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NEWSLETTER

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Synthesis and Foreign Policy Debates

The newsletter is developed by Sorina Ștefârță, editor-coordinator

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Mention should be made that all materials were developed end of May 2019

News in Brief



The international bodies have reacted promptly to the latest events in Chisinau, when the MPs elected on February 24th on the tickets of the ACUM Electoral Block and the Party of Socialists gathered at a meeting declared unlawful by the Constitutional Court and appointed the leadership of the Parliament and Government headed by Maia Sandu. On Sunday afternoon, June 9th, the European Union issued a statement recognizing Maia Sandu's government, saying it stands ready to work with it "on the basis of a mutual commitment to reforms and to the core principles enshrined in our Association Agreement". One day earlier, also the USA announced through the Embassy in Chisinau that they support the parties' efforts to negotiate an agreement and overcome the political deadlock, noting that citizens deserve a fully functional government to resume its work. Similar statements came from the Council of Europe and the Romanian Government. The neighbouring country holding the EU Presidency at the moment has urged Moldovan politicians to respect the democratic process and the citizens' will expressed through their votes, while President Klaus Iohannis urged all political forces "to stay calm and restrain during this period, giving priority to the political stability of the state.



The Moldovan-Ukrainian relations and their continuous development were the subject of the first discussion between the Minister of Foreign Affairs and European Integration, Tudor Ulianoschi, and the new President of Ukraine, Volodymyr Zelensky. At the inauguration ceremony of the new leader in Kiev, the Chisinau official passed Volodymyr Zelensky the congratulations of the Moldovan leadership and expressed his belief that the political dialogue and bilateral cooperation between the two neighbouring states will grow. Tudor Ulianoschi noted the good-neighbourly relations between the Republic of Moldova and Ukraine as well as the common challenges, and mentioned that concerted efforts could be achieved by mutually beneficial projects. In turn, Volodymyr Zelensky said Ukraine is interested in developing a constructive dialogue with the Republic of Moldova on all its dimensions and expressed willingness to get involved in this process.



The Special Representative of the Slovak OSCE Chairmanship-in-Office for Moldova Franco Frattini advocated stepping up efforts to maintain positive dynamics in the Transnistrian settlement process for the benefit of people on both sides of the Nistru regardless of the internal political processes. During the recent visit to Moldova, Frattini praised Chisinau and Tiraspol for their leadership and dedication from the recent years: in 2017 and 2018, the two sides organized over 100 expert group meetings, in which practical solutions were found to problems that had not been tackled for decades. "These solutions have improved the everyday life of students, teachers, farmers and entrepreneurs on both banks of the Nistru," said Frattini. He referred in particular to: the application of the apostille on the diplomas issued in Tiraspol, the functioning of the Transnistrian-based Latin-script schools, the access to agricultural land in the Dubasari district, the opening of the bridge between the villages of Gura Bicului and Bicio, the mechanism of participation of vehicles from Transnistria in the international traffic.

The Spring of our Anniversaries: Stronger Together



Sorina Ștefârță

This spring has marked several anniversaries. On April 28th we remembered that it has been five years since the citizens of the Republic of Moldova have been traveling to Europe without visas. On May 1st we marked 15 years since the "Great Enlargement," when ten Central and Eastern European countries joined the EU. Also in May we celebrated

the 10th anniversary of the Eastern Partnership (EaP), a project launched at the initiative of Sweden and Poland, which has propelled to a new level the EU cooperation with six eastern neighbours - the Republic of Moldova, Ukraine, Georgia, Armenia, Azerbaijan, and Belarus.

It is true that not all these countries have kept the pace, especially since

each of them has the freedom to determine its own degree of cooperation with the EU. Some have more of a formal role in the "club". Others - the Republic of Moldova, Georgia and Ukraine - have chosen the maximum degree of rapprochement and signed Association Agreements, benefiting from the liberalized visa regime and the facilities of a Free Trade Area.



Group portrait: Foreign Ministers of EU and of the Eastern Partnership countries

► However, some - as it is the case with our country, for example – have stumbled and, from the best student and a success story, became an example of ... *how it is not good to ...* While others - because the podium never remains empty – have quickly replaced the champion, so that today the EU is looking more and more optimistic and confident at the faraway Georgia (in geographic terms), rather than at the Republic of Moldova, even though the latter has a border with the European Union.

It is precisely these “involutions”, probably accompanied by the “current” realities, which made the anniversaries in Chisinau pass without too much fast. It is, however, hard to be cheerful and optimistic when you know that

you are with the dead - that is, the Parliament that seems to die before it was born - in the house, but also with other swords hanging over the head... But the anniversaries are about calendar, not about political-human wanderings. As the European Union has shown more determined to remind the six countries and their leaders of what Eastern Partnership meant from many perspectives, in particular, for their ordinary citizens. To tell them, once more, that “Together we are stronger.” And that “together” will continue...

