Moldova

by William Crowther

Capital: Chişinău
Population: 3.6 million
GNI/capita, PPP: US$3,010

Source: The data above was provided by The World Bank, *World Development Indicators 2011.*

Nations in Transit Ratings and Averaged Scores

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Electoral Process	3.50	3.75	4.00	4.00	3.75	3.75	3.75	4.00	4.25	4.00
Civil Society	4.00	3.75	4.00	4.00	4.00	3.75	3.75	3.75	3.50	3.25
Independent Media	4.50	4.75	5.00	5.00	5.00	5.25	5.50	5.75	5.75	5.50
Governance*	4.75	5.25	5.50	n/a	n/a	n/a	n/a	n/a	n/a	n/a
National Democratic Governance	n/a	n/a	n/a	5.75	5.75	5.75	5.75	5.75	6.00	5.75
Local Democratic Governance	n/a	n/a	n/a	5.75	5.75	5.75	5.75	5.75	5.75	5.75
Judicial Framework and Independence	4.00	4.50	4.50	4.75	4.50	4.50	4.50	4.50	4.75	4.50
Corruption	6.25	6.25	6.25	6.25	6.00	6.00	6.00	6.00	6.00	6.00
Democracy Score	4.50	4.71	4.88	5.07	4.96	4.96	5.00	5.07	5.14	4.96

** Starting with the 2005 edition, Freedom House introduced separate analysis and ratings for national democratic governance and local democratic governance to provide readers with more detailed and nuanced analysis of these two important subjects.*

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

Executive Summary

In 2010, Moldova experienced substantial political tumult as well as successful legislative reforms, both set in motion by events of the previous year. Following the dissolution of Parliament in June 2009, early elections in July 2009 transferred power from the Communist Party of the Republic of Moldova (PCRM), which had ruled the country since 2001, to a coalition of four social-democratic and liberal parties calling themselves the Alliance for European Integration (AIE). Led by Prime Minister Vlad Filat and Acting President Mihai Ghimpu, the ruling AIE coalition pursued an active reform agenda throughout 2010, addressing long-standing deficits in the areas of free press, engagement of civil society, and judicial reform.

At the same time, relations between the PCRM and the AIE coalition remained extremely hostile, and the inability of the latter to elect a president produced a state of ongoing institutional deadlock. In September, the government called a referendum designed to break the stalemate by changing the method of presidential election from parliamentary to popular vote. When this was unsuccessful, the Constitutional Court called for Parliament to be dissolved, triggering Moldova's third legislative election in 18 months. The early election held on November 28 once again failed to produce a governing majority with the 61 seats required to elect a new president, and the institutional stalemate persisted. However, by the end of 2010, after lengthy negotiations, the three non-Communist parties in Parliament had agreed to reestablish their coalition (AIE-2) and form a new government.

As a signal of its intention to pursue further reforms, Moldova continued to strengthen its relationship with the European Union in 2010. However, despite international efforts and hopes for a breakthrough at the Organization for Security and Cooperation in Europe's December 1, 2010, Astana Summit, no progress was made in resolving the ongoing Transnistrian separatist issue.

National Democratic Governance. In the aftermath of the 2009 political crisis, the government continued to function relatively effectively. Despite the coalition government's inability to elect a president or form a ruling majority, the government demonstrated a willingness to engage with the international community, domestic civil society, and political actors across the spectrum. A major policy document released in March, "Rethink Moldova," outlined plans to improve efficiency and accountability. Parliament operated with increased transparency, and passed meaningful reform legislation in a number of areas. *Owing to the governing AIE coalition's visible efforts to reform government and improve its openness, Moldova's national democratic governance rating improves from 6.00 to 5.75.*

Electoral Process. Moldova's ongoing political crisis precipitated two national votes in 2010. Unable to amass the 61 votes required to elect a president, on September 5 the ruling coalition held a national referendum on the introduction of direct presidential elections. While a large majority of voters supported the measure, the mandatory one-third voter turnout threshold was not reached. Free and fair early parliamentary elections were held on November 28, and at the end of the year three members of the previous ruling coalition—the Liberal Democratic Party (PLDM), the Democratic Party (PD), and the Liberal Party (PL)—were in negotiations to create a new coalition government. Before the November election, a number of important OSCE-recommended changes were applied to Moldova's electoral code. However, the ruling coalition also replaced the d'Hondt method of distributing parliamentary mandates with a system that favored smaller parties, giving its own members a distinct advantage. *The two national votes in 2010 demonstrated a clear improvement in the conduct of campaigns and elections; thus, Moldova's electoral process rating improves from 4.25 to 4.00.*

