

DEMOCRACY AND HUMAN RIGHTS

ELECTORAL PROMISES BETWEEN POPULISM AND CONSTITUTIONAL COMPLIANCE

Analysis of the socio-economic components of the candidates' programmes in the 2020 presidential elections

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The analysis of the electoral programmes and promises of the candidates for the position of president of Republic of Moldova highlights their tendency to exceed the powers of head of state established by the Constitution.



The vast majority of electoral promises in the social and economic fields are not financially feasible.



We call on the electoral contestants to engage in realistic electoral promises, to detach themselves from populism and to propose complex visions regarding the role of the President in the development of the country

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1

MAIN CONCLUSIONS

Electoral programmes are usually one of the main tools through which electoral contestants try to attract voters. In the case of Republic of Moldova, where politics consists more of a struggle between personalities than between doctrines, the electoral programmes have always been given less attention than in countries with democratic traditions. For example, in the current election campaign for the 2020 presidential election, only five out of eight electoral candidates have published their electoral programmes, of which only three candidates (Igor Dodon, Maia Sandu and Andrei Nastase) have presented relatively detailed electoral programmes. The programmes of the other candidates are brief or even superficial (1-2 pages), or limited to verbal promises.

The analysis of the electoral programmes and promises of the candidates for the position of President of the Republic of Moldova highlights their tendency to exceed the powers of this function provided by the Constitution.

According to the Constitution, the Republic of Moldova is a parliamentary republic, which suggests that the key role in promoting policies and reforms belongs to the Parliament, while the President has limited responsibilities, mainly in the field of defense and foreign policy (Annex A presents a detailed list of powers of the President according to the constitutional provisions). Though the President has the right to legislative initiative, the spirit of the Constitution clearly suggests that the president's areas of intervention are quite limited. In contrast to the latter, the electoral programmes and promises of the candidates in the 2020 presidential election are specific to the presidential state, and in some cases, they reflect features typical of a paternalistic regime where virtually all areas of state development depend on the president (from salaries, pensions and childbirth allowances to playgrounds, street lighting and water provision systems in villages and towns). Therefore, the vast majority of presidential election programmes and promises do not comply with the constitutional provisions.

The vast majority of electoral promises in the social and economic fields are not financially feasible. In many cases, the promises remind of an auction by the electoral contenders (e.g. who promises a higher pension) and do not represent a real struggle between visions, doctrines or ideologies with regard to the country's development or solution

of the country's major problems. Moreover, most of the time, the electoral candidates do not specify how they will mobilize the necessary financial resources, where they will get money from and what tools they will apply to implement the promises made. For example, according to the most conservative calculations, Igor Dodon's electoral promises are estimated at about MDL 120 billion for the 4-year term, or 10-11 per cent of GDP and 37 per cent of the national public budget estimated for that period; Maia Sandu comes up with a programme of about MDL 50-55 billion or about 5 per cent of GDP; and Violeta Ivanov's promise to increase the minimum pension to MDL 5,000 alone requires a financing of about MDL 25 billion per year or MDL 100 billion for the entire 4-year term. Obviously, in the context where over 90 per cent of budget expenditures are earmarked for recurrent activities, the budget deficit in 2020 is estimated at about 8 per cent of GDP, and the pension system is in deficit, the vast majority of these electoral promises are not feasible. Even though the external financing is mentioned, from the West and the East, this will not be enough, given the size of the electoral promises.

We urge the electoral contestants to engage in realistic electoral promises, to detach themselves from populism and to come up with complex visions regarding the role of the President in the development of the country. The electoral promises should be in compliance with the constitutional mandate (constitutional compliance), provide realistic instruments that would ensure their feasibility (e.g. funding sources, implementation tools, concrete targets) and be judicious for the balanced and sustainable socio-economic development of the country. At the same time, we condemn the irresponsibility of those electoral contestants who compete in promises, without taking into account the financial possibilities and the fiscal space of the country, as well as the mandate assigned by the Constitution to the president of the Republic of Moldova. We call on civil society and media to critically and thoroughly analyse, monitor and inform the general public about the essence of electoral promises and, subsequently, about their implementation. This would make the politicians more accountable and, in the long term, would increase the quality of the political class, which is one of the main preconditions for reforming and modernizing the country.

2

ANALYSIS OF THE SOCIO-ECONOMIC COMPONENTS OF THE ELECTORAL PROGRAMMES AND PROMISES OF THE CONTENDERS IN THE 2020 PRESIDENTIAL ELECTIONS

Following, the social and economic components of the promises and programmes of each candidate for the 2020 presidential elections will be analysed, based on three key aspects: (i) constitutional compliance (compliance with the powers of the President established by the Constitution); (ii) feasibility (analysis of financial needs for promises made, sources of funding and implementation tools); and (iii) relevance (relevance of the promises to the social and economic realities of the Republic of Moldova). It should be mentioned that only five of the eight electoral candidates have published their electoral programmes. For the contestants who do not have written election programmes, the analysis has been made based on the statements made at the launch events and other public events. The order of candidates follows the order of their registration in the election.

RENATO USATII

Constitutional compliance

Renato Usatii has not submitted a written election programme yet. Analysing the statements from his launch in the election campaign¹, we find that a large part of the promises goes beyond the presidential mandate. Thus, Renato Usatii presents as the main objective of his mandate the fight against corruption, the realization of which will allow for the achievement of other socio-economic objectives (increase of salaries and pensions; health and education reforms, etc.). In this sense, he proposes to liquidate the National Anticorruption Agency and create a new institution specialized in fighting large-scale corruption. However, such a reform can only be made by Parliament, as the powers of the President are, in fact, quite limited in this respect. Other examples include the launch of a cheap housing and interest-free mortgage programmes for young employees, creation of business consulting centres across the country, development of tourism or cancellation of the district administration, all these initiatives being specific to the mandate of the Government and Parliament. However, in order to ensure the relevance and credibility of those promises, Renato Usatii makes the connection between the presidential election and the early parliamentary elections, which he plans to convene if he is elected president.

