THE BEST WAY

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Notă de limitare a responsabilității   Opiniile exprimate în buletinul de față reprezintă exclusiv punctul de vedere al autorilor!

The age of enlightenment in Estonia

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A text message on election night in 2019 paved the way to a government with a far-right coalition partner. It was a short message: "Are you sleeping?" sent by Prime Minister Jüri Ratas who had just lost the election. He was not ready to give up his seat. The winners of the election, the Reform Party under the leadership of Kaja Kallas, were invited by the President to form a government, but with little success – there was already a different deal in the works. And they were not part of it.

The dark ages

Instead, the Center Party formed a coalition with two partners: a conservative party (Fatherland) who had performed relatively poorly in the elections and a far-right populist party that had gained a significant increase in parliament seats. The leader of the far-right party (Conservative People's Party) at the time, Mart Helme, was the recipient of that text message.

For nearly two years the government went from one scandal to another[1][2][3]. At some point it even seemed that one scandal was solved by having another come up. Most of these were as a result of what members the Conservative People's Party and their ministers did or said. At times this was addressed towards Estonia's allies and serious enough for the President to convene the national defense council[4].

This experiment allowed the far-right party to bend what was considered socially acceptable political discourse and stress-tested the strength of Estonia's democratic institutions. They were strong enough to withhold this pressure and to a degree had their part in closing this chapter[5] and bringing forward a new enlightenment era in Estonia.

On January 12th this year the Internal Security Service and the Public Prosecutor's Office notified the public of an ongoing investigation and suspicion that placed the Center Party and 5 other individuals

[1]   Estonian World, *"Estonia's populist interior minister: the "Reds" attempt to liquidate Finland"*
[2]   Estonian World, *"Estonian far-right minister resigns after a day in office"*
[3]   Estonian World, *"A member of the Estonian Public Broadcasting's board calls TV hosts "sodomites""*
[4]   ERR, Estonian Public Broadcasting, *"President convening defense council Monday to discuss US-Estonian relations"*
[5]   ERR, *"Jüri Ratas resigns as prime minister following loan scandal"*

in a corruption case. Among those people were also Center Party's secretary general and the advisor to the Minister of Finance. The Minister of Finance was from the Conservative People's Party and had become chairman of the party when his father stood down from the position.

Jüri Ratas resigned the next morning. That same night the leader of the Conservative People's Party received a text message. Their show was over.

A change of drivers

It was time for Estonia to return to the main program[6]. That of being an open, forward looking, forward thinking country that has strong relationships with its partners and a focus on developing its core strengths. This will undoubtedly be a challenge, with the nation still healing from some of the open wounds the previous government left, not to mention the countless scars.

So here came a second chance for Kaja Kallas and the Reform Party[7] to form a coalition. The experience of forming a government the last time was still a vivid memory in the eye of the public and the party[8], which meant they had to play their cards just right.

Interestingly, this also meant a second chance for the Center Party[9], as the coalition talks went forward between these two parties. Two historic adversaries (and members of the same European party, ALDE) that had jointly shared the responsibility of governance only once before. This was nearly two decades ago and was led by Siim Kallas, father of Kaja Kallas and founder of the Reform Party.

The Reform Party and this new coalition will undoubtedly have to fight issues related to corruption. Jüri Ratas, the prime minister stepping down, was not part of the coalition talks and the head of the talks for Center Party, Mailis Reps, is not part of the newly formed government. She also recently stepped down[10] with the shadow of corruption cast over her.

These will be challenging years ahead, with the main decision-makers from Center Party not assuming minister positions. But the real challenge is elsewhere. There is a looming health crisis, a resulting economic crisis and a nation that needs its social fabric restored.

The enlightenment

With a lot at stake, the coalition went forward with a relatively vaguely worded agreement[11], but with a cabinet that boasts Estonia's first female prime minister, highest number of female ministers[12] and a drive to put the country back on track. Political analysts and commentators do not expect a lot of significant reforms from this coalition[13] that has been dubbed as a crisis-government.

However, one could would argue that returning to Estonia's former path (although with its own issues), to a constructive political discourse and to transparent decision-making is a significant reform in itself. That is, if the point of comparison is that of the previous coalition.

A lot of contrast between the outgoing and incoming government even with one of the parties continuing. And while the coalition agreement[14] is considered ambiguous, there are already signs of reform in thinking about international relations, digital transformation, climate change and of course, pandemic relief.

Digital transformation and smart society

Looking at the coalition agreement and some of the more recent statements, its evident that digital transformation is again a strategic element across all areas. After all, it is the digital transformation that enabled Estonia to become e-Estonia[15], a digital republic that shows the way and gives advice and direction to countries big or small.

6   Financial Times, *"Estonia set to have new government led by first female PM"*
7   ERR, *"President to ask Reform leader Kaja Kallas to form new coalition"*
8   ERR, *"Political analyst: We could see a repeat of 2019"*
9   Estonian World, *"Estonia has a serial criminal party in the government – again"*
10   ERR, *"Mailis Reps steps down as education minister"*
11   ERR, *"Kallas: Coalition agreement will be general"*
12   Estonian World, *"Kaja Kallas becomes Estonia's first female prime minister"*
13   ERR, *"Analyst: Great reforms not expected from new government"*
14   ERR, *"Coalition agreement: Center-Reform government 2021-2023"*
15   The New Yorker, *"Estonia, The Digital Republic"*

As such, the prime minister stated that proactive and events-based services are at the top of the agenda. Proactive services[16] here in a simplified way refer to public service design by which the service is initiated by the public sector, rather than the person. An example is that when a citizen's drivers license is about to expire, the motor vehicle's agency sends a reminder about this to the citizen. Same thing with passports and ID-cards.

A more complex case is with child support that the state provides from birth to adolescence. A proactive service here means that the parents would not have to fill applications, rather the state already suggests that they are eligible to this support. This government will see a continuation (hopefully even an amplification) of a wider process that's already been ongoing for several decades.

There is now also strong support to a policy by which at least 1% of the GDP is allocated to research and development and a focus on private sector innovation.

Kaja KALLAS (on the right) and her government appointed to office by the President of Estonia, Kersti KALJULAID (on the left).
Photo: Ken MÜRK/ERR

Climate policy and a green Estonia

A stronger turn of tone is however seen in climate policy and energy with a move towards renewables, climate and carbon neutrality. A significant challenge however lies within a state in North-East of Estonia, Ida-Virumaa. The biggest employers and economic contributors there are oil shale miners and energy producers.

With an ambition to stop producing oil shale power by 2035 and using oil shale entirely in the energy sector by 2040, the region is looking at large-scale changes in its underlying economy and, if executed poorly, a lot of resentment from the locals. The region also happens to be a main stronghold for the Center Party.

International relations and a secure Estonia

In foreign policy and international relations, the Reform Party has historically prioritized membership in international organizations such as the EU, UN, NATO, OECD, OSCE and a close relationship to western countries. The coalition agreement strongly states that this direction will continue with focus on working within the EU and NATO. But even more, it underlines the importance of transatlantic ties and the relationship with the US.

There is also a positive notion towards the relationship between Estonia and Moldova, as the agreement gives way to more attention in the support of Eastern Partnership countries. Specifically supporting the establishment of free and democratic societies with strong institutions.

While it's clear that Kaja Kallas has significant challenges ahead of her, there is a rejuvenated feeling of confidence and a general good will towards her ability to lead the country through this bumpy road. There is once again hope for meaningful and positive change in the country.

