

Foreign Policy Association together with Friedrich-Ebert-Stiftung offer you a newsletter on foreign policy and European integration issues of the Republic of Moldova. The newsletter is part of the "Foreign Policy Dialogue" joint Project.

# NEWSLETTER

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## Synthesis and Foreign Policy Debates

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### TOPICS OF THE EDITION:

- 1.** Sergiu Litvinenco, Minister of Justice: "We need to get compromised people out of the justice system"
- 2.** Angela Gramada, Director of the Experts for Security and Global Affairs (ESGA): "The PAS government has put several laws in motion, but the problem is that they have minimized the act of decision-making transparency"
- 3.** Igor Munteanu, university professor and political analyst, IDIS „Viitorul”: "Few of the ministers who were confirmed for the current government were prepared for this 'baptism of fire'"

### News in Brief



The Ministry of Foreign Affairs and European Integration (MAEIE) stated for Moscow, in the context of statements by the Russian Foreign Minister, Sergey Lavrov, about the Russian speakers in Moldova, that the legislation of the Republic of Moldova guarantees fundamental human rights and freedoms. Minister Nicu Popescu summoned to the Foreign Office the ad interim chargé d'affaires of the Russian Federation in Chisinau. The MAEIE specified that the rights of Russian, Ukrainian, Gagauz, Bulgarian and other ethnic minorities are respected in accordance with democratic principles. As to the Russian speakers, the statement says there have not been reported any violations of their rights to the competent institutions in our country. The clarifications by the Moldovan diplomacy came after Lavrov had declared that "Russia will do everything" so that the rights of Russians in the Republic of Moldova are not "affected".



The head of European diplomacy, Josep Borrell, announced on August 31st that the EU foreign ministers agreed to suspend the agreement with Russia on the facilitation of the visa regime, because of the war in Ukraine, informs the Deutsche Welle. "We have witnessed a substantial increase in border crossings from Russia to neighbouring states. This becomes a security risk. We therefore agree today with the EU foreign ministers on the total suspension of the visa facilitation agreement between the EU and Russia," wrote Josep Borrell on Twitter. Earlier, the Ukrainian Foreign Minister Dmytro Kuleba said the European Union must act now and "close the door" to Russian tourists to truly change Russia.



The Minister of Foreign Affairs and European Integration, Nicu Popescu, declared on August 31st, in Prague, at the informal meeting of the EU foreign affairs ministers, that there is an urgent need not to admit the transformation of nuclear power plants into a war theatre and to ensure strict monitoring by the experts of the International Atomic Energy Agency. "We are a community of countries that share the same values of democracy, freedom, the rule of law and adherence to an international order based on rules," said the head of Moldovan diplomacy. The vice-premier pointed out to the recent actions by which the Republic of Moldova stands in solidarity with Ukraine, including the provision of solidarity routes for grain and fuel, the restoration of the Basarabeasca - Berezino railway section after two months of work, the facilitation of the transport of goods between Moldova and Ukraine. "Like everyone else in Europe, our country is preparing for a difficult winter amid the ongoing war and the uncertainty of energy supplies [...] We will contribute to regional stability while accelerating the pace of the country's transformation to move closer to the EU and bring concrete benefits to the citizens", declared the deputy prime minister.

## The first year of PAS government, between successes and managing multiple crises



Meeting of the Moldovan Government, 1 September 2022

The first year of the government led by Prime Minister Natalia Gavriliță has seen numerous overlapping crises, but also unique external opportunities in the 31-year history of the Republic of Moldova.

The current government, officially inaugurated on 6 August 2021, has managed to keep the Republic of Moldova in a state of stability

with the generous help of the West. Moldova was hit hard by the COVID-19 pandemic crisis, the energy crisis from last fall caused by Russia, the refugee crisis triggered by Russia's invasion of Ukraine on February 24, but also by an economic crisis caused by the immediate consequences of the war and of the country's low resilience to global economic disruptions.