In addition to the promises that go beyond the powers of the president, Renato Usatii also makes promises specific to the presidential tasks in the field of foreign policy and the Transnistrian conflict settlement. Yet he emphasizes the economic and social objectives mentioned above, without providing details regarding the instruments that can actually be used by a President within the powers established by the Constitution of the Republic of Moldova. Other promises that are in compliance with the powers of president are related to the elaboration of a national plan for the country modernization and promotion of competent persons in public positions.

Feasibility

Promises that are not part of the presidential mandate, are, by definition, not feasible without close cooperation with the Government and Parliament. Renato Usatii, however, did not go into enough details in this regard, except for the mentioning of early parliamentary elections. In addition, it is difficult to analyse the feasibility of the main promises, given the lack of details on how they are going to be implemented. For example, how he will manage to build cheap apartments and provide zero percent mortgages and why no one has succeeded so far in implementing such a project. The lack of an electoral programme in the form of a written document, available to the general public, which would provide these details, casts doubts on the feasibility of those promises.

Relevance

Renato Usatii aims rightly at the main problem of the Republic of Moldova - corruption - the solution of which will open development opportunities in all fields. Such a vision is but

¹ <https://www.privesc.eu/Arhiva/92158/Lansarea-in-campania-electoral-pentru-alegerile-prezidentiale-a-candidatului-Partidului-Nostru--Renato-Usatii>

timely and welcome, given the realities of the Republic of Moldova. However, there are some concerns and objections in this regard:

- As an element in the fight against corruption, it is proposed to liquidate the National Anticorruption Agency and create a new institution that will focus on the fight against large-scale corruption. First of all, it is not clear how replacing one institution with another can solve such a serious problem as corruption, which requires more profound and systemic approaches. Secondly, though it is not related to the president's powers, Renato Usatii's intention to liquidate one legal institution and replace it with another could suggest the desire to subordinate the main anti-corruption institution to the presidential institution. Such a measure contradicts the principles of a parliamentary republic and can be regarded as a step towards the establishment of a presidential state, undermining the principle of separation of powers in the state.
- Another indication of a propensity for the presidential state to the detriment of the quality of the democratic system is the reference to Singapore as a model for effective reforms. Although Singapore has made remarkable progress in the fight against corruption, such comparisons are quite dangerous as they indirectly motivate the need for a presidential, paternalistic and even authoritarian state to promote certain reforms, which depend strictly on the goodwill of the leader. It should be noted here that Singapore is rather an exception, because, in general, the level of corruption is higher in the countries with authoritarian regime or weak democratic systems. In the case of the Republic of Moldova, such a system could be to the detriment of the country, given the quality of the political class, the lack of self-government traditions and the high level of corruption among politicians.
- Renato Usatii is one of the few candidates who makes indirect reference to the territorial-administrative reform, which is one of the most necessary and delayed reforms in the country. However, the issue is treated rather superficially, mechanically and incompletely, being proposed only to cancel the district administrations, without coming up with a vision regarding other reform elements: quality and efficiency of public services; access to the public services at the local level; efficiency of local public administration; local autonomy etc.

Conclusion

Renato Usatii came up with promises focused on the fight against corruption, which is welcome given that corruption, indeed, undermines the development of all areas in the country. However, some of the actions promised by Usatii do not seem feasible due to the fact that they go beyond the presidential mandate, but also due to the lack of details on funding sources and concrete implementation tools. Renato Usatii's inclination towards the authoritarian presidential state model is also worrying, as revealed by some promises of fighting corruption and references to the *Singapore model* for promoting

reforms, which do not correspond to the Constitution of the Republic of Moldova and pose major risks to the functioning of economy and democracy.

ANDREI NASTASE

Constitutional compliance

The candidate of the DA Platform, Andrei Nastase, came up with a presidential programme generically entitled "Moldova of tomorrow country project"² outlining his electoral priorities and commitments, which for the most part exceed the constitutional powers of the head of state. In particular, Andrei Nastase promises that, as president of the Republic of Moldova, he will immediately implement the Decision of the Parliament on the state captivity³, on the basis of which he will eliminate the mafia and oligarchic elements at the level of state institutions, all this in the conditions in which the head of state does not have such prerogatives. For example, the adoption of the Magnitsky Law is one of the commitments of the Declaration on the recognition of the captive character of the state of the Republic of Moldova, which has not been realized so far, even though Nastase's party colleagues have submitted such a draft law⁴, and he, as president, will not be able to adopt this law without the support of the parliamentary majority. The latter is a precondition for other promises such as salaries for teachers comparable to the salaries of the Romanian teachers, substantial subsidies for farmers, or the opening of illegally closed or alienated factories, which are activities implemented in tandem with the Government and Parliament. On the other hand, the commitment to reinstate Moldova, through impeccable approaches, on the diplomatic, economic and financial world map and to restore its credibility as part of the European cultural space is more feasible in terms of the powers of the President as key figure in the country's foreign policy. But even in this case, cooperation between the state institutions is inevitable in order to achieve tangible results.

