Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1554 (2002)[1]

Functioning of democratic institutions in Moldova

Parliamentary Assembly

1. The Parliamentary Assembly refers to its Resolution 1280 (2002) on the functioning of democratic institutions in Moldova, in which it expresses its concern about the continuous worsening and radicalisation of the political climate there, which are a threat to the country's democratic stability.

2. It recommends that the Committee of Ministers:

invite the Moldovan authorities to inform it about the progress of investigations into the disappearance of Vlad Cubreacov;

invite the governments of Council of Europe member states to offer their judicial co-operation by sending on-the-spot specialist investigation teams at the request of Moldova.

3. It asks the Committee of Ministers to monitor closely Moldova's execution of the European Court of Human Rights judgment in the Metropolitan Church of Bessarabia case.

4. The Assembly recommends that the Committee of Ministers pursue co-operation with the Moldovan authorities on the following points:

expert appraisal of the Criminal Code, Code of Criminal Procedure, Civil Code and Code of Civil Procedure;

the drafting of precise, detailed recommendations on all reforms affecting judicial bodies, for example reform of the prosecution service, the status of the judiciary, the High Judicial Council, and so on, under the action plan signed with the Moldovan Ministry of Justice or under any other appropriate framework.

5. The Assembly also asks the Committee of Ministers to step up co-operation with the Moldovan authorities concerning:

speedy expert appraisal of coming bills to reform broadcasting and transform the state company Teleradio Moldova into an independent public service corporation;

the implementation of the recommendations to be made shortly by the Congress of Local and Regional Authorities of Europe for improving local self-government in Moldova, in the light of the reforms under way;

the provision of assistance in preparing the local elections due to take place in 2003, particularly with regard to the revision of electoral law and the implementation of the recommendations made in 2001 by the Parliamentary Assembly's Ad hoc Committee on the Observation of Elections, and by the Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Co-operation in Europe (OSCE);

the provision of assistance in preparing a possible referendum;

expert appraisal by the Venice Commission of any draft legislation affecting the status of the Constitutional Court;

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1. Assembly debate on 24 April 2002 (12th Sitting) (see Doc. 9418, report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe, rapporteurs: Mrs Durrieu and Mr Vahtre). Text adopted by the Assembly on 24 April 2002 (12th Sitting)

clarification of the legal status of Gagauzia by thorough expert appraisal of the various applicable legislation and framing of proposals for removing existing contradictions; this appraisal could be entrusted to the Venice Commission;

the organisation of a round table of all political parties.

6. The Assembly asks the Committee of Ministers to keep it informed of the situation regarding freedom of expression in Moldova, and to this end asks it to forward to it the expert appraisal on the freedom of expression and information in the country carried out in the first quarter of 2002.

7. The Assembly further requests the Committee of Ministers to urge all the member states to undertake actively, and jointly with Moldova, action to combat corruption and the many kinds of revolting trafficking – arms trafficking from Transnistria, trafficking in women, children and human organs – from or via Moldovan territory. This trafficking is run by powerful and increasingly numerous mafia networks which must be dismantled. The Assembly refers in this connection to its Recommendations 1526 (2001) and 1545 (2002).