Civil Society. Nongovernmental organizations (NGOs) were active in Moldova in 2010, taking advantage of the more open atmosphere and active cooperation initiated by the new government. Much of their activity was focused on working towards European integration, which attracted a high level of international support. Interference in the functioning of civil society organizations working on electoral issues that was common and problematic during the 2009 elections was largely absent in 2010, and NGOs were effective in monitoring elections and the press. However, these organizations are still heavily dependent on foreign funding and therefore confront ongoing challenges to their sustainability. *Owing to the significantly increased activity of NGOs in policymaking and monitoring the media and elections, as well as the new atmosphere of cooperation between the government, civil society, and the international community, Moldova's civil society rating improves from 3.50 to 3.25.*

Independent Media. In April 2010 the Moldovan Parliament passed the Law on Freedom of Expression, which brings regulations regarding objectivity and censorship in line with European standards. Additionally, the regulatory Audiovisual Coordinating Council (ACC) adopted a new media-monitoring methodology. In the estimation of both the public and media-focused NGOs, bias on the part of the public broadcaster Teleradio-Moldova, which under the former PCRM government was highly partisan, significantly decreased. Among other positive developments in the media environment, two new television stations (Jurnal TV and Publika TV) and four new radio stations (Radio Sport, Aquarelle FM, Publika FM, and Prime FM*)* were launched in 2010 subsequent to the improvements in the legal framework. *Owing to the decrease in bias on the part of the public broadcaster, along with reform of the law on freedom of expression, Moldova's independent media rating improves from 5.75 to 5.50.*

Local Democratic Governance. The lack of autonomy and capacity in local government units has been a consistent problem for local governance in Moldova. Vertical power systems that kept local governments under the partisan control of central authorities were especially strong under the former PCRM government. The legislative framework for independent and democratic local government exists, but implementation of that legislation has been seriously lacking. However, the AIE-led government has shown commitment to reforms in the area of local governance and has been working with NGOs and the international community to increase capacity and decrease centralization. *As current efforts to reform the system of local government are still in the beginning stages, Moldova's rating for local democratic governance remains unchanged at 5.75.*

Judicial Framework and Independence. Significant prosecutions were initiated during the year that aimed at addressing long-standing charges of police and judicial abuse. The Judges' General Assembly elected new members to the Superior Council of Magistrates—a body responsible for the internal administration of the courts—and a law to improve the enforcement rates of court decisions was passed. Moldova is a member of the European Court of Human Rights, and NGOs have been working with the government and judiciary to decrease the high number of cases the country has lost before the court. *Owing to evident movements toward reform, Moldova's judicial framework and independence rating improves from 4.75 to 4.50.*

Corruption. Little progress was made in addressing the issue of corruption in Moldova in 2010, and corruption continues to be a deeply embedded problem in the country. Despite high hopes at the end of 2009 that a new government would improve the situation, in the estimations of both Moldovan NGOs and international observers, corruption remained a significant problem in many institutions and settings during the year. *Owing to the lack of progress in adequately addressing the issues of bribery and fraud in the governmental sphere and wider society, Moldova's corruption rating remains unchanged at 6.00.*

Outlook for 2011. The reconstitution of the AIE coalition and retention of Liberal Democratic Party leader Vlad Filat as Prime Minister should provide the continuity needed to consolidate some of the nascent, positive efforts initiated in 2010. The contentious relations between the opposition PCRM and the governing parties will likely be a central focus of Moldovan politics in the coming year, and relations between the coalition partners will also continue to present a challenge. The question of how to rally the parliamentary majority necessary to elect a president will have to be addressed. Otherwise, Moldova's constitution mandates yet another round of early legislative elections, which will distract policymakers, waste resources, and generally destabilize governance. In the meantime, corruption and reform of the judiciary will be the primary tests of the Filat government's commitment to EU accession. In the absence of a reconfiguration of international forces in the region, there is little expectation of significant progress on the Transnistrian issue in the coming year.

