

PUBLIC APPEAL Of the National Platform of the Eastern Partnership Civil Society Forum on the attempt of abuse of state power by a group of MPs in the parliament of the Republic of Moldova

April 23, 2021

The Constitution of the Republic of Moldova is the Supreme Law of the state. No law and no other legal act contrary to the provisions of the Constitution has legal force;

We urge the Parliament of the Republic of Moldova and other political actors to refrain from unfounded attacks on the Constitutional Court and judges, as they promote a culture incompatible with the values of the rule of law. The Constitution of the Republic of Moldova is the supreme law of the society and the state, the observance of which is an axiom, and the decisions of the Constitutional Court, including the above-mentioned opinion, are final and cannot be challenged.

We find that the actions taken by the parliamentary majority by approving the Parliament Decision on withdrawing the vote of confidence to Ms. Domnica Manole, President and Judge of the Constitutional Court are contrary to the Constitution, the Law on the Constitutional Court, Constitutional Court Decision no. 8/2013 and constitutes the elements of the abuse of state power. At the same time, the approval on the same day, one hour after the decision of the Parliament, appointing another

judge to the Constitutional Court, knowing the requirements on how the mandate of a judge in the Constitutional Court is revoked, demonstrates the intention of the parliamentary majority to abuse the state power.

We support the decision of the President of the Republic of Moldova to convene the Supreme Security Council in order to discuss and take immediate action by the competent authorities that are required to stop illegal actions against the Constitution and state power.

We urge the Prosecutor General to take the necessary action to ensure compliance with the law and the immediate stop of illegal actions of the Parliament majority. We consider that the actions of the Parliament and of the parliamentary majority constitute the elements of the crime of abuse of state power provided by article 339 of the Criminal Code.

We call on development partners and diplomatic missions accredited to the Republic of Moldova, the Council of Europe and Delegation of the European Union to the Republic of Moldova to react promptly to these actions of abuse of state power and blatant violation of the Constitution of the Republic of Moldova, including the independence of the Constitutional Court.