

Parliamentary Control Exercised by Commission of Inquiry and Commission Regulating the Status of the Parliamentary Opposition in the Republic of Moldova: Realities and Prospects



The Promo-LEX Association in partnership with the Parliament of the Republic of Moldova presented on Monday, July 24, two studies in which they analyze the regulation of the status of parliamentary opposition and the parliamentary control exercised by the Commissions of Inquiry. The studies have

been developed by Promo -LEX in collaboration with the Parliament Secretariat. The event was attended by MPs, officials of the legislature, representatives of extra-parliamentary parties, civil society organizations and experts in the field.

The main conclusions of the two studies are resumed to the fact that both the function of parliamentary control exercised by the Commissions of Inquiry and the status of the parliamentary opposition are insufficiently regulated by law, which leads to a series of gaps in the legislature's activity and affects the quality of the decision-making process.

"Hopefully, today's discussions about the role of the parliamentary opposition and about the manner in which we build up a legislature that excels in parliamentary control, in this case through the activity of Commissions of Inquiry, will bring us closer to some solutions that will ultimately improve the Parliament's activity, the quality of the decision-making process and, last but not least, the quality of citizens' lives", said, at the opening of the event, Nicolae Panfil, Promo-LEX Program Director.

He noted that the event has taken place shortly after the announcement of the public consultations on the draft Code on the organization and functioning of the Parliament and can contribute to the improvement of this important document, which will exhaustively regulate the status of the parliamentary opposition and the function of parliamentary control.

Veronica Roşca, PAS MP and vice-president of the Committee on Legal Affairs, Appointments and Immunities, has assured the audience that the recommendations and conclusions of the two studies will be used to develop a consolidated legislative framework, which will not make "dead rules", but rather rules that will be applicable and intended to make each MP responsible.

The study on the parliamentary control exercised by the Commissions of Inquiry in the period of 2015-2023 has revealed several gaps, including insufficient regulation of the organization and operation of the commissions of inquiry; frequent modification and non-compliance with the deadlines established by the decisions of the commissions of inquiry; lack of a clear outcome of the commissions' recommendations and lack of mechanisms for monitoring their implementation.

In the reference period, only 1/3 of the total number of initiatives to form commissions of inquiry were accepted by the Parliament. Almost half of the established commissions did not fulfill their duties outlined by the founding decisions and did not submit their reports for examination and approval to the plenary session of the Parliament.

The authors of the study Dina Boțan, Promo -LEX analyst, and Ion Creangă, head of the Parliament's General Legal Department came up with a list of recommendations, including: supplementing the legislation with clear regulations regarding the organization and operation of commissions of inquiry; regulating the cases when the report of the commission of inquiry is not submitted for examination and approval to the plenary session of the Parliament; outlining the responsibilities of standing commissions on the execution of the Parliament's decisions regarding the reports of the commissions of inquiry and the manner of reporting by the Government and other authorities/institutions referred to in the reports, institutionalization of a monitoring mechanism for the implementation of the recommendations of the commissions of inquiry.

The main finding of the second study "Regulating the status of the parliamentary opposition in the Republic of Moldova" is that the legislation does not sufficiently regulate or institutionalize the status of the parliamentary opposition. There are no legal provisions or mechanisms that would describe the fullness of the relations between the majority

and the opposition. The relationship between the parliamentary majority and the opposition is based on confrontation and lack of an institutionalized communication aimed at common solution of problems. Although, along the way, some initiatives aimed at consolidating the institution of the parliamentary opposition have been approved, they are few and insufficient to change the overall situation. Moreover, some legislative projects that developed separate norms regarding the status and role of the parliamentary opposition did not end up being approved.

Having analyzed the situation in the last three legislatures, starting from 2014, the authors of the study, Igor Bucătaru, Promo-LEX main electoral analyst, and Silvia Cojocari, main consultant of the General Legal Department of the Parliament, found that the opposition was not fully involved in the legislative procedure. The share of draft laws submitted by the opposition and adopted was, on average, 5.3 times lower than that of the majority's initiatives. The "opposition day" rule was not respected. And the frequent absences of opposition MPs, including absence in corpore, does not necessarily show disinterest in the plenary sessions and the topics examined, it can rather be a sign of protest (boycott).

The main recommendations formulated by the authors of the study are: a thorough revision of the Parliament's Regulations or the approval of a new, complex normative act, in the form of a Code, in which a separate chapter will be dedicated to the parliamentary opposition; regulating the rights of the opposition to approve draft normative acts, to organize consultations and public hearings, to be represented in all bodies; establishing a clear mechanism that would ensure the examination of draft normative acts presented by the parliamentary opposition and institutionalizing a dialogue platform between the majority and the opposition.

The two studies can be consulted here: [Parliamentary control exercised by the Commissions of Inquiry](#) and [Regulating the](#)

[status of the parliamentary opposition in the Republic of Moldova](#) .

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