



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

Statement of 20 October 2021 by
PACE co-rapporteurs on the Honouring of obligations and commitments by the Republic of Moldova
Inese Lîbiņa-Egnere (Latvia, EPP/CD) and Pierre-Alain Fridez (Switzerland, SOC)

PACE rapporteurs welcome the determined action of the Moldovan authorities to reform the judicial system and fight corruption, while calling for compliance with European standards

At the end of their fact-finding visit to the Republic of Moldova from 12 to 15 October 2021 PACE monitoring co-rapporteurs of the Parliamentary Assembly of the Council of Europe (PACE) Inese Lîbiņa-Egnere (Latvia, EPP/CD) and Pierre-Alain Fridez (Switzerland, SOC) welcomed the determination of the Moldovan authorities to reform the judiciary and to fight corruption as a priority: "In the July 2021 early parliamentary elections, voters expressed a clear choice in favour of eradicating corruption and building efficient and transparent state institutions capable of functioning for the benefit of all. There is a momentum for change; the authorities show a strong and determined will to address the outstanding concerns and high expectations of the population. Their efforts to ensure greater democracy, rule of law and human rights need to be fully supported given the considerable challenges facing the authorities, including the restoration of the independence of the judiciary, and which need to be addressed in the context of the fight against the pandemic and the socio-economic concerns that affect the standard of living of the population."

The rapporteurs acknowledged the important steps that have been taken in the field of justice: "We welcome the long-awaited adoption of the constitutional amendments that had been agreed upon by all major political parties in recent months in order to depoliticise the judiciary. We have noted that the adoption of amendments to the Law on the Prosecution Service - which are currently being reviewed by the Venice Commission - concerning disciplinary procedures, the evaluation of the Prosecutor General and changes in the composition of the Superior Council of Prosecutors has, within the system, triggered objections and even resistance."

"These changes are aimed at restoring confidence in the state bodies and should build sustainable institutions based on European standards," the rapporteurs added. "We therefore call on the Moldovan authorities to ensure that the reforms undertaken - however urgent and necessary - respect the principles of the rule of law; opposition parties and representatives of civil society must be involved and consulted to ensure quality legislation. We have also noted that there have been rapid changes in state institutions in recent weeks, including the appointment of new heads of independent state agencies. In addition, significant developments have taken place in the judicial institutions with the dismissal or resignation of senior prosecution officials: the arrest of Prosecutor General Mr Stoianoglu, now under house arrest, however, raised questions among some of our interlocutors about the respect of procedural guarantees."

"Reforming the judiciary and the prosecution office to strengthen their independence and, more generally, to address the roots of the "state capture" that has prevailed in the country so far is a huge challenge, for which there is no ready-made solution. We therefore warmly welcome the renewed commitment of the authorities to work in close cooperation with the Council of Europe and its ad hoc high-level working group on justice reform to address crucial issues, including the evaluation of judges and prosecutors, to cleanse the system of its corrupt elements."

Ms Lîbiņa-Egnere and Mr Fridez stressed that good governance implies transparency in public life: "The ruling party has a large majority in parliament and therefore has a great responsibility to improve transparency in the financing of political parties; in parliament this should help prevent members of parliament from "migrating"

from one faction to another in the future other than for ideological reasons. This phenomenon has been a chronic source of political instability in recent years. The implementation of the recommendations issued by GRECO in this respect would contribute to greater transparency in political life.”

The rapporteurs also [welcomed](#) the progress made in the field of women's rights and congratulated the Republic of Moldova on the ratification of the Istanbul Convention: "Accession to this landmark Council of Europe convention means better protection of women against violence, and respect for their fundamental rights in all areas of life. This confirms the remarkable progress made by the country in recent months, with almost 40% of women in parliament and women holding the highest offices of the state, including those of President and Prime Minister. This progress is unprecedented in the history of the Republic of Moldova and should inspire other countries in Europe.”

Lastly, the rapporteurs visited Tiraspol, where they discussed the settlement process with the Chief Negotiator and requested information on the protection of human rights, in particular in prisons, including with NGO representatives. The rapporteurs noted the readiness of the *de facto* authorities to engage in a dialogue with the PACE Monitoring Committee's Sub-Committee on Conflicts between Council of Europe Member States on the protection of human rights in the context of the Transnistrian settlement process. The rapporteurs also visited the Latin script school in Grigoriopol, relocated to Dorotcaia, and commended the efforts made by the educational community to ensure the pupils' education despite the difficult circumstances.

PACE co-rapporteurs on the Honouring of obligations and commitments by the Republic of Moldova Inese Lībiņa-Egnere (Latvia, EPP/CD) and Pierre-Alain Fridez (Switzerland, SOC) met in Chisinau with the President of the Republic, the Prime Minister, the Speaker of the Parliament, the Deputy Prime Minister for Reintegration, the Ministers of Justice and Health, the State Secretary of the Ministry of Foreign Affairs and European Integration and the Governor (Bashkan) of the Autonomous Territorial Unit of Gagauzia. The rapporteurs also met with the Moldovan delegation to PACE, as well as with leaders and members of the political factions of the parliament, the Chairperson of the parliamentary Committee on Legal Affairs, Appointments and Immunities, representatives of the judicial authorities, the acting Prosecutor General, the Director of the National Anti-Corruption Centre, lawyers, as well as representatives of the diplomatic community and civil society.

The rapporteurs also visited Tiraspol, where they held discussions with the *de facto* authorities and representatives of civil society.