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**Caviar Politics,
a dubious way
to serve public
interests in
Moldova**

POLITICAL DIARY

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The most important events of 2017 were marked by the radical change of the electoral system, replacement of the Liberal Mayor of Chisinau by people appointed directly by the dominant coalition, and continuous decline of the political dialogue between Moldova and the EU. One week before Christmas, Democratic Party Leader attempted to take by surprise everybody and announced a major reshuffle of the Cabinet of Minister, calling it 'a technocratic rejuvenation'. Since all statements of the Coordinator must be taken with considerable approximation, one shall guess why the change is taking place at the end of 2017, if everything goes pretty well, and why technocrats would be a good replacement for the loyal Ministers of the Democratic Party, one year before

outstanding general elections? Also, to what extent will this technocratic implant be able to overcome the legacy of the coalition shaped out by Democratic Party interests and public perception which is, for good reasons, not entirely sympathetic to the party leading role, nor to the oligarchic background that it carries on everywhere it suddenly appears. So, can technocrats change essentially the bounds of the past which may demand from the DP more than a change of rhetoric? Will then be ready this new government to take seriously the new responsibilities and do more than those who are replaced today in a country largely affected by corruption, wrongdoings and "caviar politics", which demands democratic and economic recovery?

Quo vadis, Moldova's dialogue with the EU?

During the year 2017 the political dialogue between the RM and the EU was discontinuous and lacking signs of progress. While approving the decision on macro-financial assistance on 23 September 2017 to support the reforms provided for in the EU-Moldova Association Agreement, the European tribunal (EC, EC and Parliament) circumvented the actual date of money disbursement, making the first installments conditional on the repeated assessment of the state democratic institutions in the Republic of Moldova, the correspondence of the changes in the electoral system with the recommendations of the European institutions (Venice Commission - Council of Europe - OSCE / ODIHR). For this reason, the Government of the Republic of Moldova had to resort to credits, with no access to grants. The government thus contradicts its own national concept of the 2015 foreign aid co-ordination mechanism in which it pledges to give preference to non-reimbursable technical and financial assistance.

In 2016, the RM reported a share of 78% of external credits, on the basis of the projects provided by the banking institutions for road infrastructure, transport, agriculture, energy, water and sewage, missing vital EU funding that froze the transfer of money resources Moldova on the background of a stagnation of reforms in the system of justice reform, anti-corruption, investigation of frauds in the banking system, business and energy. The data show that by July, the RM managed to attract only 17.8% (1.52 billion lei out of the 8.56 billion planned in 2017); only 60 million lei were attracted in August 2017 in the form of credits. Meanwhile, the Moldovan Government has been forced to start paying payments from previously contracted credits. In mid-2017, the Government paid 357 million lei for external borrowing obligations, out of which 297 million lei were re-oriented from the public budget previously allocated for other purposes, now serving the maturities of the external

debt. And for the EU, the relationship with the RM is becoming increasingly problematic. The most promising state of the Eastern Partnership, gaily named just a few years ago, a „poster-child” of the Eastern Neighborhood policies of the EU has generated changes in the European Commission’s general approach to the Eastern Partnership and influenced, sine die, the general atmosphere of the EU Eastern Partnership Summit of November 24, 2017. The Government of P.Filip hoped to obtain the resumption of EU financial support halted in July 2015 against the backdrop of bank fraud in Moldova and government instability, and not just for financial reasons, but rather for political value.

The final declaration of the summit did not meet the exaggerated expectations. The EU has referred to outstanding policies, unchanged commitments, and realistic and more „mundane” objectives (20 deliverables), presented by the HR of the EEA, F.Mogherini. The EU draws attention to tangible results for the citizens of these countries, strengthening the EU’s relationship with the direct beneficiaries of the European association and partnership, spurring the contingency and ownership plans on the Joint Agenda. An important role will continue to play in creating credible alliances and partnerships with civil society, business, other clusters and clusters willing to contribute effectively to the internalization of the Association Agenda in each of the Eastern Partnership signatory states.

