



Summit for democracy and Moldova commitments

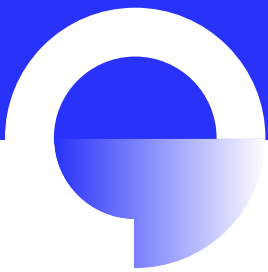


Moldova in S4D process



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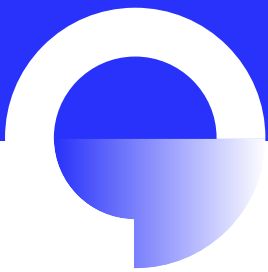


The information provided in this factsheet was compiled by Mihai Mogildea, consultant, with support from International IDEA. The methodology included a desk study, interviews and a survey completed by civil society organisations on the Summit for Democracy, challenges and opportunities. The information provided in this factsheet were drafted by the consultant and discussed during a workshop with civil society organisations and government representatives on 21st October 2022. Views expressed in this factsheet do not necessarily represent the views of International IDEA, or those of its Board or Council members.

The Summit for Democracy is an initiative headed by the United States Government to discuss how to advance the Summit's three broad themes: strengthening democracy and defending against authoritarianism; addressing and fighting corruption; and advancing respect for human rights. The initiative brings together leaders from governments, civil society and the private sector to set forth an affirmative agenda for democratic renewal and to tackle the greatest threats faced by democracies through collective action.



The Summit for Democracy is organized around two summits. The first summit took place in December 2021. Governments in attendance made a series of commitments around these topics, with progress against these promises to be supported and monitored through the Year of Action (YoA), leading to a 2nd Summit for Democracy (S4D2) scheduled for the 29th and 30th of March 2023. The YoA presents an opportunity for the commitments made in the first summit to be implemented, and for civil society to monitor their progress. The Summit for Democracy as a process is an extraordinary opportunity to galvanize attention and mobilize international action; and the process associated with it is a critical platform for engagement around the world.



Commitments

Moldova participated in the S4D process under the leadership of President Maia Sandu. Its resulting commitments include:

- Reform the justice system and vet judges and prosecutors in order to fight corruption and help to ensure that the judicial system and judges are competent, independent and impartial, and abide by the law.
- Fight corrupt practices and schemes in public institutions, while strengthening existing anti-corruption bodies.
- Strengthen democratic processes by fighting illegal financing of political parties through the enforcement of mechanisms of oversight and sanctions for infringements and for the illegal financing of political parties.

These commitments were based on the internal reform agenda of governing coalition and are in line with Moldova's nine conditions set by the European Union in June 2022. This means that the commitments of Moldova

under the Summit for Democracy are very much aligned with the priorities of the government.

Implementation of commitments

- **Reform of the justice system:** In December 2021, the Parliament approved the Strategy for ensuring the independence and integrity for the justice sector for 2022 – 2025 and the Action Plan for the implementation of the Strategy. According to the document, three key strategic directions are envisaged for the time period until 2025: (1) independence, integrity and responsibility of the actors from the justice sector, (2) access to justice and the quality of the justice act and (3) efficient and modernised administration of the justice sector.

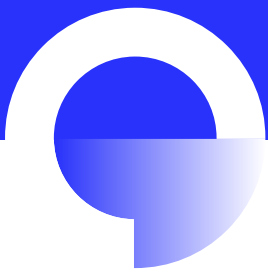
Furthermore, the pre-vetting process, which concerns the evaluation of the candidates for the Supreme Council of Magistracy (SCM) and Supreme Council of Prosecutors (SCP), has started. In order to facilitate



this process, the Parliament voted the law No. 26/2022, aimed at increasing the integrity of the future members of the SCM and SCP, as well as for strengthening the trust of the society in the justice system. According to the law, the integrity of the candidates for the SCM and SCP, the self-governing bodies of the judicial and prosecution system in Moldova, is going to be evaluated by a commission formed by three national and three international experts, seconded by a permanent secretariat. This process is supported by partner countries and donors, involved in providing both financial and technical assistance for the pre-vetting mechanism. The activity of commission started in April 2022 and is expected to announce the final results of the evaluation process by the end of the current year. In July 2022, the Parliament voted for a series of legislative provisions aimed at facilitating the implementation of constitutional amendments voted in September 2021. They referred to the exclusion of an initial five-year term for the promotion of judges, reduction of the mandate of the president of SCM to two years, and decrease of the number of members in the SCM colleges. These changes were intended to decrease the political influence over the selection and promotion of the judges and strengthen the independence of the justice system.



