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Abstract: *This Democracy and Governance (DG) assessment identifies the principal challenges confronting the government and citizens of Moldova in their transition from authoritarian rule. The assessment examines this young country's political environment, historical foundation, and current trajectory. Employing the framework developed by USAID's Office of Democracy and Governance, the analysis identifies key political actors, their interests, and the institutional arenas in which they operate. It also identifies those actors and institutional arenas most amenable to further democratic development. The analytic framework is intended to assist USAID develop a programmatic strategy to support Moldova's evolution toward a more transparent democratic government and political culture.*

Keywords: *Moldova, Chisinau, Democracy, Government, UN, Elections, Society, Europe*

INTRODUCTION

The current state of democracy and development in Moldova has ignited interest from researchers. As such, this study seeks to add to the literature on democracy and governance in the country. Consequently, assessment questions are essential for democracy and governance valuation because they guide the whole process and determine what one should be looking for. Assessments vary according to the thematic areas they address, based on the interests, culture, and needs of the person undertaking it.⁶³ They should elicit answers and help measure the degree to which democracy's principles have been attained. Assessment questions in this assignment will help address different aspects of political systems under democracy in Chisinau, Moldova, which is the thematic area that this research will focus on. The final project was structured based on the six questions formulated to inform the report's structure. Notably, Moldova is a democratic country focused on protecting the rights and freedoms of its people, as outlined in its constitution. The country has achieved democracy for all people, as evidenced by challenges in the voter system and the inclusion of minorities in local and national discussions on issues that touch on their lives.

⁶³ "Democracy, Human Rights, and Governance Strategic Assessment Framework," *USAID*, (2014): 1.

How effective are the political systems in Chisinau, Moldova, in influencing citizens' democracy?

Chisinau enjoys effective political systems with an efficient governance reform agenda. The plan includes reforming public administration, promoting decentralization, and fighting corruption. Likewise, international organizations like United Nations Development Program (UNDP) has played a key role in promoting democracy. In an attempt to promote democracy, the UNDP allocated 2,968,732 US dollars to be used by Chisinau's electoral commission between 2020 to 2023. The main intention of this funding was to promote transparency and democracy during elections⁶⁴. According to UNDP, voters were able to access education about voting during the 2020 presidential elections. Therefore, international organizations continue to play a key role in promoting Chisinau, Moldova democracy. However, these efforts face challenges in implementing the ambitious plan.⁶⁵ Some of the challenges include uncertainty

in the next parliamentary election and how constitutional reforms will be conducted. Additionally, the measures required to enhance government are unpopular. The budget deficit and economic crisis also result in inadequate resources for delivering the appropriate services. Therefore, this means that the political systems are committed to ensuring democracy and reforms that promote it. However, the country lacks adequate resources to ensure the implementation of such reforms.

The country relies on an outdated and lengthy bureaucratic process limiting the possibility of good governance being established. Much of the system is similar to the Soviet past, and it adheres to Voronin's rule of eight years. A few factors promote good governance, and this has greatly influenced the people's democracy. For instance, salaries are low, and job security is dependent on economic, personal, and party relations. In addition, there are hardly any efforts of public demand for better governance.⁶⁶ This compromises the democracy of the people due to a lack of governance, leaving them frustrated. The frustration arises from the government's lack of capability at different levels to implement programs through strategic thinking. Consequently, the political systems in the country are aligned to benefit the political leaders and parties without adequate consideration of the people and their involvement in the democracy of the country.

The political systems also lack consultation, transparency, and information sharing in almost all levels of governance. There is a lack of communication in the government and also between the government and its people, and this hinders effective democratic

⁶⁴ UNDP, "Enhancing Democracy in Moldova Through Inclusive and Transparent Elections (phase II)," UNDP, last modified 2021, <https://www.md.undp.org/content/moldova/en/home/projects/enhancing-democracy-in-moldova-through-inclusive-and-transparent-2.html>.

⁶⁵ Dorina Baltag and Isabell Burmester, "Quo Vadis, Moldova? The Role of Social and Political Elites in The Norm Internalization Process", *Democratization*, 2021, 10.

