

SYNTHESIS

2021

Radiography of attacks on civil society organisations in the Republic of Moldova

1 January – 31 December 2020

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RADIOGRAPHY OF ATTACKS ON CIVIL SOCIETY ORGANISATIONS IN THE REPUBLIC OF MOLDOVA

1 JANUARY – 31 DECEMBER 2020

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Abbreviations

API	Association of Independent Press
LRCM	Legal Resources Centre from Moldova
IPP	Institute for Public Policy
SFM	Soros Foundation Moldova
NGOs	Non-governmental organisations
NCOs	Non-commercial organisations
CSOs	Civil society organisations
PAS	Party "Action and Solidarity"
PPDA	Political Party "Dignity and Truth Platform"
PSRM	Party of Socialists of the Republic of Moldova
EU	European Union

Introduction

The radiography of attacks on civil society organisations (CSOs) in the Republic of Moldova is a joint effort to document information and events that deteriorate the working environment of civil society organisations (CSOs) in Moldova. The radiography is at its 4th edition and covers the period of 1 January – 31 December 2020. Similar analyses were presented for the period 2016-2017,¹ 2018² and 2019.³

For the purposes of this document, attacks mean in particular the statements and actions of politicians, especially those in government, and the publication of media articles, or public interventions that present the non-profit sector as organisations that promote the interests of foreign countries, or serve the interests of political parties. Sometimes, these attacks take the form of legislative initiatives aimed at worsening the working environment for CSOs.

The activity of monitoring and documenting the attacks was necessary in the context in which an increasing number of independent CSOs become the target of numerous actions of discrediting and denigration, after they criticized or expressed their disagreement with the actions of the government.⁴ The purpose of the document is to draw attention to orchestrated attacks against CSOs and to make public authorities, companies and individuals who support them stop the attacks and let CSOs work unhindered. This document is also intended to enable CSOs to respond to attacks against them.

The information included in the document was obtained from online media sources

¹ Radiography of attacks on non-governmental organizations in the Republic of Moldova, September 2016 – December 2017, available at: https://crjm.org/wp-content/uploads/2018/02/2018-02-21_radiografia-atac-ONGs_fin.pdf.

² Radiography of attacks on non-governmental organizations in the Republic of Moldova, January – December 2018, available at: http://crjm.org/wp-content/uploads/2019/03/2019-03-19-timeline-atac-OSC_2018_final.pdf.

³ Radiography of attacks on non-governmental organizations in the Republic of Moldova, January – December 2019, available at: <https://crjm.org/wp-content/uploads/2020/07/2020-05-13-Timeline-attacks-CSOs-RO.pdf>.

⁴ Human Rights Council, Report of the UN Special Rapporteur on the situation of human rights defenders, Visit to the Republic of Moldova, 2019, A/HRC/40/60/Add.3, par. 36-37, available at: <https://undocs.org/A/HRC/40/60/ADD.3>.

and social networks. The monitoring and documentation of attacks took place during 2020. The monitoring may not be exhaustive, the document includes the most important attacks. The attacks are reported in chronological order, starting from January 2020. Some attacks were reported in a single block, depending on the object (e.g. attacks in the context of the adoption by the Parliament of the NGO Law) or the subject of the attack (articles denigrating a particular CSO). The document contains references to webpages where the relevant materials were published. Some links are no longer active, but the authors of the radiography have evidence of publication of the reported materials. In the radiography for 2020 we covered both the attacks on civil society and the responses of national CSOs.

The phenomenon of attacks on civil society is not an isolated problem for the Republic of Moldova. It is already a trend in the countries of the South Eastern Europe with a fragile democracy. The methods and tools used for this become increasingly sophisticated and widespread.⁵ One of the many negative consequences of these actions is forcing CSOs and civic activists to censor themselves or to be less active.⁶ Based on the experience of other states in the region, we can say that the stigmatization of CSOs can be a precursor to persecutory actions by the state.⁷ The initiative to document and monitor [the attacks is inspired by Hungary](#), a country whose community sector has faced similar challenges for several years. The document was prepared and presented by the signatory organisations specified at the end of the document, which cooperated in data collection.

If you avail of any information that can be treated as an attack on CSOs, please send it to contact@crjm.org to be included in the next monitoring report.

⁵ Balfour R., Bouchet N., Document de politici "Supporting Civil society in Eastern Europe and the Western Balkans: Old and New Challenges", 2018, GMF Europe Program, available at: <http://www.gmfus.org/publications/supporting-civil-society-eastern-europe-and-western-balkans-old-and-new-challenges>.

⁶ Amnesty International, "Laws designed to silence: the global crackdown on civil society organizations", 2019, ACT 30/9647/2019, p. 2, available at: <https://www.amnesty.org/download/Documents/ACT3096472019ENGLISH.PDF>.

⁷ Buyse A., "Squeezing civic space: restrictions on civil society organizations and the linkages with human rights", 2018, The International Journal of Human Rights, 22:8, p. 966-988, available at: <https://www.tandfonline.com/doi/full/10.1080/13642987.2018.1492916>.

Summary

The attacks against civil society organisations (CSOs) in 2020, although numerically fewer than in previous years, have proved more complex and are likely to have long-term effects on the image of CSOs in the Republic of Moldova.