Main Report

National Democratic Governance

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
n/a	n/a	n/a	5.75	5.75	5.75	5.75	5.75	6.00	5.75

Moldova's constitution provides for meaningful participation by citizens in the country's political life. Freedom of expression is protected, and current law allows the organization and activity of opposition political parties. There has been regular political turnover and alternation in power between parties with significant ideological differences, indicating a relatively high adherence to the rules of the democratic system. Parliament, for the most part, functions in a transparent manner. Its proceedings are easily accessible and its decisions are made available on the Parliament's website. However, the staff resources and investigative capacity of the Parliament remain limited. Consequently, parliament's oversight of the executive has been relatively weak, marked by a culture of subservience to the executive and party leaders in the institution. In order to address these weaknesses, the United Nations Development Program (UNDP), in partnership with the EU, announced in late 2009 a three-year project to strengthen parliamentary administration in Moldova.[1]

Shortcomings in the Moldovan constitution were highlighted by the political crisis following the contested April 2009 legislative election and the legislature's failure to elect a president. The four-party Alliance for European Integration (AIE) coalition that came to power in July 2009 lacked the necessary votes to elect a president under Moldovan law and instead appointed President of the Parliament Mihai Ghimpu as acting president of the Republic. This situation triggered a constitutional provision requiring early elections, which the Communist Party of the Republic of Moldova (PCRM) welcomed, while the AIE argued that repeated dissolution and a third legislative election would further destabilize the country.

The AIE coalition government led by Prime Minister Vlad Filat placed improving Moldova's relations with Europe at the center of its political agenda, and succeeded in passing a number of significant laws in 2010. These included major electoral revisions at the recommendation of the OSCE, and a law on freedom of expression. The AIE coalition signaled its willingness to engage with and foster the development of civil society, and passed laws on volunteering and social services. The government also sought to cultivate transparency and legal compliance: according to Lawyers for Human Rights, a Moldovan NGO, national authorities became increasingly effective in executing the rulings of the European Court of Human Rights (ECHR) in 2010.[2]

On March 24, the government presented a major strategic plan for midterm development, "Rethink Moldova," to a group of more than 40 bilateral and multilateral development agencies convened in Brussels under the auspices of the World Bank and the European Commission.[3] The plan lays out the Moldovan

government's priorities for reform in three broad areas: governance, economic recovery, and human resources, with a focus on improving efficiency and accountability.[4] The response of Western governments and the multilateral agencies to this and other Moldovan initiatives was highly positive. Donors committed US$2.6 billion in support over the course of the coming four years and gave every indication of their willingness to assist in advancing reforms. In January, negotiations began with the EU on an Association Agreement with hopes that it could be concluded in 2011. Relations with neighboring Romania improved as well, with the signing of a border treaty in November. This move had been resisted by Bucharest for several years and came at the urging of the EU.[5]

Additional policymaking ambitions of the ruling coalition were limited by the parliamentary crisis, and by tensions within the coalition itself. Although they share a broadly pro-EU orientation, the AIE coalition parties represent a broad range of political positions. Acting-President Mihai Ghimpu's Liberal Party (PL) is the most conservative, anti-Communist, and pro-Romanian of the coalition parties. Prime Minister Vlad Filat's Liberal Democratic Party of Moldova (PLDM) is center-right, supporting free market reforms and EU-friendly reforms. Furthest to the left is the Democratic Party (PD), a member of the Socialist International, whose leader Marian Lupu was in the PCRM until June 2009. The Our Moldova Alliance is center-left. Like the PD, it advocates working with Moscow to resolve regional issues.

Policymaking within such a heterogeneous coalition presented complex challenges during the year, further complicated by the specter of early elections and by Mihai Ghimpu's status as Acting President. With the top executive post being held only on a provisional basis, competition for the position between party leaders within the AIE continued. Meanwhile, with elements of the executive and legislative branches under the control of competing political parties, partisan politics limited the AIE's ability to achieve major initiatives.[6] Prime Minister Filat, for example, provoked the ire of his AIE colleagues when, on September 27, he unilaterally announced a major program of social spending to increase minimum pensions and subsidize heating for the winter period;[7] had he submitted the legislation to Parliament, all coalition parties could have shared credit for it. Leaders of the other three parties reacted predictably, accusing the Prime Minister of sabotaging the coalition, and refused to participate in what would have been the last legislative session of the term.[8]

Meanwhile, Acting President and head of the PL Mihai Ghimpu attempted to increase his popularity among nationalists through a series of highly-publicized provocations against the Russian Federation. Ghimpu first snubbed Moscow by refusing to attend Victory Day celebrations on May 9. Then, on June 24, the Acting President issued a decree designating June 28 as Soviet Occupation Day.[9] Despite negative reactions from coalition partners, Ghimpu refused to rescind the measure, which many claim led to the reimposition of Russian restrictions on Moldovan wine imports.[10] Prospects for addressing the Transnistria issue were complicated by the divergent positions of the AIE leaders, with Acting President Ghimpu taking

an anti-Russian, pro-Romanian position, while PD leader Marin Lupu and Prime Minister Filat both favored a diplomatic dialogue with Moscow.