- **Fighting corruption:** On 24 December 2021, the implementation period of the National Integrity and Anti-corruption Strategy for the years 2017-2020 was extended and the Action Plan for this was updated, by inserting new actions, and revising progress indicators, achievement terms and responsible institutions. In 2021, CNA carried out 15 strategic analyses and 355 operational analyses regarding the phenomenon of corruption in the investigated cases and in the social-economic fields. And in the first half of 2022, 6 strategic analyzes and another 193 operational analyses were carried out, which particularly targeted the field of justice, public procurement and the energy sector. In June 2022, a new Head of the Anti-corruption Prosecutor's Office was appointed. In this context, the new management initiated a reform process of the Anti-corruption Prosecutor's Office to contribute to increase efficiency in combating grand corruption. An important step in the consolidation of the two specialized prosecutor's offices (the Anti-corruption Prosecutor's Office and the Prosecutor's Office for Combating Organized Crime and Special Cases) is the amendment of Law No. 3/2016 regarding the Prosecutor's Office on 6 October 2022, which changed the way of appointing the deputy heads of these two prosecutor's offices.
- **Fighting illegal financing of political parties:** On 31 March 2022, Law No. 73/2022 was adopted, through which the criminal and contraventional legislation was revised in order to make the prevention, investigation and sanctioning mechanisms for the forms of political and electoral corruption more efficient, as well as the accountability of the electoral contestants. Through the adopted amendments, the criminal and contraventional sanctions were increased for some facts that endanger the fair and free conduct of the elections. A new criminal component has also been included—the illegal financing of political parties or election campaigns and new offenses on small-scale voter bribery and organized voter transport.

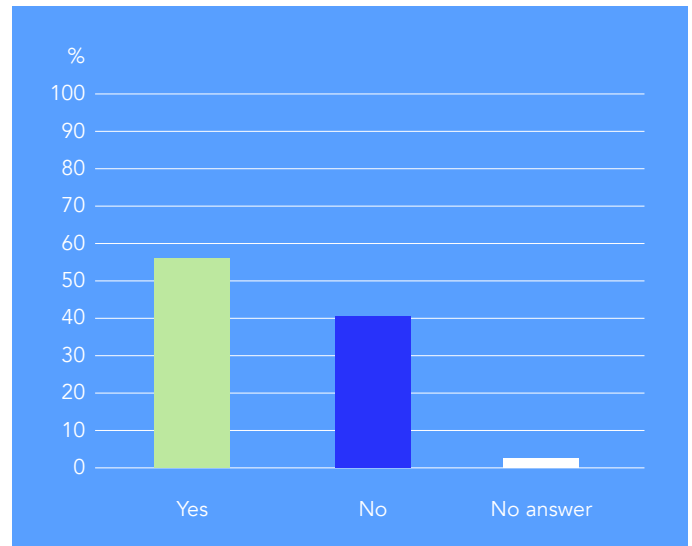


Summit for Democracy survey

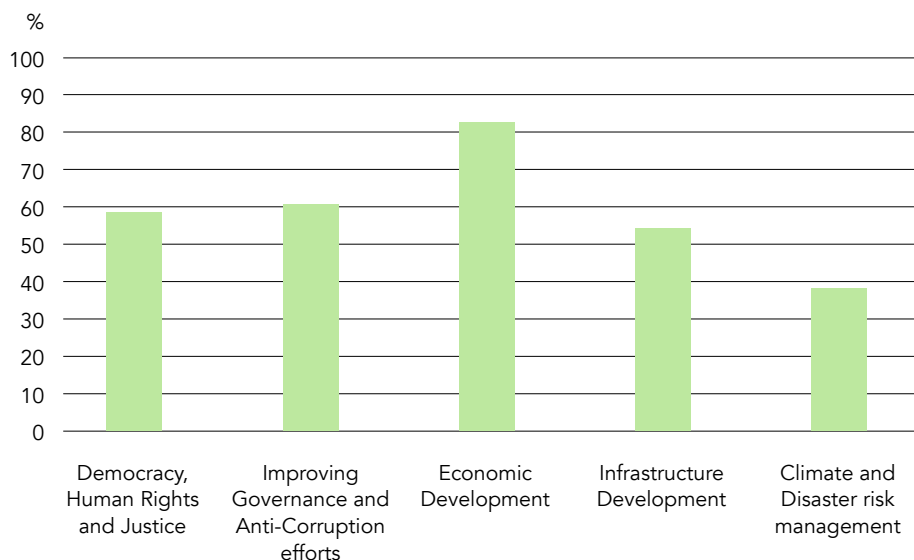
Nine months after the first Summit for Democracy, a survey was conducted among civil society from Moldova, in order to analyse the main progress and challenges of Moldova related to the implementation of Moldova's commitments. The survey was carried out in September 2022 by Mr Mihai Mogildea, consultant. More than 350 non-governmental organizations and individual experts from Moldova were invited to complete the questionnaire. Data was collected online.

