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Date: May 19th, 2017

Excellencies,

When those who are supposed to enforce the law are seen breaking it, the state is failing its own people.

We are writing to convey a serious concern following the recent protests against the change of the electoral system, the one held in front of the Parliament building on May 14th 2017 in particular. Namely, that the actions of the Government agencies in response to those protests infringe the right to freedom of assembly of the people of Moldova.

In the last two months, several non-governmental organizations, made considerable efforts to alert the authorities about the serious risks of the proposed reform of the electoral system from a proportional to a first-past-the-post one or a combination of the two. We strongly believe that this reform is not needed and is accompanied by serious risks for the democracy in Moldova. None of our concerns were properly addressed. Instead, those who voiced them, including top experts in the field, were subjected to attacks, unnecessary and certainly unconstructive ridicule and contempt by the politically controlled mass-media, its affiliated analysts and bloggers, internet trolls, and even by the very addressees of our messages – the leading politicians in the ruling party.

On the 5th of May, when the Parliament passed in the first reading two bills for amending the electoral system, while circumventing the required procedures and the MP's own commitments, we have found ourselves in a

situation with no prospects of dialogue and started daily one-hour protests in front of the Parliament building. Instead of addressing the reasons behind the protest, those in power stepped up the attacks on the civil society that chose to express its discontent.

On the 14th of May, a bigger manifestation was planned and more substantial mobilization efforts were put into organizing the event which was regarded as yet another action in our advocacy campaign against what we strongly believe is a bad decision for our country.

The response of the government was to hinder the protest with measures that were clearly disproportionate and, at times, illegal¹. What we saw were serious efforts from authorities to prevent the people from coming to Chisinau. The first time in Moldovan recent history, all local trains were stopped for the whole day under the pretext of bad weather conditions (a precaution which was not undertaken several weeks earlier when the weather conditions were indeed disastrous).

Furthermore, the law-enforcement agencies intimidated the local leaders before the protest and put filters and roadblocks on the roads to Chisinau in the day of the protest. Numerous drivers transporting protesters were sanctioned for bizarre illegalities. These are just a few methods through which peaceful assembly was sabotaged.

The right to freedom of peaceful assembly is a basic civil right, crucial in a democracy. When the views and opinions of the people are ignored, when authorities are not open to sincere dialogue and when the institutions fail to engage the people effectively, the population must have the right to protest peacefully. Inherent to this right is the duty of the state not only to abstain from infringing upon assemblies, but also to protect them. When a government institution, paid from public money, is seen obstructing this basic right, not only the human rights of the population, but the democratic values themselves are under direct attack.

The Moldovan Government and the Ministry of Interior in particular has benefited from generous amount of financial and technical from Your

¹ <http://amnesty.md/en/media/dreptul-la-libera-intrunire-limitat-intentionat-la-vointa-partidelor-de-guvernare/>

country's taxpayers' money. Police reform was an important part of the Visa dialogue between the EU and Moldova. Laws were rewritten and institutions reshuffled to build a police force responsive to the citizen's needs, substantial amount of technical assistance provided, capacities built and equipment purchased. Cases like this Sunday's reaction to the protests prove that in most crucial moments, despite the enormous efforts to reform the Moldovan police and improve policing in the country, old ways are brought back when this fits the political agenda of those in power, and the police is used to oppress fundamental human rights and freedoms². Those who obstructed the free movement and peaceful assembly of Moldovans on Sunday wore new uniforms and drove newly purchased cars – many of them purchased from Your funds.

Although there is no doubt that reform efforts were justified and led to results, practices as those quoted above, as well as politicization of law-enforcement bodies in general risk to compromise the efficiency and effectiveness of the aid received by Moldova, to have a modern, professional and apolitical police force.

We would like to call on Your Excellencies to raise the issue of authorities' infringement of the rights to freedom of movement and peaceful assembly in the context of recent protests and monitor this aspect onwards. Should you consider it necessary, we are ready to meet you in person and present more details concerning the infringement of protest.

With best regards,

Association for Participatory Democracy (ADEPT)

Association of Independent Press (API)

Center for Policies and Reforms (CPR-Moldova)

Foreign Policy Association (APE)

"GenderDoc-M" Information Center

Independent Journalism Center (CIJ)

² http://www.noi.md/md/news_id/50493?com_page=1
<http://www.infotag.md/populis-ru/231364/>

Institute for Public Policy (IPP)
Legal Resources Center of Moldova (CRJM)
Transparency International - Moldova