The November election failed to break the deadlock that had plagued the country since 2009. Neither the PCRM nor any combination of their opponents gained the votes necessary to elect a new President of the Republic or the two-thirds majority required to amend the constitution and implement a different system of presidential election. A new governing coalition (Alliance of European Integration 2, AIE-2) comprised of the PD, the PLDM, and the PL was formed December 30, 2010, after a month of difficult negotiations. The AIE-2 parties are expected to move forward with reforms initiated in 2010, whereas the alternative coalition option, which would have brought together the PD and the PCRM, would likely have been less solidly reformist and less committed to a European foreign policy orientation. With 59 seats in the parliament, the coalition holds a comfortable legislative majority but lacks the two additional votes required to elect a president. Therefore, unless a compromise is found, a failed vote and early elections may once again be in the offing.

According to opinion polls, the citizens of Moldova have little confidence in their ability to exercise control over the government. In a November 2010 public survey conducted by the Institute for Public Policy, 44.2 percent of respondents felt they had very little or no impact on national-level decisions, and another 30.2 percent felt they had little effect.[11] Only about one-third of the population reported having an active interest in politics.

The deadlock over the breakaway Transnistria continues to be a central concern of Moldova, yet little or no progress was made in advancing a settlement of the issue during 2010. Efforts were made by the United States and the EU to reinitiate negotiations in the 5+2 format that broke down in February 2006 (this was first launched in 2005, including Moldova, Transnistria, Russia, the OSCE and Ukraine as principals along with the United States and the EU as observers).[12] Despite several informal meetings during the course of the year and hopes that a common position could be developed at the OSCE Summit held at Astana in early December, no statement on Transnistria was forthcoming.[13]

Electoral Process

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
3.50	3.75	4.00	4.00	3.75	3.75	3.75	4.00	4.25	4.00

Complex and contradictory electoral legislation is largely responsible for Moldova's ongoing political crisis. In 2010, the AEI coalition undertook several efforts to modify the legislation and break the legislative stalemate.

Since the introduction of indirect presidential elections in 2000, six out of eight presidential ballots in Parliament have failed to yield a leader. A valid election requires the support of 61 parliamentary deputies out of 101. If, as has been the

case since July 2009, two successive elections fail to yield to the necessary majority, Parliament itself must be dissolved and new elections held. The law also prohibits another dissolution of Parliament within 12 months of the most recent one (June 2009), but does not specify when, following that period, the dissolution and new elections must occur.

In early 2010, the AIE coalition moved to preempt another round of parliamentary elections (the third in 18 months) by calling for a constitutional referendum on direct presidential elections. The opposition PCRM, which maintained that the post-June Parliament was illegitimate, welcomed new elections and opposed the referendum, but AIE leadership insisted that a third change of government would be destabilizing. On June 18, Parliament passed a revision of the electoral code reducing the turnout required for a referendum to be considered valid from three-fifths to one-third of the electorate.[14] Once the Constitutional Court found the revision to be legal, AIE legislators voted to schedule the referendum for September 5.

Additional legislative changes in June established new rules for future parliamentary elections, broadly following the prescriptions of the OSCE. Among other changes, the threshold for entry into Parliament was reduced from 5 to 4 percent for single parties. Blocs of 2 parties would require 7 percent, 3 or more parties 9 percent, and individual candidates 2 percent. The law also abandoned the d'Hondt method in favor of a system that would distribute seats equally to each of the victorious parties.[15] The d'Hondt method, which is employed by many countries with proportional representation electoral systems, offers slight advantages to larger parties at the expense of smaller ones. Therefore in previous elections, the PCRM, Moldova's largest party, has benefited. The new system in essence redistributed seats equally to each party that exceeded the electoral threshold, thereby favoring the smaller AIE parties. The timing of the changes—so close to the upcoming elections—drew criticism from OSCE observers, and, of course, from the PCRM.