It happened in Chisinau at the conference “10th Anniversary of the Eastern Partnership - Stronger together”, organized by the Romanian Embassy, the EU Delegation and the National Platform of the Eastern Partnership

Civil Society Forum. It has happened in the capitals of various EU member states, whose chancellors have found it appropriate to address the subject. It also happened in Brussels during a series of events dedicated to the first decade of this ambitious programme that analysed how the partnership evolved in the first decade, its future, and the progress in the implementation of the “20 deliverables for 2020”.

“„The Republic of Moldova believes that in the reflection on the future of the EaP, the associated partners and the EU will develop a common vision based on aspirations, ambitions and existing needs,” said Tudor Ulianovschi, Minister of Foreign Affairs and European Integration. According to him, the reforms from over the

last ten years have made the eastern neighbours stronger, but for continued progress a new level of cooperation between the EU and the partner states is needed - in the field of security, energy interconnection projects, transport and good governance, etc. "We need to demonstrate our common determination to develop the EaP agenda beyond 2020, ensuring that together we will remain stronger," said Federica Mogherini, High Representative for the EU foreign policy and security.

How will we become stronger? And how determined are we to do it?

This what the current edition of the Newsletter "Synthesis and Debate of Foreign Policy" is about. The European Union is determined to go forward and the conclusions of the EU and EaP Foreign Ministers meeting held on the occasion of the tenth Anniversary of the Eastern Partnership are proof to that. We are inviting you to read its most important theses.

► „...This unique policy is based on shared fundamental values and our joint commitment to the principles and norms of international law, human rights including rights of persons belonging to minorities, democracy and rule of law, accountability and good governance, including the fight against corruption, sustainable development and market economy. It is governed by principles of shared ownership, joint responsibility, inclusivity, differentiation and conditionality, and based on our joint priorities. This is the moment to renew our unwavering support for these fundamental values and principles which lie at the heart of our Partnership; to reaffirm the joint commitments enshrined in the Eastern Partnership Summit declarations; and to underline our firm intention to carry them forward.

► Over the years, the Eastern Partnership has proved to be an efficient, resilient, tailored and dynamic framework. It has served to develop, to adapt to new challenges, including those to stability and resilience, and ultimately to strengthen our mutually beneficial relationship. The Eastern Partnership has been updated to support the delivery of the key global policy goals set by the UN 2030 Agenda for Sustainable Development and the Paris Agreement on Climate Change, also reflecting the revised European Neighbourhood Policy as well as the EU Global Strategy.

► Since 2009, the Eastern Partnership has provided a solid foundation to further deepen cooperation, both at bilateral and multilateral levels, including through a broad range of Agreements and other instruments such as Partnership Priorities, and allowed us to achieve important accomplishments. The Eastern Partnership has evolved and continuously broadened its areas of cooperation, delivering tangible results to citizens and accelerating political association, economic integration and enhanced partnership between the EU and interested partners. The 20 deliverables set for 2020 further focused on practical cooperation, thereby promoting economic development and market opportunities, strengthening democratic institutions, good governance and rule of law, promoting connectivity, energy efficiency, environmental protection and climate change mitigation, as well as fostering mobility and people-to-people contacts. Through the Eastern Partnership, EU Member States and Eastern Partners have developed a better understanding of mutual needs, ambitions and expectations.

► This Partnership benefits us all; 10 years on from its creation, it has

proven to be a success for our citizens. This positive experience enables us to continue to work jointly and in a spirit of close cooperation to ensure our societies can fully reap all the benefits, from increased prosperity to democracy, stability and security that come from such a Partnership.

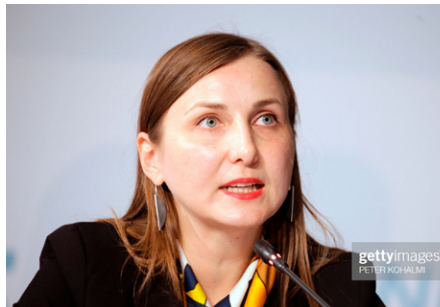
► Further challenges lie ahead. Reform implementation and delivery of the agreed commitments must remain the main focus in the years to come, with the objective of preserving and sustaining the Partnership's positive impact and continued success, and in full respect of the its values and principles. In this context, civil society, including think tanks and human rights defenders, as well as vulnerable groups, journalists and other media actors, women, young people, and the private sector play an important role. We have agreed on a set of concrete projects that shall contribute to a 'new deal' for the youth of the Partner countries.

► Our achievements, such as increased trade and strengthened political association, economic integration and sectoral cooperation between the EU and interested partner countries, will serve as an inspiration for further progress in the future based on mutual interests, needs, joint priorities and sustainable reform implementation. We need to continue the structured reflection and engage in an inclusive and broad consultation process on our future cooperation agenda, notably with a view to ensuring substantive and timely preparations for the next EaP Summit. Let us demonstrate our shared determination to develop the Eastern Partnership agenda beyond 2020, ensuring that we will remain stronger together".