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[16]   e-Estonia, *"Proactive governance enhances service delivery in Estonia"*

Physical force and stun guns have become weapons against fundamental rights in Russia

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The freedom of expression and the freedom of assembly are closely linked, as the exercise of the right to freedom of expression is expressed through freedom of opinion, freedom of association, freedom to demonstrate peacefully, freedom to receive and transmit information and ideas regardless of borders. Any limitation of the fundamental rights and freedoms must be foreseen by law, be necessary measures to safeguard national security, public safety or the rights and freedoms of other people, and must respect the essence of those rights and freedoms. According to international norms, people' right to assemble in order to make known their collective position is a fundamental right for functioning democracies and, as reality shows, in authoritarian states it does not exist. The Russian Federation is an example in this regard. Although the Constitution of the Russian Federation mentions rights and freedoms, including freedom of expression, the authorities quickly repress any disturbing demonstrations, using force unreasonably. According to the 'Democracy Index', of the Economist Intelligence Unit[1], in 2020 Russia remains an authoritarian country.

Massive protests, organised in support of Russian opposition leader Alexei Navalny, took place earlier this year on 23 and 31 January in the Russian Federation. Demonstrations with the same message were held beyond the borders of Russia. By the number of participants and scale, these are considered the largest protests in Russia in the recent years. Another specific feature of these protests is the force unjustifiably applied by the police against participants and journalists who were doing their job. Journalists' trade union in Russian Federation registered alarming cases of violating journalists' rights during event coverage and blatant violations of citizens' right to assembly.

1   Democracy Index https://nonews.co/directory/lists/countries/democracy

ИНДЕКС ДЕМОКРАТИИ
The Economist оценил уровень развития демократии в мире

Место		Индекс	
1	🇳🇴 Норвегия	9,81	Полноценная демократия
27	🇪🇪 Эстония	7,84	Несовершенные демократии
38	🇱🇻 Латвия	7,24	
42	🇱🇹 Литва	7,13	
79	🇺🇦 Украина	5,81	
80	🇲🇩 Молдова	5,78	"Гибридные" режимы
89	🇦🇲 Армения	5,35	
91	🇬🇪 Грузия	5,31	
107	🇰🇬 Кыргызстан	4,21	
124	🇷🇺 Россия	3,31	Авторитарные режимы
128	🇰🇿 Казахстан	3,14	
146	🇦🇿 Азербайджан	2,68	
148	🇧🇾 Беларусь	2,59	
155	🇺🇿 Узбекистан	2,12	
159	🇹🇯 Таджикистан	1,94	
162	🇹🇲 Туркменистан	1,72	
167	🇰🇵 Северная Корея	1,08	

КРУПНЕЙШИЕ ЭКОНОМИКИ

14	Германия	8,67
16	Великобритания	8,54
21	Япония	8,13
25	США	7,92
151	Китай	2,27

Источник: рейтинг Democracy Index 2020

According to information provided by media outlets and organisations monitoring rights and freedoms, 58 incidents of restricting journalists' activities were recorded as of 23 January, and this number had increased considerably reaching 104 by 31 January. The abuses include detention of journalists, violent actions against them, including intimidation: police warnings, detentions and arrests. Employees of a number of media outlets were detained, including: RBK, 'Novaya Gazeta', 'Radio Svoboda', 'Kommersant', 'Eho Moskvy'[2] etc. Journalists' trade union also noted that pressure has already began on evening of 30 January, when police 'visited' many of the potential participants in the protests, especially journalists who covered the demonstrations of 23 January. Journalists' arrests were quite alarming, physical force and even stun guns were used. Moreover, the same methods were also used against peaceful protesters.

For example, correspondent of the 'Eho Moskvy' radio station, Arsenii Vesnin, was beaten in detention, and police used a stun gun against Nikita Stupin, journalist of 'AvtozakLive' newsroom. Journalist Georgy Markov was detained harshly while covering the demonstrations in Sankt Petersburg, wearing equipment bearing the inscription 'press'. He was hit and electrocuted at the same time. His filming equipment was damaged[3]. On the eve of the protests of 31 January, Sergey Smirnov, editor-in-chief of 'Mediazona', was detained. This happened exactly when he was taking a walk with his son.

At the same time, thousands of citizens who came to demonstrate peacefully or who were simply on the streets at that time suffered due to the protests. The number of people detained in January 2021 is a record number for protests in the Russian Federation in the recent years. According to 'OVD-info' data, more than 4000 people were detained on 23 January in 125 Russian cities[4], and on 31 January the number of detained people increased to more than 5000 in 86 cities of the Russian Federation[5]. While the police unreasonably used force against the protesters, they were chanting: 'We are unarmed'. Detained protesters were placed in inhumane and degrading conditions, and some of them were also subjected to physical violence. By 11 February, 90 criminal cases were filed against protesters[6].

Restriction of movement was another technique used against the right to demonstrate. To this end, the day before the protests on 31 January, the centre of Moscow and 7 metro stations were closed, other public transport routes were rerouted for the following day.

Violations noted in the Russian Federation during the latest protests are a serious infringement of fundamental rights and freedoms. Peaceful protests simply degenerated into authorities' 'hunt' against demonstrators and representatives of some media outlets. 'Reporters Without Borders' organisation condemned the repressive actions against journalists and urged the European Union to introduce new

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2   From Yakutsk to Cherepovets: journalists' deliberate detentions took place all over the country
     https://profjur.org/ot-jakutska-do-cherepovca/?utm_source=facebook.com&utm_medium=social&utm_campaign=po-vsey-strane-proshli-tselenapravlennye-z&utm_content=47574296

3   Freedom of the press was demonstratively and massively violated by law enforcement bodies during actions in support of Navalny.
     https://rsf.org/sites/default/files/russie_2021_02_01_journalistes_massivement_interpelles_rus_1.pdf

4   Freedom to Navalny! Outcomes of the all-Russian protest action on 23 January
     https://ovdinfo.org/articles/2021/01/23/svobodu-navalnomu-itogi-vserossiyskoy-akcii-protesta-23-yanvarya

5   The second all-Russian protest action 'Freedom to Navalny'. Totals as of 31 January.
     https://ovdinfo.org/articles/2021/01/31/vtoraya-vserossiyskaya-akciya-protesta-svobodu-navalnomu-itogi-31-yanvarya

6   Criminal cases for participating in protest actions in support of Navalny. OVD-Info guide. https://ovdinfo.org/navalny-protests

Photo: Maxim SHEMETOV/REUTERS

personal sanctions. In the same train of thoughts, the head of EU diplomacy Josep Borell mentioned in a Twitter posting: 'People must be able to exercise their right to demonstrate without fear of repression. Russia needs to comply with its international commitments'. The fact that police actions have become so aggressive raises a sense of fear and shows a lack of arguments for civilised dialogue. The methods of harassment and intimidation of journalists and peaceful citizens are serious violations of the right to free expression and the right to assembly. It cannot be said that Russia is a state where human rights are an unquestionable priority, but these events reveal an even sadder reality

of the conditions in which the citizens of the Russian Federation live.

On the other hand, the avalanche of protests in January 2021 is a sign that the citizens of the Russian Federation were engaged in the fight for their fundamental rights and freedoms. They did not let themselves be intimidated and overcame any fear. Journalists from independent media outlets joined their voices and, regardless of the conditions and circumstances, continued to cover the actions of the protesters. According to Lithuanian Minister of Foreign Affairs Gabrielius Landsbergis 'change is in the air in many Russian cities'.

Transnistrian conflict, a propaganda tool for the electoral campaign

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He studied political science at the National School of Political and Administrative Studies in Bucharest and wrote two volumes of social and political analysis, the latter being entitled 'Moldovans in Transition' and focusing on the subject of post-Soviet transition in the Republic of Moldova within a wider paradigm of social and political transformations in this territory over the last two centuries. He collaborated with the periodicals 'Adevarul', 'Adevarul Moldova', 'Cotidianul' (Bucharest), 'Timpul' (Chisinau) with his domestic and foreign policy analyses, especially about the post Soviet space and the Black Sea region.
In 2019-2020 he majored in strategic communication at the University of Warsaw, with a fellowship under the Lane Kirkland program. His analytical and research interests include both regional security in the Black Sea area, post-Soviet space and the political sphere in the Republic of Moldova, which are related topics. He is passionate about history, geography and science fiction literature.

