

**H.E. Javier Solana**  
**High Representative for Common Foreign and Security Policy,**  
**Council of the European Union**  
**Rue de la Loi, 175**  
**1048 Brussels, Belgium**

Prague, 29 April 2009

Dear High Representative,

Since my previous letter (10 April 2009) concerning the need for EU engagement in the post-election crisis in Moldova, the visits to Moldova by Czech Prime Minister, Miroslav Topolánek, and by yourself have been a welcome step, indicating that the EU is taking very seriously the crisis in Moldova today.

Recent developments, in particular the fiscal authorities' ultimata, demanding financial reports of all sources of revenues from independent civil society groups in Moldova, demonstrate that it is essential that the momentum is maintained in the EU's diplomatic activities.

With a view to solving the complex crisis, the EU should:

- work with Moldova's political parties (government and opposition) and civil society on a **"Roadmap for national reconciliation and European integration"**. The roadmap should include a concrete set of steps for the democratisation of political space in Moldova, elements of power-sharing, and guarantees of media freedom. The EU should support a multi-stakeholder approach, with a long-term remit, and EU support for the funding of the implementation of agreed reforms, including watchdog functions (both public and non-governmental). All progress in this direction should be monitored and assisted by the EU, which should insert concrete incentives into the roadmap to match concrete progress made by the Moldovan government in line with agreed benchmarks.

In addition to seeking to mediate between government and opposition, the EU should also pay increased attention to:

- human rights abuses and torture,
- the protection of civil liberties and independent media,
- and the rule of law, in particular policing and judicial processes, in Moldova. (The reasons underlying the Moldovan crisis are complex, and without stronger EU attention to democracy-related aspects of the crisis, EU efforts to find a negotiated solution out of the crisis will not lead to sustainable solutions.)

*PASOS promotes and protects open society values, including democracy, the rule of law, good governance, respect for and protection of human rights, and economic and social development, by supporting entities that individually and jointly foster public participation in public policy issues at the European Union level, in other European structures, and in the wider neighbourhood of Europe and Central Asia.*

**Chair:** George Tarkhan-Mouravi    **Executive Director:** Jeff Lovitt

PASOS is a not-for-profit association registered in the Czech Republic

Sdružení pro podporu otevřené společnosti – PASOS, registrováno Ministerstvem vnitra ČR pod č.j. VS/1-1/58 438/04-R

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In connection with the Roadmap, in the medium term the EU should:

- send a Rule of Law mission to Moldova that would work together with the Moldovan authorities to reform the law-enforcement agencies in ways that would bring Moldova in line with EU standards, and foster closer co-operation with the EU.

Furthermore, immediate action needs to be taken to:

- ensure that the EU as an institution participates directly in the commission designed to investigate the post-election violence in Moldova. (During your own visit to Chisinau, it was announced that the Moldovan opposition and the Council of Europe would be involved in the Commission. However, without direct EU engagement, the Moldovan government is far less likely to put a halt to the bad practices evident in recent weeks.)

Moreover, at the Eastern Partnership summit, to be held in Prague on 7 May 2009, the representatives of **the Council of the EU and the European Commission should make a commitment to increase support to civil society and independent media in Moldova and other countries in the EU's eastern neighbourhood**, alongside a renewed declaration, as set out in the Commission's communication on 3 December 2008, that *"a sufficient level of progress in terms of democracy, the rule of law and human rights, and in particular evidence that the electoral legislative framework and practice are in compliance with international standards, and full cooperation with the Council of Europe, OSCE/ODIHR and UN human rights bodies will be a precondition for starting negotiations and for deepening relations thereafter"*<sup>1</sup>.

Since 24 April 2009, the day of your own visit to Chisinau, the Fiscal Tax Inspectorate of Moldova has sent letters of summons to at least ten non-governmental organisations, demanding the presentation of their sources of funding, and a financial report for 2009 in a form that is usually required of political parties, accompanied by a warning that their bank accounts might be frozen by the authorities. The organisations targeted include Transparency International Moldova, Amnesty International Moldova, and three independent policy centres, Institute for Development and Social Initiatives (IDIS) "Viitorul", Association for Participatory Democracy - ADEPT, and Institute for Public Policy, all of which are members of PASOS (Policy Association for an Open Society), a network of 39 independent think-tanks in Central and Eastern Europe and Central Asia committed to promoting democracy, human rights and open society values.

Furthermore, Moldovan non-governmental organisations (NGOs) and media that monitored the elections of 2009 have come under intense pressure from the Ministry of Justice to "present their official appraisal of the post-election protest actions of 6-7 April, 2009", and to submit "a report of actions taken by them to stop the riots". In combination with the inquiries into their sources of finance, this an alarming development that illustrates a concerted attempt by the Moldovan authorities to harass peaceful civil society organisations, in particular those that have undertaken a watchdog function during the recent elections and of the subsequent actions by the police, during which at least three people have died in police custody.

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<sup>1</sup> 3.1. New contractual relations, page 5: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL, Eastern Partnership, Brussels, 3.12.2008, COM(2008) 823 final, {SEC(2008) 2974}

The Eastern Partnership summit is scheduled to take place in Prague on 7 May 2009, preceded on 5-6 May by *Eastern Partnership: Towards Civil Society Forum*, an important meeting of NGOs from the Eastern Partnership countries and from EU member-states (organised by the Association for International Affairs (AMO), a member of PASOS in the Czech Republic). I am writing to urge you and other representatives of the EU to join us at this conference, which is an official side-event of the Czech Presidency of the Council of the EU, held under the auspices of the Czech Prime Minister.

I am writing to you to submit the attached statement on behalf of the members of PASOS (Policy Association for an Open Society), a network of 39 independent policy centres in Central and Eastern Europe and Central Asia working to promote democracy, human rights, and an open society, to call upon the Council of the EU, the European Commission, the EU member-states, and the European Parliament to act swiftly to ensure that the Eastern Partnership initiative is launched as a land-mark development towards sustainable engagement and co-operation towards strengthening democracy, human rights and the rule of law, where people-to-people contact and support to independent civil society are given unconditional priority, alongside a renewal of the conditional approach towards deepening co-operation with governments, relations with which will be deepened on the basis of measurable progress in terms of democracy, the rule of law and human rights.

Yours sincerely,



**Jeff Lovitt, Executive Director, PASOS (Policy Association for an Open Society)**

and the undersigned:

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*Moldova crisis, PASOS statement  
concerning deterioration of civil liberties, 29 April 2009, page 7 of 7*

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