Another innovation to the electoral code was the right to free campaign advertising time on public television and radio stations. A total of twenty-five parties registered with the Central Electoral Commission (CEC) as "referendum participants" with the right to campaign for or against the referendum, take part in TV and radio debates, and have access to free airtime. Referendum participants were also obliged to open special electoral bank accounts and submit weekly financial reports to the CEC.[16]

Polling in the period leading up to the September referendum showed that voters supported changing the system of presidential election by a strong majority. A May 2010 survey by the Institute for Public Policy showed 75.5 percent of respondents were in favor of direct election.[17] However, the PCRM called on their supporters to boycott the vote, as did a number of small parties.

Unlike the previous year's April elections, voting was conducted in a peaceful, orderly fashion. Observers from the Parliamentary Assembly of the Council of Europe (PACE) called the referendum fair and transparent.[18] Those who voted in the referendum favored popular election by a wide margin (87.8 percent for, with

12.2 against); however, a participation level of 30.29 percent was insufficient to carry the measure.[19]

The failure of the referendum was considered a major blow to the ruling coalition and a victory for the PCRM, which, rightly or wrongly, took credit for its defeat. The outcome clearly affected partisan politics in the weeks leading up to the early legislative elections, encouraging the Communists and their supporters while increasing dissention among the AIE partners. More importantly, failure to modify the mechanism for electing the president left open the possibility that legislative elections could be followed by two more failed presidential elections, another parliamentary dissolution, and an indefinite perpetuation of the institutional crisis.

On September 28, following the Constitutional Court decision requiring him to do so, Acting President Ghimpu announced the dissolution of Parliament and scheduled early legislative elections for November 28.[20] Competition between the AIE partners became increasingly intense in the weeks leading up to the vote. Ultimately, the four coalition parties decided to run independently rather than enter into an electoral bloc. In total, 20 political parties and 19 independent candidates entered the November 28 contest, compared to 10 parties and 8 candidates in the July 2009 election. Voting was generally fair, orderly, and well-organized. Reports on the campaign by international monitoring groups and civil society organizations were positive, and the preliminary report of OSCE observers confirmed that the elections had been administered in a transparent and impartial manner.[21] The reports of media monitoring groups, in particular the Center for Independent Journalism, indicated that despite some issues of station bias, access was generally open and a wide range of opinions was available to voters.[22] However, mass media and Moldovan NGOs reported widespread abuse related to party campaign spending and financial reporting.[23]

Only four political parties and none of the independent candidates met the established electoral thresholds for entry into Parliament. As expected, the PCRM won the largest share of votes with 39.32 percent followed by the Liberal Democratic Party (PLDM) with 29.38 percent, the Democratic Party (PD) with 12.72 percent, and the Liberal Party (PL) with 9.96 percent. The fourth AIE coalition partner, Our Moldova Alliance, garnered only 2.05 percent of the vote, thus failing to gain entry into Parliament.[24] With mandates redistributed based on the formula established earlier in the year, PCRM was awarded 42 MPs, PLDM 32, PD 15, and PL 12.

The negotiations to form a government were complex and did not come to a successful conclusion until December 30, 2010, when the three remaining AIE members in Parliament announced their intention to form a new coalition—the Alliance for European Integration 2 (AIE-2). This outcome won immediate statements of approval from Western governments and multilateral agencies, for whom such an alliance promised a continuation of the pro-European reforms and practices undertaken in 2010.

Civil Society

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
4.00	3.75	4.00	4.00	4.00	3.75	3.75	3.75	3.50	3.25

In 2010, the Alliance for European Integration (AIE) coalition government showed an unprecedented willingness to engage with civil society and foster its development. Cooperation between the state, the European Union, and nongovernmental organizations (NGOs) increased dramatically, resulting in effective implementation of prior reforms. The change in the Moldovan government's approach to the NGO community was powerfully symbolized by the appointment of Igor Munteanu, a longtime and prominent advocate for civil society organizations, as ambassador to the United States.[25]

Throughout the year, the AIE government actively sought out the expertise and assistance of Moldovan and international NGOs in policymaking. In January 2010 the National Council for Participation, which includes representatives of thirty of the most prominent Moldovan NGOs, was formed as a consultative body to improve government communication with civil society. Additionally, the long-standing civil society organization, IDIS Viitorul, along with the Association for External Policy and the Analytical Center Expert Group, created the National Convention for European Integration, which seeks to bring Moldovan government policies into alignment with EU standards.[26] A further indication of the AIE coalition's more open attitude toward civil society was the announcement of an agreement to develop a collaborative project between the Ministry of Internal Affairs and the Soros-Moldova Foundation. The project was designed to improve reporting on police performance and foster greater police respect for human rights.[27] International organizations have also undertaken training programs for Moldovan NGOs to strengthen their institutional and fundraising capacities and improve their use of new media.