Actions against CSOs were focused around major events, such as the presidential election in the autumn of 2020, the fight against the COVID-19 pandemic, and the adoption by the Parliament of a new Law on non-commercial organisations. These events triggered large-scale attacks against CSOs throughout the year, by using already “classic” tricks to denigrate their activity: treatment of the activity of CSOs as an activity in the interest of the parliamentary opposition or Western countries, interference in the internal affairs of Moldova, limitation of the country’s sovereignty by external funding of NGOs, etc. As in previous years, politicians’ denigrating statements against CSOs were widely replicated by some Moldovan media, which increased their defamatory effect.

The presidential elections triggered attacks against CSOs throughout 2020, with particular emphasis on the second half of the year, when they culminated in the launch of a “study” by the Socialist MP Bogdan TIRDEA about CSOs in Moldova. The deputy Tirdea discredited non-governmental organisations based on falsities, defamatory accusations, insinuations, manipulation of financial data and erroneous and malicious comparisons. This was the toughest, most complex and assumed frontal attack launched by a Moldovan politician against the Constitution of the Republic of Moldova, against the fundamental rights and freedoms of the Moldovan citizens and against the modernization of the state of the Republic of Moldova according to the European model. The unprecedented attack was supported by the acting president of the country at that time, Igor DODON. The deputy Tirdea said he would continue his “research”, which denotes a complex and orchestrated campaign probably aimed at weakening and even destroying civil society in the Republic of Moldova.

The combatting of the COVID-19 pandemic was also a source for denigrating CSOs through defamatory statements by President Dodon and PSRM representatives relating to EU financial aid to Moldova to combat the COVID-19 pandemic crisis. The adoption of a new Law on non-commercial organisations generated numerous and complex attacks, invoking denigrating arguments, such as interference in the internal affairs of

Moldova, external financing of the parliamentary opposition, etc. In addition, President Dodon stated at the end of 2020, after losing the presidential election, that the law must be amended in line with the Hungarian law, known as a very restrictive law for the civil society. President Dodon also attacked the CSOs that requested him through a public appeal to stop his interference in the activity of the Constitutional Court.

For the first time, the radiography also documented an attack on a non-commercial organisation (NGO CASMED) that took place through a court action. Although the formal reason of the authority (in this case, the Territorial Office of the State Chancellery) to appeal to the court was the alleged non-compliance with the procedure for granting funds from the local budget, this mechanism was in fact a way of harassing and discouraging the activity of the NGO and its members. In another case, the Mayor of Balti sent a prior request to an NGO from the city of Balti (LEX XXI Human Rights Association), requesting denial on a subject relating to public finance management. This phenomenon, known by the acronym SLAPPS⁸ and documented worldwide, is directed against public participation – of human rights defenders or non-commercial organisations. The court trial is actually an intimidation mechanism designed to censor and intimidate, by threatening to incur the litigation costs on human rights defenders or NGOs, even if, in fact, the initiator of the dispute knows from the outset that he will not win the trial.

Also, for the first time, the radiography recorded an attack on a CSO by limiting the decision-making transparency of the local councillors of Durlesti (NGO “Primaria mea” from Durlesti). The local councillors banned the filming and live broadcasting of the council meetings, invoking the protection of personal data. Moreover, an official from the mayor’s office and a local councillor notified the police and the National Centre for Personal Data Protection, which did not find any violation.

Most of the attacks against CSOs in 2020 came from the acting President of the country at that time, Igor DODON, and from representatives of the Party of Socialists of the Republic of Moldova (PSRM), such as Bogdan TIRDEA, PSRM deputy; Vlad BATRANCEA, Deputy Speaker of Parliament and PSRM deputy, Corneliu Furculita, chair of the PSRM faction in the Parliament, and Marcel CENUSA, president of the Cahul district. There were also attacks from Renato USATII, Mayor of Balti city at that time, Andrei NASTASE, candidate in the presidential elections of November 2020 and president of the Political Party “Dignity and Truth Platform”.

If in the previous year, many media portals, which published or took over denigrating articles against CSOs from other portals with a dubious reputation, had become

⁸ SLAPPS – „Strategic Lawsuits Against Public Participation” – A strategic (trial) process usually directed against the public participation of human rights defenders, journalists or civil society organizations. The court trial is an intimidation mechanism designed to censor and intimidate, by threatening to incur the litigation costs on civic activists, investigation journalists or CSOs, even if, in fact, the initiator of the dispute knows from the outset that he will not win the trial. More information on SLAPPS: <https://www.icnl.org/post/report/slapps-in-the-global-south-report>.

inactive, after the change of government in November 2019, these portals returned to the market (for example, www.actual.md or www.today.md). In addition, upon the establishment of a new Government, new web portals appeared that published materials in favour of the Moldovan Government (the A-tv (Accent TV) portal, www.breakingnews.md, www.moldova24.info) and to the detriment of the opposition and were engaged in campaigns to denigrate civil society. At the same time, a very active media portal in 2019 (www.scheme.md), which disseminated false or biased information (see the radiography of attacks in 2019⁹), ceased its activity.

The following media portals were “active” in the attacks against CSOs in 2020: www.telegraph.md, www.moldova24.info, www.a-tv.md/, www.publika.md, www.ntv.md, www.kp.md, www.aif.md, www.mk.kn.md/, www.sputnik.md, www.evenimentul.md, www.24h.md. Among the blogs that published biased and denigrating information about CSOs and/or their representatives, we can mention the blog of Bogdan TIRDEA, PSRM deputy, and [the PSRM website](#).

