



Information Documents

SG/Inf(2003) 19

28 April 2003

REPUBLIC OF MOLDOVA

**Official Visit of the Secretary General,
Mr Walter Schwimmer**

(Chisinau, 9-10 April 2003)

1. At the invitation of the President of the Republic of Moldova, Mr Vladimir Voronin, I paid an official visit to Chisinau from 9 to 10 April 2003.
2. An oral report on the visit was presented at the 838th meeting of the Ministers' Deputies on 30 April 2003.
3. The programme of my visit and the composition of the delegation are set out in Appendices 1 and 2.
4. During my visit, I met the President of the Republic of Moldova on two occasions. I also had meetings with the Speaker of the Parliament, the Prime Minister, the Minister of Foreign Affairs, the Minister of Justice and the Minister of Reintegration. He had an extended discussion with the leaders of the two opposition parliamentary fractions. I addressed the second meeting of the Round Table in its new format. I also had an exchange of views with the ambassadors of France, Germany, Spain and the United Kingdom, as well as the Head of the OSCE Mission in Moldova.
5. I held one press conference immediately after my first meeting with the President of the Republic. His statements were widely covered by the media locally and in neighbouring countries.
6. During my visit I discussed in particular with the Moldovan authorities:
 - a. The context of Moldova's forthcoming chairmanship of the Committee of Ministers and
 - b. the Reform of Moldovan Parliament procedures.
7. The talks with all Moldovan and international interlocutors, in particular with the President of the Republic, took place in a friendly and positive atmosphere.

I. Present Political situation

8. The political situation in Moldova at the time of the visit seemed stable and calm. Predictions of mass demonstrations by the opposition when the warmer weather came had not materialised. The confrontation between political parties is now happening rather in Parliament and at the Round Table in its new format than in the streets.
9. The Round Table of Political Parties re-opened on 24 March 2003 in a more professional format, with a Secretariat (funded by the CoE) and a moderator in line with the recommendations of the Council of Europe experts.

10. Experts should be invited back to Moldova to advise further on the Round Table. This advice should be given over a period of 2 to 3 days. Thought should also be given to the advisability of broadcasting uncut the proceedings of the Round Table. Would it not be preferable to provide edited highlights? Perhaps advice could be provided on this matter also.
11. The orientation of the present Government's politics towards European integration had been confirmed by President Voronin in his address to the New Round Table on 24 March 2003.
12. Following his participation in the EC Summit on South Eastern Europe in Belgrade on 8 and 9 April 2003, President Voronin expressed firm hopes that Moldova would be included into the third Round of Enlargement of the EU.
13. In spite of some undeniable progress regarding the settlement of the Transnistrian Question (withdrawal of Russian troops, proposals for a federal solution etc.), the impatience of the Moldovan population on the left bank of the Nistra (Dnjestr) to see a solution appears to represent potential for destabilisation.
14. I informed members of the Government that the Council of Europe is ready to provide, through the Congress of Local and Regional Authorities, monitoring of the local elections set for 25 May. Ministers indicated an invitation would be forthcoming.

II. Main conclusions of the visit

15. I stated that of four conditions singled out for ensuring a successful chairmanship of the Committee of Ministers (1. political dialogue, 2. execution of ECHR judgments 3. freedom of expression 4. incorporation of Council of Europe recommendations into Moldovan laws) the first three had by and large been met. The first one through the new format of the Round Table, the second through the registration of the Bessarabian Church (with the necessary follow-up measures) and the third through the adoption of a new law on Teleradio Moldova – the first public broadcasting authority in the CIS states.
16. However I expressed to all interlocutors from Government and Parliament my concern with regard to the missing detailed information about the follow-up to Council of Europe expertise on laws and draft laws that Moldova was to provide under the decision of the Committee of Ministers of 30 April 2002 (794th meeting.) The Minister of Justice, Mr Dolghieru, promised a full report on this subject before the end of the month.
17. In my talks with the Minister of Justice I raised the situation in the prison "Colony N°8" in Bender, which he had already discussed on my previous visit in October 2002. The prison is under the administration of the Moldovan Ministry of Justice, but in Transnistrian territory. The Minister of Justice stated that the detainees with tuberculosis could now receive medical treatment. In spite of some progress the situation would remain difficult in the absence of financial reforms.