It is enough to look back to see the numerous advantages the ten years of Eastern Partnership have brought

Daniela Morari, State Secretary at the Ministry of Foreign Affairs and European Integration of the Republic of Moldova

When the Eastern Partnership (EaP) was launched in 2009, it was thought as a new framework for cooperation between the EU and the six eastern neighbourhood countries following the accession to the EU bloc in 2004-2007 of 12 new states. The aim of the EaP was to ensure that the transformation processes of the six countries are irreversible, will have continuity and will enjoy an amplification of internal reforms that are so necessary to achieve change of society, integration into the EU internal market and advanced sectoral cooperation. Each of the six countries chose their own way to capitalize on the EaP offer. In the case of the Republic of Moldova, and later of Georgia and Ukraine, it materialized in liberalized visa regime, Association Agreement and Free Trade Area. How the key institution responsible for the foreign policy of the state sees these ten years, Moldova's accomplishments as well as what remains to be done, including within the Eastern Partnership, we asked Mrs. Daniela Morari, State Secretary of the Ministry of Foreign Affairs and European Integration.



■ *Mrs. Morari, you have recently returned from Vilnius, from the Baltic Assembly Conference dedicated to the Eastern Partnership. Before that you attended a similar event in Vienna. How do you explain this "suite" of EU activities on the occasion of a somewhat regional anniversary, as this is how this project was regarded originally? Did the Europeans' approach towards the EaP change?*

■ Indeed, in the past month, the Eastern Partnership has been a top subject for various European Chancelleries, but also for the European institutions. It has happened in various formats - from analyses of the expectations from ten years ago, the results achieved over time, to the identification of solutions that will give EaP a new breath and a new perspective. And

it was not just a formal festivity linked to the "tenth" number. Europe felt justified and even obliged to talk about these ten years precisely because it invested heavily in the EaP - both money, human resources and hope - and because, despite some difficulties that we all recognize, the EaP also meant a modernization process for the six member countries. Regarding the approach, I think it has changed on both sides. For example, in the beginning, the Republic of Moldova was sceptical about EaP, but over the time Chisinau understood the added value of this policy. And if we look back we can see numerous advantages that these ten years have brought. The fact that the EU is so preoccupied today with the future of the EaP, its reformation and consolidation, shows that this project is not simply a "checkmark".

■ *What were the relevance and conclusions of the high-level Conference organized in Brussels on 13-14 May?*

■ This anniversary conference served as an occasion to discuss about the past of this project, but especially about its future. It was

important to find out from the top European officials how the EU sees the metamorphosis of the Eastern Partnership and its future. A second element was the reconfirmation of the commitment to the EaP project - both of the Eastern partners, European institutions and the EU member states.

We know it very well how many problems there are today on the European Union agenda - the elections to the European Parliament have just ended, Brexit is following, then a new composition of the European Commission, and the crises facing the EU are in no way fewer... But it is precisely for these reasons that it is important for the EU decision-makers to have the eastern dimension among the EU present and future priorities. This is the message that has been highlighted in the discussions at the level of Foreign Affairs Ministers who reunited shortly before the high-level Conference. After all, the third aspect of the events in Brussels is about launching a reflection process on the future of EaP announced by the High Representative for Foreign and Security Policy Federica Mogherini. This is particularly important in terms of designating a new European Commission by the end of this year, but also for the next EaP summit that will most likely be held in 2020 under the German Presidency of the EU.

■ ***Where is the Republic of Moldova today? I know that formally all the EaP countries are equal. But***

Moldova was a success story, a font-runner, etc. What do the partners in the European Union think of us?

■ Indeed, at the level of public declarations, they use such words. However, they are relative and based on perceptions. Practical work is more important. At the institutional level and that of the structures created for the implementation of the Association Agreement, we are in a continuous dialogue with the EU. We participate in all meetings on the bilateral and multilateral dimension of the Eastern Partnership. But this is an honest dialogue that includes several ingredients where the successes are appreciated, while the failures are subject to objective criticism and recommendations for improvement of the situation. The dialogue with the EU institutions continues in a multidimensional framework.

The figures speak for themselves and speak in favour of EaP

■ ***What do the Moldovan citizens know or have forgotten - or pretend to have forgotten - about the Eastern Partnership?***

■ The Eastern Partnership is a special European Union policy developed for its eastern neighbors. In these ten years we have learned how to cooperate with Brussels, but also how to cooperate between us, the six countries of the EaP; how to materialize certain goals

- de facto, to better understand how the European puzzle works. Along with this, EaP has given the six member states numerous tools and opportunities, while the ambition and individual internal needs of each of them have made the difference. The Republic of Moldova has been for five years an associated EU country, with a liberalized visa regime, a Free Trade Area and a Common Aviation Area Agreement - all for the benefit of the people of this country. And there are a lot of other things that are in the process. Intensive work is therefore being done to align as closely as possible to the standards in areas such as consumer protection, travelers' rights, social dimension, transport, construction. We are also the first country in the EaP which adopted and is implementing the legislation in the area of the renewable energy and energy efficiency...