Feasibility

In general, most of the Andrei Nastase's electoral commitments are of a general nature, are not quantification, and do not allow to estimate the cost of the electoral programme as a whole. However, the presidential programme is comprehensive and addresses all key areas, including brief assessment of the current situation. At the same time, one of Nastase's key promises as part of the presidential programme to eradicate poverty, is to complete the text of the Constitution, so that every citizen is guaranteed a minimum income above the poverty line of MDL 2500, especially for pensions. However,

² <https://nastasepresedinte.md/program-prezidential-moldova-de-maine/>

³ <http://parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/4567/language/ro-RO/Default.aspx>

⁴ <http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/4860/language/ro-RO/Default.aspx>

this commitment faces simultaneously both feasibility and constitutional compliance problems. The estimates of the DA Platform indicate that the implementation of the given measure requires an additional MDL 3.5 billion per year, this in the context in which the State Social Insurance Budget from which pensions are paid has already a financing deficit of about MDL 2, 6 billion which is covered by transfers from the state budget. Regarding the funding sources for the programme, Andrei Nastase is convinced that in the next four years he can ensure additional budget revenues of at least MDL 20 billion by attracting foreign investment, eliminating corruption schemes in the public procurement, combating the informal economy, cancelling arbitrary tax facilities and imposing additional taxes on luxury and vices. The problem, however, is that while the possibility of securing these additional revenues to the budget is debatable and uncertain, the inclusion in the Constitution of such a provision would imply a definite obligation on the part of the state and could lead in the short-term to excessive state debt and in the long-term, to a collapse of public finances. At the same time, Andrei Nastase's electoral objectives include additional measures that could lead to a substantial increase in public spending. The increase of teachers' salaries to the level of teachers' salaries in Romania and the consistent increase of the subsidy fund (5 per cent of budget expenditures) alone are measures, which taken together with the minimum pension obligation, would exceed by far the resource framework of MDL 20 billion additionally estimated by the candidate's team. Moreover, the fixing in the Constitution of the minimum pension provision comes in a possible contradiction with another article of the supreme law (art. 131, paragraphs 4 and 6) which provides that no budget expenditure may be approved without establishing the source of funding and acceptance by the Government.

Relevance

Improving the quality of people's lives, which is the number one priority for Andrei Nastase, is part of the country's development and priorities agenda, and the approach to the economic development, based on a competitive business environment, transparent competition and a system in which fair taxes are paid, is also opportune.

At the same time, some electoral ideas and commitments cause confusion, namely:

- Presidential candidate Andrei Nastase states that he will impose, together with the Parliament and the Government of the Republic of Moldova, a national strategy for the objective evaluation and reduction of all prices for services and utilities currently paid by the citizens. Given that Republic of Moldova is a market economy, where the role of the state in price formation is limited, it is unclear how the presidential candidate intends to impose lower prices, this approach being practiced rather by authoritarian leaders of states without free economy. In addition, there is no certainty that, following the evaluation, all prices will fall. For example, in the case of some utilities, the politics' influence in the past has led to consumers paying tariffs today

that include financial deviations from several years ago due to untimely adjustment of prices for electoral reasons. The president should rather support and contribute to the independence and capacity building of institutions such as ANRE or the Competition Council, so that citizens can be sure that they are paying the right price and that companies are operating in an environment with clear, accurate and predictable rules. Certain findings reveal a populism that defies belief. For example, Andrei Nastase states that it is inadmissible for the state to buy gas for USD165 per cubic meter and sell it to the people for USD 330 per cubic meter, and that this "big oligarchic business" will be stopped immediately. At the same time, Nastase, like all gas consumers, can see the gas price structure in the invoices⁵, and as an analysis⁶ of the head of the Moldovagaz in the Republic of Moldova shows, the natural gas purchase price is about 53 per cent of the final price, 39 per cent being attributed to the gas distribution, transport and supply services, and 8 per cent is VAT, this structure being close to the situation in the European Union, where the only difference consists in higher natural gas tax rate in the EU.

- Andrei Nastase promises that the judicial authority will be released and obliged to quickly complete all the resonant criminal cases, starting with the one of the usurpation of state power. Again, it is not clear how the president can, on the basis of his constitutional powers, oblige the judiciary to do so and how this commitment complies with the principles of the separation of powers and the rule of law, principles which are part of his presidential programme.
- The leader of the DA Platform declares that he has solutions for opening the illegally closed or alienated factories, so as to offer better paid jobs to the people, planning to allocate MDL 3 billion to this end. Apparently, this commitment suggests that Andrei Nastase supports the idea of the state being actively present in the economy with companies in different sectors, which, in principle, contradicts the general ideas advocated by the candidate such as competitive business environment and healthy competition. Another aspect is the feasibility of the idea given that the assets of most closed state-owned enterprises are eroded.

Conclusion

Entering the presidential campaign with an agenda based on European integration, Andrei Nastase's promises based on the fight against corruption and mafia elements in the state structures are based on his public profile as a fighter. At the same time, many of the commitments do not fall within the powers of the president, suggesting that in his desire to do justice, he would be ready to go beyond certain boundaries of the

⁵ https://www.realitatea.md/foto-factura-de-gaze-naturale-va-arata-alfel-modificarile-propuse-de-moldovagaz_108375.html

⁶ <https://vadimceban.md/2020/tarifele-pentru-resursele-energetice-nu-sunt-subiect-de-administrare-in-spatiu-reglementat-136/?fbclid=IwAR01S8skP-64E-p7Q-wA3mgTaHawMHCMmDZ491uBFdb5GqB-J40ay61OJqPo>

separation of powers in the state. In the socio-economic area, Nastase's priority is to improve people's quality of life. However, his goal of establishing, in the Constitution, the minimum income above the poverty line, including a minimum pension of MDL 2,500 is rather populist and unsustainable given the existing resources. Although many of the electoral promises of the DA Platform leader are not expressed in concrete figures, comprehensive details are provided with regard to their implementation, covering all key areas. At the same time, it is obvious that the amount of the given promises exceeds by far the additional financing sources of MDL 20 billion for the next four years that the candidate is convinced he can bring in the budget.