Political confrontation between the new president, Maia Sandu, and the Party of Socialists led by former president Igor Dodon, supported by their allies in from 'Sor' party, resulted in the dissolution of the Parliament of the Republic of Moldova, initiating the procedures preceding a new election campaign for early parliamentary elections of 11 July. These elections occur under the auspices of a political rise of the pro-presidential PAS party and an eminently defensive and aggressive positioning of the Party of Socialists, which managed to change its allies, attracting the Party of Communists into an electoral bloc. More than ever, the Socialist Party adopts the strategy of the besieged fortress and plays the geopolitical card within its electoral campaign communication. The aim of PSRM-PCRM is to achieve a 'rally around the flag' effect, that is the exemplary mobilisation to vote of all citizens who accept, internalise and share the message based on the projection of a geopolitical confrontation, on the territory of the Republic of Moldova, between the West (presented in a negative way) and East – Russia (presented in a positive way). To succeed in stimulating certain sections of the population's fears of alleged 'invasions' from the West and of what socialists call transition of the country under the external governance, Igor Dodon and his team need a 'kernel of truth' to build their messages on. This time it comes from the districts on the left bank of the Nistru river and appears as an artificial increase in tensions between so-called self-proclaimed 'authorities' and legitimate institutions of power, to serve as the basis for assertions expressed during the campaign by socialists and verbalised predominantly by Igor Dodon. It is about spreading fears, frequently basic fears – fear of war, fear of chaos – as well as about stimulating xenophobia. All these elements are combined in a apocalyptic scenario where we would imminently 'lose our country', i.e the Republic of Moldova would disappear from the world map. The only way to avoid this collapse of the Moldovan state would be massive voting for the electoral bloc of communists and socialists, so that they could rule.

One of the basic elements of the socialists' strategic communication during this period is invoking the Transnistrian region in the context of generating fear of 'war'. The other bank of Nistru river makes it easier for them. How? We will find out below.

'The right wing means war'

Head of the Party of Socialists, Igor Dodon, decided to radicalize his speech in a way that could have been described as hysterical – if this hadn't generated insecurity for the Republic of Moldova. In his statements made on 21 May during the 'President Igor Dodon responds' vlog, a single textual construct with phrases such as 'war', 'destabilisation on the Nistru river' and 'right-wing parties' is used.

> *'Victory of right-wing parties could lead to destabilisation of the situation, like in Ukraine. I don't believe that anyone wants to give the country under external control, as happened with the presidency. I am sure that the absolute majority does not want that.*
>
> *If this happens, then destabilisation on the Nistru river and not only will be inevitable. You know how our people say: "Come what may, let there be no war". Victories of right-wing forces mean war and destabilisation. So that later people won't say they weren't warned.'*[1]

We will not assess the value of Igor Dodon's statements here, but will try to place them in a certain political context, corroborating them with other pieces of a puzzle of the Russian strategic communication towards the Republic of Moldova over the last months, and especially once the electoral period for early parliamentary elections begins. Thus, very soon after Igor Dodon made those statements, Vadim Krasnoselski, the head of the so-called Tiraspol administration met with the Ambassador of the Russian Federation, Oleg Vasnetsov, who visited him in Tiraspol. During the meeting, Krasnoselski complained to Vasnetsov that Moldovan authorities allegedly put pressure on Tiraspol, refused to fulfil their commitments, causing stagnation within the negotiations, and imposed banking and economic barriers to the so-called 'rmn' (Pridnestrovian Moldavian Republic). The self-proclaimed separatist leader has threatened that if Chisinau did not change

its behaviour, the Tiraspol regime 'reserves the right to withdraw from previously signed agreements'[2]. This message was made publicly in the context of tense relations between the two banks of Nistru river following an incident, when Moldovan civilian drowned in the Nistru river, being chased by the so-called Transnistrian border guards near Rascaieti commune in Stefan Voda district. Several days after the media from Chisinau widely covered the incident, information from the other side of Nistru appeared. It was disseminated by representatives of districts on the left bank of Nistru river in the Unified Control Commission, describing another incident when unidentified people coming from the direction of Chisinau allegedly shot the car of a so-called Transnistrian border guard with a sniper rifle, firing three times.[3] It is interesting that the information was released on 21 May, and the incident it refers to allegedly happened on 2 May, i.e. before the tragic case in Rascaieti. Subsequently, the alleged Transnistrian authorities did not present any evidence, even though there should have been some material evidence of such an event: the damaged car, or at least the bullets and cartridges remaining from the shooting. This alleged shooting incident did not result in any investigations and even on the left bank of Nistru river the topic seems to be drawn down. It shows that media brought up this issue in order to at least partially counteract the negative effects of the incident in Rascaieti on the self-proclaimed Transnistrian administration. Krasnoselsky's statements at the meeting with Vasnetsov were a continuation of these events, one real and the other reasonably suspected to be fabricated, but creating the impression of destabilisation. The threat of breaching contacts and withdrawing from the signed agreements, invoking reasons that are invented out of thin air and that, in any case, even according to interpretation of Tiraspol, existed previously, can be seen as a culmination of tensioning the situation before the early parliamentary elections. In other words, three or five months ago, there were no reasons for withdrawing from agreements concluded with Chisinau, and currently these reasons exist – exactly when the electoral period started. It is also worth commenting on the fact that there is a temporal correlation between the Transnistrian announcement about the alleged armed incident

1   https://stiri.md/article/politica/dodon-avertizeaza-despre-razboi-in-cazul-victoriei-fortelor-de-dreapta
2   https://stiri.md/article/politica/tiraspolul-ameninta-chisinaul-cu-retragerea-din-acordurile-semnate
3   https://noi.md/md/societate/incident-in-zona-de-securitate-persoane-necunoscute-au-deschis-focul-in-masina-unui-granicer

involving the so-called border guards and Igor Dodon's statements on imminent war if right-wing forces win the early parliamentary elections. Along with Krasnoselski's hostile statements, there are signs of emerging conditions that could make Dodon's predictions come true.

Self-fulfilling prophecy directed by Russia

Announcement by the self-proclaimed leader from Tiraspol that he could force a withdrawal from the agreements signed with Chisinau was made during a meeting with the head of the Russian Federation

