

Opinion of Promo-LEX Association: Only 12 out of 32 European Recommendations Regarding the Mixed Electoral System were Implemented

Promo-LEX Association's analysis alerts on irregularities in Parliament's implementation of recommendations regarding the mixed-member electoral system provided by the Venice Commission and by the Organization for Security and Co-operation in Europe (OSCE).

Accepting the recommendations does not necessarily mean implementing them

As of today, only 12 out of 32 recommendations were implemented. In fact, out of 7 recommendations that were accepted in the electoral legislation and then implemented, 5 were implemented in breach of the legal norm or with delays. These irregularities include: 'independence' of the National Commission Establishing the Constituencies, delimitation of constituencies with the condition of not exceeding the 10% deviation, establishment of the constituencies abroad, 'clear' criteria for establishing constituencies in the Transnistrian region, as well as the release of integrity records, following the example of the new local elections.

Furthermore, the non-transparent and sometimes inconsistent with the legal provisions implementation of recommendations at this stage raises reasonable suspicions about the integrity and the discretionary nature of the future implementation of recommendations. Besides this, due to the irregularities, the conduct of elections under the new law can be at risk as well.

Parliament states that all recommendations were implemented

On the other hand, according to the assessment made by the Parliament – all the recommendations identified by the legislative authority in the Common Opinion were fulfilled. The [Association's analysis](#), however, proves that this result was achieved due to a positive self-assessment regarding all the recommendations included in the Parliamentary analysis, on the one hand, and by omitting certain recommendations the experts made in the Common Opinion of the Venice Commission and OSCE/ODIHR, on the other hand.

Society must not be divided

The recommendation to achieve wide consensus in the society concerning the mixed electoral system deserves particular attention. Considering the nature of the political events in Moldova and the electoral debates organised by the Association, we see no broad consensus on this matter. To the contrary, the society is rather divided. In addition, the opinion polls, including those ordered by Promo-LEX, revealed that the mixed electoral system is not appreciated by most of the population.

In the opinion of Promo-LEX, the position shared by the Venice Commission and OSCE/ODIHR that the modification of the electoral system of Moldova is not recommendable, is generic and principled.

See details and other important aspects in the [Promo-LEX Analysis](#).

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