TUDOR DELIU

Constitutional compliance

Tudor Deliu is the only electoral candidate whose programme fits exactly the constitutional powers assigned to the position of President of the Republic of Moldova. Thus, the first sentence of his electoral programme mentions "Observance of the constitutional and legal provisions according to the powers and Constitutional Oath (...)"⁷, being structured in accordance with the provisions of the Constitution. The programme includes objectives related to the promotion of democratic principles, the rule of law, the separation of state powers, functional and transparent justice, the implementation of the Association Agreement with the EU, national security and the central and local public administration.

Feasibility

Given that Deliu's electoral promises correspond to the constitutional powers of the president, his electoral programme is, in principle, feasible. However, many promises are rather vague and general, without mentioning how they will be implemented (e.g. supporting a genuine reform of the judiciary; ensuring national security and public order within the legal limits and conditions; defending democracy, etc.). The instruments planned to be applied are limited to the use of the right of legislative initiative and promotion of reforms.

Relevance

Though feasible and according to the constitution, the electoral programme lacks vision. There is no evaluation of the situation in the country, no identification of problems and no visionary approach to solving the problems. In addition, many promises are related to the basic duties of the president that have to be fulfilled (e.g.: guaranteeing sovereignty; respect for the rights of national minorities; consulting citizens through referenda; holding negotiations; negotiating and concluding international treaties on behalf of the Republic of Moldova). We believe that an electoral programme should include ob-

jectives that go beyond the enumeration of the basic obligations of the president, being rather focused on the candidate's vision as how to use the existing levers in order to ensure a sustainable development of the country.

Conclusion

Tudor Deliu's programme is quite shy, lacking vision and ambition. Even though he is the only candidate whose promises do not exceed the constitutional powers of the president, most promises are vague, general and include basic tasks of the president. Analysing the electoral programme, the conclusion is that the candidate did not pay enough attention to this important document.

IGOR DODON

Constitutional compliance

Most of the promises⁸ clearly exceed the powers of the president established by the constitution. There is no mentioning about the real instruments that the President can use within the constitutional space in order to fulfil the promises made. De facto, the electoral programme abounds in promises specific to a paternalistic presidential state where absolutely all areas of development of the country depend on the President: health, education, local and regional development, economy, infrastructure, culture, domestic and foreign policy, defense and even sensitive issues dealing with morality and spirituality. At the same time, even though the promises at level of state policies can be motivated by the president's right to legislative initiative, the promises that fall within the competence of mayoralties are in contradiction with the powers of the president (e.g. renovation of children's playgrounds and public areas in towns, construction of bike lanes or roads, and street lighting in villages). Such promises can be interpreted as undermining the self-government, because, under the national law, these objectives are strictly within the competence of local public authorities, which have to be institutionally and financially empowered to ensure genuine local self-government. In addition, some promises tend not only to go beyond the constitutional powers of the president, but also to undermine the independence of the central bank provided by the Constitution (e.g. the promise to amend the legislation on banking regulation in order to provide the real sector with cheaper, qualitative and long-term financial resources).

Feasibility

Igor Dodon's programme is well structured and quantified, most of the promises being expressed in figures (e.g. doubling the aid for the cold period of the year from MDL 500 to MDL 1000; hiring 2100 personal assistants for people with disabilities; MDL 300 million will be allocated annually for water supply programmes of localities in the country; allocation

⁷ <http://alegeri.md/images/0/09/Program-electoral-tudor-deliu-2020-ro.pdf>

⁸ <http://alegeri.md/images/c/c9/Program-electoral-igor-dodon-2020-ro.pdf>

of MDL 2 billion annually for the repair and construction of local roads). Although not specific to all promises, overall, the mentioning of necessary resources and impact indicators is positively assessed.

However, the feasibility of these promises is questionable. According to the most conservative calculations, the total volume of financial resources needed to fulfil those promises amounts to about MDL 120 billion for a 4-year period. This accounts for 10-11 per cent of the forecasted GDP for the 2021-2023 period and about 37 per cent of the forecasted national public budget for this period. Given that the current expenditure usually accounts for about 95 per cent of the revenue of the national public budget, it is absolutely clear that the resources available will not be sufficient to cover the financial promises of the candidate.

Thus, apart from the fact that most of these promises do not form part of the President's duties assigned by the Constitution of the Republic of Moldova, Igor Dodon's election programme does not mention anything concrete about how these promises will be fulfilled: there is no mentioning of administrative instruments to be used or how funding sources will be identified for such an ambitious programme. It mentions quite vaguely about attracting domestic and foreign investment, including from the European Bank for Reconstruction and Development, the creation of a state investment fund (or even banks) and joining the Eurasian Development Bank. However, the latter do not provide certainty as to the mobilization of such a large amount of financial resources required.

Relevance

Most of the promises are certainly relevant to the problems facing the country. The electoral programme focuses on increasing social benefits to combat poverty, increasing investment in health sector to increase the motivation of medical staff and improve the healthcare services, monetary measures to stimulate the birth rate to alleviate the demographic crisis, environmental protection programmes to combat the ecological crisis.

However, several components of the programme raise questions and doubts, in particular:

- The issue of corruption, which is the main problem of the country, is treated superficially. Although in his 2016 presidential programme⁹, Igor Dodon has devoted quite a lot of attention to this issue, stating that “the fight against corruption will become a priority”, in his current programme the term “corruption” is timidly encountered only twice: (i) in the case of the digitalization objective ; and (ii) in the case of the commitment to implement European (i.e. European and not Eurasian) standards in the field of anti-corruption. At the same time, it should be mentioned
- that the issue of corruption has remained extremely relevant during this period, and according to the Corruption Perception Index, the country has climbed only 3 positions in the ranking in 2019 (120th place out of 180 states) compared to 2016 (123rd place out of 198 states)¹⁰.
- A similar confusion related to the superficial approach to corruption is caused also by the fact that, compared to the 2016 programme, one of the main elements of public interest -the “recovery of the billion” and the investigation of the “theft of the century” is not mentioned in the current programme. It is not clear why these issues have disappeared from the 2020 electoral programme, especially since they have never been more relevant as today, and the president has some constitutional leverage to address the issue (e.g. appointment of the General Prosecutor, managing the security aspects of the country, etc.).
- Given that about 2/3 of Moldova's exports, including those from the Transnistrian region, are oriented towards the European Union, and during the implementation of the Association Agreement with the EU, Moldova's exports have increased by exactly USD 3.5 billion compared to the period until the Agreement, generating jobs, investments and budget revenues, Igor Dodon is committed to promoting Eurasian integration. At the same time, absolutely nothing is mentioned about the implementation of the Association Agreement and further exploitation of the opportunities of the Deep and Comprehensive Free Trade Area with the EU. This promise lacks economic reasoning and logic, being rather the result of Dodon's pro-Russian geopolitical orientation.
- Some areas seem obviously deprioritized compared to others, creating the impression that they have been included rather formally in the electoral programme. An example of this is the “Favourable Ecology” chapter. While the other areas abound in concrete figures on financial allocations or expected results, ecology is the only area where the candidate operates with extremely general and equivocal terms. The emphasis is on the development of state programmes, strategies and plans of “complex measures”, although the Republic of Moldova has already an Environmental Strategy until 2023 which includes all necessary actions in this area (for some reasons, implementation leaves much to be desired).
- The candidate promises to create an investment fund or even a bank, which implicitly assumes to be run by the state, whose role is to finance strategic projects for the country's economic development. However, we are all convinced of what the state administration of a commercial bank can lead to, based on the example of the Savings Bank, which was always used as a “milking cow” by absolutely all governments, culminating in the “theft of the

⁹ http://alegeri.md/w/Programul_electoral_al_candidatului_PSRM_Igor_Dodon_la_alegerile_preziden%C8%9Biale_din_2016

¹⁰ <https://www.transparency.org/en/cpi/2019>

billion” and bankruptcy of three systemic banks.

- Another promise shrouded in mystery is “changing legislation, including in the field of banking regulation, to provide the real sector of the economy with financial resources (...)”. First, banking regulation is the responsibility of the central bank, which is an independent institution, and the president cannot and must not intervene in the field of banking regulation and other monetary matters, as it poses direct risks to the country’s macro-financial stability, especially in relation to inflation and stability of the national currency. Second, the problem of the real sector’s access to credit resources is not related to legislation but to at least three structural aspects: insufficient long-term liquidity in the banking sector and the economy in general, the increased level of risks and uncertainty affecting the investment appetite of companies and banks, as well as the high level of informal economy that undermines the ability of companies to take out loans.
- In the field of agriculture, Igor Dodon rightly formulates one of the main problems facing the sector: the risks posed by unfavourable weather conditions, in particular drought. However, this problem is addressed by only three instruments that we do not see how they can really solve the situation in the sector: (i) irrigation systems; (ii) insurance in agriculture with the state participation; and (iii) the promotion of agricultural products on foreign markets. First, irrigation systems without safe water sources are not sustainable. However, this problem can be solved through a more visionary approach, for example, by reorienting the agricultural producers towards crops better adapted to drought conditions with increased added value (e.g. medicinal plants). Second, state-owned agricultural insurance could create a moral hazard effect among farmers, discouraging them from investing in infrastructure that would secure plantations from extreme weather events, and the state budget will be exposed to additional risks. Third, the promotion of agricultural products on foreign markets is practically a sterile promise without dismantling anti-competitive arrangements in the field of agriculture and the export of agricultural products, as well as without encouraging increased value-added agricultural production and processing for export.

Conclusion

Igor Dodon’s electoral programme, although ambitious, well-structured and detailed with numerical and quite clear targets, clearly exceeds the constitutional powers of the president of Republic of Moldova. The promises are specific to a paternalistic presidential state where practically all spheres of activity in the country depend on the President, which does not correspond to the Constitution in force. In addition, the programme is not financially feasible: the total cost of electoral promises amounts to about MDL 120 billion (about MDL 30 billion per year), without providing clear sources of coverage of these significant costs, which accounts for 10-11 per cent of GDP and for over one third of the national public budget. In addition, it raises several questions about the relevance

of many promises: not mentioning about the implementation of the Association Agreement despite Moldova’s major dependence on the EU market; lack of promises to investigate the “theft of the billion” which, unlike the 2016 election programme, has disappeared from the current programme (although the issue has remained important); the superficial treatment of corruption and of the environment and climate change; the lack of a clear vision in the field of agricultural sector development; creation of a state fund or banks against the experience of the Savings Bank etc.

VIOLETA IVANOV

Constitutional compliance

Violeta Ivanov is the only electoral candidate whose promises exceed completely the powers of the president established by the Constitution of Republic of Moldova. Thus, the electoral programme¹¹ does not mention anything about the areas for which the president is responsible, such as foreign policy or security in the country. Instead, the promises made are specific to members of parliament (e.g. improving the living conditions for the pensioners and families with children) or mayors (e.g. street lighting, water provision and sewerage systems in villages, modern parking lots in towns, parks and public spaces etc.).

Feasibility

In addition to the fact that absolutely all Violeta Ivanov’s promises are not related to the powers of the president, her electoral programme does not specify the sources of funding and the tools that will allow her to implement the programme. This makes her electoral programme impossible to implement. For example, it is not clear how the minimum pension of MDL 5,000 will be insured in the conditions of a scarce pension fund: this measure will require additionally about MDL 25 billion per year. It should be mentioned that currently, the State Social Insurance Budget needs about MDL 2.6 billion to cover the financing deficit.