Photo source: https://infoprut.ro

diplomacy in Chisinau, which is a very important fact. It shows that namely the Russian diplomacy, which never acts without instruction from Moscow, provided Krasnoselski with the opportunity and the framework he needed to make these statements. For the Republic of Moldova, this means that Russia engages in the scenario of a hybrid destabilization of our security in anticipation of early parliamentary elections. This scenario is a classic one, exercised in other former Soviet republics with frozen conflicts, such as Ukraine and Georgia. First, some incidents are caused, some provocations are staged, and then speculated in order to make the dialogue between the parties more tense, so as to later demand a change or replacement of the existing format of relations between the legitimate authorities and the separatists. Subsequently, the legitimate authorities are victims of a powerful propaganda campaign that uses disinformation, tensions rise even further, and from there it is only one step to armed confrontation. However, in our case, the developments described in this article seem to aim at achieving a greater electorate mobilisation effect, favourable to Igor Dodon and the Bloc of Communists and Socialists. The above-mentioned incidents and Krasnoselski's rhetoric is used to substantiate Igor Dodon's statements about the war. It is about generating self-fulfilling prophecy [4], so that citizens fear that events could take a violent

turn on the Nistru, which only certain political forces could escape, i.e. only those who can negotiate properly with Krasnoselski and Russia. Here we must recall, on the one hand, frequent bilateral meetings Dodon-Krasnoselski, during which the latter was presented as 'leader of Transnistria' and the virulent reaction of the Russian Ministry of Foreign Affairs to the President Maia Sandu's statements about the need to withdraw Russian troops illegally stationed on the left bank of Nistru river [5], expressed through MFA spokeswoman Maria Zakharova. Ignoring the fact that such statements were made by all former presidents of the Republic of Moldova, including Igor Dodon, Russian official accused Maia Sandu of making statements likely to undermine the peaceful settlement of the Transnistrian conflict. Subsequently, Zakharova also made a hostile statement about the unconstitutionality of the new Law on Functioning of Languages, adopted on 16 December, asking Moldovan authorities not to provoke a linguistic tensions [6], but also a statement concerning the transnistrian region. In February, Ambassador Vasnetsov attended a meeting of the so-called board of ministry of foreign affairs in Tiraspol, and the Ministry of Foreign Affairs of the Republic of Moldova expressed an official protest in this regard. The representative of the Russian MFA criticised the reaction of Moldovan authorities, claiming that representatives of the Moldovan embassy

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[4]   A self-fulfilling prophecy can be defined as a set of judgments to future developments (forecasts) that influence reality so that it becomes an accomplished fact. The concept was theoretically substantiated by the American sociologist Robert K. Merton in 1948.

[5]   https://www.rbc.ru/rbcfreenews/5fc0cc2a9a79472e7248d79c

[6]   https://ria.ru/20210122/moldaviya-1594211466.html

in Moscow are free to contact with the administrations of Russian regions and should not make any claims regarding Vasnetsov's actions.[7] Unfortunately, there was no official reaction from the state institutions of the Republic of Moldova, but if it existed, it could have pointed out that, on the one hand, Russian regions do not have ministries of foreign affairs and on the other hand, regional administrations in the Russian Federation act within the constitutional framework of the Russian Federation, which cannot be said of the so-called institutions in Tiraspol, claiming to belong to a supposedly independent state that is not the Republic of Moldova, but which is not recognised by the Chisinau authorities. Zakharova also voiced an opinion on vandalisation of a monument to Soviet soldiers[8] and bringing of Sputnik V vaccine to the Republic of Moldova[9]. In May, the representative of the Russian Ministry of Foreign Affairs made two statements, a week apart, condemning the alleged interference of Western diplomats in the internal affairs of the Republic of Moldova.[10] Zakharova was more specific during the last speech on 21 May, accusing EU representative in Chisinau Peter Michalko of 'aggressive rhetoric' for saying that the Republic of Moldova must elect a Parliament that will be trusted by people. Referring to Michalko, she also said that Moldovan people 'would handle without him'. At the same time, the representative of Russian MFA accused Western diplomats of attacking political forces that advocate for close relations with the Russian Federation.[11] Since the presidential elections, Maria Zakharova spoke 7 times about the Republic of Moldova, which indicates higher attention Russia pays to the situation in Chisinau, as according to the pre-election situation, the electoral bloc led by Dodon has very little chance to win the early parliamentary elections. Thus, all these facts involving three main actors named Igor Dodon, Vadim Krasnoselski and Maria Zakharova, reveal Russia's strategy of making tensions through hybrid tactics of manipulating public opinion in the Republic of Moldova to maximise the electoral mobilisation of decided and potential voters of pro-Russian political forces.

Russian community of experts supports Russian–Transnistrian efforts

A Russian think-tank, the RUSSTRAT Institute for International Policy and Economic Strategies, accuses the US ambassador to Moldova Dereck J. Hogan, of 'declaring the need for war'[12] at his meeting held at the Moldova State University. There is absolutely no noteworthy evidence in the text to support this statement. On the contrary, RUSSTRAT admits that ambassador done nothing but say that the Transnistrian region must return under the administrative control of Chisinau, and that Chisinau must develop a single strategy for this purpose. However, the damage was inflicted and the insufficiently attentive reader will note that 'the Americans want to make war in Transnistria', which is the purpose of this disinformation.

On the same day of 18 May, when the US Ambassador held a speech before the students and professors of the USM in Chisinau, in Moscow there was a ceremony of handing in credentials to the new ambassadors to Russia, including former socialist MP Vladimir Golovatiuc, representing the Republic of Moldova. During his speech, the President of the Russian Federation Vladimir Putin also spoke about the settlement of the Transnistrian conflict: 'We will continue searching for a proper solution to the transnistrian problem, developed on the basis of agreements on a reliably guaranteed special status of Transnistria, respecting the sovereignty and ensuring the territorial integrity of Moldova'.[13]

The tone of Putin's statements is very different from those of Maria Zakharova, reflecting much better the real attitude of the Russian Federation to Moldova, on both sides of the Nistru river. In a way, Russia plays 'good cop, bad cop' with Chisinau, as Putin appears, illusory, as an enlightened and peacemaking leader with whom you can come to an understanding.

7   https://tass.ru/politika/10734503

8   https://tass.ru/proisshestviya/11002931

9   https://www.mid.ru/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4711959

10   https://iz.ru/1163617/2021-05-13/mid-rossii-osudil-vmeshatelstvo-ssha-i-evrosoiuza-v-dela-moldavii

11   https://eadaily.com/ru/news/2021/05/21/zapadnye-posly-v-moldavii-usilivayut-agressivnuyu-ritoriku-zaharova

12   https://russtrat.ru/comments/22-maya-2021-0010-4344?fbclid=IwAR2wP31kMVGVPI8yBRmjJmeYobV7aiTRgZ95OCTXheyMVFmh4Q4sSMtXt7U

13   https://protv.md/actualitate/statele-unite-considera-ca-regiunea-transnistreana-trebuie-sa-se-afle-sub-controlul-administrativ-al-chisi-
        naului-in-timp-ce-vladimir-putin-spune-ca-regiunea-trebuie-sa-aiba-un-statut-sigur-video---2567405.html

What comes next?

We witness a scenario of an artificial increase in the tensions on the Nistru river, for the electoral benefit of Igor Dodon and the Bloc of Communists and Socialists, which already hurries to make public statements about an imminent war if the Action and Solidarity Party and other center-right forces would win the early parliamentary elections of 11 July. Following the logic of developments, in the coming weeks, until mid-July, we can expect the staging of other incidents and provocations in the security area, which will add fuel to the fire of destabilisation and fuel speculations of PSRM, about a new armed conflict that awaits us. Certainly, we can expect provocations and conflicts on the election day, if we see that Moldovan citizens from the left bank of the Nistru river are transported in an organised manner to polling stations, as it happened during the previous elections – a topic worthy of a separate analysis.

Instrumentalisation of the Transnistrian conflict for electoral purposes is a Russian tactic to ensure that pro-Russian political forces will remain dominant in the political life of the Republic of Moldova, or at least that fundamental foreign policy changes, such as those related to the EU or NATO membership, cannot be achieved without their consultation and consent. As pro-Russian political forces become weaker for objective reasons – ageing electoral base, increasing attractiveness of the West as a political and economic model, incompetence and corruptibility of pro-Russian leaders – instrumentalisation of the Transnistrian conflict to boost their popularity and influence Chisinau's foreign policy decisions possibly will be used more and more often. Obviously, Moscow cannot afford provoking a real war, because it could produce exactly the reverse effect – the hostility of most Moldovan population, as in Ukraine. Given the proximity of Romania and the nature of Moldovan-Romanian relations, Russia, generally speaking, could lose everything. Further stimulation of a 'neither peace nor war' state in Transnistrian region, especially in case of a stable pro-West Government in Chisinau, could be an option to take into account, given the signs described in this analysis.

