



# 10 years of Eastern Partnership and parliamentary elections in the Republic of Moldova – prospects and recommendations for the Danube Region

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*The Eastern Partnership (EaP) was met with scepticism when it was launched as the Eastern dimension of the European Neighbourhood Policy (ENP) in May 2009, aimed at fostering approximation to the EU of the six countries Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine in the shared neighbourhood with the Russian Federation. Since then, many things have changed, but not necessarily in the direction that Brussels has intended. The lack of anticipation of consequences from the side of the EU member states as well as their contradicting approaches towards Moscow and the ability of the Kremlin to use opportunities arising from this, led, among other things, to the annexation of Crimea. In addition, conflict in the region has increased and EU-Russia relations are at a historic low. However, the blame does not fall on external actors alone; the countries themselves have also contributed to this development. Moldova has transformed from a front-runner of the EaP into a country that is politically and socially stuck: internationally between the EaP and the Eurasian Economic Union (EAEU) and domestically between an oligarch with a pro-European façade and a pro-Russian president. Following the parliamentary election, there doesn't seem to be an option for forming a new government. Ironically, the “theft of the century” in which one billion dollars from three Moldovan banks disappeared in 2014 under circumstances that remain unclear, happened when a visa-free regime had been concluded with the EU. In Ukraine, five years after the Revolution of Dignity, people in the Eastern part of the country continue to die, and disappointment about missing reforms has led to a television actor getting the most votes in the first round of the presidential elections. The EU, which has been much too occupied with itself and with the seemingly never-ending discussions about Brexit, has neglected its neighbourhood in the last couple of years. If the conditions and priorities from all actors involved do not change, the next decade for the EaP is in danger of losing its ability to bring its target countries closer to the EU.*

The result of the parliamentary elections held in Moldova on 24 February 2019 led to three almost equally strong parties in the new parliament. The Socialist Party (Partidul Socialiștilor din Republica Moldova, PSRM) won 35 seats in the 101-member parliament, the currently ruling Democratic Party (Partidul Democrat din Moldova, PDM) received 30 mandates, and the ACUM bloc formed between the Dignity and Truth Platform (Partidul Platforma Demnitate și Adevăr, DA) and the Party of Action and Solidarity (Partidul Acțiune și Solidaritate, PAS) reached 26 in its first-ever participation. The fourth party (Șor) won seven seats and is headed by the mayor of Orhei, Ilan Șor, who has been sentenced to 7.5 years in prison by the first instance due to his alleged involvement in the disappearance of the aforementioned one billion dollars. Three members of parliament will be independent after the new mixed electoral system. The closed-list proportional system that has been used in Moldova in all previous parliamentary

elections since its independence was changed in 2017. Instead of electing the 101 mandataries in a single constituency, the number has been reduced to 50 for political parties lists. The remaining 51 seats were allocated in single-member constituencies.

In principle, the new parliament has a pro-European majority. However, one of the core promises of ACUM was that it would not enter into a coalition with the PDM, which is led by Vladimir Plahotniuc – the oligarch that controls almost every aspect of the Moldovan state. As ACUM wants to pursue a true pro-European course, the offer of the PSRM was subsequently also rejected. This limits the options to form a new government: Either a coalition between the Socialist and the Democratic Party or a minority government. If an agreement is not reached within 45 days, new elections will have to be held. The already low voter turnout of 49% could then decline even further, which could be in the interest of PSRM and PDM, as the ACUM bloc as a new political party relies more on the mobilization of voters than the established parties. Additionally, the access to mass media is limited by the overwhelming control of broadcast outlets by Plahotniuc, while the Socialist Party can rely on Russian-speaking television programmes. Given these circumstances, the result for ACUM is impressive, due to the fact that fair and equal possibilities for campaign advertising were not given. Although the elections can be generally characterized as having respected competitive and fundamental rights, ACUM considers the elections to not have been free and has subsequently reported over 1500 cases of fraud and incidents. The most probable result is that there will be a solution found between the PDM and PSRM despite their different approaches to the direction in which the country should develop, as they have already worked together in changing the electoral law.

Over the past few years, the judiciary has had a significant influence over the political development of Moldova. Following the bank fraud in 2014 that led to demonstrations in Chişinău (where DA and PAS are direct results of this civil society activism), the former leader of PDM and prime minister from September 2009 to April 2013, Vladimir Filat, was sentenced to nine years in prison. Although the case as a whole has not been resolved (Ilan Shor, for instance, was chairman of the board at Savings Bank from April to November 2014), one can at least not entirely rule out the possibility that Filat's conviction has been politically orchestrated by Plahotniuc. He first became deputy chairman of the Democratic Party in 2012 before leading the DPM starting in late 2016. The constitutional revision from 2000, which states that the president is elected by the parliament, was declared unconstitutional by Constitutional Court in 2016, which begs the question as to why it took 16 years to reach that conclusion. The biggest intervention, however, was the annulment of the mayoral elections held in Chişinău in June 2018, which were won by DA party leader Andrei Năstase on grounds of violating election silence. In this context, it should also be mentioned that the results of the parliamentary elections have been confirmed despite the participation of over 30.000 voters from Transnistria in the circumscriptions 47 and 48 – what can, at the very least, be seen as controversial (and might have had an even bigger influence on the presidential elections of 2016). ACUM requested the results from these circumscriptions not to be recognised, but the Central Election Commission did confirm those votes.