On April 12, 2017, the European Council addressed the proposal to provide Moldova’s 100m-euro macro-financial assistance to stabilize the economy and support structural reforms. It seemed that direct funding would be resumed, PD leaders expecting the PD (private and political) lobbyists to succeed in convincing the EU of the minimal risks of the new system, using the logic of the accomplished fact in the context of a region affected by instability and risks. The calculation made by the Democrats has not been successful. The EU triumvirat (European

Parliament, European Commission, European Council) have called for stricter conditions to monitor the application of rule of law rules in the Republic of Moldova, conditional on EU support for political assessment criteria. At the same time, there is no European institution that welcomed the change of the electoral system in the Republic of Moldova, claiming in their approach the unambiguous opinion of the Venice Commission, and insisting that the financial assistance will be transmitted only if the pre-conditions are met earlier. In September 2017, Commissioner Stylianides noted the concern of the EEAS (European External Action Service) that „challenges democracy, human rights and the fight against corruption, which obliges the EU not to ignore the decline of the rule of law in the Republic of Moldova”.

The same position was soon endorsed by the leading political voices of the Eastern Partnership Summit on 24 November 2017 in Brussels. Again, Political Delegation representing Moldova at the Summit showed totally unrealistic expectations. The EU has urged the EaP states to make more individual efforts, but has not announced anything that could mean „a clear prospect of membership.” PM P.Filip signed a Moldova-EU Memorandum of Understanding, consisting of 28 actions related to the expected policies of the Republic of Moldova. A press release from the Government of the Republic of Moldova conveyed that J.Hahn had argued during his meeting with PM P.Filip that „EU financial support will be allocated to the RM by the end of 2017”.

The EU Delegation to the Republic of Moldova issued a statement saying that “J.Hahn did not announce the release of macro-financial assistance or clear disbursement of any tranche of this support”, and that it will depend on the assessment of progress in the field of public sector governance, financial sector governance, fight against corruption and money laundering, reform of the energy sector, the business environment and the implementation of the

DCFTA. On 25 November, on the official website of the Government of the Republic of Moldova it was stated that in fact the EU will provide budgetary support by the end of the year for 4 programs foreseen in the budget of 2017 and the macro-financial assistance (100 mln) will reach Moldova after meeting the conditions, blaming the media for the erroneous interpretation of the previous communiqué. A more comprehensive statement is published by the Ministry of Finance, which also provides data on the type of programs for EU budget support (visas, public finance reform, trade liberalization and police reform) and the amount of 21.5 million euros expected by the Government RM. In order to avoid any ambiguities about the position of the European Commission, the European Commissioner for Foreign Policy (EEAS), F.Mogherini and the Commissioner for Neighborhood and Enlargement Policy, J.Hahn, have even issued an official press release, qualifying the amendment the electoral system “in flagrant contradiction with the recommendations of the Venice Commission and the OSCE / ODIHR Office”, arguing that “the changes raise serious concerns about effective democracy in the current political context.”

It seems that the EU will no longer tolerate situations where its money is being used by oligarchic groups for anti-European purposes. The Global Security Strategy (EUGSS) of July 2016 calls for the creation

of resilience and stability mechanisms in relation to its neighbors. The European Commission has swiftly switched to response, triggering the mechanism of financial conditioning. The Commission has joined the Venice Commission and the OSCE / ODIHR, noting that the electoral changes in the Republic of Moldova raise serious concerns and polarize society. Although the choice of electoral law is the sovereign right of any state, the system adopted by the PD-dominated coalition does not solve the risk of manipulating future elections through overly expensive campaigns and boundaries at the discretion of power, nor the risk of non-representation of women and minorities. The EU Summit of 23 November 2017 set goals and formulated measures (20 deliverables) that will tune in special relations with neighbors and political-associated states by 2020. Although many recognize the gap between the EU's expectations and offer (accession prospectus), whose interest is more nuanced, more technical than its neighbors (unlike the EU Summits in Vilnius (2013) and Riga (2015), and this change is due to the accumulation of serious governance problems, making much slower transformations. Although the EU will remain interested in PaE, only the states that have requested its creation (Sweden, Poland, Baltic), developing it within the ENP, by counterbalancing the MEDA area, will be able to defend its continuation by ensuring visibility, resources and strategic flexibility.