18. The Ministry of Justice will send to specialised agencies and the Council of Europe the draft "conception" for the reform of penitentiaries. This draft will be drawn up by a working party; it would be useful to have comments by international organisations before its finalisation. It was hoped that the restructuring process would be complete by 2008. So far a cell detaining system had been sketched out but such a system required a large amount of financial resources. The EU had not yet been approached for assistance but once the conception had been finalised and agreed, the Commission would indeed be approached.
19. Moneyval would engage step 4 of its procedures if a satisfactory reply was not forthcoming from the Moldovan authorities to letters from the President of Moneyval. The next stage would be for me to write to the Minister concerned and if a reply was found unsatisfactory step 5 would be engaged. This would be for a high-level commission to go to Moldova in search of replies to their questions. Such a mission during the Moldovan chairmanship would be embarrassing. The prosecutor's office was responsible for this file and follow-up action would be taken.
20. With regard to the settlement of the Transnistrian Question the Minister for Re-integration invited the assistance of the Venice Commission with regard to the drafting of a Constitution in line with the latest thinking on the relevant legal criteria.
21. The Round Table on the issue of the reform of Parliamentary Procedures was singled out by the representatives of the opposition parties as a problem of priority for Moldovan democracy. The Speaker of the Moldovan Parliament said she would consider making a request for expertise on this subject from the Parliamentary Assembly of the Council of Europe. I said that expertise could be organised in the shortest possible delay. I also suggested that the President of the Parliamentary Assembly might be invited to pay a visit to Moldova very soon in order to discuss these questions with his Moldovan counterpart.

III. Chairmanship of Moldova of the Committee of Ministers

22. I conveyed my satisfaction with the programme for the Moldovan chairmanship which was in line with the needs of the Organisation. Regarding an important element of the Moldovan chairmanship programme (the Conference on "*Frozen conflicts in Europe: The Dimension of democratic security and the case of Transnistria*") the tentative dates of 11/12 or 18/19 September 2003 for holding the conference were agreed upon by the Council of Europe delegation and the Moldovan Ministry for Reintegration.
23. As for the experts offered by the EC with a view to assisting the Moldovan authorities during the chairmanship of the Committee of Ministers, it was agreed that they should focus in particular on all the aspects of the Moldovan chairmanship not directly related to internal Moldovan issues.
24. As regards the invitation for the 113th Session of the Committee of Ministers to be held in Chişinău (5-6 November 2003), the decision concerning the acceptance of this invitation depends on the Committee of Ministers.

Appendix I

PROGRAMME For the official visit of Mr. Walter SCHWIMMER, Secretary General of the Council of Europe

(Chişinău, 9-10 April 2003)

Wednesday, 9 April 2003

14:30 - 15:30	Mr Vasile DOLGHIERU, Minister of Justice of the Republic of Moldova
15:40-16:20	Meeting with the Moldovan Round Table
16:30 - 17:30	Ms Eugenia OSTAPCIUC, President of Parliament of the Republic of Moldova
19:30 - 21:30	Dinner offered by Mr Nicolae DUDĂU, Minister of Foreign Affairs of the Republic of Moldova
<u>Thursday, 10th of April</u>	
08:00 - 9:00	Leaders of the parliamentary opposition
9:00 – 10:00	Mr Nicolae Dudau, Minister of Foreign Affairs of the Republic of Moldova
10:00 – 11:00	Mr Vasile SOVA, Minister for Re-integration of the Republic of Moldova
11:00 – 12:00	Mr Vasile TARLEV, Prime Ministers of the Republic of Moldova
12:00 - 13:00	Reception offered by Mr Vladimir VORONIN, President of the Republic of Moldova
13:10 - 13:50	Joint press declaration by Mr Walter SCHWIMMER, Secretary General of the Council of Europe and Mr Nicolae DUDĂU, Minister of Foreign Affairs of the Republic of Moldova
14:00 - 16:20	Lunch offered by Mr Vladimir VORONIN, President of the Republic of Moldova
16:30 - 17:30	Ambassadors of the France, Germany, the United Kingdom and Spain and the Head of Mission of OSCE to Moldova

Appendix II

Composition of the Delegation

Mr Walter SCHWIMMER Secretary General of the Council of Europe

Mr Len DAVIES Secretary to the Committee of Ministers

Mr Alexander BARTLING Private Office

Mr Vladimir PYATIN, Special Adviser to the Secretary General

Mr Uwe MÜLLER Adviser, Directorate General of Political Affairs