his side the progress achieved, ie the emergence of new TV stations, increasing domestic programmes and political debates.<sup>38</sup> He stressed that the real challenge now was to achieve the switch to digital broadcasting in 2015 and to adjust the Broadcasting Code.

<sup>35</sup> See Third Evaluation Round Evaluation Report on Moldova, Greco Eval III Rep (2010) 8E Theme I and II, Adopted by GRECO at its 50th Plenary Meeting (Strasbourg, 28 March – 1st April 2011), [www.coe.int/Greco](http://www.coe.int/Greco).

<sup>36</sup> <http://en.rsf.org/press-freedom-index-2010,1034.html>

<sup>37</sup> See also Doc. 12443

<sup>38</sup> At present 50 TV stations, 48 radio stations, 180 service providers operate in Moldova and over 20 news portals can be accessed in Moldova and there are eight functional news agencies. Data published by the BCC and reflected in the

ii. *Minority rights*

63. According to the population census of October 2004, out of the 3 383 332 inhabitants of the Republic of Moldova, Ukrainians represented 8.3%, Russians 5.9%, Gagauz 4.4%, Romanians 2.2%, Bulgarians 1.9% and other ethnic groups (Roma, Byelorussians, Jews, Poles, Armenians, Germans and undeclared) totalised 1%. The census did not include information from the region of Transnistria.<sup>39</sup>

64. The Framework Convention for the Protection of National Minorities was ratified by Moldova in 1996. The Advisory Committee of the Framework Convention adopted its third opinion on Moldova on 26 June 2009, and the Government transmitted its comments on 11 December 2009. The Committee of Ministers consequently adopted Resolution CM/ResCMN(2010)6 on the implementation of the Framework Convention at its 1084<sup>th</sup> meeting of 5 May 2010. The Committee of Ministers praised the continued support to activities to develop the cultural heritage of national minorities but pointed out several shortcomings, including lack of systematic collection of data on discrimination-related cases, linguistic divisions being used to stir up cleavages in society, decrease of the support allocated to the Bureau for Interethnic Relations and other institutions dealing with minorities, non-recognition of Islam as a religion in Moldova despite the law on religious denominations of 2008, therefore preventing Muslims from effectively exercising their right to manifest their religion and establish religious institutions, organisations and associations, insufficient provision of adequate teaching of the State language to persons belonging to national minorities, and the persistent discrimination faced by Roma living in isolated settlements in substandard housing and extreme poverty conditions.

65. We welcome the work of the Bureau for Interethnic Relations, which is consulting and co-ordinating the work of NGOs with a view to implementing the Council of Europe Framework Convention. Ms Beleacova, Director of the Bureau, mentioned the need to raise awareness on the rights of national minorities, the preparation of a new action plan to support the Roma community, the launch of a governmental plan to teach the State language to adults. She also announced that a round table would be held in June 2011 to discuss the ratification of the European Charter for Minority Languages (signed by Moldova in 2001).

iii. *Anti-discrimination law*

66. In its Resolution CM/ResCMN(2010)6, the Committee of Ministers invited Moldova to adopt, as a matter of priority, a comprehensive anti-discrimination law and to monitor, on a regular basis, of discrimination and racially-motivated or anti-Semitic acts, to take resolute measures to combat all forms of intolerance, including in the media and in political life, to carry out effective investigation and sanction against all forms of misbehaviour by the police, to take resolute measures and to provide adequate resources to ensure that the implementation of the action plan for Roma lead to a substantial and lasting improvement of the situation of Roma in all areas.

67. The adoption of an Anti-Discrimination Law was also recommended by the European Commission against Racism and Intolerance (ECRI) in its last report adopted on 14 December 2009.<sup>40</sup>

68. We would like to welcome the preparation and recent submission to the Parliament of a draft Law on the Prevention of and Combating Discrimination. The text of the draft law included the setting up of a new Council for Preventing and Combating Discrimination, with powers to issue sanctions to individuals or entities found to have undertaken acts contrary to the law of equal treatment.

69. The Justice Minister, Mr Tanase, pointed out in a TV show that the adoption of the Anti-discrimination law is one of the compulsory requirements for the liberalisation of the visa regime with the EU, adding that each minority group was entitled to state protection as they pay taxes to the state, while asserting however that Moldova would never legalise same-sex marriages.<sup>41</sup>

70. The submission of the draft law however has given rise to considerable controversy in the country. In particular some NGOs, members of the clergy, and the five Orthodox churches and prominent politicians have expressed their hostility and opposition to the inclusion of the terms "sexual orientation" in the draft. We deplore the use of homophobic language, which is unacceptable. On 30 March 2011, the Government

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Report on the Situation of the Press in Moldova in 2010, p.8, presented by the Center of independent journalists (Centru pentu journalism independent) and the Civil Rights Defendeurs organization.