The government has dug deep into its pockets to maintain a relative stability in the country. Also, the international support was unprecedented, without which the situation in Moldova would have been much worse. The help was also due to the good external image of President Maia Sandu, which then spilled over to the Government and Parliament, dominated by the Action and Solidarity Party (PAS). ▶

▶ Perhaps the most important thing in this first year of the PAS government remains the fact that the Republic of Moldova has achieved a unique and unexpected performance. In about three and a half months, the Republic of Moldova has obtained this year the EU candidate country status to which some countries from the Western Balkans still aspire, about 19 years after the 2003 EU Summit in Thessaloniki.

Moldova's success has been also facilitated by Romania's help. The neighbouring state has made a strong lobby in Brussels for the Republic of

Moldova to obtain this status, but it also offered the country consistent bilateral aid to face the multiple crises it faced in the last year.

The future looks also bleak. The Republic of Moldova has one year to do the homework requested by Brussels. The nine requirements from the EU target all key areas, starting obviously with the justice sector, where acceleration is expected. The next step on the European path is an equally important one, and for this hisinau will have to work just as hard. It is about the positive political decision for the Republic of Moldova to move to

the next level in the relationship with the EU and to open the negotiation chapters for accession.

For this important goal, not only is there a need for political will that exists in Chisinau, but it is also necessary to mitigate the economic crisis so it does not create tensions in society. They could be exploited by internal and external political forces that want to obstruct the European integration process of the Republic of Moldova. It remains to be seen how the Gavrilita government will continue moving towards the European integration.

## We need to get compromised people out of the justice system

***The Minister of Justice, Sergiu Litvinenco, took stock of his first year in office and reported in an interview for the FES/APE foreign policy bulletin about the main achievements of his first year at the helm of this extremely important ministry. We are inviting you to read below about how the Moldovan authorities collaborate with the EU in the area of justice system reform, the reform plans and the instruments used to achieve them, how the 'deoligarhization' of the Republic of Moldova will be done, but also about other important issues related to the justice system reform.***

■ Last month marked one year since you took over this very important portfolio. What has been achieved during this first year in the field of justice and what would you have liked to do more?

■ Right from the moment I took this position I knew what were the things to be done. First of all, we are talking about speeding up the process of investigating into high-level corruption. Second, we were going to start the process of cleaning up the judicial and prosecution



systems. On the first dimension, as a result of several actions we undertook, we have ensured the independence of the Prosecutor's Office from the oligarchic clans. At the moment, investigations are done in relation to all oligarchic clans and their henchmen, without any exceptions.

As a citizen of my country, I would also like a finality of their cases as quickly as possible. We are talking here about the

conviction of those who are found to have actually committed crimes, but also about the confiscation of their assets.

However, unfortunately, if you want to do things in a qualitative way you don't rush them. I brought up this example several times in several TV shows and I also asked Ms. Laura Kovesi [former head of the DNA Romania] how long it took Romania from the moment the DNA was established until the first conviction. She

replied that it had lasted 10 years. Of course, I am not saying now that in the Republic of Moldova we must also refer to this term. It would be inadmissible. But what I want to say is that if you want to do things well, it takes time. We want liability to arise only on the basis of evidence. We don't want to have problems later, for the Republic of Moldova to be, for example, condemned by the ECHR for such trials.

### **Terms and plans**

#### **■ How do you want to clean up the judicial system in the Republic of Moldova?**

■ On the other hand, we are talking about the process of cleaning up the judicial system and building a genuine rule of law. That means we have to get compromised people out of the system. I wish that by the end of the mandate, the majority of judges and prosecutors in the system went through this evaluation and had no integrity problems.

To this end, we have started with the Superior Council of Magistracy (CSM) and the Superior Council of Prosecutors (CSP), adopting this reform. It was quite a complex process, because we had to consult the development partners and the Venice Commission.

In the end, the pre-vetting Commission was established. It is operating as an independent authority from the Ministry of Justice. We are not interfering with its activity. At the end of September, the decision-making activity will begin.

The process will take time, because the people's assets have to be analyzed, and the commission will issue decisions in this regard. The deadline is by the end of the year, when we should have a new composition of the CSM and the CSP - these two self-administration forums have to go through the integrity assessment. The commission is made up of three international experts and three experts delegated by the Parliament.

