



# Moldova's Presidential Election Moving Beyond Political Deadlock?

by Károly Benes

*Following the violent events of April and the snap elections in July, Moldova has still not overcome its debilitating political and constitutional crisis, which has dominated 2009. The crux of solving this crisis centers on whether a new president can emerge from the political deadlock and work toward resolving Moldova's burning problems, or whether the political situation will remain hostage to the antagonistic political forces dominating the country's political landscape, thereby hampering any concrete measure to ease the effects of the economic downturn, to facilitate European integration, and precluding any efforts toward a settlement of the Transnistrian conflict.*

On September 11, acting Moldovan president Vladimir Voronin officially resigned, after eight years in power. Voronin, the Moldovan Communist Party's (PCRM) strongman, faced a year of extraordinary political turmoil in 2009. Although his party won in the April general elections, gaining 60 seats in the 101-membered parliament, the subsequent mass demonstrations and their violent police crackdown highly polarized both the political sphere and society. More importantly, the communist faction proved to be unable to elect a new president, failing by only one vote to do so. Under Moldova's constitution, should the parliament fail to elect a president twice, it must be dissolved and early parliamentary elections held. Due to the Communist Party's two unsuccessful attempts to elect a president, snap elections duly took place on July 29. As a result of the elections, the former opposition (namely the Liberal Democratic Party, Liberal Party, Democratic Party, and Our Moldova Alliance) gained a narrow majority with 53 deputies out of 101 in parliament, and formed the so-called Alliance for European Integration (AEI) to wrest governmental control out of the hands of the communists.

So far the Alliance has managed pretty well to establish a stable government despite its narrow majority, their earlier infighting, and not least the Communist Party's desperate attempts to challenge the viability of the Alliance and delay its efforts in forming a government by

boycotting parliamentary sittings or questioning the legitimacy of Liberal Party leader Mihai Ghimpu's election as Speaker of the Parliament (thereby acting president) at the Constitutional Court. However, the attempts of the Communist Party to thwart proceedings have so far been largely unsuccessful, with the Alliance having proved its ability to form a government with Liberal Democratic Party leader Vlad Filat's election as prime minister. Despite the successes of the Alliance, there is still no answer to the ultimate question: how to elect the new president and avoid new parliamentary elections and a long-lasting political and constitutional crisis?

## The key question: how to elect a president?

As the Communist Party's previous failure signals, the issue of electing a president is not as simple as it would seem at first glance. Electing a president in Moldova requires a qualified majority, or, in other words, 61 votes out of 101 in the parliament; furthermore, the constitution allows only two attempts to complete the election before the dissolution of the parliament. To overthrow the newly elected coalition government, which has barely started to work, the communists should just need to obstruct the next presidential election (which will take place by November 11 at the latest), copying the former opposition's



successful tactics. Since the election of a new president requires eight communist MPs' votes in addition to the votes of the Alliance's 53 deputies, in order to elect a president either the governing parties should give up on their antagonistic policy toward the Communist Party and reach some kind of agreement with them, or they should secure the votes of at least eight communist defectors.

The AEI's presidential candidate is Democratic Party leader Marian Lupu, who had been Speaker of the Parliament between 2005 and 2009 as a representative of the Communist Party. Due to his personal conflict with Voronin and his presidential ambitions, after the April elections he left the Party and took over the marginalized Democratic Party, which gained 13 seats in the July snap elections and forms part of the Alliance. So far the communist leaders have excluded the possibility of voting for who they brand a "traitor," but as a former member of the Communist Party, Lupu could possibly attract at least a few votes from his former colleagues, or even cause a split in the PCRM. Furthermore, the governing parties argue that in case of new snap elections occurring the communists could stand to lose even more seats in the parliament, since they have lost control over the state apparatus and the state owned media, and, therefore, it makes sense for them to vote for the Alliance's presidential candidate.

The communists, on their part, think that the economic downturn will soon erode the government's popularity, thus they could return to power as a result of new snap elections, which could take place at the earliest in 2010. However, whether the governing parties or the communists are right in their electoral forecasts, it will be the country that stands the most to lose in terms of the economy and international credibility, if the third general elections take place within one year. The long-lasting institutional vacuum and the permanent electoral campaign are hardly helping in a situation where the global financial and economic crisis is afflicting the country. The possible financial assistance provided by the IMF, the negotiations about Moldova's European integration, and the settlement of the Transnistrian conflict all require a legitimate and responsible government and not an acting president and prime minister.

## What could the EU do?

Since the EU cannot directly interfere in the presidential elections, the best it could do is to fully cooperate with the new government. As even the name of the governing coalition – Alliance for European Integration – signals, the current administration represents a break with the previous political course and has defined European integration as its top priority. Among its first measures, the new government abolished the visa obligations for Romanians, which was introduced by President Voronin after the violent April events, and initiated negotiations over a Basic Political Treaty and a Convention on Small-Scale Border Traffic with Bucharest, which is essential in normalizing relations with EU-member Romania. Taking Chisinau's commitment toward European integration for granted, the only question centers on what role the EU could play to facilitate Moldova's efforts toward European integration.

First, the EU should start negotiations on a new Association Agreement, to replace the current Partnership and Cooperation Agreement, as it is envisaged in the Eastern dimension of the European Neighborhood Policy, the Eastern Partnership, and should also start negotiations on a visa facilitation process, leading to a visa-free regime for Moldovans. Until the visa-free regime comes into effect, the extension of the work of the Common Visa Application Center in Chisinau, an EU pilot project housed by the Hungarian Embassy, would be desirable. Currently the Center issues Schengen visas on behalf of ten EU member states.

Second, in a country where, according to certain press reports, a former high official and several police chiefs were involved in heroin trafficking, promoting the rule of law is essential. The new government has already placed emphasis on the independence of the judiciary and the fight against corruption and organized crime. The EU should support these efforts either by enhancing and expanding the role of the EU Border Assistance Mission in Moldova (EUBAM), a civilian mission financed by the European Commission aimed at improving the professional capacities of the costume services, or even launch a new civilian rule of law mission under the umbrella of the European Security and Defense Policy, as a European Parliament resolution urged it to do in May.



Third, with a new government in power, there is a window of opportunity to restart the negotiations on the settlement of the Transnistrian conflict in the 5+2 format (Russia, Moldova, Transnistria, Ukraine, OSCE, U.S., EU) with the participation of the European Union in a stronger mediator position, and thus breaking with the communist government's practice of conducting back-channel negotiations with Moscow and Tiraspol.

Whether the presidential elections are successful and herald the consolidation of a new stable government in Moldova or the political struggle continues, the European Union must either way play a more visible role in the region to live up to its own commitments and become an inevitable global player, as the European Security Strategy outlines.

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