"TIT FOR TAT"

The main dominant political actor of the governing coalition (PD) applies a sort of “tit for tat” tactics to control the political agenda and retaliate those who disagree or challenge the incumbents. Thus, it has attempted to change his own statute from a secondary-role to a monopolist of the ruling coalition and exercise a rigid control, which is

underpinned by high costs for those who decide to test the power of imposing sanctions, considering that it still retains an almost undisputed authority of punishment through the judiciary web of courts and prosecution offices. The context is still favorable to the democratic conundrum (led by PD), which sees himself in the astral sky-trajectory of the highest

share of political power, but also close to a possible abrupt fall. Risks are associated with the very source of his power – extremely personalized, and lacking sustainable public trust and recognition. Non-systemic power may undercut the most generous investments into the political process. Retaliation is part of the dominant players' logic, and PD applies enforcement techniques to assimilation, or by increasing the cost of resilience. Tactics has secured fruit over time, but has shone in the changing relationships of 2017 between PD and PL. The unwillingness of the liberals to cooperate in order to modify the electoral system has attracted retaliation (PD) and has resulted in serious losses for PL. Several liberal exponents were detained or arrested and then dismissed, culminating in the dubious suspension of Mayor of Chisinau, D.Chirtoaca, on May 25, which neutralized the Liberal Party's "flag banner". PD retaliation made M.Ghimpu announce the PL's ruling, accusing PD of staying behind fabricated files, and thus capturing the anti-corruption prosecutor's office. The initiation of a criminal investigation in 2015, re-launched in 2017, as well as the Mayor's arrest, as opposed to other mayors investigated on more serious crime but in a state of freedom, has accused the selective application of justice

A professional legal report issued by the Congress of Local and Regional Authorities of the Council of Europe (CPLRE) says that 'suspension of the Mayor and his dismissal in the absence of a final decision talks about the lack of progress in the justice sector and the deterioration of local democracy. It is known that over the past 5 years, about 100 mayors, affiliated to opposition parties, were detained or investigated to suggest that they join PD, CALM argues. This was the way with the Mayor of Taraclia and then with Basarabasca, so that in the last year the Democratic Party has joined about 250 mayors. The retention of the Mayor of Chisinau also has other reasons. PD abandoned PL that tried to block any cooperation with PSRM on strategic policy and tactics. It reminded of the history of former coalition

(2010-2013), in which the DP enjoyed a strictly junior role of this coalition, in clear contrast to the increasing ambitions of the PD leader to retain as much effective power as possible in the state. PD convinced that power required sacrifices and did not hesitate to make it on the PL account, attracting in exchange for liberals on PPEM because any solitary governance is more expensive! After modest results from the presidential election and the decline in its relations with its traditional European allies, PPEM seems to be an ideal partner for the PD, at least until the next 2018 elections, accepting loyalty to decorative functions (Defense Minister and Vice-President of the Parliament) in the absence of other options. At the same time, the suspension of the PL Mayor in Chisinau opened the box of some serpentine movements. Thus, the PD has stimulated the Socialists to hope that it could get the position of the Mayor of Chisinau through a referendum of revocation - it seems - did not get tired to secure its winning. PD leaders were interested in the PSRM to campaign for the liberation of liberals, but in one case would not have allowed the PSRM candidates to take over the political power in Chisinau, which would have dramatically strengthened his political positions and would have changed radical balance of forces.

Perhaps a referendum gained by PSRM would have reinforced the reaction of opposition groups to the socialists' political ideas and, as a boomerang, the reaction of categorical blame against the PD, which would have been a costly course of evolution for PD's interests. Under these circumstances, the dominant ruling party (PD) wanted to stop those clocks by installing a "technocratic" leadership through a "caviar policy", recovering temporarily the Deputy Minister Grozavu without provoking new municipal elections, but keeping the legitimate mayor of the capital, D. Chirtoaca. Using Article 17 of the Law on the Status of Chisinau Municipality (No. 136 of June 17, 2016), Deputy Mayor Grozavu appointed by order two other Deputy Mayors, who

became from 06.11.2017 the new leadership of the Chisinau City Hall. PD succeeded in excluding the subject of election of deputy mayors on the agenda of the Municipal Council, making the provision of a Deputy Mayor come into force without the obligation to be confirmed by CMC. The result of this exotic situation is that the City Hall, which generates 60% of the GDP of the Republic of Moldova, is currently being led by a person who did not even participate in the 2015 elections, resembling (technically speaking) the model of a “special administration” installed by the Central Government in times of crisis. The extravagance of this case is also underlined by the fact that the replacement of the chosen Mayor was made with the hands of a Deputy Mayor under the same criminal investigation with the same mayor; moreover, he signed the decision of the falsified auction, according to the accusation.