Relevance

Certainly, the proposed promises meet many of the people’s pressing needs. However, it is not clear how Violeta Ivanov chose to make these promises, without presenting a summary of the main problems facing the country and without providing a comprehensive view of how she, in her capacity as president is going to solve those problems. In general, her electoral programme is extremely simplistic and superficial, being absolutely obvious that the candidate did not pay enough attention and priority to this important document for any electoral candidate.

Many promises lack feasible and realistic approaches:

¹¹ <http://alegeri.md/images/8/83/Program-electoral-violeta-ivanov-2020-ro.pdf>

- The whole set of promises specific to mayors (e.g. street lighting, crosswalks or modern parking lots) suggests the intention of the presidential candidate to undermine the local autonomy (an approach similar to Igor Dodon’s electoral programme).
- There is no mentioning of promoting integrity or fighting corruption, on which the feasibility of all other promises, such as increasing the pensions and other social benefits, or developing the infrastructure development, depend directly.
- The promises have a pronounced populist character, without mentioning the instruments and systemic interventions for their realization (e.g. the promise to increase the minimum pension to MDL 5000 is simply not realistic without reforms that would boost the economy, income and employment, about which nothing is mentioned in the programme).

Conclusion

Violeta Ivanov has come up with an electoral programme which is completely beyond the president’s powers, unfeasible, with many measures proposed being obviously populist. Judging by the content, structure and volume of the programme, it is clear that this document is not of major interest to the candidate per se.

MAIA SANDU

Constitutional compliance

Three out of five national objectives included in Maia Sandu’s presidential programme¹² are focused on the social and economic dimension. A simple matching of Maia Sandu’s electoral promises in the social and economic field against the powers of the president established by the Constitution shows that some of the promises exceed the framework of possibilities offered to the president. Even though the president has the right to legislative initiative or the right to reject once the enactment of laws, Parliament and the Government have the final say in the effective adoption and implementation of policies, and an essential precondition for several programme commitments such as the minimum pension of MDL 2,000 or the significant simplification of the activity rules for small business is the existence of a synergy with these institutions. At the same time, Maia Sandu aims at ensuring all conditions for the economic dimension of the foreign policy to be active and dynamic, this commitment being more realistic and closer to the presidential institution. Some objectives such as identifying new markets for Moldovan products and quality investors to invest in the Republic of Moldova or expanding financial support and external assistance from the

EU and EU countries are areas where the president could do more, including by virtue of the “job description” provided by the Constitution. However, also in these situations the collaboration with the other state powers is obligatory in order to maximize the benefits for the country. In fact, one of the commitments of the PAS leader’s programme is to demonstrate, within the “limits of constitutional powers”, openness to transparent consultations with other parties “so that we all work in the same direction.”

Feasibility

Maia Sandu’s presidential programme contains both activities that are quantified (e.g. minimum pension of MDL 2,000, European Village Programme of MDL 2 billion per year or SMEs Credit Guarantee Programme of MDL 2 billion) and areas with no concrete targets (e.g. increase of salaries of medical staff, National Programme for Modernization of medical institutions, full compensation of the cost of medicines for the poorest sections of the population or increase in the salaries of employees in education, based on merit and performance).

At the same time, the overall feasibility of the programme remains debatable. Our estimates based on the figures in the Programme, but also on the hypotheses for the objectives that are not quantified, show that the financial needs of the electoral commitments for the four-year term amount to MDL 50-55 billion. This financial effort means about 5-5.5 per cent of the estimated GDP for the 2021-2024 period and about 15-17 per cent of the national public budget for the same time horizon. Compared to Igor Dodon, whose electoral programme is more than twice as expensive (about MDL 120 billion or 10-11 per cent of GDP), Maia Sandu’s programme seems closer to reality and budgetary constraints. However, the financing of the presidential programme to such an extent is rather unsustainable from the perspective of the public budget, even in the conditions of a favourable macroeconomic climate, an increased degree of absorption of external assistance that the candidate Maia Sandu emphasizes, and a successful cohabitation with the other state powers. This conclusion is supported both by the previous budget evolutions and by the specifics of the public budget structure, dominated by personnel costs and social payments, which provide little room for manoeuvre for other large-scale programmes.

On the other hand, Maia Sandu’s presidential programme is comprehensive and visionary, offering a series of solutions and tools to achieve the objectives. For example, corruption and the abusive decisions of control bodies are seen as a major factor of insecurity, including in the framework of the president’s security prerogatives. In order to improve public services, it is proposed to establish a mechanism through which citizens can report the degree of satisfaction with the services provided by public authorities. Also, for small and micro enterprises, options for simplified tax regimes and simplified reporting are proposed, as well as a separate chapter in the Labour Code for simplified personnel management.

Relevance

Undoubtedly, for the most part, Maia Sandu’s presidential pro-

¹² <http://alegeri.md/images/5/52/Program-electoral-maia-sandu-2020-ro.pdf>

programme is based on the problems and challenges the country is currently facing. Increasing the minimum pension and creating the “Silver Fund” would help the elderly out of poverty; the development of the “European Village” programme and the increase in the financial autonomy of local communities would reduce the regional disparities and population exodus; the creation of a credit guarantee fund for SMEs and the reduction of the administrative-fiscal burden would increase resilience to the current crisis and their competitiveness; and a National Programme for the Modernization of Medical Institutions and the increase in the salaries of medical staff would contribute to improving people’s health and the ability to respond better to crises such as Covid-19. It should be noted that the economic measures are divided into immediate actions in order to reduce the impact of the economic crisis, and medium-term actions to increase the competitiveness of Moldovan products, which shows a predisposition to adapt actions to the context.