#### **■ What would you have liked to do more in this first year of office?**

■ I wish in the first year we had achieved both goals I talked about above. But we have realized this is not possible. As I have said, in the case of convictions, things take time if you want to do them properly. On the other hand, the cleaning process takes time because the Pre-vetting Commission will not make arbitrary decisions, only evidence-based. In order to make a correct decision, you must gather all existing information in the public space, in domestic or foreign databases. Then you have to corroborate all this information, analyse it, and only then make a decision.

By the end of the year, we should have the self-administration bodies - CSM and CSP - in place with new members. After that we have to proceed with the reform of the Supreme Court of Justice. This involves passing the institution through the integrity filter. Basically, it is a concept similar to what we want to do with the CSM and CSP.

It will be an assessment of the financial and ethical integrity, namely if assets correspond to income. The draft law was submitted on August 29 for public debate, consultation and approval. It was also sent to the Venice Commission.

The judges who will pass the evaluation will stay in the system and those who will not pass it will leave it. After that, the Supreme Court of Justice (SCJ) will also undergo certain functional changes. We want a slimmer SCJ - from the 33 judges currently, only 20 will stay.

I have had recently a discussion with officials from DG Just of the European Commission in Brussels and reviewed the main regulations.

### **Quality above speed**

#### **■ Is the pre-vetting and vetting processes moving at a satisfying pace?**

■ Of course, I would also like things to go much faster, but the Evaluation Commission has total independence. At the last organizational meeting of the Commission, I told them we must achieve the commitment we have undertaken towards the European Commission.

I understand that this autumn the decisions will be made regarding all candidates for positions in the CSM. There are currently 26 judges aspiring for these positions about whom decisions must be issued – of whether they passed or failed the integrity assessment. If the persons pass the integrity assessment, they will end up on the ballot at the General Assembly. The judges for the CSM are delegated by the General Assembly of Judges, having as members judges in the country.

Also, there are 14 candidates for positions in the CSM from among non-judges who must go through the same type of integrity evaluation. I have said that we need a clean SCM, regardless of whether the members come from the judiciary or civil society, the non-judicial system. So, by the end of this year we must have both the General Assembly of Judges and the vote in Parliament for the non-judges.

### **Synchronization with the EU**

#### **■ So are you consulting the EU when you make these changes?**

■ Obviously, we are also talking to the people in Brussels, because these are systemic reforms that involve substantial support from the development partners. When coordinating these reforms with them, we also take certain standards into account. For example, we consult the draft laws with the Venice Commission before their finalization, because they will certainly tell us what the international standards retained by the Venice Commission and the ECtHR are in relation to judges.

To avoid further convictions at the ECHR, we should have a process that



fully complies with these standards. We do not want to exclude judges from the system so that later they go to the ECHR, and the Republic of Moldova is convicted and pays considerable damages, and at the same time the person in question returns to the system.

Therefore, things must be done in coordination with all international partner structures and in full accordance with the recommendations of the Venice Commission.

■ **Mr. Litvinenco, we know that one of the nine requirements of the EU that must be resolved by next year refers to a series of reforms in the field of justice. Where are we now in terms of reforms and what needs to be done?**

■ In the opinion of the European Commission recommending the EU candidate status for Moldova to the European Council, six out of nine steps relate to the justice system reform and the rule of law.

The things we do fit perfectly into these requirements that we need to solve in order to complete these steps. We are constantly saying that the recommendations of the European Commission are mainly related to internal politics. So they are necessary for us, for the Republic of Moldova and its citizens.

The pre-vetting and vetting procedures are steps we have undertaken towards the European Commission. By the end of the year, we must have a new composition of the SCM: six judges who have passed the evaluation and have been elected by the General Assembly of Judge and six members from among non-judges who have passed the integrity evaluation and been voted by Parliament. The same mechanism applies in the case of the CSP.

There are still a number of other laws that we need to pass. Some of them are

already adopted. For example, the Law on sentencing in absentia, which allows the sentencing of people who are blatantly hiding from prosecution.

We have still that package of laws regarding 'de-oligarhization' or better said, the exclusion of oligarchs from the decision-making process in the economic area, but also in the audio-visual and political areas.