In such a situation, the Chisinau authorities cannot act too decisively now, taking into account the interim nature of the government, which the so-called authorities in Tiraspol are also using to pursue their agenda. However, after the parliamentary elections, a new government will have to be much more assertive in pursuing Moldova's national security interests. In this case, the strategy chosen by the Chisinau authorities should be connected with efforts to rebuild Moldova's defence capacity. A situation where, having a frozen conflict on the territory, the Moldovan state allocates less than one percent of the annual gross domestic product to the national defence sector can no longer be tolerated. Defence funding should be increased to at least 2% of GDP, and given the deplorable state of the National Army, even to 3-4%. Rearmament should focus on weaponry with a strong potential for asymmetric response to military threats from the left bank of Nistru river, given the nature of the troops deployed there, for example modern anti-tank assets and artillery. First of all, to achieve superiority later a genuine military parity with the armed forces on the left bank of Nistru river must be ensured, which is currently lacking. This cannot be achieved without at least a threefold increase in the size of the National Army. Therefore, the new government will have to resume the military reform and achieve the full transition to voluntary military service, ensuring attractive conditions for young people to choose a military career. Given the lack of a direct border between the Transnistrian region and the Russian Federation, as well as the existence of a Ukraine hostile to Russia for well-known reasons, Russia cannot easily intervene to supplement its armed potential in the Transnistrian region. Thus, if official Chisinau demonstrated real capabilities to defend its own territory and project military force, it would be much easier to defend its domestic and foreign policy interests, including the settlement of the Transnistrian dispute.

As regards the propagandistic fakes about the danger of a new war on Nistru river, the Moldovan authorities must be prepared to react timely and appropriately to the situation, as they did, for example, when Maria Zakharova accused Peter Michalko of putting pressure on the institutions from Chisinau. At that time, the Ministry of Foreign Affairs reacted and denied any pressure.

Constitutional crises, a legal or a political problem

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Law students are welcomed by the teacher of constitutional law with the question: **which is the best constitution of the world?** They try to impress with sophisticated answers. After hearing several answers, the teacher takes a small book out of the back pocket of his trousers. The book said 'Constitution of the Republic of Moldova'. The teacher showed the book to everyone and said – *'the best Constitution is the one that fits in a pocket. It must always come in handy'*.

Executive summary

The Constitution leaves place for dialogue between the President, Parliament and Government in exercising their constitutional rights. Nonetheless, depending on the political conflicts, the Constitutional Court accepted to be engaged in their forced settlement. As a result, the political negotiation and communication was replaced, without the right to appeal, with legal solutions in the constitutional

area. These circumstances thus trigger a legal discussion about the need to review the Constitutional Court powers to interpret the Constitution. Settling the political problems through the Constitutional Court and accepting these rules by the High Court erodes its authority.

Key conclusions and recommendations:

- Political problems should be settled in the political environment and the competence of the CC should be limited to legal issues. The Court should avoid getting involved in political disputes that go beyond its constitutional duties and role;
- The selection and appointment of CC judges is extremely important for ensuring the Court independence and authority. It is inadmissible to appoint politically affiliated judges, regardless the political circumstances;
- Constitutional provisions should be interpreted as a whole and taking into account its evolution over time, as well as the social, political and economic factors.

Since the Constitution was approved in 1994 and until now, the Constitutional Court delivered various judgments on the competences of the Parliament, Government and President. Since then, CC approved about 130 decisions interpreting the Constitution or checking the constitutionality of documents issued by this authority.
At the beginning it seemed very simple, but it got very complicated in the meantime. In other words, the Constitution that was intended to be a small pocket book turned into a 'library with many shelves and new editions'.

However, the high number of decisions were not able to ensure a balance among legal disputes between the President and the Parliament, which took place during January – April 2021. Every evening, experts in constitutional right expressed their divided opinions on how to overcome the crisis.
At the opposite pole, politicians have succeeded in involving the Constitutional Court in political games from the 'desire to find constitutional justice in strictly political matters'.

To understand how they got to this situation, we should make a short analysis of constitutional interventions in the political area over the past years. First, the Republic of Moldova received the best gift after independence. The Parliament adopted the new Constitution (in force so far). This document managed to separate the powers in the state in – legislative,

executive and judicial. From the legal point of view, the power was no more concentrated in the hands of one political party or person and the Constitution had to serve as a guarantor of this fundamental principle of modern democracy.

To ensure the balance of powers and the mutual control (the system of 'checks and balances'), **the legislator left space for dialogue between them**, using the following expressions – *'following consultations'* (Article 98), *'approves'* (Article 66); *'following consultation [...] may'* (Article 85); *'negotiates and submits for ratification'* (Article 86); *'may declare, with preliminary approval'* (Article 87); *'may be suspended'* (Article 89); *'ensures the implementation of the policy'* (Article 96). Essentially, according to Article 6 of the Constitution, the legislative, executive and judicial powers are separated, **but they collaborate** in exercising the assigned.

Second, the constitutional reforms concerning the role of the President had a major impact on the constitutional architecture. To reduce its importance, in 2000, the Parliament decided that the President will no longer be elected by people, but by MPs (61/101). However, in 2016, the Constitutional Court found that the above mentioned amendment was made in violation of the Constitution review procedures. As a result, they went back to the election of the President by people, with the duties set in the reform of 2000.

Given these circumstances, the Court was invited, in various cases, to give an interpretation to the above mentioned expressions in order to eliminate any conflict between the Parliament, President and Government. Here are some impactful and broadly known examples.

(a) On the interpretation of the verb 'may';
In this respect, we remind that the President may dissolve the Parliament, following consultations with the parliamentary factions (Article 85). The Constitutional Court decided that the right of the President to dissolve the Parliament **turns into an obligation** if during 3 months a Government is not formed (CCD No 30 of 1 October 2013). Nonetheless, in 2019, the Venice Commission stated that the difference between the expressions **'may dissolve'** and **'shall dissolve'** is well established in the law and is, undoubtedly, aimed at providing the President with the freedom to exercise his/her own judgment and discretion taking onto account

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the circumstances of a situation in the interest of the country as a whole (Opinion No 954/2019 of 24 June 2019, para.41). Thus, in the Legal Opinion No 1 of 15 April 2021, the Court changed its view, claiming that **it could no longer extend the control on ascertaining the opportunity** to dissolve the Parliament, once the Parliament failed to ensure the viability of the Government (paras. 58-59).

(b) On ignoring the content and the procedure that describe the verb 'approve';

According to Article 66(e) of the Constitution, the Parliament shall **approve** the military doctrine. In 2018, the Parliament adopted a National Defence Strategy that was different from the one that was proposed by the President.

In this context, the Constitutional Court was asked if the Parliament had the right to **unilaterally** adopt policy documents regarding the national defence without the consent of the President. The answer was affirmative. By Decision No 33 of 21 December 2018, the Court decided that the sole authority able to decide on the type of adopted document was the Parliament. That is, the opinion of the President who is the guarantor of sovereignty, national independence, territorial integrity and unity of the country, has no legal value.

As regards the foreign policy, we remind that the President represents the country and has express duties in this area (Article 86). At the same time, the Parliament **approves** the directions of domestic

and foreign policy (does not adopt, does not establish, Article 66(d)) and the Government **ensures the implementation of foreign and domestic policy** (does not adopt, does not establish, Article 96). Based on these Articles, the Constitutional Court found that, if the Parliament approves the main directions of foreign policy, the Government or the President of the Republic of Moldova shall not have their own foreign policies (CCD No 96 of 6 August 2020, paras. 36-37).

