

21 June 2019

STATEMENT ON ENSURING TRANSPARENCY IN THE LEGISLATIVE DECISION-MAKING PROCESS

We, the undersigned organizations, members of the Coalition for Free and Fair Elections, understanding the mission and responsibility of civil society in monitoring public processes and empowering authorities accountable:

Express our concern over the fact that the legislature is promoting electoral laws with a major impact without respecting the principles of decisional transparency. We mention here the amendments to the Electoral Code, approved in the first reading on 11 June 2019, without these being preceded by public consultations;

We express our disagreement with the amendment of Article 20 of the Electoral Code made on 18 June 2019, which contradicts the recommendations of the Venice Commission¹, and actually will further increase the risk of undermining the independence of the Central Electoral Commission;

At the same time, acknowledging the problematic and biased activity of the Central Electoral Commission, especially in the last two years, facts noted in the documents of the Coalition and its members;

Underlining the existing legal guarantees of independence and understanding the need for urgent evaluation of professional performance and as a result for the change of the current composition of the Central Electoral Commission;

We call upon:

1. To stop the promulgation of the law passed by the legislature on 18 June 2019 on the basis of the bill 43 amending article 20 of the Electoral Code no.1381/ 1997 and its subsequent completion in order to prevent the discretionary dismissal of the members of the Central Electoral Commission in the future;
2. the Parliament to hold public consultations on amendments to the electoral legislation made in the first reading on 11 June 2019, before their final approval.

Members of the Coalition express their openness to participate in public discussions on amendments to the Electoral Code and related legislation.

www.alegeliber.md - The **Civic Coalition for Free and Fair Elections** is a permanent, voluntary entity, comprised of 37 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 affiliated institutions.

¹ Point 77 of the Explanatory report of the Code of good practice in electoral matters, adopted by the Venice Commission in 2002, states that: „[...] bodies that appoint members to electoral commissions should not be free to recall them, as it casts doubt on their independence. Discretionary recall is unacceptable, but recall for disciplinary reasons is permissible - provided that the grounds for this are clearly and restrictively specified in law.”