



Freedom in the World 2014 - Moldova

Publisher [Freedom House](#)

Publication Date 1 August 2014

2014 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 3.0

Civil Liberties (1 = best, 7 = worst): 3

Political Rights (1 = best, 7 = worst): 3

Explanatory Note:

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

OVERVIEW

The governing three-party coalition, known as the Alliance for European Integration (AIE), collapsed in early 2013 after a scandal over an illegal hunting excursion led to infighting among the alliance's principal leaders. In January, a civil society activist revealed that a businessman had been accidentally shot and killed during the illicit hunt, which took place in late 2012 in a national park and included senior judicial officials. Prosecutor General Valeriu Zubco, a member of the hunting party, was forced to resign after being accused of covering up the incident. He had been an appointee of the Democratic Party of Moldova (PDM), part of the AIE, and his ouster set off a series of escalating reprisals between the PDM and Prime Minister Vladimir Filat of the larger Liberal Democratic Party of Moldova (PLDM). Although a modified version of the old coalition formed a new government in May, the crisis revealed major weaknesses in Moldova's democratic institutions, including the politicization of law enforcement and judicial bodies and the manipulation of major laws for partisan ends.

The resolution of the political feud paved the way for Moldova to initial an Association Agreement with the European Union (EU) at a November summit, despite efforts by Moscow to derail the pact and compel the country to join a Russian-led customs union that also included Kazakhstan and Belarus. Among other measures, Russian officials banned imports of Moldovan wine in September, citing health and safety concerns. The EU responded in kind, lifting customs duties on Moldovan wine in December.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 29 / 40

A. Electoral Process: 11 / 12

Voters elect the 101-seat unicameral Parliament by proportional representation for four-year terms. Parliament elects the president, who serves up to two four-year terms, with a three-fifths supermajority. The prime minister, who holds most executive power, must be approved by Parliament.

While some problems were reported, domestic and international observers hailed the 2010 parliamentary elections as a substantial improvement over the 2009 balloting, 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. The opposition Communist Party of the Republic of Moldova (PCRM) took 42 seats, followed by the PLDM with 32, the PDM with 15, and the Liberal Party (PL) with 12. The latter three reconstituted their AIE coalition government. Several lawmakers then quit the PCRM, and with their support, the AIE was able to elect Nicolae Timofti as president in 2012, filling a post that had been vacant since 2009 due to partisan deadlock. The defections left the PCRM with only 34 seats in Parliament.

After the PLDM and PDM fell out over the 2013 hunting scandal, Prime Minister Filat lost a confidence vote in early March. In April, PL leader Mihai Ghimpu declared that he would not support Filat's bid to return as prime minister, but a splinter faction that included 7 of the PL's 12 lawmakers rejected his position. Further partisan wrangling ensued, and a new governing coalition was formed in late May, consisting of 31 PLDM deputies, the PDM's 15, and the 7 PL defectors, with support from several nonaligned lawmakers. Former foreign minister Iurie Leancă of the PLDM was confirmed as prime minister.

As part of a flurry of legislation passed during the negotiations between the PLDM and PDM in April, Parliament abruptly changed the electoral system so that 50 of its members would be chosen in single-mandate districts. The change was reversed in early May due to a new twist in the partisan battle, but a higher vote threshold for parties to enter Parliament – 6 percent, up from 4 percent – was retained.

B. Political Pluralism and Participation: 12 / 16

The main political parties in Moldova are the leftist, Russophile PCRM, which governed from 2001 to 2009; the center-left PDM, reputedly controlled by powerful businessman Vladimir Plahotniuc; the reformist, center-right PLDM; and the conservative, pro-Romanian PL. The PL splinter group moved to create a separate party, the Liberal Reformist Party, in August 2013. In a victory for the PCRM, the Constitutional Court struck down a 2012 ban on communist symbols in June 2013.

The Gagauz, a Turkic minority concentrated in the country's south, enjoy regional autonomy, but their leaders complain that their interests are not well represented at the national level. They and Moldova's various Slavic minorities tend to look to the PCRM, smaller leftist parties, and Russia for political support.

C. Functioning of Government: 6 / 12

Corruption remains a major problem in Moldova, and the country's leading politicians regularly trade accusations of graft and illegal business activities. The politicization of anticorruption

mechanisms became especially apparent during the partisan feuding of early 2013. The National Anticorruption Center (CNA), led by a PDM nominee, launched cases against PLDM cabinet ministers and allied officials. The CNA was then shifted to the government's control under legislation passed in May, reversing an earlier reform that had placed it under Parliament. Separately, the agency failed to pursue allegations that embezzled funds linked to the high-profile Sergey Magnitsky case in Russia had been laundered through a Moldovan state-owned bank. Opposition parties and other observers criticized the government for holding a closed tender that in September 2013 awarded a 49-year management contract for Chisinau's airport to a Russian consortium. The deal was reportedly backed by the PDM. Moldova was ranked 102 out of 177 countries and territories surveyed in Transparency International's 2013 Corruption Perceptions Index.

