

Promo-LEX Association and Civic Coalition for Free and Fair Elections addresses the Moldovan Parliament to suspend the examination in the second (final) reading of the draft law on changing the electoral system and to organize public debates on this issue

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Promo-LEX Association and the Civic Coalition for Free and Fair Elections express their concern regarding the urgent and non-transparent adoption in the first reading of the draft law no. 163 from 16.04.2013 on changing the electoral system from the Republic of Moldova. The lack of transparency in the adoption process and also the quality of the above-mentioned document determines us to request the Parliament of the Republic of Moldova to suspend the examination in the second (final) reading of this draft law and to organize public debates, consistent public hearings that will lead to the improvement of this document.

Promo-LEX Association and the Civic Coalition for Free and Fair Elections understand the arguments of the law's authors regarding the necessity for adopting a mix electoral system in order to strengthen the relation between the voters and the

politicians / parliamentarians. Ideally, such a system should implicitly lead to the regeneration, democratization of the political class, objectives which are welcomed by the Coalition.

Nevertheless, Promo-LEX Association and the Coalition for Free and Fair Elections consider that the draft law nr.163 adopted on April 18 in the first reading contains a number of deficiencies regarding the observance of due procedures and content of the law. First of all, Promo-LEX Association and Civic Coalition for Free and fair Elections are concerned about the urgent adoption of this draft law, without a wide consultation with the civil society and some international institutions, such as Venice Commission, Council of Europe etc.; unfortunately, the lack of approvals from the Government / ministries and other parliamentary commissions and the lack of the advisory approval from the Central Electoral Commission, amplifies the concerns of the society that this draft law is nothing else but a political deal in the context of negotiations to overcome the political crisis in Moldova.

Promo-LEX Association and the Civic Coalition for Free and Fair Elections considers that the content of the draft law adopted in the first reading contains a lot of gaps that, practically, reduce to zero the objectives and positive intentions of the authors. In this regard, Promo-LEX Association and the Coalition are worried that the draft law is restricting the electoral rights of the citizens of the Republic of Moldova from the Transnistrian region, that is more than 230000 voters, but also of those that residing abroad, over 500000 voters, providing to these citizens the possibility to vote only on the basis of party lists. We consider that such discriminatory provisions must be excluded from the draft law. In the Transnistrian region, which is 2nd level territorial administrative unit, uninominal constituencies should be created according to the general algorithm. For the Moldovan living abroad, similar solutions

should be identified based on the estimation of the number of citizens residing in respective countries.

Another major concern of the Coalition is that, in the present socio-political situation, with perpetual accusations of corruption but also of oligarchy in the political life, it will be very difficult to predict the consequences of implementing such an electoral system. The experience of the neighboring countries shows us that the benefits of a mix electoral system did not reflect positive changes in the quality of the political class, did not bring the politicians closer to the citizens; and only stimulated electoral and post-electoral corruption, the use of administrative resources in the electoral campaigns and other negative phenomena. In this context, the Coalition considers that the expert review of this draft law is indispensable from the perspective of corruptibility before its adoption in the final reading.

Promo-LEX Association and the Civic Coalition for Free and Fair Elections are convinced that such a draft law which shall radically reform the electoral system in the country should be adopted only through consensus and in a climate of mutual trust and common responsibility. Taking into consideration that such modifications to the electoral legislation are very serious, it is necessary to respect the term of minimum one year before the next parliamentary elections to ensure that the law is adopted without prejudice to the electoral process; in this context it is clear that this draft law cannot be adopted and it cannot have legal effects in case early parliamentary elections will be organized.

Promo-LEX Association and the Coalition urge the deputies to carefully consider before modifying the electoral system, especially considering the socio-political context, political culture and level of democratic development in the Republic of Moldova. Promo-LEX Association and the Coalition also reminds about its request to continue the examination of this draft law in the second (final) reading only after consulting all

the stakeholders concerned, respecting all the stages and requirements related to the adoption of a draft law which will have a profound effect on the electoral system and political life of the Republic of Moldova. Promo-LEX Association and the Civic Coalition for Free and Fair Elections express their availability to participate / to contribute to the public debates / parliamentary hearings in order to improve this draft law.

Note! In the evening of April 19, 2013 the Moldovan Parliament passed the draft of the law through the second (final) reading and unfortunately the lawmakers didn't consider the call of Promo-LEX Association and Coalition to suspend the examination in the second reading of the draft law and to organize public debates on this issue. We will keep you informed on the development on this issue during next period.