

FAILED ELECTIONS IN MOLDOVA: A SYMPTOM OF RAMPANT AUTHORITARIANISM

Day of Elections:

On 5 April 2009, general elections were held in the Republic of Moldova. Moldova is the only parliamentary system in the ex-soviet space, but in which, Communists remained in power since February 2001 for two consecutive legislative mandates. Only 4 political parties succeeded to overcome the election threshold of 6%: three liberal parties (Liberal Party, Liberal Democrat Party, Our Moldova Alliance), and the Communist Party of Moldova. Polls conducted before elections showed that Communists may have a certain fore, but the undecided voters made up almost 32%.

First results announced by CEC on April 5, 2009 (98% of votes counted) confirmed that the ruling party gained around 50%, with 60/61 votes (out of 101 mandates of the Parliament, thus suggesting they can secure 3/5 of mandates to elect a new president without having to request support from other parties. The turnout was appr.60%, out of 2,6 mln voters, lower than in 2005 (64%), but this was primarily due to the fact that CEC admitted before election turnout a considerable increase of the voter's lists, with around 400.000 of voters. With no major incidents in the Election Day, OSCE/ODIHR Mission of observers noted that elections were generally free and democratic. This contradicted with the statement made by the national NGOs observing elections, Coalition 2009, representing more than 60 entities, who said that 'elections were partially free, but undemocratic'.

Post-election protests:

Overspread mistrust in election results, caused street protests in Moldova, on the second day after election. Over 10.000 of protestors, mainly students and youngsters, rallied on the main square of the capital of Moldova, Chisinau. Called for a peaceful protest by two NGOs (Think Moldova and Hyde Park), thousands of students decided to protest, saying they have no confidence in the fairness of election results. People cast doubts that Communists could win again elections in the middle of a deep economic crisis. Post-election statement of the President Voronin has particularly infuriated the crowds of people on Monday, when he announced that he personally see no reason to talk to the opposition, and that the 3 top-ranked positions (President of Moldova, Speaker of the Parliament, and Prime Minister) are non-negotiable.

Only partial results were announced by CEC till Monday evening, favoring Communists Party (around 50%), and the rest of the opposition parties collecting altogether less than the ruling party. On the same day, 6 of April, 3 opposition liberal parties announced 'elections are rigged', saying they will appeal to CEC for votes recount, as well as for the verification of the voter's lists, saying if the frauds will be proved new elections will be needed.

Peaceful protests of Monday continued on Tuesday, 7 of April, with more than 20.000 of participants attending the rallies. Questioning the legitimacy of elections spread quickly into the universities, colleges, setting in motion large social strata, and calling several informal leaders to streets and loudspeakers. On Tuesday, 7 of April, however, peaceful actions of protests split into distinct groups: one located in front of the Government of Moldova, and another one (400 m far distance) in front of the Presidential Office. After a series of positional backlashes with police forces in the very morning of Tuesday, the second group of protestors attempted to assail the

building of the Presidential Office, destroying glasses of the 1 and 2 floors, and when discovering they meet no whatsoever resistance from the police, the rioters succeeded to take relatively easy control over Presidential Office. The crowd in front of Presidential office became more aggressive when police tried to disperse protesters, by water-jets. Disparate and apparently illogical attempts to break the lines of the crowds of people by police cars only infuriated protesters. Radical elements were successful to offset police units, controlling their cars, and establishing control over Presidential Office. Police retreated, and contemplated the full disorder. Soon, the crowd of protestors launched their attacks on Parliament, guarded by scarce forces of police.

