

**To the Constitutional Court of the Republic of Moldova,
Mr. Mihai Poalelungi, Chairman of the Constitutional Court**

Chisinau, 10 September 2018

Dear Mr. Chairman,

The Civic Coalition for Free and Fair Elections respectfully requests an emergency review of Petition 106b of 20.07.2018, concerning the review of Constitutional provisions regarding the rule of law guarantee through ensuring the rights to vote and to be elected, and the citizens' right to participate in the administration of public affairs. The petition is a collaborative effort between a series of non-governmental organizations, including members of the Civic Coalition for Free and Fair Elections, which has been taken over by several MPs and submitted to the Constitutional Court for review.

In full awareness of the attributions of the Constitutional Court, and of its petition review procedures, we put forth the above-mentioned request to the Court, as it is our concern that the time left until the commencement of the Parliamentary election period would be insufficient for the legislative body to examine, comment on, and eliminate the causes that have led to the invalidation of the results of the local elections of 20 May – 3 July 2018.

Through Decision no. 126 of 12 July 2018, the Parliament has endowed the Standing Committee on Appointments and Immunities to analyze, assess, and evaluate the electoral legislation according to international standards in electoral matters, referring to the causes and legal arguments brought in support of the invalidation of the new local elections, including aspects concerning the use of social networks, as well as the proportionality of the sanctions applied. Consequently, according to said Decision, the Parliament will improve the normative framework in question, aiming to safeguard the integrity of the election process.

In our opinion, Parliament Decision no. 126 is a correct, albeit narrow reaction to a particular event – the invalidation of the elections of 20 May – 3 July 2018. On the other hand, the Constitutional Court, through its previous rulings concerning the validation of Parliamentary and Presidential elections, has shown a much broader approach, i.e. through constitutional norms. Previous rulings and statements issued by the Constitutional Court serve as solid grounds for a swift review of Petition 106b of 20.07.2018, with immediate impact, waiving the necessity of amending the electoral legislation – a measure which, according to the good electoral practices suggested by the Venice of Commission, is undesirable on the eve of electoral campaigns.

Henceforth, the Civic Coalition for Free and Fair Elections would like to express its high consideration of the Constitutional Court, along with our availability to share with the high court our own visions and expertise, in order to find relevant solutions to the issues presented in Petition 106b of 20.07.2018 and Parliament Decision no. 126 of 12 July 2018. To that end, we respectfully request of you to give us an update on the progress of the review of said Petition, as well as to inform us on your availability to cooperate in this regard.

www.alegeliber.md - the Civic Coalition for Free and Fair Elections is a permanent, voluntary entity, comprised of 35 civil society organizations from Moldova, whose aim is to contribute to the development of democracy in Moldova, through advocacy and implementation of free and fair elections according to the standards of ODIHR (OSCE), the European Council and its specialized affiliate institutions.

Yours respectfully, Polina Panainte, Secretary of the Civic Coalition for Free and Fair Elections