■ ***Do the people feel it or they don't want to feel it? For if you go to a village to say all this, you will probably hear "And how did we benefit from this?"***

■ People can be understood as in some areas, the impact is more direct, while in others it is less visible - five years is not so much for some reform processes... But we know well which the areas where we need to work harder are. For example, if we are talking about the Free Trade Area, there is still a lot to do to comply with sanitary and phytosanitary standards to be able to export animal products such as

B-Class eggs and chicken. Now we can export only honey, caviar and egg powder - and we will not be able to talk about plenary use of the Free Trade Area unless we expand that component. And to expand it, we need to meet as many standards and conditions as possible. So things are interdependent...

■ *It seems that the problems tend to tilt the balance...*

■ Problems exist and we are not hiding it, instead we are working to address them. But there are some figures that are encouraging us. I will mention over six million crossings of the Western border with biometric passports, which means that the visa liberalization regime, which was offered to our country five years ago, has become a natural part of everyday life of Moldovans. And I think that each of these crossings has been beneficial – it offered an experience, a model, an inspiration, a human contact, all bringing us closer to the European Union. In addition, the visa liberalized regime indirectly contributes to the reintegration of the country as biometric passport requests by residents in the Transnistrian region have increased about five times over these five years. After all, the figures are enlightening and if we refer to the Association Agreement, over 70% of Moldova's exports go to the European Union, which means an increase of more than 40% compared to 2014. So the figures speak for themselves and speak in favour of the EaP and of the Euro-integration process.

The key word today is "implementation"

■ ***What's next? At the Baltic Assembly Conference from which we have started this interview, they have discussed also about the chance to offer the European perspective to the three associated states during the forthcoming EU Council Presidencies of Poland, Latvia and Lithuania in 2025-2028. How realistic is this?***

■ The conference was a good and necessary platform for discussion, exchange of views and expertise between decision-makers from both the EU and the EaP. In order to talk about what is going to happen next, it is important to deliver, to meet our commitments and to work hard both at the EaP and the EU level. It is important to deliver the 20 deliverables of the EaP set by 2020 and strengthen the sectoral dimension of the Partnership through a political vision that could become the new horizon of this ambitious project so that it remains a successful initiative for all. History has shown, however, that no country has succeeded on its own. Only together can we better understand our realities, identify ways of cooperation, take steps to build confidence and deliver results. And in the given context, I want to assure you of the Republic of Moldova's firm commitment to deliver these results.

■ ***Does 'together' mean also civil society? To what extent are the Alternative Reports on the***

Implementation of the Association Agreement developed by the civil society experts helpful?

■ Yes, together means civil society and the EaP member states and the EU. As for my peers in civil society, I assure you that we have a good understanding of the alternative reports, we are working on certain elements, providing the necessary information, and we are generally encouraging these exercises. Then we try to see which recommendations can be considered by the line institutions.

This joint effort is necessary especially given the fact that we are in the last year of implementing the 2017-2019 Association Agenda with the EU. Depending on what we will achieve, will we be able to determine the nature and intensity of the next document as well as our medium-term perspective in the dialogue with the EU. That is why all our efforts today are about the implementation; this would be the only word, the key word, if you asked me how to describe our relationship with the European Union. And what is guiding us, including at the level of coordination and dialogue with the line institutions and civil society, is the desire to do our homework in the best way.

■ ***We wish you success and thank you for the interview.***

***Sorina Ștefârță
Chișinău, 31 May 2019***

Editorial

For the future of the Eastern Partnership, we have to bring it closer to each of our citizens

HE Peter Michalko, European Union Ambassador to the Republic of Moldova

Summary of the Speech held at the Conference „10th Anniversary of the Eastern Partnership - Stronger Together”, 24 April 2019, Chişinău

The Romanian Embassy in the Republic of Moldova, the European Union Delegation and the National Platform of the Eastern Partnership Civil Society Forum organized on April 24th the Conference “10th Anniversary of the Eastern Partnership - Stronger Together”, dedicated to the first decade since the launch of this initiative. High-ranking officials and diplomats from the EU and the Eastern Partnership (EaP) countries, representatives of the civil society and of the Moldovan researchers’ community discussed about the strategic importance of the EaP for the EU’s relations with the Eastern Neighbourhood countries and its relevance for the rapprochement of the six member states towards the European values, being also a means of promoting stability and prosperity in the region. The speakers insisted on further developing the Partnership- which is in the common interest of the EU and the countries in the region- and on the deepening of cooperation with partner states and supporting the process of their rapprochement with the EU. The speakers highlighted the main achievements and benefits of our country in the context of the EaP in various areas - education, administration and justice, health and civil society development - and sent a firm message of encouragement to the Republic of Moldova in the direction of continuation of the European objectives. In particular, the importance of implementing the reforms undertaken by the Republic of Moldova in the context of the Association Agreement with the EU was highlighted.