⁹ Radiography of attacks on non-governmental organizations in the Republic of Moldova, January – December 2019, available at: <https://crjm.org/wp-content/uploads/2020/07/2020-05-13-Timeline-attacks-CSOs-RO.pdf>.

List of attacks on civil society organisations throughout 2020:

January – February
2020: an attack of Renato
USATII, Mayor of Balti
Municipality against
LEX XXI Human Rights
Association

On 30 January 2020, **Renato USATII, Mayor of Balti Municipality**, posted a [live video](#) on his Facebook page where he [commented the protest](#) and the [arguments](#) expressed by the civic activists of LEX XXI Human Rights Association relating to how Balti Mayor's Office was spending public money. Mayor Usatii accused the NGO's Chairwoman that she was a political activist, and mentioned that the "*news was made of thin air*". [LEX XXI Association](#) works in Balti in the areas related to human rights and fight against corruption.

On the same day, Diana GROSU, Chairwoman of the NGO LEX XXI, published a [post](#) on her Facebook page where she pointed out to some disparities in Mayor Usatii statements concerning public procurement costs covered from the Balti Mayor's Office budget. The post contained excerpts from official documents where the amount of circa MDL 67,000 was mentioned for office furniture, amounts that were denied by the Mayor of Balti Municipality in his video posted on 30 January 2020. Afterwards, Grosu posted a [video](#) explaining that she and her NGO colleagues kept tracks of efficient spending of public money rather than dealt with political activities.

On 5 February 2020, Renato USATII [sent](#) a preliminary request to Diana GROSU where he mentioned that her post made on 30 January 2020 contained defamatory statements that damaged the image of Balti Mayor's Office, and requested denial; otherwise he would take legal action for defamation. Diana GROSU posted no refutation, while Mayor of Balti Municipality took no legal action against her afterwards.

NOTE: taking legal action for defamation is one of the actions used most often by politicians to impose silence on activists and investigation journalists who bring topics like corruption and lack of integrity to the attention of the general public.

March 2020: attacks against the Association of Independent Press and its Chairman

On 13 March 2020, **Telegraph.md Media Portal** published [an article](#) about the activity carried out by the Association of Independent Press (API) and its Chairman, Petru MACOVEI. According to the Article, API was accused that it demanded money from the Ministry of Health, Labour and Social Protection in exchange of publishing information regarding the epidemiological situation and combating COVID-19. According to Telegraph.md, API refused free publication of materials concerning the prevention and protective measures following a request to this end. The Article published by Telegraph.md mirrored the Portal opinion only (the Article was not signed), without publishing the API position.

On 13 March 2020, **API posted a response** by which it qualified the Article as speculative and unfounded. API specified that both the organisation and its Executive Director conveyed no commercial offer to the Ministry of Health, Labour and Social Protection. API asked Telegraph.md to publish this explanation as the right of reply Telegraph.md failed to request, in breach of the provisions stipulated by the Moldovan Code of Ethics for Journalists.

Several days later after the initial news was published, the Article was taken up almost in full by **Publika.md**, a media institution that published materials favourable for the Democratic Party of Moldova, the Article being republished with a new title: **Publika.md “PROFIT during coronavirus. API demanded MDL 18,000 from the Ministry of Health to publish information concerning the measures aimed to prevent the spread of COVID-19”**. The Article mentions, inter alia, the response of Petru Macovei, namely that the organisation demanded no money from the Authorities in exchange of posting ads. However, the Article kept its accusatory title targeting API. On 23 March 2020, **Telegraph.md** posted a new [article](#) titled *“Petru Macovei acknowledges that API sent a request to the Ministry of Health demanding EUR 4000 per month for information about COVID-19”*.

The Article makes reference to the response posted by API on 13 March 2020 and accuses API of manipulation of public opinion. Once again, the Article mirrored the Portal opinion only (the Article had not been signed), without publishing the API position.

NOTE: The publication seems to have the purpose to influence the public opinion by presenting the CSOs/CSO representatives' work in a negative light. Taken as a whole, the publication pursues the goal to discredit the CSO image rather than to inform the readers. The articles published by Media, as well as their titles, mirrored the Author's opinion only without presenting the position of the persons concerned.

April 2020: an attack of President Dodon against CSOs, which demanded him to stop interfering into the Constitutional Court work

On 10 April 2020, the **country President Igor DODON** stated [during a broadcast \(minute 3:02\)](#) that he had discussed with Vladimir TURCAN, Constitutional Court Chairman, some details concerning Court [Decision](#) of 9 April 2020. The Court decision dealt with the suspension of a series of laws adopted by the Parliament, which established measures aimed to support citizens and entrepreneurial activity during the state of emergency. President Dodon claimed he demanded details on this case from the Constitutional Court Chairman, while the latter responded that four constitutional judges voted for the decision in question, while he formulated a separate decision. [The decision text](#) adopted by the Constitutional Court on 9 April 2020 has no mention how the judges of the Constitutional Court voted or the existence of a separate opinion.