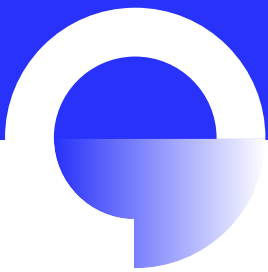
Surprisingly, the majority of the respondents were aware of the Summit for Democracy (57.1 per cent of respondents). This has probably to do with the fact that the three commitments identified under the Summit for Democracy process are very much in line with Moldova's internal reform agenda of governing coalition.

Do you know about the Summit for Democracy convened by the US administration in December 2021?



Please rank the areas below what you consider should be priorities for the Moldovan government in terms of strengthening democracy in Moldova?

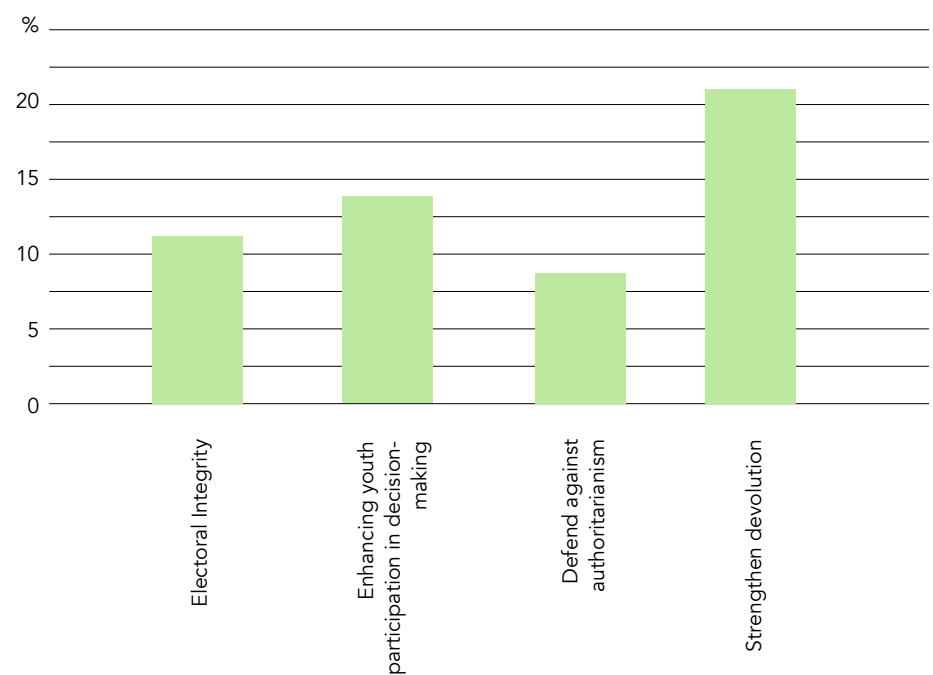


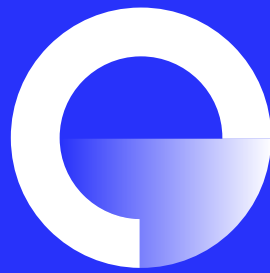


Summit for Democracy survey

In terms of further actions for strengthening the Moldovan democracy, a relevant number of respondents mentioned the decentralization or public administration reform. This process has been postponed a few times in the last years and is expected to be implemented in two stages in the next 4-5 years.

If Moldova government could make additional commitments to strengthen democracy what would these address?





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