On the same day that the parliamentary elections took place, there was a national consultative referendum focused on two questions – the reduction of the

number of deputies (from 101 to 61) and the possibility of revoking elected deputies if they fail to meet their obligations. Although the referendum was not recommended by the Constitutional Court to be organized on the same day of the election, opposition parties protested against this “illegal activity”, the Democratic Party nevertheless went through with it. At the referendum, over 39% of citizens participated and a majority voted in favour of both questions. The Constitutional Court approved the results, which means that the Parliament could operate the changes in the constitution. However, the question of whether the proposal will be supported by 2/3 of members of the parliament still remains given the current conditions, which will make achieving the support difficult. In any case, both amendments are clearly aimed at increasing the influence of Plahotniuc even more. In the previous election of 2014, the Democratic Party won 19 seats, and by the end of the term, it was the largest parliamentary faction, holding 42 MPs mandates. A smaller parliament therefore means, if deputies change their party affiliation, the impact would be even higher.

In the end, it also reflects the deficiency of the EU’s engagement in its near abroad. Since 2016 it has been obvious that the state was captured and that the independence of the judiciary is non-existent. Several rulings have led to the end of a not always linear liberal-democratic development process that had taken place over the course of 27 years since the country’s state independence. Brussels was also not able to anticipate the consequences of signing an Association Agreement with Ukraine, which ultimately led to the Euromaidan after then president Victor Yanukovich refused its signature.

## **PS: Recommendations for a new Eastern Partnership**

### **1. Break the oligarchic grip on the country**

As there will be no reliable partner for the EU in the new government, the focus should be shifted to support free enterprises in Moldova in order to facilitate at least alleviating the grip of Plahotniuc on the country. The biggest challenge for the country and also in relation to the EU’s Eastern Partnership has been and will remain mass emigration, especially of highly qualified Moldovans. Although the international support for the development of the country is one of the highest per capita in the world, it did not contribute to the alleviation of this situation. Ukraine is facing a similar dilemma, although to a different extent due to its size and the ongoing hostilities in the country. More than 1.5 million people have been internally displaced and around two million Ukrainians work in Poland, which combined is the total number of the inhabitants of Moldova.

### **2. Bring the settlement of the Transnistrian conflict forward**

Due to the fact that some parts of the “package of eight” priorities have been reached, further efforts in the 5+2 format including both conflict sides as well as the OSCE, the Russian Federation, Ukraine, the European Union and the United States as mediators should be pursued. Generally, the settlement of the conflict seems to be growing in importance for the population on both sides. A successful brokerage within the OSCE might also be a possibility to positively change the current EU-Russia relations and other conflicts in the EaP target countries in Armenia, Azerbaijan, Georgia and Ukraine.

### 3. **Bring EU-Russia relations to a normalisation**

The relations between Brussels and Moscow are at an historic low. Without addressing the many-sided factors in detail, the struggle for influence in the shared neighbourhood is certainly one reason. The EU has to finally come to terms with its foreign policy approach towards the Russian Federation. If the member countries do not find a unified approach, the Kremlin will continue to exploit this division for its own benefit. Moscow will only understand a show of force – which certainly can never mean violence – but the double standards on both sides must end. Although open and understanding methods of communication for all parties involved should be paramount, the sovereign decision of the EaP target countries concerning which direction they want to pursue in their foreign policy must be respected. So far, no country has ever been directly forced to integrate closer with the EU. In addition, this integration is not a zero-sum game, even if it is perceived as such by the Kremlin. It goes without saying that anything other than respect for the territorial integrity of countries must be respected and restored.

### 4. **Offer a viable option for integration within the EaP**

After 10 years of “bringing Eastern European partners closer to the EU”, the results are limited. There are more conflicts in the region and none of the countries have any prospect of becoming a member anytime soon (which is also partially to blame on the inward focus of Brussels and the limited track record regarding the integration of the Western Balkans). On a positive note, three countries have a visa-free regime and a new Association Agreement with Deep and Comprehensive Free Trade Agreement (Georgia, Moldova, Ukraine). The Comprehensive and Enhanced Partnership Agreement (CEPA) concluded with Armenia might serve as a blueprint for relationships with the EAEU. But especially with regards to Moldova, Brussels has reacted too little and too late to the development of reversing approximation to the EU as well as in tackling wide-spread corruption. In a bigger picture, this is also true for all EaP target countries. If decision-makers in EU institutions and its member states are not able to better anticipate the consequences of their engagement in the region, the next decade will not significantly change the intended partnership.

## **PPS**

In order to facilitate a broader discussion concerning the conflicting priorities within the EU-Russia relations, we want to also offer a brief glimpse at possible alternative developments:

If Brussels would reduce its engagement in the region, the confrontational stance with the Kremlin would certainly be reduced. However, in doing so the EU would ultimately betray its values, which are currently being contested internally as well. We must not forget that while people have been dying for democracy during and after the Euromaidan, for instance the government in Hungary is undermining democratic principles, which led to an unprecedented drop of an EU member country in the Freedom House Index from “free” to “partly-free”. The Austrian government should make use of its contacts to the Russian Federation and its neighbours to act as a mediator for everyone.

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