On 13 April 2020, nine CSOs [issued a public call](#) by which they stated they regretted the discussions of the country President with the Constitutional Court Chairman because such behaviour seriously damaged the image of the Constitutional Court. The signatory organisations demanded the Constitutional Court Plenary to adopt a decision on this situation, while President Dodon to stop interfering into the Constitutional Court work.

On the same day, **President's Office** [issued a Press release](#) by which it mentioned, inter alia, that the dialogue held with the High Court Chairman in no way was related to the secret of deliberation. The President's Office labelled the request of CSOs as an

“arsenal of propagandistic rhetoric”, and the CSOs as “political actors”. At the same time, Chairman of the Constitutional Court Vladimir TURCAN [claimed](#) that the discussion with the country President was merely informative.

On 23 April 2020, the Constitutional Court judges gave a vote of no confidence to Constitutional Court Chairman Vladimir TURCAN. They found that the judge failed to keep the secret of votes, and behaved in a way that did not exclude outside influence. By the vote of no confidence, Vladimir TURCAN [was dismissed](#) from the position of the Constitutional Court Chairman.

NOTE: In a democratic society CSOs have got different working methods. Public reactions to certain policies or criticism brought to an institution fall within the CSOs right to freedom of expression. The CSOs benefit from this right including when issues of public importance are subject to debates, the Constitutional Court work inclusive. Public reaction to a topic of public interest cannot be seen as engagement in political activities.

April 2020: attacks of President Dodon and of PSRM representatives in relation to the financial assistance granted to Moldova by the EU in the context of the COVID-19 pandemic crisis

On 21 April 2021, Igor DODON, the country President, gave an online [interview](#) to Unimedia.md portal. During the interview he mentioned, inter alia, that “*the EU declared it was ready to make an unconditional offer of EUR 87 million to the Republic of Moldova, not to the state budget. It is related to different programmes given to NGOs, to different experts who come in Moldova to work. Ultimately, it is good for the country, but the money is not for the budget. We cannot use it to cover pensions and salaries, to upgrade the health system; hospital repairing cannot be paid out of those funds because the Government has nothing to do with them*”.

The next day, Unimedia.md portal posted [news](#) titled “*Igor Dodon: The EU financial assistance worth EUR 87 million is not for the state budget*”, making reference to Dodon’s statements made the previous day.

On the same day, several portals that had editorial policy favourable for the Party of Socialists of the Republic of Moldova (PSRM) took up that statement, like, for instance, [Ehomd.info](#), and titled it “*Президент рассказал, кому предназначается финансовая помощь*” (translated from Russian: “*President revealed who the financial aid was intended for*”) and [Kp.md](#), which titled it “*Мимо кассы: 87 миллионов евро, которые*

выделяет ЕС Молдове, не пойдут на пенсии или здравоохранение, их получают НПО" (translated from Russian: "Past the cash desk: EUR 87 million to be allocated to Moldova by the EU would not be spent for pensions or healthcare, the NGOs would receive them").

President Dodon's statements were taken up by other PSRM representatives as well. On 22 April 2020, Chairman of Cahul District, Marcel CENUSA, a PSRM representative, [wrote](#) on his Facebook account "87 миллионов НПО? На что? Какие разные программы? Закрывать все эти НПО, как в России. Нехер заниматься ерундой..." (translated from Russian: "87 million to NGOs? What for? What various programmes? All these NGOs must be closed down, like in Russia. Do not deal with rubbish"). At the same time, in another comment, Cenusu mentions: "The NGOs through which you are laundering millions must become a matter of interest for the state services...". More representatives of local and national NGOs [condemned](#) Cenusu's statements and demanded public apologies.

The next day, on 23 April 2021, **Vlad BATRANCEA, Deputy Speaker of Parliament, PSRM deputy**, held a [speech](#) in Parliament and [accused](#) the Western partners that during the pandemic they channelled their financial support to Media institutions. Batrancea claimed that the journalists got salaries of thousands of EURO in envelopes without paying taxes to the state budget.

On 13 April 2020, the EU Ambassador to Moldova, Peter MICHALKO, declared in an [interview](#) that EUR 87 million were the funds "redirected from the projects under implementation or planned to be implemented, and would be spent to mitigate the impact. These are grants that would need no repayment".

[Stopfals.md](#) portal requested the EU Delegation to Moldova for its opinion. The EU Delegation answered that "EUR 87 million are made available to Moldova from the projects under implementation or planned to be implemented. The funds will be spent for short-term urgent actions, as a response to the crisis and human needs stemming from it, as well as to provide assistance aimed at overcoming the socio-economic consequences. These resources are intended to offer direct assistance to Moldovan citizens in order to cope with the hardships and improve people's life in the long-run through socio-economic development. Such assistance is not a direct

transfer of funds to the budget of the Republic of Moldova, it is provided to offer the tools necessary to improve the hardship caused by COVID-19, from the social, economic and health perspective”.

