

BRIEF ON MONITORING MOLDOVAN 2019 ELECTIONS

Chisinau, November 7.

With reference to the forthcoming parliamentary elections in Moldova in February 2019, one must keep in mind minimum the following geopolitical considerations:

- Moldova was and probably continues to be seen as a core element in laundering dirty money coming from Russia, and probably, not only from Russia in the near future;
- huge mining facilities created in Transnistria with active support from Dodon and Moldovan government is a "next step" laundering machine in the region;
- governing party is offering protection to those involved in banking scandals in 2014, and Kroll investigation is a useless paper since government does protect persons mentioned by Kroll;
- laundering machine and financing terrorism, political influence, propaganda and business interests supported by laundered financial resources are the main risks not only for Moldova, but also for the neighboring region, as well as for the West as a whole;
- no investigation and no assets recovery are done yet, international community is expected to internationalize their investigations initiated in Latvia, Estonia, Great Britain on dirty money laundering, including those from Magnitsky case;
- there is an increasing risk coming from Moldovan "golden visa" scheme, implemented by Moldovan government with Dodon's support, this scheme was launched the other day in Dubai, this scheme is directly linked to a high risk of laundering money and benefiting from "capital amnesty";
- "capital amnesty" recently adopted illegally by authorities and backed by Dodon must be stopped immediately; it legalizes all frauds admitted in Moldova by locals, as well as frauds admitted by foreigners outside of Moldova. Moldova is being converted into a paradise for international financial crimes and criminals.

The authority of the current Parliament of Moldova expires at the end of November, exactly four years after 2014 elections. Since Moldova has become independent, usually the date of next parliamentary elections was established not much exceeding the date of mandates' expiration. However, for the first time since independence, the current Parliament has used to the maximum the 3 months window allowed by the Constitution, within which period the next ordinary general elections should take place, having established the date for the next parliamentary elections on February 24, 2019.

The official reason mentioned was the fact that, since this would be the first elections held on a mixed basis, a major change in the Electoral Code adopted in 2017, against the harsh critical reaction of the civil society, against the negative reaction of the Venice Commission and contrary to the objections of the European Union, then all parties, including opposition would need more time to prepare for this new test. According to the new system, 51 MPs would be elected from electoral

districts and 50 from party lists, while voters from Transnistria and from abroad would be represented on geographical basis, beside their electoral “weight”.

Most of the independent experts and analysts have expressed their opinion that there were no objective reasons to delay the elections for three months, the only real motivations laying on the grounds of subjective interests of the ruling party of Moldova: Democratic Party headed by the ill-famed oligarch Vladimir Plahotniuc, and its official and unofficial allies. More than that, these reasons must have been quite serious, if the authorities are risking to hold elections in mid winter, whilst usually they have tried to avoid that, because of the inevitable higher bills for gas, electricity and heat for the population during winter season and greater apathy of the people during cold season.

Even President Dodon’s Socialist Party, so called minority opposition in the Parliament, has tacitly approved this decision, showing once again that in reality they are working well together with Plahotniuc’s Democrats on most important decisions. Though obviously it is Socialists who would have gained more from higher communal bills during top winter. (Not to mention in general, that Socialists would have much more easy won in the frame of the previous proportional elections system, based on party lists.)

According to most experts, the most important real motives behind this decision are as follows, but not limited to:

- to have enough time in order to legalize the laundered money as well as undeclared assets within the respective fiscal amnesty program that the ruling coalition has so speedily and surprisingly adopted at the last summer sessions of the parliament, contrary to IMF and World Bank and civil society outrage - the limit date for this fiscal amnesty is also February 2019;
- to let defuse the tensions that have affected the society and raised opposition ratings after the illegal cancellation of the Chisinau Mayor’s election results in June, also in a hope that opposition’s ratings will drop down by then;
- to have enough time to finalize many controversial projects in the city of Chisinau without the opposition Mayor reaching the parliamentary tribune;
- to have sufficient time for trying to further tarnish the opposition’s image, using the immense mass-media resources controlled by Plahotniuc;
- most probably counting also on Romanian government’s support, whilst Romania takes the presidency of the EU as from January 2019 and since the Romanian government is controlled by PSD, party affiliated to and very much supporting the Democratic Party of Plahotniuc.

In fact, the smear campaign against the two main opposition leaders, Maia Sandu and Andrei Nastase (unvalidated Mayor elect of Chisinau), has already started, and not a simple one, but at the top state level and with quite far reaching potential consequences: the Parliament of Moldova has created a special commission in order to investigate illegal financing of Maia Sandu and Andrei Nastase trip to Brussels by the Open Dialog Foundation, led by Mrs Lyudmyla Kozlovska, President of the Open Dialog Foundation (ODF), who was deported from Poland in August under accusations of representing a threat to national security. The Moldovan

authorities proclaim that Open Dialog is sponsored by Kremlin and that is why Maia Sandu and Andrei Nastase are basically Russian agents. There were declarations from some politicians that Plahotniuc will do whatever possible and impossible (read illegal!) in order not to admit Nastase to take part in the elections.

