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Countries

Moldova, Republic of

Categories

[Country Information](#)[Legal Information](#)[Policy Documents](#)[Reference Documents](#)

Browse by

[A-Z Index](#)[Topics](#)[Publishers](#)[Document Types](#)

Resources

[Special Features](#)[Standards and Training](#)[Information Alerts](#)[Protection Starter Kit](#)[Library](#)[News](#)[Refworld Personalization](#)[External Links](#)

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Freedom in the World 2011 - Moldova

Capital: Chisinau**Population:** 4,133,000

Political Rights Score: 3 *

Civil Liberties Score: 3 *

Status: Partly Free

Explanatory Note

The numerical ratings and status listed above do not reflect conditions in Transnistria, which is examined in a separate report.

Ratings Change

Moldova's civil liberties rating improved from 4 to 3 due to a more balanced and diverse media environment, a reduction in government hostility toward civil society groups, and a lack of interference with political gatherings ahead of the November 2010 parliamentary elections.

Overview

Having failed to secure the three-fifths parliamentary majority needed to elect a president after taking power in 2009, the ruling Alliance for European Integration (AIE) called a September 2010 constitutional referendum in a bid to institute direct presidential elections. However, the referendum was ruled invalid due to low turnout amid an opposition boycott, and the government was forced to schedule the third round of parliamentary elections since April 2009. The fresh voting, held in November, left the AIE in power but still short of a three-fifths majority. The campaign environment represented a significant improvement over that of the previous year, benefiting from a more open media landscape and greater respect for freedoms of assembly and association.

Moldova gained independence from the Soviet Union in 1991, and free and fair elections followed in 1994. Centrist parties governed until 2001, when the Party of Communists of the Republic of Moldova (PCRM) won a landslide victory, promising a return to Soviet-era living standards. Communist leader Vladimir Voronin was elected president by Parliament.

The PCRM took 56 of 101 seats in the 2005 parliamentary elections and built a coalition to obtain the 61 votes needed to reelect Voronin. Election monitors noted police harassment of the opposition, manipulation of the state media, and abuse of state funds by the PCRM, among other flaws.

After charting a foreign policy course away from Russia and toward the European Union (EU) in the period surrounding the elections, Voronin steered the country back toward Russia in 2007 and 2008. The Kremlin's cooperation was seen as essential in resolving the status of Transnistria, a separatist region that has maintained de facto independence from Moldova since 1992.

The PCRM won 60 seats in April 2009 parliamentary elections, though international monitors documented problems including flaws in the voter lists, intimidation and harassment of opposition parties, and media bias. Three opposition parties also won representation: the Liberal Party (PL) and the Liberal Democratic Party (PLD), each with 15 seats, and the Our

Moldova Alliance (AMN), with 11. The results triggered youth-led protests in Chisinau, and the demonstrations turned violent on the second day, with some protesters ransacking government buildings. Police responded with beatings, hundreds of arrests, and serious abuse of detainees in custody.

The PCRM, one vote short of the necessary three-fifths parliamentary majority, failed twice to elect its choice to replace the term-limited Voronin as president, triggering fresh parliamentary elections in July. Although similar electoral flaws were reported by observers, the defection of former PCRM Parliament speaker Marian Lupu to the opposition Democratic Party (PD) helped to reduce the PCRM's share to 48 seats, and four opposition parties captured a majority. The PLD took 18, followed by the PL with 15, the PD with 13, and the AMN with 7.

The new majority, calling itself the Alliance for European Integration (AIE), subsequently elected PLD leader Vlad Filat as prime minister and PL leader Mihai Ghimpu as Parliament speaker and acting president. The coalition failed twice – in November and December – to secure Lupu's election as president.

Article 85 of the constitution, reinforced by legislation passed in October 2009, barred another dissolution of Parliament within 12 months of the most recent one. However, there was no specific deadline for the AIE government to announce new elections after the expiration of the 12-month period in June 2010; the Constitutional Court ordered only that the dissolution and elections come "within a reasonable timeframe." This gave the AIE time to hold a September referendum on a proposal to institute direct presidential elections. The opposition PCRM, which maintained that the post-June Parliament was illegitimate, boycotted the referendum, and it was nullified after failing to garner the minimum 33 percent voter turnout. The government was consequently forced to schedule yet another round of parliamentary elections for November.

The new balloting, which was praised by observers, strengthened the AIE parties' position overall, but they still lacked the supermajority needed to elect a president. The PCRM took 42 seats, followed by the PLD with 32, the PD with 15, and the PL with 12. Lupu was elected as Parliament speaker and acting president in late December, and Filat was expected to resume his role as prime minister.

Political Rights and Civil Liberties

Moldovans elect a democracy. Voters elect the 101-seat unicameral Parliament by proportional representation for four-year terms. Since 2000, Parliament has elected the president, who serves up to two four-year terms. His choice for prime minister must be approved by Parliament.