<sup>39</sup> Doc. 11374, para. 197

<sup>40</sup> Third report on Moldova adopted on 14 December 2007, CRI (2008) 23

<sup>41</sup> Unimedia, ProTV, 14-15 March 2011

decided to withdraw the draft anti-discrimination law from the Parliament in order to have more time for public consultations.

71. We strongly encourage the Moldovan authorities to complete swiftly the consultation process and draft a comprehensive Anti-Discrimination Law in line with European and international standards in order to prevent and combat discrimination on any grounds. This legislation could also pave the way to the ratification of Protocol 12 to the European Convention of Human Rights, which was signed by Moldova in 2000.

## **VII. Conclusions**

72. This fact-finding visit enabled us to have a first contact with the Moldovan authorities and start reviewing the commitments and obligations of Moldova towards the Council of Europe. We intend to pay a second fact-finding visit by the end of 2011 in order to raise some important issues we could not cover this time, such as the police, the issues of ill-treatment and conditions of detention, the fight against human trafficking. Possibly we might pay a visit to Transnistria. We hope to be able to present a report to the Assembly by June 2012.

73. We would like to emphasise the commitment expressed by the Moldovan authorities to launching fundamental reforms and speed up the democratisation process. This is a positive move that will contribute to fulfilling the obligations and commitments of Moldova towards the Council of Europe.

74. We are aware that such reforms need time. It is of crucial importance that this process includes large consultations with all stakeholders (including NGOs), and is based on the expertise of the international institutions to ensure that the legislation will comply with the relevant international standards. We reiterate the availability of the Council of Europe to assist Moldova in this process and encourage the Moldovan authorities to pursue their co-operation with the Organisation.

75. We would like to stress that these reforms will only be successful if political and social stability is secured. In that respect, we encourage all Moldovan political parties - including within the ruling coalition - to reach an agreement and ensure a swift election of the President of the Republic. This will contribute to the stabilisation of the country, which is much needed to secure the democratisation process and attract foreign and domestic investment with a view to improving the daily living conditions of all citizens.

APPENDIX

**Programme of the fact-finding visit to Chisinau and Comrat (21-24 March 2011)**

Ms Lise CHRISTOFFERSEN, member of Parliament

Mr Piotr WACH, Senator

Mrs Sylvie AFFHOLDER, Secretary of the Monitoring Committee of the Parliamentary Assembly

**Monday, 21 March 2011**

- 17:00 Meeting with NGO representatives (organised by the Head of the Council of Europe Office in Chisinau):
- Mr Vlad GRIBINCEA - Centre for Legal Reforms
  - Mrs Nadine GOGU - Centre for Independent Journalism
  - Mr Corneliu GURIN - Association for Participatory Democracy (ADEPT)
  - Mr Eugen REVENCO - Association for Foreign Policy
  - Mr Oazu NANTOI - Institute for Public Policies
  - Mr Vanu JEREGHI, IDOM
  - Mr Liubomir CHIRIAC - IDIS Viitorul
- 18:00 Meeting with media representatives (organised by the Head of the Council of Europe Office in Chisinau):
- Mr Doru DENDIU - Journal Trust media
  - Mr Dumitru TIRA – Publica TV
  - Mrs Sorina STEFARTA – Timpul newspaper
  - Mrs Natalia IOVA – NIT TV channel
  - Mrs Alina RADU – Ziarul de Garda
- 19:30 Working dinner (hosted by the Head of the Council of Europe Office in Chisinau) with the participation of Ambassadors of Council of Europe member states

**Tuesday, 22 March 2011**

- 08:00 Working breakfast with:
- EU Ambassador Mr Dirk SCHUEBEL
  - OSCE Deputy Head of Mission Mr Claus NEUKIRCH
  - Head of EUBAM Liaison Office in Chisinau Mr Konstantin SHARYGINS
- 09:00-09:45 Meeting with H.E. Mr Marian LUPU, Chairman of the Parliament, Acting President of the Republic of Moldova
- 09:50-10:20 Meeting with the representatives of the working group on constitutional research and analysis
- 10:20-10:50 Meeting with Mr Vladimir VORONIN, member of Parliament, Chairman of the Communists Party of the Republic of Moldova, and Mr Grigore PETRENCO, member of Parliament, member of the Communists Party of the Republic of Moldova
- 11:00-11:45 Meeting with Mr Vlad FILAT, Prime Minister of the Republic of Moldova
- 12:00-12:45 Meeting with Mr Eugen CARPOV, Deputy Prime Minister for Reintegration
- 13:00-14:20 Lunch hosted by the members of the delegation of the Parliament of the Republic of Moldova to the Parliamentary Assembly of the Council of Europe, with the participation of:
- Mrs Ana GUTU, Head of the Moldovan delegation to the PACE
  - Mr Valeriu GHILETCHI
  - Mrs Stella JANTUAN
  - Mr Grigore PETRENCO
- 14:30-15:15 Meeting with Mr Victor BODIU, Secretary General of the Government of the Republic of Moldova