The results of November 19th referendum clearly show that the PD does not make political philanthropy. The low turnout (17.5%) shows the limits in which

PSRM can manifest itself, but also the inverse effects of a dirty and hypocritical campaign that keeps the demotivated population from using the electoral exercise. The failure of the referendum strengthens the decline of the PSRM, which loses the initiative after the 2016 poll. The plans of those who wage a left-to-right “anti-system” marriage, modeled for vaguely formulated purposes, but used to construct suspicious formulas - have exacerbated the vitality of genuine opposition parties over the past two years. Their resilience requires to prevent and decouple the agenda of the dominant actor, and the boycott is not yet a strategy. The CPLRE Rapporteur notes as hilarious that justice releases a deputy mayor involved in the same criminal investigation as the mayor he is holding in house arrest by providing him with an interim from which he appoints other deputy mayors who become mayors in the full term of office. Several provisions of the European Charter on Local Self-Government have been violated. Practice shows that such trials usually take just as much time as is necessary to squeeze the investigated political effects from the investigated people.

The role of Political Duality (Binom) and “Politics by accident”

The steep adoption of a mixed electoral system detonated in 2017 as a bomb the dialogue of Moldova with its Western partners, both EU and USA. It generated bewilderment, conflicts and anger among those who called themselves ‘friends of Moldova’, now ignored by the oligarchic leaders of the ruling coalition in Chisinau. This suggested an affront caused by narrow-minded calculations and lack of educated policy advisors to the ruling coalition that pretended to be respected and to guide the country out of the misery of its situation. As a matter of gravity, this change can only be compared with the tolerance of fraud in the banking system that generated the 2015 disaster and the freezing

of the political dialogue with the EU. The PD called for the adoption of a new electoral system, anticipating an anemic (or tolerable) reaction on the part of the EU, relying on the status of „good actor” in contrast to the „evil actor” (PSRM) with which it can cooperate brilliantly when She wants.

In May 2017, the PD and PSRM voted in solidarity with the law on the modification of the electoral system (No.154 of 20.07.2017), which requires the creation of 51 constituencies and the election of 50 other deputies on the basis of the proportional system (lists of parties, in one national constituency). The goal has excused the means, in the opinion of its

authors, that they have activated a large and costly national campaign in favor of the PD, wanting to persuade the public that they will be able to recall their elected representatives in Parliament „as any local elected” the uninominal choice will result in a much better political class than the one now.” Neither the constitutional article „the imperative vote is null” nor the visible reticence of civil society over the proposed reform has been prevented.

Public consultations served only as formal endorsements for a decision that was taken by the ‘owner’ of the Democratic Party, a sort of façade, so that the procedure of endorsement of the two PD and PSRM drafts (almost identical in structure and style) lasted 30 minutes, and later these projects were included in one, presented as a „reasonable compromise” between PD and PSRM in favor of the mixed system. Subsequently, the same parties voted on July 20 in the second reading and the last with an overwhelming majority (71) to modify the mixed electoral system without waiting for the required opinions from the Moldovan Government, or the Opinion previously requested by the Venice Commission

This radical change in the electoral system creates a completely different framework for organizing the 2018 ballot in the face of a strong legitimacy deficit for the main actor of the government. The civil society has harshly charged the decision, and several known organizations have decided to boycott the consultations announced by Parliament because, in their opinion, “the Venice Commission has called for the existing electoral system to be improved, not its radical change.” The change in electoral rules mobilized the extra-parliamentary opposition, which responded by marches and other protest actions, qualifying the new system as a “coup for the rule of law” and a “regression”. Three of these parties (PAS, PD and PLDM) called on the EU to take an attitude towards the PD / PSRM’s decisions to adjudicate its victory in the 2018 elections before its

organization. Responding to the steps taken by the opposition in the Republic of Moldova, two of the most important European political families (PPE and ALDE) have urged the Moldovan authorities to take into account the European electoral standards, calling on the Commission and the European External Action Service (EEAS) paying attention to the degradation of the democratic situation in the Republic of Moldova and eventually making EU financial aid conditional upon observance of electoral norms and the rule of law. It seems that the opinion that citizens are fervently claiming to change the electoral system is just the result of gross manipulation, as polls show.