Revisions to the electoral code in the months ahead of the November 2010 elections lowered the threshold for party representation from 5 to 4 percent of the vote; altered the seat-allocation formula to potentially favor smaller parties; lifted bans on preelection coalitions and lawmakers with multiple citizenships; and eased voting by students and overseas residents. Despite the approval of electoral blocs, the AIE parties ran separately, having engaged in significant infighting during the year. Domestic and international observers hailed the November balloting as a substantial improvement over the 2009 elections, citing a more open and diverse media environment, impartial and transparent administration by the Central Election Commission, and a lack of restrictions on campaign activities. Some problems were reported, including flaws in the voter list, unbalanced distribution of overseas polling sites, and isolated cases of intimidation.

Corruption remains a major problem in Moldova, and high-profile antigraft prosecutions under the PCRM government often appeared politicized. In 2010, former president Vladimir Voronin faced scrutiny over property he had acquired in 2008 and 2009, and his son Oleg Voronin was the focus of a tax investigation regarding millions of dollars in overseas spending that allegedly conflicted with his declared income. Access to information remains limited, and a 2008 law on state secrets has drawn criticism for its broad scope and potential conflicts with the existing access to information law. Moldova was ranked 105 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

The media environment improved following the 2009 change in government. In 2010, the public broadcaster, Teleradio-Moldova, grew more impartial under new management, and two new private satellite television channels added to the diversity of national news coverage. However, many media outlets are perceived as party affiliates. The television station NIT strongly favored the PCRM during the election campaign, and it was cited by regulators on at least three occasions for biased coverage. Print media present a range of opinions, but they are not widely available in rural areas. Reporters continue to face abuse in the course of their work; in late July, an employee of the country's anticorruption commission assaulted a television reporter outside a courthouse, destroyed his camera, and seized his memory card. There was no repetition in 2010 of the disruptions to internet access during the postelection crisis in 2009.

Although the constitution guarantees religious freedom, a 2007 law banned "abusive

Although the constitution guarantees religious freedom, a 2007 law banned "active proselytism" and acknowledged the "special significance and primary role" of the Orthodox Church; the PCRM government clearly favored the Russian-backed Moldovan Orthodox Church and showed hostility toward the Romanian-backed Bessarabian Orthodox Church. The government allowed optional religious instruction in schools beginning in September 2010, but the Supreme Court in July rejected an opposition politician's proposal for compulsory study of Orthodox Christianity. Muslim and Pentecostal Christian groups have reported difficulty registering with the authorities. Moldovan officials do not restrict academic freedom, though the PCRM claimed that university students were pressured to support the AIE parties ahead of the November 2010 elections. In July, nine public university rectors declared support for the PLD.

Private organizations must register with the state, and nongovernmental organizations (NGOs) complained of bureaucratic obstruction and police harassment under the PCRM government. State relations with civil society groups have improved under the AIE, however, and domestic NGOs actively monitored the 2010 election campaign with little official interference. Under legislation passed in 2008, organizers of demonstrations must only give notice rather than seek permission from authorities. Hundreds of people were arrested in connection with the April 2009 postelection protests, and many reported severe beatings and other abuse both before and after arrest, but charges against them were dropped after the change in government. A PCRM demonstration was held peacefully in the capital in May 2010, and campaign events and meetings proceeded without incident ahead of the November elections. Authorities have exerted pressure on unions and their members, and employers are rarely punished for violating union rights. Workers in illegal strikes face possible fines or prison time.

Although the constitution provides for an independent judiciary, there has been evidence of bribery and political influence among judicial and law enforcement officials. Long-standing concerns about abuse and ill-treatment in police custody were renewed in the aftermath of the April 2009 protests. At least one person was confirmed to have died in the crackdown, and detainees were allegedly charged collectively with no access to counsel. In December 2009, the new government filed charges against the former interior minister and the former Chisinau police commissioner in connection with the police response to the protests. Another police official was charged in April 2010. However, AIE parties in September failed to lift Voronin's immunity and allow his prosecution for negligence in the case. In the first convictions stemming from the 2009 crackdown, two police officers received suspended two- and four-year prison sentences in December for improperly arresting and beating a protester. Prison conditions in general are exceptionally poor.

Roma suffer the harshest treatment of the various minority groups in Moldova. They face discrimination in housing and employment, and are targets of police violence. Gay men are also reportedly subject to police harassment and extortion.

Women are underrepresented in public life. A total of 19 women were elected to Parliament in November 2010. Moldova is a significant source for women and girls trafficked abroad for forced prostitution, though in late 2010 the police began antitrafficking training sponsored by the Organization for Security and Cooperation in Europe. The country remains on the Tier 2 Watch List in the U.S. State Department's 2010 Trafficking in Persons Report.

** Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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