There is also a need to adjust the Electoral Code to the recommendations of the Venice Commission that have been forwarded to the Republic of Moldova over time. We also need to strengthen the relationship with the civil society in terms of drafting legislation, implementation and monitoring of its implementation.

Progress needs to be made also in the area of fighting high-scale corruption and in other matters.

We already have an institutional framework, there is a European Integration Commission at the level of the Presidency and one at the Governmental level. At the level of the ministries, the administrative capacity will be strengthened regarding the implementation of those recommendations because the European integration process involves a lot of work, including bureaucratic work. Unfortunately, we all know that the administrative capacity is quite low and that we must intervene to strengthen it.

However, I am sure that the things we have put in that action plan that was sent to the EU partners will be done by the end of the year, in accordance with the commitment of the Republic of Moldova.

***Without the influence of the oligarchs***

■ **What exactly does the Deoligarhization Law mean?**

■ It is a topic inspired from the EU-Ukraine relations. The essence of that recommendation is very clear from my point of view, namely to prevent the oligarchs from having any say in politics, in the economic and mass media areas.

The Moldovan legal framework is different from the Ukrainian one. Based on the action plan developed by the Government, we have to analyze the experience of other states that have achieved such an objective and come up with proposals that can lead to the exclusion of the influence of the oligarchs in the mentioned areas.

The first challenge for us will be to define the term "oligarch", but there are notorious characters in the Republic of Moldova who fall under this term, as I understand it.

■ **Their media trusts still remain strong, even after some of these oligarchs have fled the country...**

■ We can see it that their media remains influential. I have observed an avalanche of lies told every day by the oligarchs and their exponents. Just recently, a fake news was released that the Ministry of Justice is proposing to legalize marijuana. Such lies are played to the public every day. The goal is to discredit the progress of the reforms, while the ultimate goal is to try to escape from the well-deserved responsibility.

I, personally, am immune to lies, as I have been the target of these attacks myself. I know that I have not committed acts of corruption or broken the law. My goal is to make the Republic of Moldova move in a direction that would bring justice to the Republic of Moldova and its citizens. We will, in the end, get this desired result regardless of the falsehoods promoted daily by the media and the henchmen of these oligarchs.

■ **Thank you!**

# The PAS government has put several laws in motion, but the problem is that they have minimized the act of decision-making transparency

**T**he political analyst and director of the Experts for Security and Global Affairs think tank has made an assessment of the Action and Solidarity Party's (PAS) first year of government for the FES/APE foreign policy newsletter. She spoke about achievements but also about unfulfilled objectives by the current government. Obviously, the most important moment of this year of the PAS government was obtaining the status of a candidate country for the EU accession.

■ In this first year of government, the biggest achievement was surely obtaining the status of a candidate country for EU membership. Could we attribute this success to the efforts of the current government or are we talking more about the context of the war in Ukraine?

■ It is more conjuncture than effort, because if it were not for this war in Ukraine, the request would not have been sent. Thus, we must accept and treat this success with great responsibility. Indeed, diplomatic efforts were made and the fact that a pro-European majority is in government in the Republic of Moldova mattered a lot.

It was important that the officials from Brussels knew that in the next three years, as long as the current parliament supports this government, it will be possible to discuss with Chisinau and through joint projects it will be possible to reach certain initiatives that really leads to tangible results.



If it wasn't for a pro-European government, I think the Republic of Moldova would have been more in the situation of Georgia, a country that was promised the European perspective if it fulfils the EU conditions.

Now we have to take into account an important aspect. The number of conditionalities imposed on Ukraine, the Republic of Moldova and Georgia does not differ much. It's just that in some countries the situation is worse and in others better. In Ukraine there is war, and in Georgia there is a government flirting with an autocratic style rather than a democratic one. There, steps are being taken backwards in terms

of the democratization of the country. Under these conditions, the EU could not accept that these three countries go together.

## **Between promises and achievements**

■ The current ruling party promised a lot in the July 2021 election campaign. How many of these promises have been fulfilled?

■ The Moldovan government has promised many things in terms of economic and judicial reforms. Things are moving too slowly from the perspective of the Moldovan

citizens who gave them their vote of confidence. However, the government did not come up with concrete proposals and projects. Much of their June-July 2021 election campaign was based on slogans that they would remove the corrupt people from power and bring in new people. They did not necessarily talk of certain projects.