One of the most complex and inspiring messages delivered at the Conference was that of HE Peter Michalko. Read in the editorial below how the European Union Ambassador sees the present and, in particular, the future of the Eastern Partnership, but also the role and place of the Republic of Moldova in the given context.

We are marking this year the 10th anniversary of the Eastern Partnership. This is undoubtedly a good opportunity to mark the role of the Eastern Partnership in the region and highlight the positive change it brings to the societies both in member states and the Eastern Neighbourhood. For the EU - Republic of Moldova relation, it is a good occasion to mark five years from the entry into force of the visa free regime (on 28 April), as well as, later in June, five years from signing the Association Agreement and DCFTA.

Taking stock of the situation, I remind that the Eastern Partnership Summit of November 2017 adopted an ambitious reform agenda of 20 Deliverables for 2020 and underlined the importance to deliver tangible



► results for ordinary citizens in the four key areas of focus: 1) strengthening institutions and good governance, 2) economic development and market opportunities, 3) connectivity, energy efficiency, environment and climate change, 4) mobility and people to people contacts, for the benefit of the citizens.

These ambitious goals are implemented via bilateral and multilateral cooperation. Since 2017, there has been considerable progress in the fields of trade, access to financing for companies, visa liberalisation, youth, education and transport infrastructure. We can also add to that category digital economy with the recent endorsement of the roadmap towards a regional roaming area across Partner countries. The opening of a European school in Tbilisi is also to be highlighted.

This is strong progress, with benefits for citizens and societies across the region and this should be reflected in the upcoming anniversary events.

However, improvement is also needed in the rule of law, good governance, anticorruption, freedom of the media and civil society.

The ten years of structured EU relations with the region meant also a qualitative jump in relation with some Eastern Neighbourhood countries, on the background of a difficult political context, both in the European Union and in the region. Association Agreements with Ukraine, Georgia and the Republic of Moldova are into force, other forms of agreements or cooperation with the remaining partners Armenia, Azerbaijan and Belarus have been agreed or are in the last stages of agreement. Investing in the resilience of states and societies to the East of the European Union was recognised as one of the five priorities of the EU Global Strategy.

The principles of the Eastern Partnership remain valid today as they were from the beginning: inclusivity, differentiation and conditionality. The ambition of our Partners has also evolved. For this reason, while maintaining an inclusive approach towards all six Partners, the Eastern Partnership seeks to provide

a tailor-made support. In this context, it is equally important to stick to the established principle of conditionality, or “more for more” and “less for less”. The Republic of Moldova in this period represented both a case for “more for more”, but also of strict conditionality of EU assistance. In these years, the EU showed strong commitment and interest in advancing economic integration and political association with the Republic of Moldova.

Cooperation with the EU has brought benefits for citizens related to the energy sector, infrastructure, border management, social, medical and educational services provision, local development including for rural areas and agriculture, cross-border cooperation and cultural revitalisation, confidence building on both banks of Nistru river, CSOs and media development.

Five years after the signing the DCFTA, two out of three euros earned from Moldovan exports now come from the EU. It is estimated that the EU contributed to the creation of at least 15 000 new jobs in the Republic of Moldova and that by 2020, the DCFTA will bring revenues of 355 million euros to the national budget.

Five years after the entry into force of the EU-Moldova liberalised visa regime, more than two million people have already benefited of it. This is a major achievement, bringing together people and creating a strong foundation for our relation. We need to remember, however, that the liberalised visa regime comes with conditions assumed by the authorities, related to migration, security and anti-corruption that are monitored annually by the European Commission and we do expect to see immediate progress in these areas.

For the future of the Eastern Partnership, we have to bring it closer to each of our citizens, we have to take it out of the capitals and to improve communication with all those who benefit of it. The Partnership is for us here and for our citizens, especially for the youth, as they represent the future. The Eastern Partnership was created and represents a community of fundamental values. On the basis of these agreed values and principles, we have to implement it so that we are ***Stronger together!***

The Republic of Moldova should formulate new ambitious objectives within the Eastern Partnership

Iulian Groza, Iulian Rusu, IPRE

Even though the Republic of Moldova is not living the happiest period in its dialogue with the European Union, the beneficial impact of the Eastern Partnership on our country cannot be disputed by anyone. At the same time, there are quite a lot of missed chances – a political majority as a result of internal political disagreements. What has been achieved and what has failed to be achieved over those ten years is the topic of the discussion paper developed by Iulian Groza and Iulian Rusu, IPRE experts, which was made public a few weeks ago. Starting from this, we have once again reviewed the results achieved by the Republic of Moldova within the Eastern Partnership, as well as the failures in the European integration process of the country. And finally, we tried to find out the answer to the question “What to do?” in specific areas in order to continue the process of society transformation, capitalizing on the advantages of the cooperation framework with the EU and strengthening the European integration course of the country beyond 2020.