During the year, media and electoral watchdog NGOs advocated for policy reform and disseminated information on the functioning of the democratic process. These organizations drew attention to cases of bias or repression by government agencies or employees. The Civic Coalition for Free and Fair Elections—comprising NGOs specializing in human rights, mass media, local public administration, law, and public policy—monitored both the September 5 referendum and the November 28 parliamentary elections.[28] The coalition's final report found that the performance of government-owned media outlets improved significantly compared to the 2009 electoral campaign, providing both neutral coverage and public-education materials on the contest. It was also noted that several privately-owned media outlets exhibited bias in favor of political parties with which they are affiliated.[29]

Legislative changes positively impacted NGOs, including a new Law on Volunteering and Law on Social Services.[30] This legislation brought the Moldovan legal framework more in line with European and international practice by, among other things, allowing the provision of social services by nonstate entities through subcontracting.[31] However, the Moldovan civic sector is still largely dependent

on foreign donations in order to function. Many organizations have called for changes that would allow for direct state or taxpayer financing of NGOs, but such legislation has not yet been passed.[32] Public perception of NGOs remains mixed. The Barometer of Public Opinion released in November 2010 by the Institute for Public Policy indicated that public trust in NGOs is relatively low. Only 30 percent of respondents reported a high or moderate level of trust in NGOs, placing them 7th among the 13 intuitions ranked.[33] Similar survey results over the past eight years have ranged from a low of 20 percent (2002) to a high of 38.7 percent (2007).

Independent Media

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
4.50	4.75	5.00	5.00	5.00	5.25	5.50	5.75	5.75	5.50

Improved cooperation between the government, NGOs, and the European Union led to increased journalistic standards in 2010. There was also a decrease in the level of editorial bias at the public media Teleradio Moldova (TRM). In April, Parliament passed the Law on Freedom of Expression, and at the end of October the regulatory Audiovisual Coordinating Council (ACC) adopted the new Media Monitoring Methodology, which was developed with the assistance of the EU/ Council of Europe Democracy Support Program to Moldova. The new methodology was designed to aid in monitoring media political coverage and advertising during electoral campaigns in order to promote social pluralism, and it was broadly supported by civil society organizations.[34] There is still some concern, however, that the government has allegedly used the ACC and the Observers Council (OC), which oversees TRM, to interfere with the media for partisan purposes.

There were also indications during the year that the judiciary was prepared to enforce media protections in an effective manner. Criminal charges were brought against police officers suspected of attacking protestors and journalists in 2009, and one officer was charged in connection to the death of a protestor.[35] Two new television stations (Jurnal TV and Publika TV) and four new radio stations (Radio Sport, Aquarelle FM, Publika FM, and Prime FM*)* were launched in 2010 subsequent to the improvements in the legal framework. The Romanian station TVR1 also returned to the air, after having its license revoked in 2007.

One of the most noticeable shifts in Moldovan media during this first year of AIE coalition rule was the leadership and editorial stance of TRM. The public broadcaster had long been perceived as significantly biased in favor of the former ruling party. When the new government took power, the Observer's Council (OC) fired longtime TRM president Valentin Todercan over his "failure to ensure the principles of sociopolitical balance, impartiality, and objectivity in the editorial activity" and the public broadcaster began 2010 with new leadership.[36] NGOs observed that the editorial tone of TRM became more neutral in its treatment of political parties and actors. In October, Nadine Gogu, head of the NGO Independent Journalism Center (IJC), found that most of Teleradio-Moldova's news bulletins were neutral and unbiased.[37]

In mid-December 2009, the State Chancellery decided not to renew the lease of the television station NIT TV, which expired on December 31. NIT management called it a repressive decision "directly connected with the NIT TV channel's position not to be loyal to the new government."[38] Despite the reversal of the decision, these events set the tone for continuing hostility between the station and the government. During 2010 the ACC issued several warnings and fines to NIT TV for failing to observe rules governing pluralism of ideas,[39] actions that the station management interpreted as part of a political campaign to shut it down.

