

## Non-paper

### **Towards a new electoral system for the Republic of Moldova: more accountability, transparency, and democratic efficiency**

*The current non-paper highlights the progress made by the Republic of Moldova in adopting a new electoral system. Given the clear disenchantment of the population with the current proportional system (PR), it describes the efforts made by the ruling coalition centered around the PDM, to ensure more accountability, transparency, and efficiency by updating the electoral legislation.*

*The new bill, adopted by the Parliament in its final form on July 20th, answers the concerns expressed by European partners and integrates the recommendations issued by the Venice Commission experts. The mixed voting system (half proportional and half majoritarian) is the right solution for the Republic of Moldova: it brings about the desired change and it strengthens the quality of the representative democracy.*

A recently published public opinion poll (IMAS - July 2017) shows that 59% of Moldovans want a new electoral system and reject the current way of electing their MPs.

Approx. 3 in 4 citizens (72%) have been informed about the ruling coalition's intention to modify the proportional representation electoral formula - a system that is detrimental to a direct and unmediated connection between the politicians and their voters. Moreover, 61% of the respondents consider that it would be an unfair decision should the European Union penalize Moldova for adopting the mixed system.

49% of Moldovans have a negative opinion about the PDM's decision to give in on the majoritarian formula (first-past-the-post system) and to seek a political compromise by opting for the mixed electoral system. In addition, 43% of Moldovans declared that they would be unhappy with a political decision of abandoning the implementation of a new electoral bill. These figures stand as a proof for the importance Moldovans attach to the change of the electoral system. Despite the recent positions of some opposition parties, the pro-change stance is perfectly aligned with what the main parties proposed in their electoral manifestos - the replacement of the PR electoral formula.

Since the topic of electoral reform has been defined as a priority, the parliamentary majority has sought to engage all concerned domestic and foreign stakeholders so that the new legislation would reflect the diversity of opinions and would represent a positive outcome for the consolidation of the Moldovan democracy. As can be easily determined, the reform of the electoral system has been the most widely debated political subject since the Moldova became an independent state. For the past four months, multiple public debates

were held in Moldovan communities. Both parliamentary and non-parliamentary political parties, as well as civil society representatives, local and international experts, attended these public consultations. Moreover, an ample public information campaign was conducted at the national level in order to explain the principle of directly voting for MPs. In addition, a campaign aiming to attract the support of the citizens in favour of changing the electoral system by promoting the direct link between the citizens and their MPs resulted in over 850,000 signatures (representing almost 25% of the country's population). This is an unprecedented level of support for a legislative initiative in the Republic of Moldova.

The public debate has continued after the Venice Commission (VC) issued its recommendations. In the Parliament, experts, civil society representatives and members of the political parties with no parliamentary seats have been invited to express their opinions and to present their approach towards changing the legislation; every proposal has been evaluated based only on its merits and the political considerations have been put aside.

In various formats, the members of the ruling coalition have presented the key points of the reform and have encouraged the stakeholders to put forward proposals which would make them more comfortable with the new legislation and would better implement the observations of the VC experts. Obviously, it is never easy to build consensus around an issue which will impact the standing of the parties in the next legislative elections - Moldova has never been a country known for its consensus-based political style; nonetheless, the atmosphere created by the PDM and the ruling coalition has been constructive and inclusive and everyone has had the opportunity to present and defend one's point of view.

We are grateful for the assistance provided by the Venice Commission. The recommendations have rightly identified weak points in the legislative proposal reviewed by the Parliament at the beginning of May and have pointed towards the areas where more debate and dialogue was necessary. We are happy to inform our international partners that comprehensive solutions have been found and that the key points raised by the experts have been properly addressed. The following four points stand as good examples.

1. Based on their evaluations, the VC experts recommended for the constituency boundaries to be set by an independent authority and not by the Central Electoral Committee. The goal was to prevent any form of gerrymandering. The new bill has embraced the proposal: a special committee will be appointed by the Government and it will comprise of civil society members, representative of parliamentary and extra-parliamentary parties, representatives of the national minorities, experts and members of the academia. The proposals of the commission will be adopted by the Government with no amendments and the boundaries of the electoral districts will be

published in the Official Gazette before the end of November 2017 (one year before the next parliamentary elections).

2. Another point highlighted by the VC was the need to exclude or minimize the influence of the business environment on the candidates and the need to ensure their integrity. Moreover, the topic of financing the political parties and the candidates has been identified as a major problem. According to the new bill approved by the Parliament, every candidate will fill in and sign an integrity statement certified by the National Integrity Agency - everyone would be able to see the assets and interests of each candidate. Moreover, the upper threshold of electoral contributions will be seriously reduced, so that the money will have less influence on the outcome of the election: the number of donations an individual can make will be limited to 50 medium wages (as opposed to 200 currently); similarly, for the legal entities the threshold will be 100 medium wages (from 400 today).

3. The VC also suggested more efficient policies and regulation for promoting more women in politics. Currently, the minimum proportion of women on each political party's list is set at 40%. Failing to implement this provision triggers harsh sanctions, which can even lead to a party being disqualified from the elections. In the new bill, we also encourage the parties to give more chances to women and we will reward them for doing the right thing. A 10% financial bonus and other financial support will be given to those parties, which abide by the rules and promote more women candidates.

4. The VC recommends better provisions concerning the Transnistria constituencies and the ones for the Moldovans residing abroad. Consequently, the law clearly defines the districting criteria and proposes fair geographical boundaries.

These are good examples of how major VC recommendations have been taken into consideration and incorporated into the new electoral legislation. At this point, with the law voted in the Parliament with 74 votes out of 101 MPs, we are confident that it is what Moldova needs. The bill will ensure fair elections and will represent a progress for our democracy. It will represent the people's will for change and it will meet the requirements and the expectations of the electoral experts. Concurrently, over 15 000 citizens joined a rally on Thursday, 20<sup>th</sup> July, supporting the adaptation of the new electoral system.

We invited all concerned parties to assess the new law based only on its merits and we welcome those who, once the law is adopted, want to be an active part of its successful implementation. The PDM reaffirms its belief in an open and participatory democracy, which will bring us closer to the EU membership.