

Shrinking space for Civil Society in Moldova

Executive Summary

The civic space deteriorated significantly in the last two years in the Republic of Moldova. After opposing the controversial amendment of the electoral system, Moldovan CSOs are under constant attacks from public officials, and other entities affiliated with the ruling party, including mass media, bloggers and online trolls. The main state policy document regarding the development of civil society, Civil Society Development Strategy for 2018-2020, was only adopted at the end of March 2018, potentially undermining the implementation of activities for the first year. Moreover, there is no budget support for a series of actions. The legal initiatives prohibiting political activities and foreign funding are extremely restrictive for the functioning of CSOs in Moldova. The combined pressure from the CSOs and the external partners conditioned the Government to approve the draft law on non-commercial organizations at the end of March 2018, from which are excluded the restrictions on foreign funding for CSOs. There are enough reasons to believe that the draft law can be newly altered in Parliament, making it more difficult for the civil society to intervene. The large powers of control of state institutions over the CSOs activities raise serious questions to the space in which CSOs function in Moldova. The lack of clear regulations on transparency and public consultations at the level of the Parliament hampers effective civil society's participation in the law-making process.

Main issues of concern

1. Tentative of the authorities to prohibit political activities and foreign funding for NGOs through revisions in the new draft Law on non-commercial organizations;
2. Delayed adoption of the main state policy document regarding CSOs and the lack of budget coverage;
3. Intrusive provisions on transparency of CSOs;
4. Despite the announced reforms, the timeframe of registration of NGOs (15 days) is still much longer than for commercial organizations (up to 3 days);
5. After opposing the new electoral system, CSOs face constant attacks, smear campaigns and increasingly hostile public institutions;
6. Insufficient regulation ensuring effective civil society's participation at the level of the Parliament in the law-making process.

Recommendations to the Moldovan authorities

- ⊕ **Authorities should ensure implementation and budget support for the actions planned in the Action Plan adopt the Civil Society Development Strategy (CSDS) for 2018-2020;**
- ⊕ **Parliament should adopt the draft Law on non-commercial organizations elaborated by a mixed working group created by the Ministry of Justice, ensuring that the problematic provisions are not repeatedly included in the draft (eg. limiting foreign funding and renouncing government control over the functioning of the CSOs);**
- ⊕ **The timeframe for registration of NGOs necessitates shortening, making it similar to the registration for commercial organizations;**
- ⊕ **All the attacks and defamation of CSOs should stop, and replaced with fully enabling space for civic participation in decision-making;**
- ⊕ **Law on transparency in decision-making and the Regulation of the Parliament should be amended in order to provide adequate participation of the civil society in developing and monitoring the implementation of public policies at the Parliament level.**