Anyway, the expression 'approve' has another interpretation when it comes to the budget of the country. Or, according to Article 131 of the Constitution, every year, the Government shall develop the budget and submit it **for approval** to the Parliament. The higher legislative body may not interfere unless its proposals are accepted by the Government.

On the basis of similar articles, the Constitutional Court from Romania came with a different interpretation. By Decision No 683 of 27 June 2012, the Court found that *'the President of Romania represents the Romanian state, which means that he/she leads and engages the state in the foreign policy area (...) Such a concept is legal due to the representative nature of the position, the President of Romania being elected by the citizens through* **universal**, *equal, direct, secret and free* **vote**. *Given that the Prime Minister has the duty to ensure the achievement of foreign policy, which means that, depending on the foreign direction set by the state representative, who is the President of the state, the Government, though its representative, is to accomplish accordingly the measures assumed by the state. Thus, the Court found that as regards the foreign policy, the Government has rather a technical role as it should comply with the obligations that Romania assumed at the level of state (...)'.*

To remove certain ambiguities, for example, the French Constitution states that the Government shall **establish and direct** the state policy. In practice, the President has a special role, not exclusive, but special, of primary importance in the foreign affairs and defence areas (interview provided by the President of France, Mitterand, for TF1 on 29 March 1987).

The are plenty more examples, but the essential aspect **is the power of words used by the Constitution**, not the political colour of the President. In essence,

- **'By adopting'**, the competent body exercises plenary and plenipotentiary all the power it has according to the Constitution;
- **'By approving'**, the same competent body exercises **only some of its power**, more exactly, it controls those who developed the policy content.

According to an experienced constitutionalist from Romania, who has an opinion that we support, – *'if there is conflict between those who develop and submit a document for approval and those who assign authority to that content, **the above mentioned verbs can not be absolute synonyms by any means'***.

(c) On the content of the statement 'following consultations';

The President of the Republic of Moldova designates a candidate for the office of Prime-Minister following consultations with parliamentary fractions (Article 98(1)). This Article was inherited from the constitutional period when the President was elected by the Parliament. In this regard, the Constitutional Court decided that the

Photo source: http://www.justice.gov.md/

President must appoint the candidate who is **supported by the absolute parliamentary majority**, and if there is no absolute majority, the President must to propose his/her own candidate.

At the same time, the President may not be denied the right to assess the qualities, skills, experience and as a matter of fact, the capacity of a person, either politically engaged or not, to run the Government and to seek the political support of parliamentary majority, that will support him/her during the entire legislature, **but does not have the constitutional support to impose his/her own candidate** (CCD No 32 of 29 December 2015, CCD No 23 of 6 August 2020).

To begin, we could mention an excerpt of the partially separated opinion of the judge Tudor PANTIRU about the Decision No 32 of 2015. According to the Judge, by introducing the expression 'absolute parliamentary majority', basically the Court revives the Article 82(1) of the Constitution, **against the last will of the constituent legislator**. The Court ignores the intention and the reasons of the constituent legislator for amending the text of the law as regards the role of parliamentary factions, as parts of the Parliament (...).

In his work 'The English Constitution', Walter Bagehot wrote: do not be fooled by constitutional theories (the 'paper description') and formal institutional continuities ('connected outward sameness') – **concentrate instead on the real centres of power and the practical working of the political system** ('living reality').

The real thing is that we have a President elected by sovereign people. We have a President who is out there campaigning, who persuades the electorate and is elected on the basis of his/her views. On one hand, the High Court found that the mode of electing the President of the Republic does not have any effect on **how the head of the state exercises his/her duties** that are regulated by Article 98(1) of the Constitution (CCD No 23 of 6 August 2020, para. 24). On the other hand, previously, the Court mentioned that before 2000, the President used to be elected by citizens and from the point of view of representativeness, the president had the same position as the legislative authority and had extensive powers (CCD No 17 of 12 July 2010, CCD No 30 of 1 October 2013; CCD No 32 of 29 December 2015).

Regardless the mode of electing the head of the state, the world that underlies the Government investiture is unchanged *'following consultations'*. Particularly, Article 98 provides for that the **president consults** (to ask, to request the opinion) the factions about the candidate, while the Parliament has the exclusive competence to check the programme of activity and the list of the Government members. The Constitution clearly uses three different expressions – 'candidate', 'programme of activity' and 'list of Government members'. Thus, the appointed candidate will negotiate with the factions and will seek the vote of confidence in the Parliament.

A simple reading of the Constitution reveals the fact that the legislator used different verbs in the process of appointing certain state officials. For example, the President appoints judges, at the **proposal** of the Supreme Council of Magistracy (Article 116). In another case, the President accredits and recalls the representatives of diplomatic staff, at the **proposal** of the Government (Article 86). The Parliament, at the proposal of at least one quarter of MPs may express no confidence to the Government (Article 106). The prosecutor general is appointed by the President of the Republic of Moldova, at the **proposal** of the Superior Council of Prosecutors (Article 125). In the above mentioned examples, the president must appoint, but his/her discretionary right is limited to the maximum.

The criticism that may occur could be linked to a possible constitutional abuse by the President. Nonetheless, the exercise of any discretionary right does not allow to conduct an arbitrary constitutional activity. For this reason, the President will not be able to subordinate forever the Parliament by threatening to dissolve it, as long as the Constitutional Court **is the only authority** that find the circumstances for dissolving and allows to issue such a decree. In its turn, in the end, the Constitutional Court will express its opinion on the investment of the Government as a whole, not on each separate decree. According to the Decision No 6 of 23 February 2021, the Court states that the President of the Republic of Moldova and the MPs should demonstrate a loyal constitutional behaviour and show mutual respect in order to ensure the cooperation, which is essential to the investment of the Government and, implicitly, to the good functioning of the state.

(d) A different prospect.

In this train of thoughts, we can mention the opinion of the constitutionalist from Romania, Dima BOGDAN, who approaches in a very clear manner the attempts of 'any one' to revise the Constitution. He asked – *'What if the Constitution is more intelligent than those who apply and interpret it?' What if the Constitution that limits, the Constitution that constraints is the cause of frustration of political stakeholders, who as such, instead of complying with it, want to amend it? (...) The law as legal order is different from the political order, organising and limiting it at the same time'*. Starting from this idea, we note that the above mentioned constitutional interventions limited to the maximum the political dialogue between political stakeholders. The plenty of decisions and rulings of the Constitutional Court make the political negotiation impossible and decrease its importance.

What if the Constitutional Court didn't have the power to interpret the Constitution in the abstract, and would examine the constitutionality of acts issued for each separate case? What if the Constitutional Court improved the efficiency of the following expressions – *"following consultations'* (Article 98), *'approves'* (Article 66); *'following consultation [...] may'* (Article 85); *'negotiates and submits for ratification'* (Article 86); *'may declare, with preliminary approval'* (Article 87); *'may be suspended'* (Article 89); *'ensures the implementation of the policy'* (Article 96). What if the Constitutional Court interfered in the relationship between the state authorities only *in emergency situations*?

The answers to these questions would serve as good foundation for a PhD thesis about the reform of the Constitutional Court. I am sure that the answers to these questions would allow the Constitution to fit again in the back pocket of trousers to always come in handy.