For example, in the energy field there was no talk of concrete and punctual actions. The proof is the fact that the current government was faced in October 2021 with a big problem in the energy sector, with no capacity to deal with it.

When it comes to economic reforms, there were not necessarily well-prioritized projects meaning it was obvious it would be necessary to give priority to certain initiatives and to take concrete steps to attract foreign direct investments. Here we have to be realistic that the regional situation has scared investors. Many of them have also moved to Romania or neighbouring states, where there is greater stability or where there is the NATO umbrella. Business people thus know they will not lose all their assets or investments. It is about risk assessment.

The current government has promised a lot of social facilities justified by economic projects. Money was tight, but they promised higher wages, higher benefits. All this is a big burden for the budget. That affected the degree of implementation or achievement of the indicators they proposed for citizens.

However, having a pro-European government with high visibility among foreign partners has helped us get through the winter and the refugee crisis. Surely inflation would have been even higher than today.

Another example, with reference to the Transnistrian region, the government

programme had one or two paragraphs. It was among the last items on that programme. This means that the PAS did not have any coherent strategy or vision, with concrete measures, which would give us some predictability of how this dialogue will be carried out in different cooperation platforms or formats, including the 5+2 format.

This can be observed now, when the Transnistrian issue is treated like firefighters coming to put out the fire. If more action had been taken prior to the outbreak of the war in Ukraine, perhaps the situation would have been a little different in terms of moving forward with a vision.

Chisinau does not have its own plan and has not always analyzed options and proposals that came from outside, whether from Russia, Ukraine, the OSCE or Germany. This is not only delaying, but is also complicating the negotiation process.

### **How the Government performed**

■ **Which ministers have performed well in their position and which of them have not? We are talking here about political ministers, but also about those that are independent from the current government.**

■ For example, the Minister of Labour, Marcel Spatari, I think is a good minister. In my opinion a good minister is not the one who necessarily had very fast results. At the beginning of his mandate, he had some communication problems with the beneficiaries of social and labour-related policies. He had gone public and his message had been misunderstood and picked up by the opposition propaganda. After the minister Spatari had realized the mistake, he has started to communicate. And this is to be appreciated because few do so. He explained the measures to be taken by

the Ministry of Labour. Spatari explains the initiatives and reasons behind the policies. He also comes up with proposals and models analyzed by him and he does not necessarily implement them directly in the Republic of Moldova, but adapts them to the realities in the country.

Regarding the Minister of Infrastructure and Development, Andrei Spanu, I think he overestimated his potential in that position. And not only from the perspective of what he obtained from the Gazprom or from those with whom he negotiated, but also from the perspective of what was promised to the citizens of the Republic of Moldova.

He is mixing up his business experience with the institutional one. The Ministry of Development cannot be run like a business, because a minister has limited resources, while in business you have the opportunity to assess risks from a different perspective. In business, you can back up, but as a minister you can't do it so easily.

When certain analyses indicate that things on the ground are not happening as planned, as a minister, you must take into account certain issues limiting you and identify solutions elsewhere. His mandate was indeed a deceitful one, but on the other hand, he left the public of the Republic of Moldova with the feeling that what he had negotiated was to the advantage of the people and better results could not be obtained.

I would also like to say that one of the ministers who did quite well in his position is the Minister of Foreign Affairs, Nicu Popescu. However, he has done well in terms of dialogue with external partners. As for the internal deliverables, when it comes to the strategic communication, in some cases he was overtaken by the situation because he did not know how to translate certain actions or elements

of his mandate for the citizens. In the next period, he should expect a very active monitoring from the civil society, because there are those conditionalities from the EU to be implemented and his ministry is the one that developed the action plan and submitted it for debate with the civil society. So, transparency will not be avoidable in this case and will have to stick to the limited deadlines set by them themselves in that action plan.

Regarding Minister Sergiu Gaibu, as an expert from civil society, I had more expectations from him in terms of deliverables and communication about how the economy of the Republic of Moldova should develop. Perhaps he should have communicated better about what the strategic priorities of the Republic of Moldova are, where society can get more involved, where economic agents can participate, what facilities for the entrepreneurs exist, because his ministry is responsible for the economy.