Achievements and Challenges

A revised and strengthened cooperation and dialogue framework. The European Union and the Republic of Moldova initiated in 2010 and finalized in 2013 the negotiations over a new cooperation agreement - the Association Agreement (AA). Although initially the discussions were held on areas that did not include a Deep



and Comprehensive Free Trade Area (DCFTA), the negotiation process, through internal engagements, succeeded in including DCFTA in the AA, which significantly increased the chances of further realization of AA. Thus, the Republic of Moldova succeeded in reaching a new cooperation document with the EU, which includes several sectors, but also a series of important commitments, which imply an increased implementation task.

Liberalization of the visa regime with the EU. In parallel with the AA negotiation efforts, Brussels and Chisinau continued the visa liberalization efforts, which culminated on 28 April 2014 with the cancellation of the visa regime with the EU. For this purpose, the Republic of Moldova has undergone a series of important internal transformations, such as the professionalization of the border guard service and its



transformation into the Border Police, the creation of the Equality Council, the Migration and Asylum Bureau, the Agency of Personal Character Data Protection. They also proceeded with internal restructuring of other institutions responsible for asylum, implementation of readmission agreements, integrated border management, combating the illegal stay of aliens, protection of fundamental rights, the fight against organized crime and human trafficking, as well as improved processes of issuance of biometric data identity documents. The main effect of the visa liberalisation regime with the EU is the intensification of personal and business contacts that are necessary to initiate or strengthen partnerships between Moldovan and EU citizens. In quantitative terms, more than 1.5 million Moldovan citizens have travelled to Europe since the cancellation of the visa regime with the EU in April 2014.

A consolidated and growing trade with the EU. Since the provisional application of the AA, the trade structure with the EU has been steadily increasing, as well as the diversification of the exported product categories. Products that did not require additional quality compliance, laboratory testing, and other procedures that would allow exports were exported in significant quantities. In the context of the closure of the Russian Federation's market for Moldovan agricultural products, the access to the EU market compensated for the losses caused by the unfounded decisions of the Russian authorities to ban the import of Moldovan products. Thus, since the provisional application of the AA - in particular of the DCFTA – the trade with the EU has increased from 53.26% in 2014 to 68.79% in 2018. At the same time, the exports to Russia have decreased dramatically from 18.11% in 2014 to 8.08% in 2018.

The trade with the EU has seen also an important diversification that Moldova did not have before 2014, ie the export of machinery and equipment for transport, which increased to 29.22% of total exports to the EU, outgrowing the food exports. Increasingly attractive export opportunities to the EU market have led also to changes in public policies in the area of product quality and to approval of new quality standards, with several EU regulations being transposed in the national legislation.

Main failures: political class, justice and trade

The European perspective has not been recognized for the time being.

Although the EaP did not guarantee a clear European perspective, the expectations of the Republic of Moldova were that capitalizing on the opportunities for political association

and economic integration would bring the country closer to the moment when the EU will recognize its membership prospect. Since, theoretically, the provisions of art. 49 of the EU Treaty can be met by any state on the European continent, focusing on reforms to ensure compliance with the EU values would have provided the necessary opportunity. However, neither the enhanced cooperation framework offered by the AA nor the unprecedented opening of the EU and of the EU member states to support our country's reform agenda were not enough to ensure implementation of the necessary changes. On the contrary, while the Government was negotiating the AA and was making efforts to implement the Action Plan on the visa liberalization regime, there were processes ("Russian laundromat", the bank fraud) that had nothing in common with the EU values.

Although prosecutions have been initiated, the justice system has shown that selective justice is a reality in the Republic of Moldova. Cancellation of the election results in Chisinau in July 2018, as well as failure to meet the political conditionality regarding the mixt voting system approved by Parliament in 2017, compromised even more the image of the country, reducing the chances of a European perspective. Today, the Republic of Moldova is perhaps even farther from achieving this goal than it was ten years ago when the Eastern Partnership was launched.

Transforming into democracy and the rule of law remain just a desideratum.

The AA part on EU values which is essential to be able to apply for EU membership such as democracy and the rule of law has not materialized in the Republic of Moldova. The

existence of legislation and institutions has not actually ensured democratic representation and disinterested application of the law, prevailing instead the conflicts of interest, influencing of decision-making, corruption and political blackmail, as well as the control over the force structures.

The actors promoting the reform agenda in the society have not been subject to integrity control, the political parties being viewed as autonomous structures without preventive tools that would not allow compromised people to gain decision-making power in these formations. After 2009, the phenomenon of "taking over" of political parties was very visible, with the predominant role played by non-transparent actors with a dubious past and hidden agenda, but who managed to reach Parliament and Government structures. Without a revision of the way political parties operate, especially when it comes to the integrity of leaders and financing, the abuses of democracy will not cease.