**May – June 2020:
attacks in the context of
adopting the Law on non-
commercial organisations
by Parliament**

On 11 June 2020, **the Moldovan Parliament adopted the new Law on non-commercial organisations (NCOs)**. The new Law pursued the goal to improve the NCOs operation framework. It streamlined the NCOs registration process and eliminated the rigid in-house organisational structure imposed by the previous legislation. The new Law has constrained the possibilities to exercise abusive pressure on NCOs by the Authorities, and eliminated any unjustified constraints concerning the establishment of NCOs by certain categories of people. The Law imposed an absolute interdiction for NCOs to support the election candidates, setting up clear limits concerning the NCO-political party relations. Likewise, the Law has set up the framework legislation regarding the NCOs financing by the state, an area that was governed insufficiently in the previous legislation. At the same time, the new Law neither imposed the re-registration of non-commercial organisations nor limited their right to get financing from abroad. The Law adoption was the result of promotion endeavours made by many NCOs and development partners of the Republic of Moldova. The adoption of the Law has become more certain after the EU set it as a precondition for the micro-financial assistance worth EUR 30 million offered to the Republic of Moldova.

Initially, both **the country President Igor DODON and Prime Minister Ion CHICU** were against the adoption of this Law, having regard to the intervention of foreign actors and interference in the internal affairs of the Republic of Moldova.

On 12 May 2020, **Prime Minister of the Republic of Moldova, Ion CHICU**, during the TV8 show “Cutia Neagră”, [stated](#) (minute 31:58): *“I don’t think that the Law on NGOs can be voted as currently drafted and in the wording suggested by our EU partners”*. According to CHICU, the draft law questioned the political activities in the Republic of Moldova and would have led to interference into the internal affairs of Moldova. The Prime Minister failed to specify what Law article or section had been problematic.

In a similar note, on **29 May 2020**, during the broadcast **“The President answers”**, **President Igor DODON** [stated](#) (minute 31:09) that he thought the Law on NGOs to be a law that was *“interesting, contradictory and, for sure, as currently drafted, did not match the interests of the Republic of Moldova”*. According to President, the draft Law clearly stipulated the *“provision of services to political parties by NGOs”* and their financing from abroad. According to President DODON, the purpose of NGOs funding would be, in fact, to support the opposition represented by Action and Solidarity Party (PAS) and Political Party “Dignity and Truth Platform” (PPDA): *“In other words, some guys from Harvard establish an NGO, transfer several millions, and, afterwards, this NGO, along with Maia Sandu’s or Nastase’s Party or any other party, begins its political activity”*. According to the President, the PSRM faction in Parliament was supposed to reject the draft law, and if, “by miracle”, the draft Law is passed, he would not promulgate it, resorting to his prerogatives as the country President.

On the same day, after the broadcast “The President answers”, **A-tv (Accent TV) portal** that publishes PSRM favourable materials, took up the President’s statement almost in full, having slightly changed the news title [“PSRM faction will not support the current draft Law on NGOs: The sovereignty of people is not for sale”](#). In addition, A-tv portal made references to the statements made by the **Chairman of the PSRM faction in Parliament, Corneliu FURCULITA**, who on the same day after the Programme “The President answers” wrote on Facebook that the NGOs must be strictly governed in the Law on political parties, including the part concerning their financing, which must be transparent and solely from internal sources. On the same day, a [similar article](#) was published on the PSRM web page www.socialistii.md, and a new article was published on the **A-tv (Accent TV) portal**, which in the meantime had become inactive.

On 9 June 2020, two weeks later after the initial articles were published, **A-tv (Accent TV) portal** [posted](#) an article that quoted President Igor DODON where the latter announced that consensus was achieved in the Parliament in terms of amending some articles that would allow minimising the risks of involving external forces into the internal policy of the Republic of Moldova

NOTE 1: On 11 June 2021 the Law on non-commercial organisations was passed by Parliament. The Law was supported by 95 out of 98 Members of Parliament who attended the meeting, including the PSRM MPs. The Law final version included no significant amendments that would differ from the version criticised by President Igor DODON or Prime Minister Ion CHICU.

NOTE 2: The new Law on non-commercial organisations (Article 6) prohibits the NGOs to support financially the political parties. Likewise, the provisions of the Electoral Code (Article 41), Law on political parties (Article 26 (6) h)) and the Tax Code (Article 52 (2) d)) that prohibited any NCO to use its resources and support financially the political parties remained applicable. The new Law prohibited in absolute terms any NGO to engage in electoral campaigns in favour of any candidate (Article 6 (3)-(5)). The Law on non-commercial organisations is more restrictive as compared to the previous legislation (Law No. 837/1996 on public associations), which did not prohibit the public association to get involved in electoral campaigns.

June – December 2020: attacks against Public Association CASMED through a lawsuit initiated by the State Chancellery (Territorial Office Balti)

On 3 June 2020, the State Chancellery Territorial Office Balti [initiated a lawsuit](#) against Falesti Town Council and Public Association CASMED, an organisation that rendered healthcare services at home. The State Chancellery demanded to repeal the Town Council decision by which the local authority participated in the implementation of and co-funding a project implemented by CASMED Association: “Aging and Health 2020 – 2023”. The amount of MDL 85,500 was allocated for that activity and then transferred from the local budget pursuant to a Collaboration Agreement signed by the Town Council and CASMED. This amount was supplemented by CASMED Association with more than MDL 300,000 out of its own resources.

According to the State Chancellery, that decision of material funding had caused a loss for the local budget, and failed to comply with the provisions of the Law on public procurement, which imposed certain specific procedures for the service provider selection process. At the same time, according to the issued summons, the public authority was supposed

“to consult with the citizens” for such services. Ultimately, the Local Council failed to prove why that specific Association was selected to render the healthcare services at home.