Clashes between police and protesters decreased in intensity in the afternoon of April 7, but no police nor fire-service intervened to put out the fire in the Parliament. With dozens of calls to police administration, it had intervened only later on, when the fire burned up 2 floors of the Parliament, and the aggressive elements, 'the vandals', started to steal and vandalize the office of parliament. Inaction of police and outraging arrogance of the ruling elite inflamed the crowds, which burned the picture of President, and some of the offices. But, media could observe that the most aggressive in the crowd were some small groups of well-trained individuals, 5-10 individuals each, dressed in black, and carrying some rucksacks, who were apparently known to the police. They were communicating in coded messages; were the first to harbor the EU flag on the Presidential Office, being assisted by the guards. They remained un-arrested, and succeeded to direct devastation of the two main buildings, with almost no serious resistance from the police. This allowed them to enter into the Parliament, escort the remaining police out of the building and crush over some of the offices, mostly wanted by the protestors, in particular of the Speaker Marian Lupu. Nevertheless, at 19.00, most of the protestors left the Parliament building, which was re-occupied by the guards, while at 21.00, a fire was set up, which burned until 1.00 a.m. No one could explain who set up the fire, after protestors left, no anti-fire installation signaled the fire, and firemen did not extinguished the fire. Later on, organizers of the protest actions (Think Moldova and Hyde Park) detached themselves from the actions that brought massive damage to the Presidency and Parliament, stating that government provocateurs were infiltrated in the crowd, which led to the hijack a peaceful, spontaneous protest, giving authorities a pretext to dissolve opposition, maintain its full control on all branches of power, and increase communist harsh control over the society.

On the same day, attempts to calm down street protests failed, with President Voronin calling the opposition 'fascist', and the protestors 'fascists', while leaders of the opposition attempting in vain to keep the protesting crowds peaceful, and reduce the damage of the confrontation with police. Challenged with extremely grave accusations from the President, opposition parties called for an international mission to investigate the facts of violence, actions of police and allegations about 'coup d'etat'. After repeated calls to have a meeting with President, opposition leaders are received by President Voronin, Prime-Minister Greciannai, and Speaker Lupu, but the talks failed, since accusations remained serious, and all state and private TV channels, controlled by the ruling party, insisted in repeating presidential statements. A Meeting is held on April 7, but Voronin declares that opposition is to be blamed for setting fire of the Parliament, and for plotting against the independent statehood of Moldova. Widely broadcasted at TV and Radio, President declares there is no left-wing or right wing opposition, but only 'anti-statal opposition', and that the actions of vandalism were caused by special trained services of Romania. On April 8, 2009, the Romanian Ambassador Filip Teodorescu is expelled from Moldova, while a visa-regime is introduced for Romanian citizens, media is stopped at the border, and almost all independent web-sites are blocked.

Days after April 7, 2009 in Moldova

Actions of unrest and discontent only underlined the sentiment that elections were rigged and did not conform to democratic standards. Evidence abound in what the opposition sees the long 'hands-on' of intelligence services (Russian, Transnistrian), or ruling party's own interests to 'derail the debates over the existence of frauds in elections to other burning issues, such as Parliamentary devastation, role of US and Romanian diplomats', etc. Liberal parties have firmly delineated themselves from the violent riots, saying, they are committed to follow the legal proceeding, and appeal to the legal bodies (CEC, Constitutional Court) who shall decide upon the validity of elections, but demanded President Voronin will retract his own statements, and incorrect allegations.

During the night of 7 to 8 April, 2009, after 1.00 a.m. the anti-crime police units turned violent, and have crushed the youth protesting over night in the central square of the capital. During this night, the police arrested 187 of protestors, and continued to arrest more and more individuals, whom they've suspected of attending the actions of protests. In the following days, police and unidentified persons arrested another group of 200 students; most of them having no link with protest actions, on the basis of pure suspicions, while arrests were made directly on street, home, or even at the university. By April 15, some party leaders (Chirtoaca, Mayor of Chisinau) claimed there are almost 1000 still detained at police. One of the serious problems, encountered with the arrests was the behavior of the police officers. Those arrested were harshly beaten, intimidated and even tortured, having no access to food, to attorney, or to medical services.