Implementing the electronic data sharing for local public and administration authorities
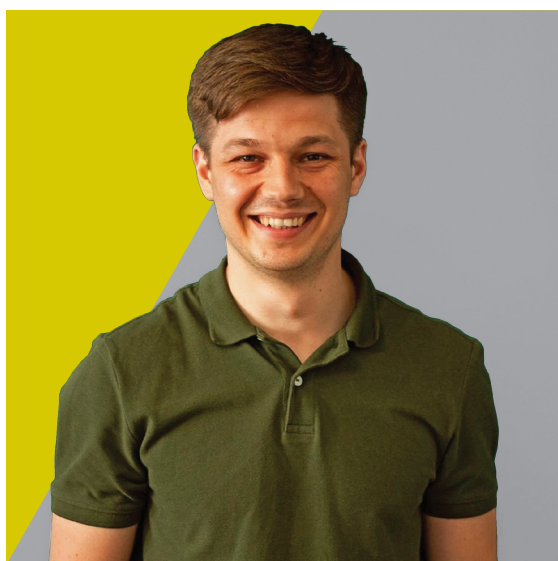
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He started to work in the legal area in 2014 and is specialised in implementing and developing e-Government and the administrative reform at LPA and CPA level. As a graduate of the Faculty of Law and as a lawyer employed at the Ministry of Internal Affairs, State Chancellery and e-Government Agency P.I., during the years of study and professional activity he has acquired case-law knowledge that he is successfully applying now.

During his work, he was involved in developing, promoting, endorsing and interpreting regulatory acts, public policy documents, orders and work instructions regarding the implementation of the legal framework on public services provided by the state institutions through electronic technologies and development of administrative reform at LPA and CPA level.

General context

The society undergoes an ongoing complex revolution in information and communication technology, which fundamentally transforms the way the economic environment, citizens and public administration authorities (LPAs) operate and interact between them.

Most modern countries accept policies that shift them to e-Government through data sharing and access to electronic information, as a method of improving the services provided to businesses and individuals, thus promoting economic and social development, increasing the efficiency of public administration by implementing information systems, integrating databases and creating their own web services. Nonetheless, the degree and the pace of digitalisation varies in different countries and regions.

Digitalisation means economy, efficiency and effectiveness. Estonia is an example to follow in this regard because it managed to transform the business and public service system by digitalising 99% of the public services. As a result, 98% of citizens have an electronic ID, 99.6% use online banking services, 100% of school and university teaching can be ensured remotely, 98% of prescriptions for medicines are digital, 97% of tax statements are submitted online, 98% of private companies are established online (it lasts about 3 hours), 2,500 electronic services are available to the public on the platform https://www.eesti.ee, the ONLINE voting for the Parliament, LPAs or EU Parliament lasts 3 minutes.

In the case of the Republic of Moldova, the degree of digitalisation is steadily increasing, consumers are familiar with digital solutions and over 75% of the population uses the internet both optical fibre networks and mobile internet: over 98% of the settlements in the country are connected to fixed point of access to optical fibre and over 98% of the settlements are covered with high capacity mobile internet; 4.36 million phones are actively connected (which exceeds the number of the population).

At the same time, the digital public services are not developed sufficiently, the Government of the Republic of Moldova managing to digitalise about 126 services for individuals and businesses, out of 580 public services that exist. Thus, it is necessary to take measures to optimise the activity of one-stop-shops, to ensure the digital inclusion of beneficiaries at local level, to increase the level of electronic service adoption and to ensure their financial sustainability.

As a general concept, e-Governance applies data sharing through the interaction between administrations, individuals and businesses when providing electronic public services. We can say that e-Governance represent a way of applying and using information and communication technologies, to ensure access to information and provide interactive public services.

Benefits of LPA digitalisation

Thus, data sharing and access to electronic information can certainly bring people closer to LPAs and provide advantages to both participants: LPAs can get more support in their activities and more trust in the obtained data, while individuals can have a better understanding and solve more efficient and faster their problems.

Implementation of data/electronic information sharing scenario brings the following benefits:

- higher efficiency in the activity of local public administration;
- broader access to administrative services;
- ensuring transparency, reducing bureaucracy and corruption in the activity of local public authorities;
- stimulating the creation and implementation of software systems and applications aimed at supporting the reform and development in e-Governance;
- increasing the knowledge of civil servants from local public administration in information technologies and data sharing;
- developing the regulatory framework on e-Governance at local level;
- improved information literacy;
- strengthened electronic democracy;
- high degree of using information technologies.

As a benefit of implementing data sharing scenario, individuals will not be required to submit physically different documents and certificates, which are currently issued by state institutions for a cost.

Another benefit of using the data sharing is the reduced time for reviewing the documents received by pubic authorities because they can access the needed information in electronic format (about individuals, businesses, goods in possession, etc.)

in the state information registers, in real time, with updated and accurate data.

This will also eliminate bureaucracy, which is currently caused by the need to exchange documents, certificates, reports, financial reports between mayoralties and district centres, because the documents will be accessed from the Information Resources and there will be no need to submit them on paper.

Regulatory aspects

The aim and the legal basis for accessing electronic data of LPAs is established by Law No 436-XVI/2006 on Local Public Administration, which lists the categories of participants in data sharing: local public authorities, individuals, businesses. Law No 142 on Data Sharing and Interoperability was approved on 19 July 2018 at the initiative of the Government of the Republic of Moldova. In compliance with Article 1(1) of the Law No 142/2018, the aim of the Law is to facilitate and enhance the efficiency of data sharing and interoperability in the public and private sectors, in order to increase the quality of provided public services, create new public electronic services and ensure the information security. According to the Law, the data sharing means provision of data/information by public/private authorities, consumption of data by data consumers or transmission of data from one information system to another. The Government Decision No 211 on Interoperability Platform (MConnect) entered into force on 03.04.2019, and according to Item 45, data consumers who do not own information systems that are able to consume data in automated regime, can access those data by using the Government Data Portal (www.date.gov.md).

Given the above mentioned and taking into account the tasks of local public administration authorities provided for in Law No 436/2006 on Local Public Administration, LPAs have the opportunity to access, for free, the data/information owned by the State Information Registers (*State Population Register*, *State Register of Legal Entities*, *Real Estate Register*, *information registers owned by the National Social Insurance House, National Health Insurance Company*, etc.) and use it for work, thus avoiding the information on paper.

Digitalisation of LPAs in the Republic of Moldova

Data sharing and e-Governance can help LPAs to be more efficient, provide better services, meet people's requirements for transparency and accountability, become more inclusive and regain people's trust in authorities and in the services provided.

A successful example in this respect are the northern districts – Edinet, Riscani and Glodeni, which currently access data about individuals, data about socially insured people, information about the salary income, the list of sanatorium vouchers or compensations a person received, the list of payments/social benefits to which a person is entitled.

Mayoralties and suburbs of Chisinau municipality have access to data from the National Social Insurance House and from the Information Registers of the State Tax Service.

Straseni, Leova and Ialoveni access data about the social insurance payments to which an individual is entitled and data about the salary income.

Based on the above, we note that a very small territory of the Republic of Moldova uses successfully the electronic data sharing mechanism. Thus, the coverage of this sector is less visible and need to be further promoted.

These services should meet the daily needs of individuals, eliminating the need to queue up at the doors of state institutions (Public Service Agency, National Social Insurance House, State Tax Service, etc.), because all the information owned by these institutions can be accessed online by the representatives of mayoralties and district centers.

Moreover, this is regulated by Law No 142/2018 on Data Sharing and Interoperability, which forces public authorities to provide services without requesting documents when the data contained in these documents are available in the Information Registers and can be checked and used online.