Compared to previous years, there were relatively few incidents of outright violence or abuse against members of the press. One exception was the July 28 attack on TV journalist Victor Ciobanu, who was assaulted in Chişinău by an employee of the Center for Fighting Economic Crimes and Corruption. The employee destroyed Ciobanu's camera and erased its memory card. This incident appears to have been isolated, and was firmly condemned by NGOs, who called it intolerable in a democracy.[40]

While independent media fared better overall in Moldova during 2010, conditions for the press in the breakaway region of Transnistria remained bleak. Especially troubling was the case of the independent Tiraspol-based journalist Ernest Vardanyan, who was arrested by agents of the Transnistrian Ministry of State Security in April for espionage. Vardanyan was held for one month, during which he was denied access to his lawyer and instead appointed a state lawyer. He eventually gave a televised confession to being a Moldovan security agent, which his family says was extracted under torture. During Vardanyan's trial in November, the public was denied access to the courtroom, and the appointed lawyer refused to update Vardanyan's wife on the proceedings. He was ultimately sentenced to 15 years on charges of high treason and espionage, with the court specifying that he "should be subjected to a 'severe regime' while serving his sentence."[41] Vardanyan's charges and extremely harsh sentence are likely to intensify the already widespread self-censorship among the few remaining independent Transnistrian journalists.

Another important legal development was the passage of the Law of Freedom of Expression by Parliament on April 23.[42] Developed in conjunction with media NGOs and based on ECHR case law, this new statute prohibits censorship of media and sets provisions on statements of fact and value judgments. The law's adoption is intended to bring Moldova into conformity with international standards and to reduce the number of cases lost by Moldova at the ECHR.

Local Democratic Governance

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
n/a	n/a	n/a	5.75	5.75	5.75	5.75	5.75	5.75	5.75

The autonomy and administrative capacity of local governments in Moldova have been issues of concern throughout the country's postcommunist period. Reorganizations undertaken in the late 1990s by the central authorities in

collaboration with the EU and other international partners were reversed in the last decade by the PCRM-led government, causing administrative confusion and disorientation among local officials. The central government also employed its budgetary and administrative authority to exercise partisan political control over locally elected officials. Consequently, decentralization and local capacity-building became an important issue for the AIE coalition that came to power in 2009. In its "Rethink Moldova" strategic plan, the central authorities made improving local government a national priority, committing the government to fiscal decentralization, improving local budgetary capacity, and increasing local autonomy.

As in other policy areas, an appropriate legislative framework for improving local governance was already in place in Moldova prior to 2010.[43] Weak implementation, however, has impeded progress. The AIE coalition signaled its intent to carry out reform in this area in late 2009 by forming a Directorate for Decentralization Policy within the State Chancellery to coordinate the government's decentralization efforts. A mid-2010 decision by the government established the Parity Commission for Decentralization.[44] Chaired by the Prime Minister, the Commission included representatives of the central government and local officials from all levels. The Chair of the National Council for Participation was also included to ensure adequate representation of civil society.

Major initiatives were undertaken to strengthen local governance and democracy in partnership with international partners. The action plan developed by Moldova and the EU in 2009, which was intended to dismantle the system of vertical power that had inhibited local autonomy, became an explicit priority in 2010.[45] The United Nations Development Program (UNDP)'s ongoing Joint Integrated Local Development Program (JILP) continued to provide support for local administrative capacity, civil society access to local government, and gender equity on the local level. In September, the United States Agency for International Development (USAID) and the Moldovan government signed an agreement to initiate a multiyear local government assistance project focused on decentralization and capacity-building. All of these initiatives signaled the importance that Moldovan reformers and international organizations attribute to improving the conditions for local democracy.

Judicial Framework and Independence

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
4.00	4.50	4.50	4.75	4.50	4.50	4.50	4.50	4.75	4.50

Moldova's constitution contains adequate provisions for an independent judiciary, as well as for equality before the law and basic human and civil rights. However, in practice there is a high level of corruption and political influence in the judicial system, which has been chronically underfunded. Political interference in the justice system reached a high point during the 2009 parliamentary elections, when the government used police and security forces to suppress protests, resulting in

beatings and at least one confirmed death. A commission established to investigate the events found that the police had employed unwarranted violence against the demonstrators and that the judges and prosecutors involved in cases related to these abuses behaved improperly.[46]

After the AIE coalition came to power, allegations of widespread human rights abuses and misuse of security forces largely ceased, and significant prosecutions were initiated to address long-standing charges of police and judicial abuse. In particular, charges were brought against the authorities for actions surrounding the April 2009 elections. Former Interior Minister Gheorghe Papuc and former Chişinău police commissioner Vladimir Botnari were indicted in early 2010 for suppressing the demonstrations.[47] Former Chişinău police chief Iacob Gumenita was arrested in April on similar charges. In September, with elections approaching, prosecutors asked that former president Vladimir Voronin's immunity as a Member of Parliament be lifted so that he could be prosecuted as well.[48]