⁶⁶ Monica Răileanu Szeles, "New Insights from A Multilevel Approach to The Regional Digital Divide in The European Union," *Telecommunications Policy* 42, no. 6 (2018): 452.

engagements between the government and the people.⁶⁷ Such crucial issues should be addressed to enable the people to enjoy democracy and also for the government to implement its reforms without losing public trust and support. The reform process should ensure proper coordination between all government sectors and cut across social and other programs to ensure the public understands the reforms. Currently, the government has failed to protect the democracy of the people due to poor political systems, which has led to approximately 44% of the citizens wishing to rejoin the USSR if possible. This shows that the country's political systems have utterly frustrated the people by denying them the chance to enjoy different forms of democracy and their democratic rights.

The political systems and structures in place have also increased the disconnect between the people and the government. This is mainly because the political systems and government are highly centralized at the local and national levels. This has also hindered the people from freely enjoying freedoms that influence the government on their affairs. Initially, the relationship between the people and the government was strong as local councils and mayors were directly elected by the people, thus allowing them to enjoy their democracy concerning choosing the leader of their choice. However, the relationship is lost, and the people no longer enjoy such democracy as local projects and initiatives by the government due to the disconnection between the two.

To what extent do the political systems in Chisinau, Moldova, offer decision-making opportunities for all citizens in that area, including the poor?

Issues of consensus in Chisinau are integrally connected with the challenge of inclusion. Despite the legal frameworks and constitution guaranteeing equal rights for all people, there are various challenges with inclusion and the independence of the people in decision-making across all sectors in the Moldovan society, economy, and polity. According to European Union (EU), Chisinau has been criticized due to lack of consultative delegations mainly from grassroot organizations and lower citizens.⁶⁸ Notably, approximately 75% of the Moldovan population is of Romanian descent, and they mainly speak Moldovan, while the remaining 25%, the minorities, mainly speak Russian.⁶⁹ However, politicians have been established to call the language Romanian instead of Moldovan to spark national debate and create uneasiness among the Russian speakers. The move is seen as a way of influencing the Romanian speakers and inciting them against the minority. As such, this interferes with the freedom of free decision-making among the people.

⁶⁷ Lena Hornkohl, "Integration Without Membership: Normative Hegemony of EU Competition Procedures in The Eastern Partnership? - Procedural Aspects of Competition Law in The EU Association Agreements with The Eastern Partnership Countries (Ukraine, Moldova, Georgia)", SSRN Electronic Journal, 2019, 34.

⁶⁸ Eu roadmap for engagement with civil society in the republic of Moldova 2018-2020," Europa.eu, last modified 2020, <https://europa.eu/capacity4dev/file/84108/download?token=nGvN-1UL>.

⁶⁹ Teodor Lucian Moga, Nadiia Bureiko and Loredana Maria Simionov, "Constructing Romania's Foreign Policy and Security Role in Its Eastern Neighborhood: The Cases of Moldova And Ukraine," Southeast European And Black Sea Studies, 2021, 12.

The political systems have isolated the Gagauz minority, which represents 4% of the population, from the national society and polity. They speak Turkish, but Russian is their primary language for employment, education, and government. Such national institutions as the courts use Russian in Gagauz Yeri, but everything is translated into the state language to ease record-keeping and ensure effective communication.⁷⁰ However, the Gagauz oppose interfering with their autonomy as they do not want their language renamed. This implies that the political system in place is interfering with the autonomy of such minority groups as the Gagauz as their decision to keep their language is highly compromised. The systems allow for the translation of documents to the national language without consultation with the minority groups. Additionally, there are plans to rename the minority groups, which does not sit well with them due to its interference with their autonomy.

Discrimination is also practiced in society despite being prohibited by the law. In this society, Roma is among the disadvantaged groups. The State Department of Human Rights report shows that they are exposed to harassment, violence, and discrimination, including being denied access to employment and healthcare. The official number of Roma is reported as 11,600, but NGO reports have established that there are over 250,000 Roma in the society. 80% of them are illiterate, which explains why they are isolated and discriminated against by the political system instead of supporting their freedom in decision-making. Other small ethnic minorities such as Ukrainians, Russians, Jews, and Polish have their associations and live separately. They are also isolated from national decision-making and discussions even on matters affecting their welfare.