Civil Liberties: 35 / 60 (-1)

D. Freedom of Expression and Belief: 11 / 16

The public broadcaster has grown more impartial since 2009, and the entry of new private outlets has added to the diversity of national news coverage. However, several media outlets are perceived as party affiliates, including a number linked to the PDM's Plahotniuc. The media regulator's controversial 2012 closure of NIT, the only PCRM-aligned television station with national reach, was upheld on appeal in 2013. Several print outlets in both Romanian and Russian were closed or reduced production during the year due to financial difficulties. Reporters sometimes face physical abuse, threats of violence, or selective exclusion from events of public interest.

Although the constitution guarantees religious freedom, Moldovan law recognizes the "special significance and primary role" of the Orthodox Church. Despite some positive steps by the AIE government in recent years, the country's small religious minorities continue to encounter discrimination or hostility from local authorities, Orthodox clergy, and residents in some areas.

Moldovan officials do not restrict academic freedom, though opposition parties have accused the AIE of seeking to inject pro-Romanian ideology into school curriculums. The Gagauz community has complained of de facto exclusion from the mainstream higher education system, as most Gagauz are more fluent in Russian than Romanian, the language spoken by most Moldovans.

E. Associational and Organizational Rights: 8 / 12

The government generally upholds freedom of assembly. Opposition parties repeatedly mounted antigovernment protests in 2013. A gay pride march, protected by large numbers of police, was held in May, though it was relatively small and ended early due to the threat of clashes with counterprotesters. State relations with civil society groups have improved under the AIE, though some leading politicians have displayed wariness or hostility toward nongovernmental organizations (NGOs). Enforcement of union rights and labor standards is weak, with employers rarely punished for violations. Workers participating in illegal strikes face possible fines or prison time.

F. Rule of Law: 7 / 16 (-1)

Although the constitution provides for an independent judiciary, judicial and law enforcement officials have a reputation for politicization and corruption. Numerous cases of malfeasance and petty bribery among judges were reported during 2013, and an appellate judge was charged with firing the fatal shot in the illegal hunting scandal. The year's political crisis further exposed partisanship in judicial institutions, driven in part by agreements in which positions are parceled out among the ruling parties. PL and PDM nominees were appointed to fill vacancies on the Constitutional Court, which subsequently ruled in April that Filat could not return to the premiership due to suspected corruption in his cabinet. The decision drew criticism for its inversion of the presumption of innocence. In May, the president vetoed a law that would have allowed Parliament to dismiss Constitutional Court judges with a three-fifths vote. In addition, control over the prosecutor general's office became a bone of partisan contention, with the PDM ultimately securing the confirmation of its replacement for Zubco through a favorable Constitutional Court ruling.

Ill-treatment in police custody, excessive pretrial detention, and poor prison conditions are ongoing problems, despite some improvements in recent years. Abuse of military conscripts also remains a concern, with at least four accidental deaths or suicides among young soldiers reported during 2013.

Roma suffer serious discrimination in housing, education, and employment, and have been targets of police violence. LGBT (lesbian, gay, bisexual, and transgender) people are also subject to harassment. While the 2012 Law on Ensuring Equality's main article does not list sexual orientation among the banned grounds for discrimination, it is understood to be covered under a reference to "any other similar grounds." Moreover, sexual orientation – though not gender identity – is listed in a section on workplace discrimination. The law has been fiercely criticized by an alliance of opposition parties and Orthodox clergy. In June 2013, Parliament quietly passed legislation that imposed fines for the dissemination of information or acts meant to spread prostitution, pedophilia, pornography, or "any other relations than those related to marriage and family" – language that apparently targeted same-sex relationships. Under international pressure, the problematic phrase was removed in October. A 2012 municipal ban on "homosexual propaganda" in the city of Bălănești was overturned by the courts in February 2013.

G. Personal Autonomy and Individual Rights: 9 / 16

Some 700,000 Moldovans work abroad, including an estimated 200,000 in Russia. In September 2013, Russia's migration service introduced new registration requirements that would deny reentry to those who fail to comply. The move was widely seen as part of Moscow's campaign to dissuade Moldova from pursuing EU integration. Meanwhile, the EU was expected to grant Moldovans visa-free travel privileges in 2014.

Women are underrepresented in public life; just 19 were elected to Parliament in 2010. Orders of protection for victims of domestic violence are inadequately enforced. Moldova is a significant source for women and girls trafficked abroad for forced prostitution. In mid-2013, the Constitutional Court overturned a 2012 law that imposed chemical castration on convicted pedophiles. The measure was designed to combat the problem of sex tourism by foreign pedophiles.

Scoring Key: X / Y (Z)

X = Score Received
Y = Best Possible Score
Z = Change from Previous Year

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