From Thursday, April 9 till April 12, 2009, Moldovan independent media reported tens and dozens of cases when people were kidnapped daylight by unidentified persons, and then intimidated, or forced to sign various acts. Civil society calls President to stop the violence of police, and redraft his previous statement by which he accused opposition of committing a plot, stop aggressive campaign at State TV, calling protestors fascists and unionists. Opposition parties claim they have called for International Investigation Mission, and for immediate release. Media reports over 500 of kidnapped individuals on the streets of Chisinau, from student's campuses, from the church. Dozens of those arrested after 7 of april appear then in hospitals badly treated, beaten or tortured, guarded by policemen. Judicial trials are summoned in the Police Sector Offices, where the arrested individuals were badly treated, beaten and tortured, with no possibility for the human rights organizations and attorneys to oversee their situation and defend against abuses. Dozens of media journalists are equally arrested and harassed (Ziarul de Garda, Unimedia, Jurnal de Chisinau). International media was blocked at the border, while official TV and Radio staggered a huge hate speech propaganda against the opposition parties, aiming to discredit the absolute majority of protesters, and opposition parties, who were called again as 'fascists' and putchists, agents of the enemy states.

Other parties joined the liberals, claiming the elections were rigged, and request repeated elections (Social Democrats, Democrat Party, Centrist Union, European Action Movement), but Communists accuse opposition, they do not want to accept their failure. Liberal leaders call to CEC to receive access to the voter's lists, and demand support from a number of European organizations. Special coordination talks are held on Saturday, April 11 between civil society and foreign diplomats, between political parties and diplomats, suggesting that legal authorities shall intervene in resolving the conflict, calling EU ambassadors to react to stop reprisals launched by police and SIS.

On 9 of April, the dead body of **Valeriu Boboc** is transferred to the emergency hospital with several signs of harsh abuses, while police claimed he got intoxicated with an unknown gas, when Parliament was burned off. Another young boy (**Ion Tibuleac**) was found dead, on 11 of April, with severe signs of torture, being left by a police car in front of the same hospital in Chisinau. In both cases, General Prosecution of Moldova launched investigation, but refrained from any statement concerning the several signs of torture and abuses provoked to the arrested people.

Challenged with the atrocities committed against the peaceful protestors, the 3 liberal parties responded by starting to investigate into the victims of the police, and the origins of frauds, demanding the right to verify the voting lists. On Sunday, 12 of April, the Liberal parties have staggered a large meeting attended by more than 9,000 of participants, in which they have presented a joint position on what they request from the authorities, and what are their claims on the election process, calling police to refrain from violent actions. The Meeting was organized peacefully, with some provocations, but no violence. Opposition parties claimed, Communists have burned up both Parliament and Presidency to distort public attention from election frauds, and that the violence continued during 8 – 12 of April, only confirm their suspicions.

During 13 – 14 of April, independent media continued to report upon dozens of cases when people were kidnapped daylight by unidentified persons, and later brought to police offices, harshly beaten and tortured, dozens of whom were later found in the hospitals, guarded by police officers, and others simply lost and not included in the statistics provided by Moldovan police only on Saturday, 11 of April, and later updated on Tuesday, 14 of April. Intimidation of media and political leaders of the opposition continued, with President Voronin calling them ‘putchists’ and fascists, but providing no evidence that the devastation was carried by the parties accused by him, or by foreign agents, as he also accused Romania and Serbia.

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Communist leaders appealed to the Court of Appeal to ban making copies of the lists of voters. allegedly because this could infringe upon the secret of votes. Nevertheless, opposition parties copied almost 90% of all voting lists, which allowed them to communicate soon their suspicions came true. On Wednesday, 15 April, 3 liberal parties reported to the public the first draft of their report on frauds: checking only the lists of voters in 30% of settlements in 2 rayons, they found more than 5166 of illegal voting: fake ID, voting on behalf of dead individuals, multiple voting, and deliberate increase of voting lists. 3280 voted with the same personal code, 1600 voted on the basis of other than ID documents, 1000 of signatures falsified. Thus, opposition parties claim that frauds could be around 10 to 30% of all the votes cast in elections.