There have always been systemic problems at the Ministry of Defense. No minister who has tried to bring reforms within the institution has succeeded because the previous governments did not give due importance to this ministry. Basically, they called into question the main strategic documents – I am referring here to the National

Security Strategy, but also to the investments made in the capabilities of the Ministry of Defense, such as trained soldiers, participation in various military exercises, programmes to prepare the Moldovan military.

Now we have been faced with a regional security problem, while the Ministry of Defense says that it does not know how many people from the Republic of Moldova are patriots, but it will do its best within the mandate. No, this is a key ministry responsible for security issues.

As far as justice is concerned, I think that Minister Sergiu Litvinenco made a lot of promises. It is a very difficult mandate where he has to make the population understand that judicial reforms will not be implemented in one year or two, but more than a decade is needed for that. However, very big promises were made in the conditions of reduced capacities and available resources. A large part of the people in the justice system have to vacate their positions, that's why the reform is difficult.

Also, it should be mentioned that there are people who oppose these reforms and we understand why they do it. Some of them have been put there by previous governments, and some of them actually don't want to lose their jobs or have integrity issues.

### **Positive side**

#### ■ **What are the main successes of this government in its first year of activity?**

■ The biggest success is, of course, obtaining the status of a candidate country for EU membership. Another success is the small steps made towards implementing laws that previously did not have the necessary mechanisms.

Another positive thing is the implementation of the provisions of the Information Security Act and the blocking of propaganda sites which the previous governments did not have the courage to do. It is still about national security. The fact that they found political will within the party and understood that this security is more important than anything else, even the loss of part of the electorate accessing those information resources, is to be appreciated.

The PAS government has put several laws in motion and is discussing other important ones, but a big problem is that they have minimized the act of decision-making transparency. Many legislative initiatives are not discussed with civil society. This can later generate a lot of problems for those in government as the opposition exploits the mistakes of the government very well.



# Few of the ministers who were confirmed for the current government were prepared for this 'baptism of fire'

**T**he political analyst and university professor, former MP and diplomat, Igor Munteanu, gave an interview to the foreign policy bulletin of FES/APE in which he spoke about both successes and failures of the Gavrilița government in the first year in power. He spoke about the key reforms launched by the current cabinet of ministers, what it means to obtain the status of a candidate country for EU accession, but also about how certain activities of the current government are seen from the outside. We are inviting you to read about all this in the following interview with Igor Munteanu:

■ How do you see the first year of the PAS government? How difficult has this been and what have been the successes and less successful moments so far?

■ The situation of the first year of government has exceptional from all points of view. The current government came to power with one programme and now has another, after one year of government in an unstable, unpredictable and very difficult to manage situation.

Few of the ministers who were confirmed for the current government were prepared for this 'baptism of fire'. The main achievement is that despite the dangers and threats starting in October-November 2021, this government proved functional. It did not get stuck or blocked. It did not run into



'blackouts' that would have overturned the operation of the services provided by the state. There were situations in which the government could have snapped, despite the extraordinary support it has in Parliament with 63 mandates.

A second important achievement is that the government has relentlessly addressed the opportunity that has arisen in the wake of the war in Ukraine – an invitation to persevere on the path to obtaining the status of a candidate country for EU accession. Under normal

conditions, if there had not been for this war, which is a major regional cataclysm, I do not think that the Republic of Moldova would have had any chance to approach this miraculous land. And yet the government has mobilized easily. In one month, the questionnaires of the European Commission have been filled out.

This was done with the help of the civil society organizations. Many people contributed then, and the laurels of this extraordinary opportunity for the Republic of Moldova can be attributed



to the Government, as well as to the solidarity in relation to the unique perspective we had.

This perspective, however, is not nailed down, because the negotiations will start after fulfilment of the conditionalities that were established on 23 June 2022 by the European Council and the European Commission, but anyway the path is clear and the Republic of Moldova should not deviate.