Here is worth reminding that in 2014 four days before the elections the “Our Party” of Renato Usatîi, quite a charismatic figure at that time who would have attracted a lot of votes and mandates, was excluded under accusations of illegal funding from abroad. Later this accusation was recognized as false by the courts, but it was too late, obviously. Dodon at that time has got most of the votes from the excluded Renato Usatîi, confirming strong suspicions that Plahotniuc in fact very much supported Dodon for presidency.

The country’s judicial system totally controlled by Plahotniuc is serving well the regime and is expected to play a major role in the forthcoming elections, having passed a test after invalidating the Mayor’s elections in Chisinau under ridiculous pretexts.

In this context it is worth mentioning the Watchdog Moldova appeal to the courts in 2017 about the illegal foreign funding of Dodon’s election during presidential campaign in 2016, see this link: <https://watchdog.md/2018/08/22/russian-off-shore-funding-of-igor-dodons-electoral-campaign/>

While submitting the criminal complaint in October 2017, Watchdog Moldova has presented plenty of evidences, however nothing has been done by the courts so far, once again pointing out to double standards of the Moldovan judiciary, lawlessness and complicity of state authorities in protecting Dodon’s illegal funding, and underlining the protection offered to Dodon/Greceanii by Plahotniuc and Democrats, who control the judiciary.

Since the governing Democratic Party wants to stay in power for the next four years at any price, and the change in the political system of the country by introducing the mixed system of electing the members of the Parliament is considered to be a DP’s tool to control the elections, monitoring the parliamentary elections in Moldova on February 24, 2019 is of crucial importance, and this monitoring should start ASAP, by undertaking the following minimum actions:

The main points of reference within monitoring the elections in Moldova on a national level are as follows, but not limited to:

1. High degree of monopolization of media by mafia-type structures, whilst roughly 80% of the mass media is controlled by Plahotniuc and Dodon. And basically total control by Plahotniuc of the revenues coming from advertising on TV.
2. Corruption of journalists, working for the State-owned broadcasting company.
3. Corruption of certain representatives of civil society and political analysts.
4. Politically motivated Central Election Commission, which is not trust-worthy.
5. Lack of real judicial independence.
6. Involvement of the Judiciary in political processes and in the elections.
7. Intimidation of representatives of the Opposition, including initiation of criminal proceedings against the most active members of the Opposition (R. Verbitski, Gh. Petic etc. Iurie Țap from LDPM has got a criminal dossier from the year 2000! in

order not to admit him to candidate at the same district with a candidate from the Democratic Party who doesn't enjoy the same popularity).

8. Intimidation and eventual blocking from elections of opposition leaders Maia Sandu and Andrei Nastase, within the special Parliamentary commission for investigation of Open Dialog Foundation financing of the opposition.

9. Using against the Opposition of secret measures of electronic surveillance, not only from state security and internal affairs, but also from para-military structures and security firms, controlled by Plahotniuc and his closest partners.

10. Prosecution Service, as a tool in the electoral process - see Iurie Țap case above.

11. Corruption of the Electorate by various petty gifts and food stuff.

12. Flawed election legislation, and possible abuse of the so called integrity filter certificates for candidates.

13. Propulsion of political bulldogs, like condemned Mayor of Orhei Ilan Shor, who is attacking in a stalinist-fascist style Maia Sandu and Andrei Nastase, and who is pushing his own party and his party so called "social shops" used to corrupt electorate. Ilan Shor has also rapidly received a TV broadcasting licence recently for a post with a name none less than "Central Television"! This will be very much used to further brainwash people and attack the opposition. While on the other side, at the same time, Radio Free Europe, one of the most objective radio stations, was stopped from being transmitted by Radio Vocea Bassarabiei.

14. Possible abuses and manipulations with voters from Transnistrian region, which is not controlled by official state authorities of Moldova.

15. Possible limitations of access, abuses and manipulations of votes from huge Moldovan diaspora abroad, mainly in Russia which usually votes for the pro-Russian parties and in Europe/North America, which is expected to vote massively for the opposition, but might be very much limited to do so.

In order to prepare the monitoring of the electoral process in Moldova at the level of the voting sections, the following steps should be done as a project to promote transparency and fair elections:

- a. selection of the voting moderators, depending of the cost of the project;
- b. training them to monitor the electoral process;
- c. distributing them to the electoral stations;
- d. monitoring the process;
- e. writing the materials and reports for the coordinators;
- f. going to the judiciary with materials on the elections process;
- g. writing the final report.

Also training for the participants in the electoral process to be more active and courageous in the parliamentary elections can be considered. Training of the participants in the elections process is not new for the Republic of Moldova, but these elections are the first ones organized according to mixed system, instead of the proportional system, based on parties lists. The participants are going to take part both in the party elections by the old method used in Moldova for more than 20 years, and in elections based on uninominal system, which is for the first time in Moldova. Candidates should be trained to better understand what is the uninominal

system, what are the risks for the electorate, how to overrule those risks, how to build a campaigning program, etc.

As a conclusion, it is absolutely important for foreign missions and observers to start monitoring the Moldovan elections already now, since elections are made long before the voting date!