First – hand conclusions:

1. Election frauds – fundamentally changed public perception, deligitimization of elections, as well as state bodies, police, prosecution, which acted as ‘electoral agents of the Communist Party of Moldova. Widespread frustration, and sense of injustice, unfairness, lack of trust in state authorities. No channel to decamp frustrations.
2. Actions of authorities – ambivalent, since claiming police did not reacted to stop devastation of the Parliament, but latter intervened in force, and arrest more than 600 of students seem to be incoherent, if logical. One of the first statement of President Voronin said, the incumbent leader of Communists wants no dialogue with opposition), bias of CEC, fueled protests, and scored high the costs of inaction. Brainwashing of state TV, Police, huge involvement of state structures run by the same candidate of CPM. Most of the top-ranked state officials, candidates on the party lists of Communists, have never resigned from their positions.
3. International Observers – superficial reports, based primarily on the day of elections, thereof, repeating to a large extent the same clumsy phrases, like, although some of irregularities remained, most of the standards have been preserved in elections of Moldova, while facts on rigged elections, undue utilization of state channels and state resources outrageous, out crying evidence neglected by OSCE/ODIHR. Perceptions that observers think there are first-class democracies standards, and second-class democracy standards.

Urgent measures to resolve the situation:

1. To stop the violence and overturn of fundamental rights and freedoms in Moldova, we urge democratic leaders of the European Union to step in this huge political crisis and facilitate dialogue and reinstallation of democratic institutions and norms in Moldova.
2. Create a Special international Group, with US/EU representatives to investigate the causes, actors, and escalation of riots. Conduct a full-fledged investigation of the allegations pursued by the authorities of Moldova, and assist to have an objective assessment of the registered violent actions,
3. To stop transformation of Moldova into an ‘official’ dictatorship, EU diplomats shall assist de-escalation of conflicts, by reducing the hate-speech, exclude police violence, exclude arrests of citizens in the light day by unknown individuals, exclude censorship in state-media, request liberation of the arrested individuals, encourage resolution of the conflicts via judiciary, and not extra-judiciary means.
4. Assist Moldova to create effective channels of political talks between the main opposition parties and the ruling party (almost all registered political parties stated they do not recognize election results, by Wednesday) to restore trust, public space, and dialogue between the main political actors.
5. Assist the main political players to pursue a Roadmap aiming to exit from this huge political crisis. This shall demand from the ruling party to refrain from any other actions, declarations, propaganda, which only worsens the situation, hate speech against opposition parties, calling to police and security services to stop illegal arrests, intimidations and harrasement of the political leaders and students.

6. European Union may play here a particular role in taking part in the mediation format, and actively contribute to the formulation and approval of the Roadmap towards political stabilization, reinstallation of the Constitutional main liberties and rights, thus, building up the bridges to a stable settlement of this crisis. This shall aim to the reevaluation of the democratic standing of Moldova. Without restoration of the rule of law, constitutional principles, separation of power, ban on state ideology, and restoration of core-elements of legitimated authorities, including a healthy media, the risk of violent riots is especially high.

7. Since violent crisis in Moldova is, most probably, an instrument to isolate Moldova from the West, this has obvious links with the latest policies of the Russian Federation in this region. This certainly demands to build up a political roundtable in Moldova mediated by EU/US.

8. This time, EU officials and experts shall pay more attention to the political process, and rule of law institutions, renouncing to superficial reports, as such prepared on the election day. EU shall first investigate the atrocities committed by police forces, consider the proves identified by the opposition parties that elections were falsified, create a framework for political dialogue, which shall generate a post-crisis consensus on what exactly happened in Moldova, and create preconditions for not-repeating the violent actions and frauds.

9. Restoring constitutional force in Moldova is possible only through a legitimated election process, in which all parties will enjoy equal rights and intimidation will not be used against political competitors. Consensus-building shall go in pair with serious reforms of the security sector, police, special services, further liberalization of public media, invitation of an international mission of EU/US councilors, located in the main state bodies (Presidency, Parliament, Ministry of Interior, Judiciary, etc). This can be done after the crisis will be resolved, but nevertheless is now the only exit strategy to restore democratic/constitutional rule in Moldova.

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16.04.2009

Sources:

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