The two political families, EPP and ALDE, condemned the change of the electoral system on July 26, 2017, arguing that in this way the PD and PSRM want to “strengthen their autocratic regime. It is possible that the EPP / ALDE tone and views are not shared entirely by the Commission, which usually uses a more neutral tone, including the use of conditionality and dialogue instead of burning bridges completely. But it is not a secret that the European Commission also attests to the victory of the themes of dialogue and does not exclude that, in the absence of real progress, it could reach the same conclusions with the European Parliament.

Since the beginning of the year, influential political press and commentators have claimed tactical coordination between the most influential party of the government (PD) and the most popular party in polls (PSRM), claiming to cohabit in a sort of dual-power construction, which for some reasons was nick-named in the Romanian-language media a “binom”, describing a discreet cartel agreement shared by two of their leaders (Plahotniuc from PD and Dodon from the Socialist Party). Although the PDM advocated originally for a majoritarian-uninominal election system, later on it fully endorsed and left with almost no objections the Socialist Party idea to vote for a mixed system. Long gone were

the 800.000 letters of support for the uninominal system by the territorial branches of the Socialist Party, therefore, Plahotniuc announced that PD will vote for a mixed system, due to the need to find out a compromise and, in spite of the obvious disagreements with the Venice Commission and growing conflicts with the European Parliament, they all seem to accept the costs, but walk the walk and get what they set as the major goal.

The elections of November 2016 could not have been won by PSRM without the support of PD's "territorial antennas". Statistics clearly show close coordination of political relations and the allocation of administrative support to the campaign, in contrast to the rhetoric open to dialogue by the PD leader. Subsequently, President Dodon paid more to his benefactor, confirming implicitly the existing bargain. Soon, Moldova Gaz was occupied by a close friend of the PD leader, Vasile Botnari; Later, the PD and PSRM closely co-operated in changing the electoral system. President Dodon forgot the bankruptcy and the fight with the oligarchs (promised in the campaign), finding himself surely on the ground of "pro-Kremlin", "anti-NATO", "anti-Romanian" geopolitics, sliding slowly but surely towards a state of permanent conflict with other state authorities. His frequent appearances near the President of Russia, V. Putin, and his unimaginable visits to any work agenda and issues to be resolved between the RM and the Russian Federation, reinforced the sense of a decorative role that Dodon also occupied which, he tries hard to substantiate it, without result. President Dodon announced in early 2017 the initiative of a consultative referendum on September 24, notoriously advised by the Constitutional Court on the grounds that the proposed questions exceed the powers of the Head of State.

The referendum would have to find out whether citizens would reject the „bill of the bill” if they wanted to confer greater powers on the President

(the right to dissolve Parliament and organize early elections), to reduce the number of Members (101 to 71), and if they want to study the history of Moldova in schools? In fact, Dodon would have liked to use the referendum to promote his real project - to amend the Constitution in order to increase his powers and move to a presidential political regime, but this course is in contradiction with the interests of the dominant actor in the current coalition of power PD). It does not allow the emergence of another power pole in the Republic of Moldova, as long as the role PD has supported the PSRM leader in the election is to play by the rules of a bi-partite system (characterized by a strict division of labor through stability and accommodation the interests at the top of these parties and the exclusion of minority alternatives), and not challenging these rules. This role also does not correspond to the expectations of PSRM, who would have liked to use the municipal referendum to continue their campaign, using the nomination of a candidate for the position of Minister of Defense to separate from the baseline scenario of the PDM. The CC decision of October 17 offers a satisfactory response to the „neutral” president model that PD would like and would neutralize the goals of the PSRM leader to gain a warmer role in the sun (HCC 24, 27 July 2017) „.

Many question the veracity of this conflict, arguing that it is a political direction, and that “binomial” is created on “the idea of teamwork”, even when there are divergent themes. President I.Dodon opposed the nomination of a candidate (Sturza) proposed by PM Filip to the position of Minister of Defense, claiming that nothing would make him accept “unprepared people” and, instead, proposed an alternative candidate (Gaiciuc) of his close friends. The conflict has been aggravated by the fact that the head of state has not only announced that he will not give his consent to the occupation of this office, but also challenged the decision of the CC of January 24, 2017, which states that, according