Furthermore, despite the freedom of religion being observed, the Moldovan Orthodox Church enjoys special privileges and status not granted to other religions, such as the Church leader's diplomatic passport. Such issues further highlight the extent to which the political systems interfere with the independence of the people in decision-making. It shows how minorities are excluded from national and local debates and discussions and deprived of certain privileges to others in society.

What measures have been taken to ensure that the population of Chisinau in its entirety influences decision-making, thus fostering democracy?

Chisinau showed its commitment to protecting the rights of the people by becoming a member state of the Council of Europe in 1995. In 1997, it signed the European Convention for the Protection of Human Rights and Fundamental Freedoms, thus submitting to the European Court of Human Rights jurisdiction. Initially, submitting under this jurisdiction aimed to ensure that Moldova remained committed to protecting human rights within its jurisdiction. Moldova has shown great progress in strengthening local decentralization. According to UNDP data, Chisinau has succeeded in implementing decentralization reform starting from 2012. These reforms have since been realized in legal

⁷⁰ Natalia Ciobanu and Ali Kerem Saysel, "Using Social-Ecological Inventory and Group Model Building for Resilience Assessment to Climate Change in A Network Governance Setting: A Case Study from Ikel Watershed in Moldova," *Environment, Development and Sustainability* 23, no. 1 (2020): 1065.

framework, sectoral policies and territorial administration.⁷¹ However, the ECHR judgments that have been made against Moldova in the recent past have resulted in Moldova making fundamental changes to how justice is administered. One of the changes was adopting a rather adversarial criminal justice in 2003. Despite these changes, most of today's prosecutors and judges were trained during the inquisitorial criminal justice system under the Soviets. So, they retain the same legal culture and approach that they were trained. During that system, the Communist Party-controlled the criminal justice, and judges remained instructions on how cases would be resolved. Prosecutors and party leaders directed them. This has led to interference with the protection of human rights as the party in power still controls the justice system, thus compromising democracy.

Citizens in society adhere to oversight mechanisms in obtaining redress. Approximately 1000 complaints are forwarded to the SCM, and around 25% go through the Ombudsman's Office, the Center for Human Rights in Moldova. The Ombudsman's Office was created in 1997 to enforce the constitutional rights of the Moldovan citizens, follow up on citizen complaints with state bodies, and forward recommendations on the actions to be taken to the Ministry of Justice.⁷² This shows that the political systems have set up mechanisms and offices that ensure the people's constitutional rights and follow up on the complaints raised, thus supporting democracy by protecting human rights and fundamental freedoms. The number of complaints received increases every day, showing the people's trust in the JRI's commitment to protecting human rights. In response, the JRI is investing more resources in strengthening its role in advocating human rights. Such efforts are also supported by the Judicial Inspection Unit established in 2007, although it is yet to pick up operations effectively. However, these efforts show the measures that have been put in place to ensure the people's democracy is administered through the protection of human rights.

Moldova has also established and sustained a well-define system of court. The system has general jurisdiction at three levels, as well as specialized military and economic courts. There is also an appeal process with an appellate court in each region, and then the final appeal is made to the Supreme Court of Justice (SCJ).⁷³ The SCJ is the highest court in the land. This court system allows the citizens to seek justice from the most basic level and proceed up the system as they can appeal decisions that they do not agree with until the SCJ delivers the final ruling. The court system is thus structured to protect the rights of the people and provide a way of getting justice, hence protecting their democracy. Additionally, it is notable that the government is committed to civic education on the court system and how the people can use it to gain justice. Besides promoting democracy, these measures have promoted peace and peace conflict resolution in society.

⁷¹ UNDP, *The Next Stage of the Decentralization Reform in Moldova Was Discussed in Chisinau*,

⁷² Liz Mestres, "The Rise of Right-Wing Populism, Authoritarianism & Fascism," *Socialism and Democracy* 35, no. 1 (2021): 142.

⁷³ Irina Tolmaciova and Corina Causan, "Impact of The Current Medical System on The Financial Stability of World Countries and The Republic of Moldova," *Economica*, no. 3117 (2021): 120.

How fair are the political systems in Chisinau allowing the entire population to elect leaders of their liking, how much do their votes count, and how similar is the composition of political leaders in office to the choices people make?