According to the CASMED Association representatives, the lawsuit is a way the State Chancellery representatives harassed them for unknown reasons. It is worth mentioning that the same Council co-funded CASMED Association in 2012, 2015, 2016, 2017, and 2019. In addition, CASMED Association holds a public utility certificate, is accredited as per the Law on rendering social services for care at home, being the only organisation within Falesti District that was accredited to render such services. At the same time, CASMED Association holds a public utility certificate, which proves that the Association takes account of the community public interest in its activity.

The application submitted by the State Chancellery was rejected by Balti Court judgment issued on 12 November 2020 (the whole judgment is not available) and by [Balti Appeal Court judgement](#) issued on 17 March 2021, which was [endorsed by the Supreme Court of Justice judgement](#) of 4 August 2021. The courts concluded that the public authority (the Town Council), in exercising its discretionary right assigned by law, acted in good-faith within the established legal boundaries, having complied with the purpose for which it was assigned the right within the power limits and based on the procedure expressly provided by law.

NOTE: According to the provisions of Law No.837/1996 on public associations (in force at the time of the appealed decisions were issued), the local public authorities support the activity carried out by public associations, foundations and private institutions assigned with the status of public utility through funding and subsidising programmes, projects and activities proposed by public associations, foundations and private institutions assigned with the status of public utility (Article 33 (2) c)). Similar provisions are also present in the new Law No. 86/2020 on non-commercial organisations (Article 5 and Article 8). The NCOs benefit from financial support provided by public funds, through direct cash grants allocated to social, scientific, cultural

projects and to other areas within the allocation limits offered to this end, on a yearly basis, in the state and local budgets for all co-operation and development areas. The tool of NCO direct funding by state is an acknowledgment of how important the NCOs engagement in the society development is, where the civil society development and engagement level is the main indicator of democracy and civic involvement.

Concerning the need to apply the Law on public procurement, such conditions were applicable only after Law No. 86 on non-commercial organisations became effective. The new law provisions could not apply at the time the Town Council and CASMED Association concluded the joint project.

July – September 2020: attacks by PSRM on alleged funding of opposition parties by NGOs

Before the presidential elections in late 2020, representatives of the Party of Socialists of the Republic of Moldova (PSRM) started a campaign to discredit NGOs, accusing them of financing opposition parties.

On 27 July 2020, the [opinion](#) of **Bogdan TIRDEA, PSRM deputy, was published on the official website of the PSRM**. He accused the Soros Foundation and the Konrad Adenauer Foundation of transferring money to NGOs, which would pay volunteers, who in turn would transfer money to the Party “Action and Solidarity” (PAS). Tirdea accused NGOs of monitoring the elections, that the media are involved in propaganda and conduct investigations about the assets of some people, etc., spending “millions of dollars”.

NOTE: The Soros Moldova and Konrad Adenauer foundations offer grants to NGOs from the Republic of Moldova on a competitive basis, in areas generally related to institutional reform and democratization of the country. NGOs cannot pay volunteers, as stated by Tirdea, because the [Volunteerism Law no. 121/2010](#) prohibits any financial or material remuneration for volunteering activity (art. 3 letter c)). Similar attacks were documented in previous documents monitoring the attacks on CSOs, in particular on the eve of elections.

July – October 2020: attacks by Durllesti LPA against the NGO Primaria Mea from Durllesti

NGO [Primaria mea – Durllesti](#) aims primarily at monitoring and promoting the decision-making transparency of the local public administration (LPA) from Durllesti. The representatives of the NGO attend the meetings of the Durllesti Local Council, which they video-record and broadcast live on the NGO's Facebook page. In 2020, the NGO and its representatives were subject to several attacks as a result of their work.

On [13 July 2020](#), the **local councillors of Durllesti** [prohibited](#) the live filming of the Council meeting arguing that the NGO was not registered as a personal data controller and that it could violate the personal data protection law. A **public official from Durllesti Mayor's Office** filed a complaint with the National Centre for Personal Data Protection arguing that the NGO representatives allegedly illegally processed a person's data when filming the Council meeting on 13 July 2020. The Centre [found](#) that the filming of the meeting held on 13 July 2020 was not in breach with the personal data protection law.

The NGO representatives broadcasted a live video from the next Council meeting [on 21 September 2020](#). A **Local Council representative** notified the police about the video. The NGO representative [was summoned](#) to the Durllesti Police Inspectorate for clarifications. Subsequently, the Durllesti police [found](#) that the video recording of the meeting was not in breach with the law.

NOTE: The NGO representatives [have the right](#) to record and broadcast live the meetings of Durllesti Local Council, as this is information of public interest. [Law no. 133 of 8 July 2011](#) on personal data protection (Article 23 para. (5) of the 2020 version) provides that there is no need to notify the National Centre for Personal Data Protection when it comes to public information open to consultation by the general public and if it is of public interest. Even worse is the fact that the decision of the Local Council of Durllesti to ban the filming and live broadcasting of Council meetings was adopted in the context of the COVID-19 pandemic, when the authorities adopted several measures to limit the movement of the population and when the online environment became a major source of information.