to the Constitution of the Republic of Moldova, “The President has no right to veto with regard to the PM proposal, even if it can verify the candidate’s proposed PM for a job. “ Interpolating the provisions of art. 98 par. (6) - The President failed to fulfill the constitutional obligations - The CC found that the President could create an institutional blockade, the promulgation of laws, the refusal to appoint judges and ministers, and the lack of respect for the Constitution. Using these facts, CC used the opportunity to remind the head of state that (1) the popular vote he had won did not turn him into a political player, which would be incompatible with the logic of the parliamentary regime,) reiterated the posting of the head of the state political party as a result of the constitutional condition applicable to the head of state to play the role of a “neutral power”, but reached an unprecedented solution to the suspension of the heads of state’s attributions “on the cause of the candidate’s confirmation PM “. The CC decision creates a strange melange of “temporary temporary suspension”; without triggering the final suspension or vacancy of the function (art.90-91). This kind of constitutional interpretation creates a precedent that could be applied according to its political opportunity and in the coming years, helping PD to force its will on any political topic repeatedly voted

A National Commission was set up at the end of the summer, ending its mission in October by presenting a final map of 51 constituencies (48 in the RM and 3 out of the country). The new electoral system provides for the maintenance of a national constituency throughout the territory of the Republic of Moldova (ie the foreign voting sections) and 51 uninominal constituencies (ie in the localities on the left bank of the Dniester and abroad). We note, however, that this solution is not satisfactory for those who have argued that the diaspora will remain under-represented (136,000 votes in the last presidential election) and that the organization of the elections in the region on the left bank of the Dniester will

remain virtual, as long as it does not could make an electoral campaign because of the restrictions imposed by the secessionist administration. Others have argued that the new system will maintain or even increase important representation inequalities (women, ethnic minorities, non-resident visa holders), or that the Commission’s proposals only confirm the suspicions that the boundaries of the new constituencies will provide benefits for the PD. Some of these constituencies are quite bizarre and represent a vehicle for the hybridization of the voters (Ialoveni, Căușeni, Taraclia, Edinet. The international media finds a rapid slip of the RM towards a model dominated by an oligarchic group. The EU authorities have serious claims to this model of government, which draws attention to the risk of discriminating certain groups of citizens (citizens living abroad, persons without a residence visa, women) in the elections organized according to the model of the mixed system, but also to the risk of recruiting overcrowded local barons, which could destroy the system of free and democratic elections

While some of the critical recommendations issued by the Venice Commission and OSCE / ODIHR on the regulation of political funding have not been followed at all, it is important to note that the Joint Opinion recommended strictly “not to admit such a major change at this time in Moldova”, a repeated recommendation in the Communication of the European Service External followed suit on 21.07.2017. All in all, the system that emerged from the ambitious goal set by the Democratic Party leaders leave without attention most of the concerns highlighted by the Joint Opinion, such as: high ceilings set for donations of individuals and legal entities, especially for candidates registered in uninominal constituencies, and the new system will suddenly increase the costs of election campaigns. This will expand the political inequalities along the existing system. The parties will be forced to manage two separate budgets: one for the national parliamentary constituency and the other for the

nominal ones, meaning an increase in the per capita allocations. Money will create discrimination, affecting the free will and will of the voters, creating distortions in the electoral process and advancing the actors supported by financial groups. The mixed system will stimulate the lack of transparency of electoral donations, blocking procedures to verify their provenance, and increasing its complexity will absolve resource users from any liability in case of abuses (administrative and financial).

Thus, the system permits chain violations of the Guide to Good Practices in Electoral Matters, such as (1) reviewing the boundaries of electoral constituencies on the eve of the date of the elections, (2) challenging and judging electoral causes is attributed to local courts creating conflicts of jurisdiction as a result of the merger of districts, (3) the inequality of electoral competitors by excluding any obligations for local media, or their non-existence under the conditions of uninominal constituencies, (4) the delimitation of constituency boundaries according to vague criteria contrary to the rules of the Venice Commission. Consequently, the adoption of a mixed system has blown up the fragile bridges of communication with the EU. We can expect that the mandates will be won with great differences between the candidates elected on uninominal constituencies - from 3,000-4,000 to 20,000 and 30,000 votes collected by resources, number of opponents, significantly diminishing the local representation and legitimacy of voting