Some steps toward improving judicial independence and reforming the judicial system were undertaken during the year. The Judges' General Assembly elected new members to the Superior Council of Magistrates—a body responsible for the internal administration of the courts—and a law to improve the enforcement rates of court decisions was passed. Moldova is a member of the European Court of Human Rights, and NGOs worked with the government and judiciary in 2010 to decrease the high number of cases that the country has lost there.

Slow enforcement or nonenforcement of court decisions has been a major shortcoming of the judicial system and has been blamed for rulings against Moldovan authorities in the ECHR. On June 18, 2010, Parliament passed a Law on the Enforcement of Court Judgments, privatizing the bailiff system that enforces decisions in the hopes of rendering it more accountable.[49]

In a December 2009 report on the activity of the government during its first 100 days of office, Prime Minister Filat stated that the observance of the principles of separation of powers and independence of the judiciary were priorities for the government.[50] Filat also underscored the government's approval of the Moldovan Bar Association's reform program, undertaken in cooperation with the Norwegian Mission of Rule of Law Advisers to Moldova (NORLAM).

Nevertheless, relations between the judicial branch and Parliament remained strained during 2010. Reformers continued to complain about inefficiency and corruption within the judiciary. In March, Parliament voted to dismiss the President of the Supreme Court Ion Muruianu as a result of negative statements he made regarding the press during a public address to judges, and also because of MPs' distress over a series of cases Moldova lost before the ECHR.[51] Muruianu, who was appointed during Vladimir Voronin's presidency, was reinstated by the Constitutional Court. Interbranch contention again erupted when the Constitutional Court ruled in July that acting President Ghimpu's decree making June 28 "Soviet Occupation Day" was illegal.

Corruption

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
6.25	6.25	6.25	6.25	6.00	6.00	6.00	6.00	6.00	6.00

Corruption remains a systemic problem that is deeply embedded in Moldova's public institutions. While ample anticorruption legislation exists on the books and institutional reforms have been attempted in recent years, implementation remains weak.

The international community has undertaken substantial efforts to address corruption in Moldova, including the EU Moldova Action Plan and other internationally supported initiatives focused on improving the legislative framework and administrative structures in the police and justice systems. As part of this effort, the government took a number of steps designed to improve transparency in 2010. One of these was to form the National Council for Participation, which includes members drawn from some of the most active NGOs in the country. The government also altered regulations regarding consultation and access to information in order to improve implementation of the 2008 Law on Transparency in the decision-making process. On October 12 Parliament ratified the Rome Statute of the International Criminal Court, which was taken as a positive move by Moldova toward Europe and as a statement of the country's commitment to strengthening the justice system.[52]

Despite these efforts and heightened expectations for change following the 2009 elections, numerous assessments suggest that substantial shortcomings remain. According to anticorruption NGOs working in Moldova, the governing coalition that came to power in 2009 has failed to act aggressively to reduce corruption. Two separate reports released midyear conclude that the legal framework providing for transparency in government remains flawed and that implementation is weak.[53] In August, the Anticorruption Alliance, a coalition of organizations working in the area of corruption and human rights, charged that representatives of the police and judicial authorities were involved in corruption and criminal activities. Although contested by the Center for Combating Economic Crimes and Corruption (CCECC), these findings are consistent with public perceptions of corruption as an extensive problem observed in most spheres of Moldovan life. In the Institute for Public Policy's November poll, of those who reported having to resolve a problem through a public institution, 41.2 percent claimed of resorting to unofficial payments in dealing with schools and universities, and 36 percent had done so in dealing with the police.[54]

The problem of corruption at the top levels of society and its impingement on the political process was highlighted by the incendiary charges made by Sergiu Mocanu against PD parliamentary candidate, CCECC head, and prominent business leader Vladimir Plahotniuc. Mocanu—a former adviser to President Voronin who ran for parliament on the list of the Party for Nation and Country (PpNȚ)—accused Plahotniuc of exercising undue political influence, and of "creat[ing] a mafia system presenting real danger for Moldova's statehood and

independence."[55] While Mocanu's charges remained unverified at year's end, they match the general impression within the population and the NGO community that corruption among the country's political elite is widespread.

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