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Constitutional Court of the Republic of Moldova

Written question No. 717 to the Committee of Ministers
by Mr Andrei NEGUTA, Republic of Moldova, Socialist Group

On 4 March 2016, the Constitutional Court delivered a judgment on the constitutionality of certain provisions of Law No. 1115-XIV of 5 July 2000 amending the Constitution of the Republic of Moldova (and concerning the election of the President of the Republic of Moldova).

The Court ruled that the 2000 constitutional reform had produced an imperfect system of government, with potential for conflict between the State authorities. In recent years, Article 78 of the Constitution on the election of the President, designed as an exceptional mechanism, was applied several times. Against this background, in which three early parliamentary elections were held, including two in 2009 and 2010 alone, Parliament failed four times to elect the head of State.

The Constitutional Court accordingly declared unconstitutional the amendments made in 2000 to the Constitution and reinstated the provisions on the election of the President by universal, direct, secret and freely expressed suffrage, as worded prior to the amendment ruled unconstitutional. This was the subject of much discussion in Moldovan society.

Mr Neguta,

To ask the Committee of Ministers,

In a democracy, what are the procedures for the revision of the powers and responsibilities of a Constitutional Court?