These non-democratic outcomes could be exacerbated by the application of domiciliary restraint, the disorder of electoral lists, which could disperse elected voters and candidates. For all without exception, the actors representing the EU are very clear that the mixed electoral system reflects the DP's desperate desire to ensure its perpetuation of governance, changing the rules for its own benefit, by isolating the opposition and abusing its media oligopolies and resources gathered around his leader. Although it has made a costly campaign in

favor of the new system, polls show that over 70% of citizens do not want these changes. Leaders of the two main opposition parties protested against the adoption of the mixed system, calling it "electoral theft" and carrying out intense work to explain its harmful effects, its shortcomings and its difficult to resolve. Critics also draw attention to the fact that the mixed system could dramatically affect the constituencies gained by opposition MPs, as well as the representation of national minorities and women, generating criticisms that could have been resolved under the conditions of the old proportional electoral system. Other direct consequences of the new electoral system would be the accelerated increase in the cost of running the electoral campaign, and the freezing of key reforms, the territorial-administrative re-organization.

The Venice Commission opinion clearly states that an essential problem of the electoral process in the Republic of Moldova is the misuse of administrative resources and other unlawful resources. The Venice Commission Spokesperson had to come back after the final adoption of the law in the Moldovan Parliament, stating that "the polarization around this legislative initiative shows the absence of a judicious consultation and a broad consensus among the most important actors of the process", and the risks of the adopted system (the risk of influencing candidates and the delimitation of the districts, the excessive thresholds of parliamentary representation in the proportional system, and the insufficient progress in regulating political funding) have not been resolved. Failing to dilute the critical remarks of the Council of Europe and the EU's bodies, desperately hanging from the "sovereign right of states to determine their electoral systems that fit best for themselves", PD changed the trait by moving from creating the perception of "formal consultation" of the active society to the cloning of civil society entities. Between March and September 2017, the PD welcomed the appearance of at least six "independent" institutes resonant with PD's political agenda, pushing forward 53

pro-government associations, phantom associations, but few created just a few weeks ahead. Meanwhile, public opinion does not seem to be unitary about the

preferred electoral system - about 36% say they are pleased with the proportional, 34% have no opinion, and only 16% would like a mixed system.

Preliminary conclusions:

1. In 2017, Moldova's dialogue with the EU was a discontinuous and unprecedented one, and major contradictions on internal policy issues caused inappropriate responses to the goal of regaining external credibility after the collapse of the pro-EU alliances and the 2015/2016 banking crisis. Moldova will not be able to unlock EU financial assistance without responding satisfactorily to reckless retaliation: the banking system, anti-corruption and justice, the energy sector, the rule of law.
2. The EU Summit of November 24, 2017 did not announce any plan for accession prospects to Moldova or other EaP states, reiterating only tougher instruments to strengthen stability and resilience at the borders of the European community. However, the EU cannot eliminate such options in the future (Art. 49), so new political actors, credible results and anchoring of the Agenda for association into practical realities can represent the only vehicle by which the EU can measure the real commitment and ambition of the Republic of Moldova comes from the „ex-Soviet space”.
3. There are clear threats and harmful influences from semi-authoritarian models in the Eastern Partnership, and RM is not immune to authoritarian governance models. Ignoring these slip risks to these standard tics of restoring a „strong hand” in the state does not talk about the attack on this model, but rather about the weakness of the political actors. And there are risks in the EU related to the emergence of populist and semi-authoritarian currents. EC President D. Tusk urged EU states to be attractive to neighbors through values and unity.
4. The adoption of a new electoral system in the Republic of Moldova will attract a much more reticent policy on the part of the EU, but also the obligation to monitor the functioning of the rule of law in the Republic of Moldova, in particular the elections, the status of the political opposition, the level of decentralization. The argument of assuming „sovereignty” over electoral options is a weak argument and the support of the population for the mixed system is not validated by any credible poll. The tragedy of the ‘commons’ of the ruling PD in Moldova is that it deliberately plan to fail, by opting for the worst political scenarios out of the existing ones. This does not fix any of the great dilemmas, but instead takes all the costs and risks as identified by the major Western partner institutions, as a problem related to the country's oligarchic rule.
5. Electoral changes reduce the speed of expected sectorial reforms or completely block them: territorial-administrative reform, decentralization, central government reform. Political changes in the mayoralty's leadership tighten tactically PD's positions in the capital and weaken the other parties that owned competing minorities in the Municipal Council. Interim can continue indefinitely, providing great room for maneuver.