From this point of view, the experience gained and the criticism collected should enable the current parliamentary majority to draw lessons, and become more resilient and correct the big mistakes that have been mixed up during this time. And here we should look at the other half of the glass. This half is related to the diffuse character of the responsibilities assumed by the current ministers within the government. You often get the impression that not all ministers are pulling in the same direction. There is no unison, despite the fact that they are part of the same government. There are asymmetric movements and a dissatisfaction with certain ministries is also visible. I mean the Ministry of Economy, the Ministry of Infrastructure and Development. I am referring here to the Ministry of the Environment, but also to the Ministry of Education. These four ministries are difficult to control because the stake of social grievances could always hit the reputation, prestige and ability to govern.

### **What did not function well**

#### ■ What would be the most important failures?

■ The most important failures are undoubtedly related to the energy issue. We still have an extremely unstable situation due to the fact that the current contract with Gazprom was negotiated in a shadowy and non-transparent

manner, and with many unresolved issues.

Connecting to the alternative energy market is very difficult and unstable. They are trying to use the status and prestige of President Maia Sandu to solve governance problems. The government should perform its executive duties as defined in the Constitution. The head of state has other types of duties. The president cannot cover all the loopholes in the national security system. Energy is still a big vulnerability.

We have also noticed that many amendments were made to important laws without following the procedures and without public consultations - from the Prosecutor's Office Law to amendments to the Energy Law with the manual intervention of the Government in setting the price. These things were contrary to the free economy practices. Even if there is a certain tolerance on the part of some European institutions to these situations, they will not last very long and will be paid off during the accession to the European Union. Make no mistake about this. These things are noted and pencilled down in the 'payment book'.

At the same time, certain types of reforms that were promised during last year's election campaign, such as the administrative-territorial reform, are delayed, which means the government itself has not matured. It has not matured enough to understand that certain structural reforms cannot be delayed indefinitely. On the other hand, other types of reforms are appearing that were not foreseen one year ago.

Some reforms, such as the university reform, were not consulted with the relevant social groups and stakeholders. It happened overnight in violation of all principles of transparency and accountability, without impact analysis

and only on the basis of a hypothetical absorption of unprofitable universities by others. The situation has created 'time bombs' that are sure to explode in one way or another politically, socially or educationally.

Important processes that started in 2019 have not been completed. I am referring to the process of deoligarchization, an important condition of the European Commission. There are still very sensitive segments of the national economy that remain captured. Groups connected to several oligarchs continue to benefit from them and the reforms in this area are extremely modest.

They are being done in half-measure and without assuming leadership by the current government and the people who promised to solve these problems. They belong to the critical infrastructure; I am referring here to the Giurgiulesti port. I am also talking about the problems related to the Chisinau Airport, which although we have the decision of the Arbitration Court in Stockholm, it does not essentially resolve the status of the current operator of the Chisinau International Airport.

Based on this case, the justice reform that has been talked about so much is stagnating and is currently at the stage of procedures - we are referring here to the pre-vetting process - and is not able to gain sufficient speed. This despite the fact that there is also a kind of 'tele-justice' and masked interventions, things that do not manage to change the speed and balance of forces between those who want to preserve the situation of captured system and the few who try to push things towards genuine reform.

### **Ministerial competition**

■ There is this theory that the Ministry of Infrastructure and Development would have emasculated the Ministry

**of Economy and the Ministry of Finance by taking over a series of attributions of these ministries. How do you see this concentration of power in one single ministry?**

■ It was a political decision. The Ministry of Economy has been left bare, without many of the powers it previously had, even one year ago. Based on the little powers that this ministry still has, the current minister is exposed to all

criticism. He is involved in the fiercest debates of an economic or taxation nature. At the same time, he can't even cope, due to lack of experience.

On the other hand, the concentration of so many levers and funds, resources and powers in the hands of one ministry (the Ministry of Infrastructure and Development - ed.), actually creates a competition between this minister and the prime minister.

This competition is unnatural within a government and only heightens internal tensions, mediocre results and the willingness of groups with less transparent agendas to exploit these institutional dysfunctions, and from the perspective of how state institutions work in the public system, to settle accounts or achieve benefits that are incompatible with the standards of transparency and democracy.

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



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