



CONFIDENCE-BUILDING IN MOLDOVA: Domestic and External Security Challenges



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by Corneliu Ciurea
(additional analysis by Victoria Bucătaru)

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*Moldova's security requires a consistent response to home-grown corruption and the risk of resulting political destabilisation alongside the risks posed by the Russia-Ukraine conflict and information warfare. **Confidence-Building in Moldova: Domestic and External Security Challenges** assesses the priorities for a security strategy to rebuild trust among citizens and strengthen international co-operation to diffuse conflicts in the neighbourhood and to settle the Transnistria conflict.*

Regional Threats in a Changing Context

The heightened insecurity in the Eastern Partnership region has fundamentally changed the way the Republic of Moldova understands its own security, exponentially amplifying the threats and risks the country faces. In this regard, the most recent successes of Chişinău – signing an Association Agreement with the European Union (EU) in June 2014

and obtaining a visa-free travel regime with the Schengen countries in April 2014 – must be seen not only as crucial moments on Moldova's path towards a free and safer world, but also as a development that comes together with risks that can increase the country's insecurity due to the perception of these events by the Russian government. At a time when Moldova's trajectory is greatly dependent on external factors, it is also clear that any alternative solution to this path of closer European integration would

KEY RECOMMENDATIONS

- Confidence must be restored and maintained in the **rule of law** and the judicial system. The Ministry of Justice should undertake a detailed and transparent evaluation of the current shortcomings and introduce reform of the justice system, and needs to not only lead the reform, but to demonstrate tangible and successful implementation. An independent judiciary is a top priority.
- There should be a national campaign to promote **good governance** and establish mechanisms applicable to Moldovan society as a whole, and public institutions in particular. Reforms, under the monitoring of civil society, should include a set of good governance and public service modernisation landmarks, together with a timeframe for their implementation.
- It is a strategic necessity to strengthen the institutional capacities of the **anti-corruption** system. The government, working with civil society, should strengthen democratic institutions, and improve the capacities of law enforcement bodies by strict delimitation of powers, ensuring their independence and integrity, providing the legal and technical framework for sanctions and punishment, and creating mechanisms for the recovery of stolen assets.

- It is essential to promote continuous dialogue with representatives of Tiraspol and external partners to support the **Transnistria** settlement process. An initiative should be launched to elaborate and promote a genuine reintegration policy and eliminate barriers between the two banks of the river Dniester, and to ensure external support for a settlement of the Transnistria conflict that respects the sovereignty and territorial integrity of Moldova. Efforts should be undertaken to implement the EU-Moldova Association Agreement throughout the country, especially in the context of the extension of the DCFTA component to the Transnistria region.
- The authorities should consolidate co-operation with the EU within the framework of the **EU Common Security and Defence Policy** and with NATO in its Partnership for Peace programme. **Civil society** should increase its knowledge and expertise about the EU Common Security and Defence Policy, establish viable co-operation with the Moldovan government, and also international partners, in order to strengthen watchdog practices in the defence and security sector. The government authorities should increase their efforts to interconnect with the EU energy market, in particular natural gas, ensuring the objective of real diversification of energy sources and routes by 2018.

have brought at least the same or even more risks. For example, in the case of Ukraine, the Maidan demonstrated that the non-signing of the Association Agreement could result in serious confrontations that would have presented a new set of serious challenges in the case of Moldova as well.

Ukraine's security crisis has highlighted a number of worrying trends for Moldova, whose main parameters are as follows:

- 1) Moldova has entered the geopolitical logic track of "either ... or", being forced to choose between two divergent integration projects - either the EU or the Eurasian Economic Union (EEU);
- 2) Moldova has become more vulnerable to external and domestic challenges, over which it doesn't exercise control and which can produce devastating consequences – for instance, the threat of a colour revolution, or the presence of agents or “green men”;
- 3) There is a steady decrease in the autonomous decision-making capacity of the Moldovan authorities (impossibility to agree on the export of Moldovan agricultural products to Russia or to block the organisation of a referendum in the Autonomous Territorial Unit of Găgăuzia in February 2014);
- 4) Under conditions of acute polarisation of integration vectors, there is underway a degradation of the "soft" security mechanisms that are seen as the main means of maintaining the balance (the Association Agreement and the process of the European Integration of Moldova).¹

The potency of domestic political risks and threats was highlighted when in 2015 the “Stolen Billion Affair” rocked the Moldovan political scene. It emerged that in 2012-2014 \$1 billion – equivalent to 12% of Moldova's GDP – had disappeared from three Moldovan banks: Savings Bank, Unibank and Banca Sociala. The scandal, which involved the transfer of the funds to shell companies outside Moldova to conceal the owners, compromised the government coalition, and undermined the pro-EU orientation of the governing parties. Huge protests ensued, organised by the citizens' movement, Dignity

¹ *Comparative Analysis of Options for Assurance of National Security of the Republic of Moldova in the Context of Russian Aggression in Ukraine*, Corneliu Ciurea, Foreign Policy Association (APE), Moldova, 2015, <http://www.ape.md/doc.php?l=en&idc=156&id=2210>

and Truth (*Dreptate și Adevăr*), and by pro-Russia parties. Demands included the conviction of corrupt oligarchs and early parliamentary elections.

Investigations connected to the bank theft resulted in the arrest on bribery charges in October 2015 of Vlad Filat, the former Prime Minister and founder of the pro-EU Liberal Democratic Party of Moldova. Between the parliamentary elections of November 2014 and January 2016, the government of Moldova was led by six different prime ministers, an indication of the level of instability.

As a risk to national security, corruption generates mistrust towards core state institutions and policymakers, affects social relationships, undermines the democratic foundations of society and the government's credibility internationally, and causes frustration that impinges dramatically upon the functioning of the rule of law.