- 15:30-16:30 Joint meeting with Mr Nicolae TIMOFTI, Chairman of the Superior Council of Magistrates, Mr Ion MURUIANU, Chairman of the Supreme Court of Justice, and Mr Dumitru PULBERE, Chairman of the Constitutional Court
- 16:45-17:20 Meeting with Mr Iurie CIOCAN, Chairman of the Central Electoral Commission
- 17:30-18:00 Meeting with Mr Anatolie MUNTEANU, Manager of the Center for Human Rights
- 18:15-19:00 Joint meeting with Mr Viorel CHETRARU, Director of the Center for Combating Economic Crimes and Corruption, and Mr Valeriu ZUBCO, General Prosecutor of the Republic of Moldova
- 19:30 Dinner hosted by Mr Mihai GODEA, Chairman of the faction of the Liberal Democratic Party of Moldova, Mr Igor CORMAN, Member of the faction of the Democratic Party of Moldova and Chairman of the Standing Committee on Foreign Policy and European Integration, and Mr Ion HADARCA, Chairman of the faction of the Liberal Party

**Wednesday, 23 March 2011**

- 08:00 Working breakfast with Mr Alexander POSTICA and Mr Ion MANOLE, lawyers of Mr Ernest VARDANYAN and Mr Ilie CAZAC
- 11:00-12:00 Meeting with NGO representatives (organised by the Head of the Council of Europe Office):
- Mr Mihail SIRKELI, Pilgrim-Demo
  - Mrs Raisa KIRILLOVSKAIA, Contact Centre Comrat
  - Ms Olga CEAIUC, "Miras-Moldova"
  - Mr Vitalii BURLACA, Regional Development Center STABILITY
  - Mr M. KRISTIOGLO, "Pro-Europa" Centre
- 12:00-13:00 Meeting with media representatives (organised by the Head of the Council of Europe Office):
- Mrs Ecaterina JEKOVA, Public Broadcasting Company in Gagauzia "Găgăuziia Radio Televizionu"
  - Mr Vladimir LAZAREV, "Eni Ai" TV and Radio
  - Mr Dmitri MARINOV, Regional newspaper "Vesti Gagauzii",
  - Mr Dmitri POPOZOGLO, Regional newspaper „Edinaya Gagauzi
  - Mr Andrei BEJENARI, Municipal newspaper „Stolita”
  - Ms Maria DEGTEARENCO, TV2 KOMRAT
  - Mr Sergey SUDEV, PRO100 Radio
- 14:00-14:40 Meeting with the leadership of the People's Assembly of the Autonomous Territorial Unit of Gagauzia
- 14:50-15:35 Meeting with the leadership of the Executive Committee of the Autonomous Territorial Unit of Gagauzia
- 15:45-16:25 Meeting with Mr Mihail FORMUZAL, Governor (Bashkan) of the Autonomous Territorial Unit of Gagauzia
- 16:30-17:10 Meeting with Mr Nicolai DUDOGLO, Mayor of Comrat municipality
- 17:15-17:55 Meeting with Mrs Irina ZELINSCAIA, Chairwoman of the Central Electoral Commission of the Autonomous Territorial Unit of Gagauzia

**Thursday, 24 March 2011**

- 08:00 Working breakfast with Mr Jogeir NOGVA, Rule of Law Adviser, Norwegian Mission of Rule of Law Advisers to Moldova (NORLAM)
- 09:00-09:45 Meeting with Mr Alexandru TANASE, Minister of Justice
- 10:00-10:45 Meeting with Mr Andrei POPOV, Deputy Minister of Foreign Affairs and European Integration

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11:00-11:40 Meeting with Mrs Elena BELEACOVA, Director of the Bureau for Inter-ethnic Relations

11:50-12:30 Meeting with Mr Marian POCAZNOI, Chairman of the Broadcasting Coordinating Council

13:00 Press conference