Similarly, although the Republic of Moldova has undertaken to reform the justice sector back in 2011, it remains largely dysfunctional, while the political control over the judiciary has not been given up. The justice sector has been subject to a significant number of adjustments, but they have not addressed the source of the problems, but rather some consequences. At the same time, the justice sector has become increasingly unattractive in the context of a growing demand for professionals, as well as the selective application of the rules of the game and the use of political pressures. The unpublished Annex of the Coalition Agreement that established the First Parliamentary Majority in 2009 and distributed the functions in the prosecution and justice system, shows how obscure the perception of politics over the independence of justice

is. The important elements of the independence of the judiciary such as the appointment and promotion of judges, the creation and activity of the Superior Council of Prosecutors, and, more recently, the way in which the integrity of persons holding public functions is verified, have not been improved. Nearly ten years after the approval of the Justice Sector Reform Strategy, the state of affairs in the sector has not changed or has even worsened.

The potential of the DCFTA has not been fully exploited. Although the figures show that the level of trade with the EU is steadily rising, the way in which its benefits have been redistributed among the citizens of the Republic of Moldova is not fair. In this case, the benefits were reaped by large enterprises, while SMEs had a very low share in the structure of trade with the EU. Thus, the transformation element that the DCFTA can provide to the citizens has not been entirely exploited, as their well-being has not been significantly increased by the extensive trade with the EU. In addition, if we analyse the structure of exported products, we see mainly goods that do not require extra processing effort, which indicates the low competitiveness of our exports. Even in the case of the machinery and equipment category, which has grown significantly, the business model of exporters implies a high import rate for products that are exported after processing. Such a business model will soon reach its peak, and other areas are needed to ensure continued export growth in the EU.

Recommendations for a real transformation process

The framework for cooperation and the priorities of the internal reform agenda require major restructuring and re-focusing in order to further provide a real perspective to the transformation process in the Republic of Moldova.

Better adjusted EU conditions. The continuous conditioning of EU support for actions to keep Europeanization and irreversible transformation of society is necessary to provide the country's citizens with an adequate framework for development and welfare. In order to be able to formulate efficient conditionalities, the internal decision-making structure and the functioning of veto actors need to be further explored, while vulnerable sides to be considered as potential conditionalities or even unilateral actions by the EU. Among the instruments that keep veto actors at the forefront of the Moldovan decision-making process are tax havens, offshore jurisdictions, rigged public procurement, and financial dependence on business in the EU. These instruments are vulnerable to the effective EU law enforcement in the member states, and once compromised, they can no longer contribute to the financial maintenance of the control leverages. The EU's latest efforts to discipline tax havens and offshore jurisdictions by excluding them from the list of jurisdictions with which the EU will have transactions or the creation of the European Prosecutor's Office are among the new instruments that can already make changes in our country. These efforts require a stronger promotion also in the EU-Moldova bilateral relations. At the same time, conditionality focused on effective justice and the fight against high-level corruption will also require structural and financial support for national actors, strengthening the cooperation with counterpart institutions and professionals from the EU member states.

Expanding enhanced cooperation in specific areas. Although the membership quality seems to be far away for Moldova, the country's enhanced participation in the EU-wide networks can at least be tested. In particular, it

refers to sectoral integration, but also to areas such as cyber security, protection of democracy (through a potential European Agency for Protection of Democracies), disinformation, and cooperation within the European Prosecutor's Office or in the field of defense and security (PESCO).

Expansion of pre-accession and post-accession monitoring instruments.

Testing the tools for the membership-state negotiations stage are useful activities that outline in a more detailed manner the gaps in the key sectors (eg, justice). Thus, the initiation of the legislative screening exercise or the application of parts of the Cooperation and Verification Mechanism, used in the case of Romania and Bulgaria, specifically for the justice sector, are just some of the tools recommended to update the state of affairs in justice and to support the efforts to formulate more focused conditionality on the part of the European Union.

Formally, the European Commission initiates the legislative scanning exercise after obtaining the mandate from the Council. In the case of the Republic of Moldova, this exercise can be carried out by the civil society in cooperation with the public authorities in order to provide much more detailed data at this stage, and then to be able to apply strict solutions and conditions. In a similar way, the Cooperation and Verification Mechanism will require adjustments to the realities in the Republic of Moldova, which could take place after a much wider analysis of the functioning of the justice system. However, it is clear that, in order to initiate the process of internal cleaning of the justice system and gradually extend the effects to the whole system, institutional solutions or "creative" procedural skills will be needed.

Sorina Ștefârță

Look from the Outside

The Future of the Eastern Partnership

**Prof. Jacek Czaputowicz,
Minister of Foreign Affairs of the
Republic of Poland**

The 10th anniversary of the Eastern Partnership has been marked by dozens of events - from political debates and economic conferences to cultural actions - organized in the EaP countries as well as in the European Union. It is natural to talk about achievements in the case of anniversaries, however, another important issue with reference to the EaP was: What should we do to make the most of the EaP for the benefit of the people of the six member states? How does one of the countries which was at the cradle of Eastern Partnership sees its future? - read in the article below signed for EurActiv.com by Prof. Jacek Czaputowicz, Polish Foreign Minister.