The electoral system in Chisinau allows the people to vote for the person of their liking. The system has been structured on a closed list proportional approach that applies to a single national constituency. This means that the system eliminates a situation in which one is the winner-take-it-all and instead creates a mechanism that allows the citizens to participate in the elections.⁷⁴ Also, UNDP have also played a key role in promoting democracy and supporting Chisinau's electoral process. For instance, UNDP allocated funds to help the country conduct free and fair elections during Pandemic.⁷⁵ The electoral system realized it would have been problematic to draw up district boundaries for Chisinau in a single-member district system and then organize voting within the district. The current system ensures that it is inclusive, although there are ongoing debates on changes that could be implemented to make the system more inclusive for minorities. During the 2019 parliamentary elections, Organization for Security and Co-operation in Europe (OSCE) assessed the electoral process and noted that it was competitive and upheld fundamental human rights.⁷⁶ Also, during this election, 14 political parties participated while three independent candidates won. Based on such data, it is evident that Chisinau has increasingly become democratic. However, some of the minorities are currently regionally concentrated, and the representation aspect of the electoral system could improve once such minorities are moved to an open list, national district approach, or even several sub-national constituencies.⁷⁷ Despite the effectiveness of the current electoral system, the political systems are seeking to improve the voting process more inclusive and ensure that every individual vote for the person of their interest without any limitations.

Political parties also play a crucial role in the electoral process in Moldova since they are the main players. The electoral systems highly protect the democracy of voters and interested parties as it allows independent candidates to vie and stand a chance to be voted if they are the voters' preferred candidate.⁷⁸ However, they are disadvantaged due to lack of affiliation to any political party, and the requirement is that they must receive at least 3% of the valid votes that are costly for them to be declared winners of any seat. Although there have been many independent candidates who have vied for various elective positions, there is not a single one who has won an election. Unfortunately, this is

⁷⁴ Theodor Tudoroiu, "Democracy and State Capture in Moldova", *Democratization* 22, no. 4 (2014): 655.

⁷⁵ UNDP, "Enhancing Democracy in Moldova Through Inclusive and Transparent Elections (phase II)," UNDP, last modified 2021, <https://www.md.undp.org/content/moldova/en/home/projects/enhancing-democracy-in-moldova-through-inclusive-and-transparent-2.html>.

⁷⁶ Freedom House, "Moldova: Freedom in the World 2020 Country Report," Freedom House, last modified 2020, <https://freedomhouse.org/country/moldova/freedom-world/2020>.

⁷⁷ Reinhard Heinisch and Viktoria Jansesberger, "Does Ethno-Territorial Identity Matter in Populist Party Support? Evidence on The Demand-Side From 19 Populist Radical Right and Populist Radical Left National and Regionalist Parties", *European Politics and Society*, 2021, 21.

⁷⁸ Ștefan Morar and Magdalena Dembińska, "Between the West and Russia: Moldova's International Brokers in A Two-Level Game," *Eurasian Geography and Economics* 62, no. 3 (2020): 293.

not attributed to the electoral system. The fact remains that the political systems in place create room for the voters to freely choose their preferred candidate based on their political ideologies and affiliations to different parties.

Utilizing a closed party list system by the electoral system gives the national party leaders an advantage. The approach strengthens their position at the expense of those grassroots supporters and local leadership. This means that although the electoral system creates an opportunity for the people to elect their chosen leaders, candidates affiliated with national political parties are more advantaged than independent candidates. In addition, the country's party system is personalistic, which implies that the leader decides the individual who runs for elections, their position in the party and their likelihood of winning an election, and who occupies the office once elections have been concluded. This personalistic approach means that the candidate is handpicked even if they are not the people's choice. This translates to imposing a candidate on the people and interfering with their democratic right to freely vote for their preferred candidate. Therefore, this is one of the practices that should be eliminated from the electoral system if it becomes free and fair and recognizant of the people's democratic right to choose the leaders of their preference.

To what extent do the electoral bodies in Chisinau, Moldova, ensure that the population in its entirety, including the poorest in society, is given an easy chance to vote the leaders they want impacting democracy?