12 October 2020: attack by the candidate in the presidential elections Andrei NASTASE against civil society

On 12 October 2020, **Andrei NASTASE, president of the Political Party “Dignity and Truth Platform” (PPDA) and candidate in the presidential elections of November 2020**, posted a [live video](#) on his Facebook page in which he referred to a [survey](#) published by the [International Republican Institute](#) (IRI), an international non-governmental organisation that promotes democracy and human rights. According to [the survey](#) (page 11) published by IRI on 24 September 2020, most respondents answered that they would have voted for the electoral candidate Maia SANDU, while the candidate Nastase ranked fifth. Nastase mentioned (starting with the min. 21:10): *“What does that mean? That’s manipulation. ... The time will come when I will ask the donors of many NGOs in the Republic of Moldova to tell us if that means civil society to them. Civil society should be supported, civil society should be developed in the Republic of Moldova, but the civil society developed in the Republic of Moldova should not be politically partisan. And today that is exactly what is happening.”*

NOTE: CSOs have different working methods in a democratic society. One of these methods is conducting surveys. Surveys cannot be regarded as an involvement in political activities or political partisanship, even if some politicians are not pleased with their results.

21 October 2020: unprecedented attack by the Socialist deputy Bogdan TIRDEA against civil society on the eve of the presidential elections

The period of the presidential election campaign was overshadowed by an unprecedented attack against independent media and civil society. This attack took place on **21 October 2020**, by launching at a [press conference](#) a so-called book on Moldovan civil society by a **Socialist deputy, Bogdan TIRDEA**.

The attack used false and defamatory accusations to discredit civil society as a whole and targeted independent media and the most active organisations working in the field of human rights protection, justice reform, anti-corruption, press freedom, pro-European reforms, social and health reforms. The attack used techniques specific to totalitarian regimes consisting of disinformation and discrediting of the opponent, namely portraying the opponent as an enemy of the people and of the Republic of Moldova; cultivation of fear and distrust in the public enemy, defined as civil society; cultivation of hatred towards civil society and

discrediting of the society, unscrupulously manipulating the poverty faced by the Republic of Moldova; compromising the civil society and its opinion leaders, by assigning them some characteristics and scandals that discredited the political class, etc. The author claimed that he conducted a scientific research of the entire Moldovan civil society. He made no reference to the so-called “charity foundations” of politicians, which get involved in their election campaigns.

The attacks were immediately covered by the PSRM-affiliated media – over 60 articles were disseminated only on the day of the press conference. The amount of media content produced later on is difficult to assess.

On the day of the launch of the “book” by the deputy Tirdea, the news was also published on the PSRM website with the title: “[Tirdea: NGOs are used as a tool for external governance of the country, mind capture, and a non-armed hybrid conquest](#)”.

Mass-media that published biased articles on this issue, without asking the opinion of the NGOs mentioned by Tirdea, were as follows: **NOI.md** – “[Миллионы евро и долларов ежегодно поступают на счета ряда НПО в Молдове](#)” (translated from Russian: “Millions of euros and dollars are transferred every year to the accounts of a number of NGOs in Moldova”), “[Заявление: НПО используются как инструмент внешнего управления страной](#)” (translated from Russian: “Statement: NGOs are used as a tool for the external governance of the country”); **AccentTV.md** – [Tirdea: ONG-urile din Moldova care sunt finanțate de Fundația Soros primesc cei mai mulți bani în perioade electorale](#) (“Tirdea: Moldovan NGOs funded by the Soros Foundation receive most of the money during electoral periods”); **NTV.md** – “[Milioane de euro și dolari ajung, anual, pe conturile mai multor ONG din Moldova, care o promovează pe Maia Sandu și PAS](#)” (“Millions of euros and dollars reach every year the accounts of several Moldovan NGOs, which promote Maia Sandu and PAS”); **AIF.md** – “[Цырдя: НПО в Молдове используются для внешнего управления и захвата разума \(ВИДЕО\)](#)” (translated from Russian: “Tirdea: Moldovan NGOs are used for external control and mind capture (VIDEO)”); **МК.KN.md** – “[Цырдя: НПО – инструмент для внешнего управления Молдовой](#)” (from Russian: “Tirdea: NGOs are an external tool of governance of Moldova “);

KP.md – “[Мнение: Иностранцы создали в Молдове армию из 82 тыс. добровольцев, которые в стратегические моменты вступят в борьбу](#)” (translated from Russian: “Opinion: Foreign donors created in Moldova an army of 82 thousand volunteers who will start fighting in strategic moments”); **Sputnik.md** – “[НПО: сила – мягкая по форме, жестокая по последствиям](#)” (translated from Russian: “NGO – soft in form, hard in consequences”); **Actualitati.md** – “[Цырдя презентовал книгу о сети НПО, финансируемой из-за рубежа, которая масштабно вмешивается во внутренние дела страны](#)” (translated from Russian: “Tirdea presented a book about a network of foreign-funded NGOs that was interfering heavily in the country’s internal affairs”); “[Цырдя: На Санду работает самая крупная медийная сеть, финансируемая Соросом](#)” (translated from Russian: “Tirdea: The largest media network funded by Soros works for Sandu”); **Evenimentul.md** – “[Expert: Peste 1 miliard de euro au fost pompate de donatorii externi în societatea civilă](#)” (“Expert: Over 1 billion euros were pumped by external donors into civil society”); **24h.md** – “[Bogdan Țirdea a lansat o carte despre rețeaua de ONG-uri, finanțate din exterior, cu o imixtiune puternică în treburile interne ale țării](#)” (“Bogdan Tirdea launched a book about the externally-funded network of NGOs with a strong interference in the country’s internal affairs”); **Moldova24.info** – “[Deputat PSRM: ONG-urile sunt folosite ca instrument de dirijare externă a țării, capturare a minții, cucerire non-armată, de tip hibrid](#)” (“PSRM deputy: NGOs are used as a tool for external governance of the country, mind capture, non-armed, hybrid conquest”); **Telegraph.md** – “[CINE sunt baronii ONG-urilor din Moldova, care primesc milioane pentru a dicta cursul politic din țară](#)” (“WHO are the barons of NGOs in Moldova, who receive millions to dictate the political course of the country”).