Following the European Union's enlargement in 2004, countries situated across the EU's eastern border have become its closest neighbours. The Polish and Swedish diplomacies, together with some other EU Member States, were involved in establishing a special partnership with six such countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. It was inaugurated in May 2009 during the Prague Summit and was labelled the "Eastern Partnership" (EaP). Ten years after its launch, we know it is still not perfect, as it constitutes a sort of a synthesis of political ambitions, strategic potential and geopolitical compromises. Yet, there is no other policy that would better embrace the



complex nature of our links with our Eastern neighbours.

Ten years after its creation, the Eastern Partnership is in need of review to adapt it to the changing world and new geopolitical realities in the region. A new approach towards the future of the EaP in three distinctive areas is required: in the area of legal approximation, institutionalisation and sectoral cooperation.

Legal approximation

As for legal approximation, it is done by implementing the Association Agreements, Partnership and Cooperation Agreements and Deep and Comprehensive Free Trade Agreements. By fulfilling the provisions of the abovementioned contractual relations, the EaP countries transpose into their national legal systems large parts of the EU's *acquis communautaire*. Political reforms should strengthen public institutions, restore people's trust and build resilience to internal and external pressures. They should result as well in a significant drop in corruption and strengthen the rule of law across the region. It is in our shared interest to create an area of security, stability and prosperity in the EU's immediate neighbourhood.

Sometimes we hear voices saying that the specific goals of the Association Agreements were not ambitious enough, while others were set too highly. We should be able to review and amend them – just like we did when we recently added an energy annex to the EU-Ukraine agreement. It is crucial to make these agreements as relevant as possible for the changing times and challenges ahead, as well as to further enhance sectoral cooperation. We could call them "Association Agreements plus" to indicate a political process leading to their modernization.

Institutionalisation

The second area we should reflect on is the institutionalisation of the Eastern Partnership. To this end we could create a secretariat to manage the already existing system of the EaP platforms and panels. It could also serve as a tool to build common positions, present ideas and act more closely together as a regional group. It could have a light formula, be located in Brussels and involve seconded diplomats from the EaP countries.

A rotating presidency of the EaP countries could be also envisaged. It would allow for more cooperation with the troika of EU Presidencies and with EU institutions in planning and delivering the political agenda. The country holding the presidency could also host an annual high-level meeting on a subject that is important for further integrating the region with the EU. It would serve as a way to europeanise their administrations, demonstrate the partner countries' pro-European aspirations as well as to

boost the EU's and the EaP's visibility across the region. Certainly, both – a secretariat and an EaP presidency – would give the countries of the region more ownership of the whole process.

Sectoral cooperation

The third area to be considered is enhancing sectoral cooperation. The list of EU agencies, programmes and instruments available for neighbouring countries ranges from customs cooperation and transport policies to joining the energy union or the digital union.

We do have many common interests, such as jointly tackling migratory flows and pressures. Three of the EaP countries (Georgia, Moldova and Ukraine) already enjoy visa free regimes, which enable people-to-people contacts and facilitate cooperation between border and asylum authorities. More partners should follow down this path.

Another important pillar of sectoral cooperation is connectivity. The new

Indicative TEN-T Investment Action Plan provides funding for infrastructure investments worth almost €13 billion, which can translate, according to the European Commission data, to 4800 kilometres of roads and railways, 6 ports, and 11 logistics centres in the EaP countries. A regional roaming agreement among our partners would be the first step towards a common roaming space between the EU and the EaP, which should bring us closer together. Other areas of possible sectoral cooperation are energy security, environmental protection, border management, aviation safety, to indicate just a few.

Moreover, the EaP ministers could be invited on a regular basis to informal meetings of the EU sectoral Councils. We have done this before with the EFTA countries which can participate in meetings during Gymnachs or Trade Councils.

Even more ambitious would be the establishment of a regional economic area for the EaP countries, following

the example of CEFTA created by V4 countries before their accession to the EU. The agreement still operates with success in the Western Balkans (with Moldova already a member of the agreement since 2007). It would certainly allow the EaP countries to integrate among themselves – and later with the EU countries – through the liberalisation of financial services or of the movement for qualified professionals.

Members of the Eastern Partnership do differ. They also demonstrate various aspirations when it comes to the level of cooperation they seek with the European Union. Yet, the Eastern Partnership still represents an approach they can all benefit from. Ten years after its creation, the EaP holds the potential to bring our neighbours closer to the European Union. Together we should reflect on an ambitious political agenda and a narrative that will keep the EaP attractive for countries, but first and foremost – for the people.

The opinions expressed in the newsletter are not necessarily those of the Friedrich-Ebert-Stiftung (FES) or of the Foreign Policy Association (APE).



Foreign Policy Association (APE) is a non-governmental organization committed to supporting the integration of the Republic of Moldova into the European Union and facilitating the settlement of the Transnistrian conflict in the context of the country Europeanization. APE was established in fall 2003 by a group of well-known experts, public personalities and former senior officials and diplomats, all of them reunited by their commitment to contribute with their expertise and experience to formulating and promoting by the Republic of Moldova of a coherent, credible and efficient foreign policy.



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