Barriers and impediments to LPA digitalisation

Currently, we find a range of barriers and impediments to LPA digitalisation, such as the low level of IT knowledge and poor digital literacy. People are not aware about digital services and their benefits compared to the traditional ones and they are
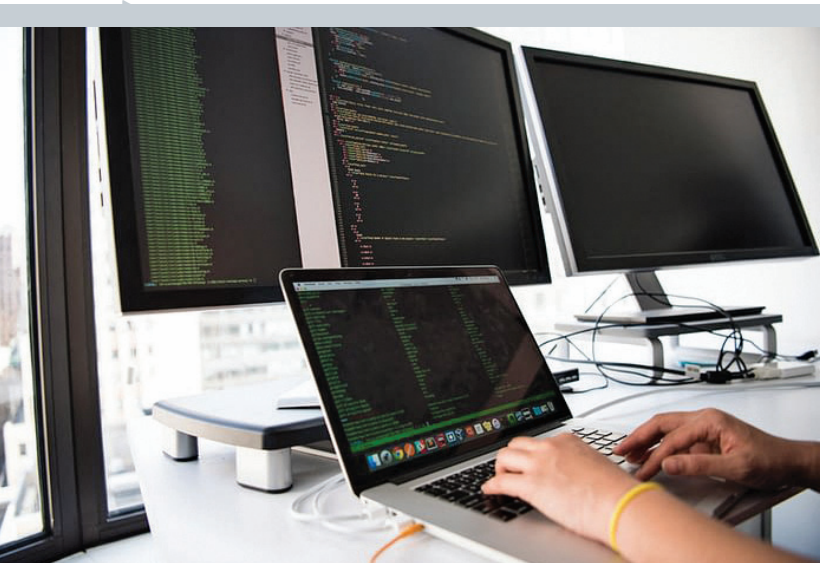
Photo source: https://www.edubao.org/

afraid to make a change and exit their comfort zone. Electronic services need to be promoted as a matter of emergency, particularly at local level, by identifying a leading institution in charge of this segment.

A major impediment is the lack of social partnership between the main stakeholders of e-Governance: central public administration, local public administrations, businesses, civil society, academia, as well as the lack of political will as things can be solved rapidly when politicians understand the problem and the benefits of public service digitalisation and are not afraid to take the risks of change.

At the same time, there is a need to assume, at national level, the responsibility for the LPA digitalisation, including for the use and implementation of data sharing in electronic format.

Measures and interventions to accelerate the digitalisation of public services at the level of local public authorities

To accelerate the service digitalisation it is necessary to identify a leader (institution, NGP, individual, working group under the council or mayoralty) that would promote the broad use of digital services through education programs, physical or online digital trainings, local media, communication campaigns and present success models, including in the field of data sharing. They can be initiated in collaboration

with e-Government Agency P.I., Congress of Local Authorities of the Republic of Moldova or ONGs specialised in e-Governance and should be presented in a convenient and accessible language.

Moreover, it is necessary to be in direct contact with representatives of public authorities and people, because an electronic solution will be accepted by the society only if it is developed and implemented by taking into account the needs and realities at the level of community, which bring a final benefit to all: council – mayoralty – people.

Thus, on the basis of this assigned role, the responsible entity should develop an action plan for long, medium and short term that would facilitate the digitalisation of public services provided by local public authorities, as well as the access of LPAs to data/information from State Information Registers in order to perform their job duties.

In the long run, it is necessary to develop a single Web Service for LPAs, able to provide all LPAs with the possibility to digitalise their internal processes (submission of applications, issuance of documents, provision of electronic services, exchange of information between LPAs), including to consume electronic data.

In the medium term, it is proposed to study the internal processes of LPAs, organise meetings with district, local councils and mayoralties to identify the set of data/information they need to consume to perform their duties and submit a centralised application on behalf al LPAs in order to have access to data.

In the short run, or immediately, it is necessary to identify a target group of mayoralties, district and local councils and organise an information campaign to present the benefits of electronic data sharing via the Government Data Portal in order to pilot this scenario, which will further be implemented on the entire territory of the Republic of Moldova.

In order to cope with the digitalisation impact it is very important to ensure cooperation with political stakeholders in order to set a national perspective for the progress of e-Government in the Republic of Moldova and particularly, at local level. Political will and engagement will reduce the barriers and the reluctance of public institutions towards digitalisation, and it can also change and modernise the regulatory framework at central and local level, if necessary.

Examples of success stories

The infrastructure of LPA administration can be developed and its internal system can be debureaucratised by implementing the digital transformation of local public administration. This trend is increasing in the European Union, and success stories include the information software integrated by local e-Government – 'City Magement' or 'Smart Village' largely applied in Romania.

More specifically, here are several services that can be accessed by local administrations that implemented this e-Government solution: online submission of documents, online notification of problems, online payment of taxes, fees and fines via modern methods (QR Code, bar code, Mobile Wallet, online banking), online meetings of local councils, electronic register office, online check of documents, online issuance of documents like tax certificates and Land Registry certificates.

Another successful example is Tallinn, which reveals its ambition to become a leader among intelligent and innovative cities, among small capitals in the world and focuses on data management for a better decision making process and improved capacity for all smart city initiatives. Thus, the most innovative experience is *the digitalisation of Municipal Council meetings*, during which councillors get connected with an identity card or mobile ID, they can express their desire to speak about certain topics included on the agenda, *to vote safely on all decisions and check the vote accuracy*.

There are already quite many interesting smart projects implemented in Tallinn. For example, city planning uses a high number of last generation geo-information solutions. The entire planning process is conducted on the basis of high quality mapping software, online databases and analysis capacities. Virtual methods and technologies are used to conduct their own construction of the city.

There is a technology for monitoring the urban air and measuring the traffic flow. Those 900 batteries and sensors of solar panels attached to the street lightning posts from Tallinn will start to collect data about environment and traffic. In future, the project could help reduce the noise, thus creating a more friendly urban landscape.

The most popular e-Services in Tallinn, of which several are available on mobile devices are the mobile and web application of public transport (schedules, online tracking, trip planner, city map) and the application for traffic cameras because they cover the most important crossroads from Tallinn and provides the most relevant, detailed and updated information about traffic jams, official web map of Tallinn and city evolutions.

Tallinn has 86 fully digitalised last generation electronic services, which allow people to submit an application, to give online feedback about the process and benefit from many efficient digital services such as application for one-off birth benefit, requests to the city archive to receive documents, applications for funding from business entities in support of entrepreneurial initiatives from city leadership, requests for licenses and permits for organising meetings and public events.

A number of 570 services are available in Tallinn and all of them are partially digital. The website of city leadership contains a database in which all the services are presented and described.

Future plans of the Republic of Moldova should be oriented towards the digitalisation of towns and villages in order to allow people to **request or use the desired services via electronic channels only. To achieve this, it is necessary to promote electronic solutions that will replace the traditional ones, thus offering people the opportunity** to access quickly free efficient digital services.

ABOUT US

The Development Initiatives Laboratory (LID Moldova) is a Think-Do Tank, independent, non-profit, non-governmental and non-partisan in the Republic of Moldova. It was founded in 2019 on the vision of a modern and free state and is based on the following strategic directions:

1. Research, innovation and economic development;
2. E-transformation and modernization of public services;
3. Empowering and promoting change agents;

According to the statute, the goals of the LID Moldova Foundation are:

- Preparation of analyzes, studies, campaigns in the social and economic field;
- Carrying out other activities in the social and economic field;
- Training and support of other NGOs in the region with the same profile.

The mission of LID Moldova is to empower individuals, organizations and public institutions to become agents of change and to provide expertise that leads to development.

LID Moldova is involved in promoting democratic values and building a space for dialogue in which people can express themselves freely and constructively. The initiative is at the heart of our effort and we will encourage it in any environment – from small communities of people gathered around the goal of improving their living space, to civil society organizations fighting for transparency and fairness, to academic communities that works on far-reaching ideas both at home and in Europe.

The core values are responsibility, meritocracy, and the celebration of success, openness and freedom. The Republic of Moldova is a young state, but it was built on the wounds of the past. Therefore, the promotion of meritocracy in all aspects of economic, political, cultural and social life must become a priority. As well as strengthening a critical thinking community in Moldova, able to advance ideas for a prosperous economy, a reliable government and a strengthened civil society.