At the same time, from the relevance point of view, there are certain reservations such as:

- Though the programme pays more attention to local communities, it lacks the candidate’s vision on one of the topical issues, namely the local public administration reform, which will have a major impact on people and the functioning of state institutions.
- Regarding the financing of the presidential programme, external assistance, especially from the EU, plays a crucial role, and this in itself creates uncertainty about the possibility of attracting and assimilating such a volume of funding. At the same time, even though there are visionary elements regarding fiscal policy (e.g. lowering taxes on salaries and increasing those on cars, real estate and luxury), the document is less visionary with regard to consolidation of public revenues and combating tax evasion, indispensable elements in order to be able to support in a sustainable way the financing of the objectives set out in the programme.
- In agriculture, supporting high value-added crops, including organic farming, establishing healthy competition, but also stimulating investment in irrigation are well-established priorities. At the same time, there is a lack of tools and a broader vision of how the sector’s resilience to droughts and other natural disasters should be increased. Even though a bold goal of more than twice an increase in the forest areas is proposed (from 11.2 to 25 per cent), there are no proposals such as adapting crops to the new climatic realities or improving the national agricultural research system that has been neglected for years.

Conclusion

Aimed at complete implementation of the Association Agreement and the extension of the benefits of the Free Trade Agreement, Maia Sandu’s presidential programme is a visionary and complex one, offering by far the greatest number of answers among candidates to questions such as ‘How to lead

the country’, ‘How to exercise the presidential powers’ or ‘How to overcome the crisis and improve the living standards’. At the same time, many of Maia Sandu’s promises go beyond the president’s powers established by the Constitution. However, the programme offers multiple solutions that result directly from the duties of the head of state. In terms of the feasibility of the programme, many of the proposed measures are quantified and allow for a budgetary impact to be estimated. Thus, the cost of the programme estimated at MDL 50-55 billion (5-5.5 per cent of GDP) for a four-year term remains rather unsustainable for the national public finances, even in the case of favourable macro conditions and good absorption of external assistance. For the most part, the electoral promises in Maia Sandu’s presidential programme are based on the problems and challenges the country is currently facing.

OCTAVIAN TICU

Constitutional compliance

Entering the presidential campaign with the slogan “The president who unites”, Octavian Ticu does not have a detailed written programme so far, but presented five electoral commitments to the public. Thus, the commitment to dissolve the parliament is ambiguous from the perspective of constitutional powers. The president of the country can dissolve the parliament only in the event of impossibility to form the Government or when the procedure of adopting laws is blocked for three months. Thus, this objective depends, first of all, on the will of the deputies themselves. On the other hand, the goal of getting out of international isolation by getting closer to Romania, re-establishing relations with Ukraine and restoring confidence of the EU and the USA is part of the foreign policy mandate of the head of state. At the same time, the commitments to unify the infrastructure with Romania, to connect to the Romanian education system and to integrate into the security and public order system of Romania are areas in which the president can actively manifest himself/herself through the foreign policy mandate. However, their implementation depends to a large extent on the parliament and government.

Feasibility

The electoral promises of Octavian Ticu are of a general character, and those concerning the socio-economic dimension don’t indicate concrete figures or the way in which they will be implemented.

Relevance

The commitment to unify the land, energy, digital and communications infrastructure with Romania is opportune for the economic interest of the Republic of Moldova, given that Romania is the main trading partner, so increasing the mobility of people and goods would increase the benefits for the country. From the presentation of his previous activity, Octavian Ticu emphasizes the position of Minister of Youth and Sports held in 2013, namely the activity of fighting corruption, which is an indication that this will be an important

concern of his if he is elected president, which can be appreciated positively. At the same time, Ticuș's electoral promises address a narrow dimension of the spectrum of challenges facing the country. In this sense, there is a lack of vision with regard to important issues such as economic development, public administration reform, restoring people's confidence in institutions or the need for changes in agriculture in the context of climate change. An explanation for the lack of these approaches could be the fact that the leader of the National Unity Party (PUN) sees his mandate as something transitory in fulfilling the desideratum of the Unification of the Republic of Moldova with Romania.

Conclusion

Promoter of unionism and Euro-Atlantic vector, Ticuș's electoral commitments are more or less in line with the powers of the head of state provided by the Constitution. The essence of his electoral promises is reduced to removing the country from international isolation and to projects of economic, education and security integration with Romania. The PUN leader did not come up with any estimates regarding the necessary costs, the sources of financing and the instruments through which he intends to translate his electoral agenda into reality. Also, the candidate's vision for a whole series of areas and challenges that the Republic of Moldova is going through is missing.

DORIN CHIRTOACA

Constitutional compliance

Entering the presidential campaign with the slogan "Unification for all!", Dorin Chirtoaca advocates the cause of the unification of Republic of Moldova with Romania. Like other candidates, he opts for early parliamentary elections, although the constitutional powers of the president in this sense are limited. In tandem with the newly elected parliament, Chirtoaca aims at resuming the pro-European and pro-Romanian agenda of Republic of Moldova and promoting Romanian and European projects that add value to the country: energy (gas + electricity), infrastructure, twinning, education, health, investment, European funds, subsidies in agriculture, rural development and others. In general, as stated by the leader of the *Unirea Bloc*, his electoral programme presents the realities and life beyond the Prut in the fields of health, education, agriculture, environmental protection, infrastructure and energy. Judging from the perspective of president's powers, the promises are parallel to both the status of the president and the impact on the population as long as Romania and Republic of Moldova are two separate states and subjects of international law.

Feasibility

Dorin Chirtoaca lists a series of characteristics of the socio-economic reality of Romania such as allowances for children up to 18 years - 50 - 100 Euro per month, salaries in the economy - 500 - 1000 Euro, subsidies in agriculture - from

170 Euro per ha, free European funds covering 70 per cent of the initial cost of an investment in virtually any field, decentralization, development of villages and towns or improved healthcare and better equipped hospitals. According to Dorin Chirtoaca, together with the unification, these benefits, but also many others, will become a reality for the citizens of the Republic of Moldova who will finally be able to enjoy a better life, security today and confidence in tomorrow. Even though they sound beautiful and attractive compared to the realities in the Republic of Moldova, they remain enumerations of the realities in the neighbouring state of Romania and, obviously, are not feasible since they start from an inexistent premise at the moment.