The attacks were also used to distract public attention from the [journalistic investigations](#) also published on 21 October 2020 about President Dodon and his involvement in actions that could be treated as treason against the homeland.

The launch of the “book” was announced about a month before by the country’s President at that time, Igor DODON, during his show “The President answers” [on 25 September 2020](#) (starting with 1:08:10),

who mentioned: “There are NGOs that received tens of millions of euros from abroad in four years and that only deal with our denigration”. President Dodon’s statements were later taken over by PSRM-friendly press institutions, without asking the opinion of NGOs, namely: [AccentTV.md](#), [NTV.md](#), [Moldova-suverana.md](#), [Tribuna.md](#).

More than 100 non-governmental organisations of the Republic of Moldova [condemned](#) the unprecedented attack launched by the deputy Tirdea, defining it as the toughest, most complex and assumed frontal attack launched by a Moldovan politician against the Constitution of the Republic of Moldova, against the fundamental rights and freedoms of Moldovan citizens and against the modernization of the state of the Republic of Moldova according to the European model. They mentioned that the deputy Tirdea discredited non-governmental organisations based on falsities, defamatory accusations, insinuations, manipulation of financial data and erroneous and malicious comparisons. The Head of the European Union Delegation to the Republic of Moldova, Peter MICHALKO, [said he was](#) “dismayed by the harsh, unfounded and malicious attacks” launched against civil society and independent media in the Republic of Moldova. The Ombudsman [strongly condemned](#) the attacks on civil society and reaffirmed its particularly important role in a democratic and rule of law state.

At the same time, deputy Tirdea said he would continue his “research”, which denotes a complex and orchestrated campaign probably aimed at weakening and even destroying civil society in the Republic of Moldova.

29 October 2020: attack by President Dodon against the Institute for Public Policy and the WatchDog Community

During his periodical author show “The President Answers”, on 29 October 2020, **President Igor DODON** [referred](#) (starting at 1:04:30) to the intention of two NGOs (the Institute for Public Policy (IPP) and the WatchDog Community) to conduct telephone exit polls on the presidential election day in November 2020.

President Dodon said: “Folks, what kind of exit polls on the phone? What is behind these operations? All over the world, exit polls are carried out at the polling stations. Someone wants to wash about three million lei or 150 thousand euros. What kind of exit poll on the phone, folks? What kind of objectivity, what do you want to do? ... Your surveys show what the situation is, Dodon is much ahead.

Don't try to destabilize the situation. I refer both to my political opponents and to the much esteemed development partners, especially Western partners. Do not fund such things. I don't think anyone needs destabilization in the Republic of Moldova, in this region. We had enough destabilizations. Therefore, dear partners, who provide grants to those who now want to arrange destabilizations, I would very much appreciate it if you do not interfere in the internal affairs of the Republic of Moldova, neither from the East nor from the West".

On 30 October 2020, representatives of the WatchDog community [published](#) a video in which they denied President Dodon's statements and explained, among other things, that the concept of telephone exit polls was borrowed from the US and that its goal is to prevent abuse. They also mentioned that they intend to call about four thousand respondents by phone, in both rounds of elections if necessary, and that they would not include citizens from abroad and from the left bank of the Dniester River. The IPP Executive Director [stated](#) that the funding sources are transparent. The exercise was supported by two donors, namely the European Endowment for Democracy and the Embassy of the Netherlands. He also mentioned that the reporting is also transparent.


NOTE: [The final results of the exit poll](#) after the second round (Maia SANDU – 54.3%, Igor DODON – 45.7%) were similar to the [results of the presidential elections](#) held in November 2020, taking into account the error margin estimated by experts at +/- 2.2% (Maia SANDU – 57.7%, Igor DODON – 42.3%).

11 December 2020: attack by President Dodon by proposing to amend the recently adopted Law on Non-Commercial Organisations based on the Hungarian model


On 11 December 2020, **the country's President at that time, Igor DODON**, after losing the presidential election, but before the new President took office, [stated](#) that the Law on NGOs must be amended, because it leaves room for external influence in the domestic politics of Moldova, giving the example of the Law on NGOs in Hungary, which is known to be extremely restrictive for the civil society. The same message was used by PSRM-affiliated media shortly before the adoption of the new law on non-commercial organisations. This statement is very worrying, as it is not clear whether it reflects the PSRM's real intent or whether it is used to gain political capital on the eve of potential early parliamentary elections.

Legal Resources Center from Moldova (LRCM) is a nonprofit organization that contributes to strengthening democracy and the rule of law in the Republic of Moldova with emphasis on justice and human rights. Our work includes research and advocacy. We are independent and politically non-affiliated.

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