

DECLARATION
The Undersigned Organizations Condemn the Undemocratic Manner
the Government led by Pavel FILIP was Sworn In

Chişinău, 22 January 2016

The signatories to this Declaration condemn the distortion of the democratic process in the Republic of Moldova based on the manner FILIP's Government was established, voted and sworn in. This has a severe impact on the confidence in this government. We call on policymakers to respect the principles of the rule of law and legislation as well as to rebuild lost confidence in state institutions through immediate and resolute actions.

On 15 December 2015 the President of the Republic of Moldova, Mr. Nicolae TIMOFTI [declared that the Democratic Party of Moldova \(DPM\) puts pressure](#) (*in Romanian only*) on him in order to persuade him to nominate Mr. Vladimir PLAHOTNIUC as a candidate for Prime Minister.

On 21 December 2015 following the failure to create a parliamentary majority to propose a candidate for the position of Prime Minister, the President of the Republic of Moldova nominated the candidacy of Mr. Ion STURZA. On 3 January 2016 Mr. STURZA and the Cabinet members nominated by him [publicly signed an Integrity Statement](#) (*in Romanian only*) proposed by the civil society. On 4 January 2016 Mr. Ion STURZA was to seek a confidence vote in the Parliament. For lack of quorum, the Parliament session did not take place, and the President of the Parliament qualified it as a failed attempt to give a vote of confidence to STURZA Government. [Several civil society organizations sustained in a public appeal](#) (*in Romanian only*) that the lack of quorum for a parliamentary meeting does not represent a vote of no confidence for the Cabinet of Ministers, and the Parliament has to convene and debate the Government program and the list of candidates in a parliamentary session. However, the President TIMOFTI continued consultations with parliamentary factions to identify another candidate for the position of Prime Minister.

In its [decision no. 32 of 29 December 2015](#) (*in Romanian only*) the Constitutional Court ruled that the President is obliged to appoint as Prime Minister, the candidate proposed by the absolute parliamentary majority (50 + 1 members). On 13 January 2016, a majority of 56 MPs proposed to the President of Moldova the candidacy of Mr. Vladimir PLAHOTNIUC for Prime Minister position. [President TIMOFTI rejected the candidacy of Mr. PLAHOTNIUC](#) (*in Romanian only*), implying that the latter did not meet the integrity criteria required for the position of Prime Minister.

After the President TIMOFTI's refusal, the parliamentary majority support for the candidacy of Mr. PLAHOTNIUC was reiterated in a press-release. Subsequently, several deputies who initially signed for the candidacy of Mr. PLAHOTNIUC publicly declared that they [withdraw their support to it](#) (*in Romanian only*). Mr. TIMOFTI asked for reconfirmation of signatures in support of the nominated candidate for Prime Minister. Several members (Mr. [Valeriu STRELET](#), Mrs. [Elena BODNARENCO](#), Mr. [Igor DODON](#)) declared that the parliamentary majority that nominated Mr. PLAHOTNIUC was created based on blackmail, intimidation, corruption, and that it is controlled by a single party. In the absence of confirmation of the signatures, on 14 January 2016 the President [appointed Mr. Ion PADURARU for the position of Prime Minister](#) (*in Romanian only*).

On 15 January 2016, Mr. PADURARU withdrew his candidacy for Prime Minister in favour of a candidate to be chosen by the parliamentary majority. The same day, the President nominated Mr. Pavel FILIP as a candidate for this position, proposed by 55 out of 56 MPs who initially supported the nomination of Mr. PLAHOTNIUC.

As part of discussions held between Mr. FILIP and civil society representatives, the first expressed his willingness to sign, along with the new Cabinet, the Integrity Statement drafted by the civil society. This statement was sent to Mr. FILIP's team. Subsequently, Mr. Pavel FILIP's team proposed a new wording of the integrity statement, allowing more vague and deceitful interpretations. [The civil society](#)

[qualified his proposal as evading the signing of the Integrity Statement](#) (*in Romanian only*). Based upon the declarations of Mr. Pavel FILIP's representatives, on 20 January 2016 a few minutes before the vote in the Parliament, the candidate for Prime Minister and candidates for the Cabinet of Ministers still signed the Integrity Statements in the absence of civil society representatives. The signatories believe that the newly appointed Cabinet of Ministers should have announced in advance the time and the place they intended to sign the Integrity Statements. This would allow the civil society to assess the nominees during a joint meeting and to have the opportunity to question the candidates. **Given the lack of transparency in the process of signing the Integrity Statements, the signatory organizations consider these statements invalid. It is unacceptable how politicians try to imitate consultations with the civil society, even before taking office.**

On 20 January 2016, at around 12.00 pm, the [agenda of the Parliament session](#) (*in Romanian only*) organised to vote the new Government was made published. At that time neither the Government program, nor the list of proposed Government members were made public. [At 4.40 pm, the Parliament gave a vote of confidence to Mr. Pavel FILIP candidacy and his Cabinet](#) (*in Romanian only*). The Government was voted in a session that lasted about 30 minutes, during which the nominated Prime Minister read his speech in 8 minutes and presented the Cabinet list in 2 minutes. The questions and answers session was arbitrarily omitted. The Government program and the list of candidates were not discussed, contrary to art. 98 para. (3) of the Constitution of the Republic of Moldova. **The undersigned organizations condemn the haste at which the new Government was voted, considering the methods used for voting the Cabinet contrary to the Constitution and democratic norms.**

Furthermore, the swearing ceremony of the Government members was also carried out on 20 January 2016, secretly at midnight, although earlier the public was officially announced that the new Government members will take the oath during another day. Even the [Presidential spokesperson did not know](#) (*in Romanian only*), until the last moment, when the oath is to be taken.

Given the pressures on the President to appoint a candidate for Prime Minister persistently promoted only by one political party; the subsequent insistence to appoint the same candidate by a parliamentary majority suspected to be formed based on corruption, extortion and intimidation; the boycott by deputies of the candidate initially designated by the President in line with the provisions of the Constitution; the unexpected withdrawal of the second candidate nominated by the President; the evasion of FILIP Government members from signing the Integrity Statement proposed by the civil society; its hasty and non-transparent voting; and the covertly sworn in Filip's Government;

The signatories declare that the above circumstances do not allow us to trust the Government voted on 20 January 2016, until this Government demonstrates the opposite through concrete actions.

The signatories condemn any violent actions against protesters, politicians and police, considering peaceful protests as one of the most democratic ways to show dissatisfaction with the actions of the authorities.

At the same time, we emphasize that the Government must take responsibility for the tensions in the society appeared because of the lack of a constructive attitude towards the protesters demands and the lack of an effective dialogue with them.

Signatories:

ADEPT
Association of Independent Press (API)
BIOS Association
Business Consulting Institute (BCI)
CCAI Alliance
Centre for Independent Journalism (CJI)

Eastern Partnership Civil Society Forum of the Republic of Moldova
Expert-Grup Center
Foreign Policy Association (APE)
Gutta-Club
IDIS Viitorul
Information Centre GENDERDOC-M S.A.
Legal Resources Centre from Moldova (LRCM)
Moldovan Institute for Human Rights (IDOM)
Public Policy Institute (IPP)
Promo-LEX
REC Moldova
Rehabilitation Centre for Torture Victims "Memoria" (RCTV "Memoria")
Resource Centre "DIALOG-Pro"
Small business Association (AMB)
TERRA-1530
Transparency International – Moldova
Women's Law Center
Women's Association for the Environment Protection and Sustainable Development (AFPMDD)
Young European Federalists

The list of signatures remains open