Relevance

Indisputably, Dorin Chirtoaca's intentions to develop projects that will lead to new jobs and improved quality of life of the Moldovan citizens are welcome. The problem, however, is that he ignores the context and current realities. However, the pre-condition for all the benefits listed in his "Crossing the Prut" - Unification programme remains wishful thinking at the moment.

Conclusion

A supporter of unionism and European integration through the unification, Dorin Chirtoaca came up with a programme designed to promote better socio-economic realities across the Prut. Given that in the current realities, in practice, there is no roadmap for the realization of the unification, and that Romania and the Republic of Moldova remain two distinct states, these promises are unrealistic. In fact, it is probably the lack of more pragmatic approaches on the part of the unionist candidates that explains their electoral scores from the last electoral elections, which are clearly lower than the share of voters in the polls who would vote for unification with Romania in a possible referendum.

3

ANNEX 1. POWERS OF THE PRESIDENT OF REPUBLIC OF MOLDOVA

	Powers	Details
1	Convening of Parliament	– The president of the Republic of Moldova convenes the parliament within 30 days at the most from the election date (Article 63, paragraph (2) of Constitution).
2	Legislative Initiative	– The president of the Republic of Moldova has the right to legislative initiative (Article 73 of Constitution).
3	Promulgation of Laws	– promulgates the laws and is entitled, whenever he/she has certain objections regarding a law, to submit it within two weeks at the most to the Parliament for reconsideration. – Should the Parliament abide by its previously adopted decision, the President promulgates the law (Article 93 of Constitution).
4	Messages to the Parliament	– may attend the Parliament working sessions and address the Parliament with messages related to the main issues of national interest (Article 84 of Constitution).
5	Dissolution of Parliament	– In the event of impossibility to form the Government or in case of blocking up the procedure of adopting the laws for a period of 3 months (following consultations with parliamentary fractions). – if it has not accepted the vote of confidence for setting up of the new Government within 45 days following the first request and only upon declining at least two requests of investiture.
6	Investiture of Government	– designates a candidate for the office of Prime-Minister following consultations with parliamentary factions. – In the event of the governmental reshuffle or vacancy of office, revokes and appoints, upon the proposal of the Prime-Minister, some members of the Government (Article 98 of Constitution).
7	In the field of foreign policy	– holds official negotiations, concludes international treaties on behalf of the Republic of Moldova and submits them, in the manner and term established by the law, to the Parliament for ratification; – upon proposal of the Government, accredits and recalls diplomatic representatives of the Republic of Moldova, as well as approves the setting up, cancellation or changing of the ranking of diplomatic missions; – receives the letters of accreditation and of recall of foreign diplomatic representatives in the Republic of Moldova (Article 86 of Constitution).
8	In the field of defence	– The president is the Commander-in-Chief of the armed forces. – upon prior approval of Parliament, the President of the Republic of Moldova may declare partial or general mobilization of the armed forces.
9	Appointment of judges	– Appoints judges and court leadership upon proposal submitted by the Superior Council of Magistrates (Article 116 of Constitution) – Appoints the Prosecutor General at the proposal of the Superior Council of Prosecutors (Article 125 of Constitution).

	Powers	Details
10	Other powers	<ul style="list-style-type: none"> – awards decorations and titles of honour; awards supreme military ranks as provided for by the law; – settles the issues on the citizenship of the Republic of Moldova and grants political asylum; – appoints public officials, in terms provided for by the law; – grants individual pardon; – may request the people to express their will on matters of national interest by way of referendum; – awards diplomatic ranks; – confers superior degrees of qualification to officers holding positions within prosecuting bodies, courts of law and to other categories of civil servants, according to the law; – suspends the acts of the Government which are contrary to the legislation until the delivery of the final judgment of the Constitutional Court; – exercises other powers as provided for by the law.

Source: Constitution of the Republic of Moldova

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ELECTORAL PROMISES BETWEEN POPULISM AND CONSTITUTIONAL COMPLIANCE



Electoral programmes are one of the main tools through which electoral contestants try to attract voters. In the case of Republic of Moldova, where politics consists more of the struggle between personalities than between doctrines, electoral programmes have always been given less attention than in countries with democratic traditions. The analysis of the electoral programmes and promises of the presidential candidates highlights their tendency to exceed the powers of president established by the Constitution.



The vast majority of electoral promises in the social and economic fields are not financially feasible. For example, according to the most conservative calculations, Igor Dodon's electoral promises are estimated at about MDL 120 billion for the four-year term, or 10-11 per cent of GDP and 37 per cent of the national public budget estimated for this period; Maia Sandu comes up with a programme of about MDL 50-55 billion or about 5 per cent of GDP; while Violeta Ivanov's promise to increase the minimum pension to MDL 5,000 alone requires a financing of about MDL 25 billion per year or MDL100 billion for the entire four-year term. Given that over 90 per cent of budget expenditures are for recurrent activities, the budget deficit in 2020 is estimated at about 8 per cent of GDP, and the pension system is in deficit, it is obvious that the vast majority of these election promises are not feasible.



We call on the electoral contestants to engage in realistic electoral promises, to detach themselves from populism and to propose complex visions regarding the role of the president in the development of the country. Electoral promises should be within the constitutional mandate (in compliance with the constitution), provide realistic instruments that would ensure their feasibility (e.g. funding sources, implementation tools, concrete targets), and be timely for the balanced and sustainable socio-economic development of the country.

Further information on the topic can be found here:

www.fes-moldova.org