The constitution of Moldova supports the entire population, including the poorest groups, to vote for the leaders they feel will positively impact their democracy. This legal document is generally considered legitimate to promote democracy by allowing all populations and social classes to vote.⁷⁹ The constitution provides the framework that outlines a democratic system of governance in Chisinau in which the executive, legislative, and judicial branches of the government are separated. Also, the constitution contains an outline of the protection of fundamental civil and political rights such as the freedom of expression, right to vote, as well as due process.⁸⁰ This provision ensures that voting is treated as a right regardless of the people's social class and hence protected by the constitution. Moreover, such constitutional provisions protect and ensure access to voting centers and resources since the rights, freedoms, and rights apply to all people in the area.

The Central Electoral Commission (CEC) in the country also ensures that elections are free and fair and that people have an easy chance of voting the leaders they want without undue influence. According to Organization for Security and Co-operation in Europe (OSCE) the 2020 presidential elections were free and fair. 10 international observers and other 24 long term observers were deployed to oversee the electoral process.⁸¹ Such efforts ensure

⁷⁹ Ion Marandici, "Nostalgic Voting? Explaining the Electoral Support for The Political Left in Post-Soviet Moldova", *Eurasian Geography and Economics*, 2021, 29.

⁸⁰ Dorina Baltag and Isabell Burmester, "Quo Vadis, Moldova? The Role of Social and Political Elites in The Norm Internalization Process", *Democratization*, 2021, 20.

⁸¹ OSCE, "Presidential Election, 1 November 2020," Organization for Security and Co-operation in Europe | OSCE, last modified 2020, <https://www.osce.org/odihr/elections/moldova/464526>.

that elections are free and fair. Notably, free and fair elections are the most crucial formal political accountability and competition mechanisms in any society.⁸² As such, CEC ensures that democracy is upheld by avoiding the use of force and rather promoting institutionalizing of peaceful competition that is subjected its rules and regulations and ensuring that it remains accountable to the general public. Such voting is ensured through thorough regulation of the elections. Notably, the CEC ensures that the elections are free and fair and that people easily vote for their preferred candidates in four main ways.⁸³ The first is that CEC provides a competitive public arena accessible to all voters and political actors, and parties. As such, they can exercise their civic duty. Second, CEC has established civil liberties which support meaningful public contestation, including free association and expression. Voters can freely associate with the political bloc of their choice and vote for them easily. Third, CEC gives all voters equal and universal access to the electoral process, including supporting the rights of minorities and women to vote and also compete. Finally, CEC has set out formal rules that govern the timing and spacing of elections in Chisinau, and the general population is aware of the pattern. Therefore, they can easily anticipate and participate in the election process.

How much do the formal and informal political activities in Chisinau influence democracy by affecting the creation, use, and distribution of resources?

Moldova has overtaken other post-Soviet countries because of the robust democratic institutions that it has developed since gaining independence in 1991. The state enjoys regular elections and power rotation among parties. However, it also suffers from the impacts of extreme executive control and overly centralized systems. The political parties in Moldova are highly polarized and personalistic and are manipulative to the effect of their own political and economic gains. Society is divided, has no trust in the state institutions, and is disillusioned with how democracy is played out.

The snap elections held in Moldova in July 2009 led to creating a pro-European coalition that won the election and had the plan of reforms. However, the coalition could not elect a president for the people, which created the need for new elections. Additionally, such issues limited the coalition's tenure and were also able to effectively impact meaningful change. The tough economic times also spell the threat of losing public support for different reforms in the country. Such reform efforts should also bear fruit shortly to avoid cases of democratic backsliding in the country. Success will also see the country continue enjoying the international assistance that it needs in implementing reforms.

In Chisinau, the most important actors are the political parties. They are the structural and cultural legacies borrowed from the Soviet system in which the Communist Party ran everything. These formal and informal activities have been borrowed from the

⁸² Kåre Vollan, "International Election Observation and Standards for Systems of Representation: A Critical View," *Nordic Journal of Human Rights* 35, no. 4 (2017): 341.

⁸³ Zhenis Kembayev, "Development of Soviet Federalism from Lenin To Gorbachev: Major Characteristics and Reasons for Failure," *Review of Central and East European Law* 43, no. 4 (2018): 411.

past, hence influencing how resources are shared.⁸⁴ The nature of governance and political competition in Moldova reflects the nature of the political parties and their activities. Normally, the political parties have taken dominance over the political arena and the country's agenda. These activities thus show that the political parties are highly centralized, lack clear internal democracy, lack a clear ideology, and the leaders mainly dominate decision-making.⁸⁵ This implies that the political spectrum becomes fragmented, and the opportunist political parties weaken checks and balances that should occur. In essence, there are no checks and balances in the creation, use, and distribution of resources due to the informal and formal activities of the political parties. They tend to take up resources for their political gains.

RECOMMENDATIONS

Findings from the assessment showed that Chisinau, Moldova currently faces some challenges in all the five elements that were definitive of democracy and government. These five elements used in this assessment were defined and developed using the Democracy and Government Governance Framework. Among the recommendations to promote democracy and electoral independence includes local and international financing. Evidently, Chisinau is still struggling with economic stability. However, allocating enough resources to the electoral commission will ensure the commission is able to promote democracy by educating citizens about the electoral process and their role in the country's governance. UNDP for instance allocated 2,968,732 US dollars to be used by Chisinau's electoral commission between 2020 to 2023. Other international organizations like AU, and EU should also continue helping the Chisinau financially. This approach will ensure that Chisinau achieve stable democracy.

Chisinau should also promote local decentralization and civic education. From the data derived from international organizations, a significant number of Chisinau's citizens lack civic education on political matters. Therefore, the government are focus on democratic health checks to ensure that the electoral system is converted to become more impactful and meaningful to the citizens. Chisinau government should use platforms like online space to educate citizens on their role in governance.

CONCLUSION

It is currently at a time in which most representative democracies across the world are facing different challenges. It has become the top priority to close the gaps that exist between citizens and governments. Regarding the same, one of the objectives of democracies has been to establish the most effective and appropriate tools and methods that can be used in engaging citizens and ensuring that the engagement occurs in a critical reflection on the quality and efficiency of their democracies. The focus of this study was to assess the effectiveness of democracy in Moldova, borrowing from such projects which are

⁸⁴ Todd Landman, "Assessing the Quality of Democracy: The International IDEA Framework," *European Political Science* 11, no. 4 (2011): 456-468.

⁸⁵ Zhenis Kembayev, "Development of Soviet Federalism from Lenin To Gorbachev: Major Characteristics and Reasons for Failure," *Review of Central and East European Law* 43, no. 4 (2018): 411.

focusing on the same. The assessment in this study primarily utilized the State of Local Democracy Assessment Framework that was developed by the International IDEA. The assessment engaged three primary assessment pillars that ensured that the overall assessment was focused and successful. The three pillars in this case are; how fundamental freedoms and rights have been implemented in the country regarding the political systems in place; the rule of law in Moldova and the access to justice among citizens, and how the political systems in the country promote the same; and the local representative processes and institutions and also the state of civic participation and recognition in such sub-national institutions as the general elections and voting. In collecting the data, the assessments and researchers used a nationally representative survey that attracted a total of 1300 respondents. Furthermore, the assessments used a series of focus groups in approximately half the population of the country and also involved respondents in in-depth semi-structured interviews. The assessments were completed and discussed in May and June 2017, making the findings valid for use in the assessment and review in this case.

The findings showed that the political systems in place in the country have failed to protect the democracy of the people in the country regarding the five elements. Additionally, the findings showed that most of these challenges and inefficiencies of democracy in Moldova arise from the country's otherwise polarized politics and political systems, divided society and political community, and the fact that power in the country is concentrated in highly centralized systems that are primarily dominated by the personalistic and executive ruling political parties. Such political parties that dominate the competitive political arena, thus creating a playing field that is politically imbalanced and also weakening the political checks and balances system. The assessment showed that this has resulted in the perpetuation of the problem. Also, assessment of the functioning of the judiciary showed that it has lost its democracy to the flawed political system in the country, local governments and the parliament are greatly marginalized, opposition parties within the political system are greatly fractured, and the media sector has lost its media freedom due to dominance by a few controlled outlets. As a result, these challenges have limited the transparency and accountability of the government and the citizens' broad-based participation in promoting democracy. Although Chisinau, Moldova can be considered as one of the fastest growing democracies, the country, in general is still struggling with democracy and electoral independence because many Moldovan citizens do not understand their role in governance.

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