The level of corruption in state institutions becomes significant in the presence of several risk factors:

- inefficient mechanisms for reporting and oversight of declaration and control of assets and personal interests, and declaration and resolution of conflicts of interest;
- indifference demonstrated by heads of public institutions to the requirements of integrity applicable to public sector;
- political control of state institutions;
- misuse of public funds due to the lack of appropriate sanctions and prosecutions;
- lack of proper mechanisms for detection, confiscation and recovery of goods obtained as a result of corruption.

The “Stolen Billion Affair” showed that irregularities in the banking system expose financial insecurity that can jeopardise the national economy as a whole. Important domestic factors that undermine Moldova's national security include the following:

- 1) the unsettled nature of the Transnistria conflict;
- 2) Moldova's energy dependence on a limited number of countries;

3) separatist and anti-Chișinău tendencies in some regions – Găgăuzia, Taraclia, Bălți;

4) internal political instability.²

A gradual change has been taking place in the perception of the threats and risks faced in Moldova. Immediately after the Ukrainian crisis, political and military risks were the most important concerns. Gradually, the emphasis shifted towards soft security, with the issue of corruption becoming more and more important. This change was reflected in the draft Strategy of National Security of Moldova, published in 2016. The document includes much more emphasis on economic security and combating corruption. This transformation reflects the opinion that military and political threats are no longer so important, and that frequently they arise as a consequence of bad management of the state and widespread corrupt practices.

“ Immediately after the Ukrainian crisis, political and military risks were the most important concerns. Gradually, the emphasis shifted towards soft security, with the issue of corruption becoming more and more important. ”

Within the overall process of Moldova’s democratisation, European Integration and Euro-Atlantic co-operation, the implementation of democratic civilian control of the military and defence sector has become a national priority. In terms of civil-military relations, the principle of democratic civilian control over the armed forces has been fully recognised and to a certain extent institutionalised in Moldova.

2 *National Security Strategy of the Republic of Moldova*, Decision No. 153, 15 July 2011, <http://lex.justice.md/md/340510/>

According to the Law of National Defence, in war and peacetime, the command of the armed forces is executed by the Supreme Command and led by the President as Commander in Chief. The Supreme Command also includes the Minister of Defence, the Chief of the General Staff, and the Commanders of Border Guards. Overall, command over the National Army is exercised by the President. Direct command and control are exercised by a civilian Minister of Defence (political appointee), and operational command is exercised by the Chief of the General Staff of the National Army.³

The exertion of civilian control over the military was in evidence in 2016 when the Minister of Defence, Anatol Shalaru, succeeded in dismissing the Chief of the General Staff, Igor Gorgan – a decision approved by the President.

In order to manage the national security sector, the President is assisted by the National Security Council (SCC), which consists of representatives of the executive branch and of Parliament. The SCC is “a consultative body which analyses the activity of ministers and departments in the sphere of national security and accordingly formulates and presents recommendations concerning the state’s domestic and foreign policy issues to the President”.

Moldova’s National Army first deployed uniformed personnel as UN peacekeepers in April 2003. To date, it has deployed a total of 77 service members to the UN missions in Côte d’Ivoire (32 officers), Liberia (25), Sudan (13), South Sudan (4), Georgia (2) and Kosovo (1). Moldova’s contribution to UN peacekeeping is modest (usually about 10 persons per year). This is because the country is undergoing the process of modernising its defence forces, has a limited budget, and faces internal security constraints, including an armed conflict and peacekeeping operation on its own territory.

More troops have participated in NATO-led operations (with UN authorisation), including 11 in the Stabilisation Force (SFOR) in Bosnia and Herzegovina (2002-2004), about 40 in Iraq (2003-2004), and about 40 in the Kosovo Force (KFOR) (starting in March 2014). Moldova also participates in regional

3 *The Routledge Handbook of Civil-Military Relations*, Thomas C. Bruneau and Florina Cristiana Matei, Routledge, 2013

security missions, including Organization for Security and Co-operation in Europe (OSCE) missions in Chechnya 1997-1999 (2 officers), Kosovo 1998-1999 (3), Georgia 2000-2004 (13), Macedonia 2000-2002 (2), Tajikistan (1), and Ukraine (4).⁴

In the context of its European integration aspirations and the negotiations of the Association Agreement (signed in 2014 and ratified in 2015), Moldova concluded an Agreement with the EU in 2012 on establishing a framework for participation in EU crisis management operations, which presents the opportunity to participate in EU-led missions. Moldova has deployed two military observers to the EU Military Advisory Mission in Central African Republic (2015) and Mali (2014), and it is expected that its presence in EU-led missions will increase.

The Need for Reintegration and the Danger of Continuous Disintegration

The Transnistria conflict settlement process had reached a dead-end long before the beginning of hostilities in eastern Ukraine. The negotiation process was condemned to ineffectiveness due to the inability of the parties taking part in the "5+2" format to open the "third basket" dedicated to issues related to the status of Transnistria and the security environment as such.⁵ Recently, the process of negotiations was restarted by the German Presidency of the OSCE, but there is no clear understanding of which direction it should take.

The general rule has been that negotiations should centre on discussing topics that should not be neglected, but that are non-political, such as the dismantling of the funicular on the Dniester river. Negotiations were carried

4 <http://www.providingforpeacekeeping.org/2015/10/20/peacekeeping-contributor-profile-moldova/>

5 The "5+2" format is thus named because the parties to the talks are Transnistria, Moldova, Ukraine, Russia and the OSCE plus the US and the EU as external observers. Within the framework of the 5+2 negotiation process, agreement was reached in April 2012 on an "Agenda" of the negotiation process. The "Agenda" defined three "baskets" of issues to be negotiated: socio-economic issues; legal and humanitarian issues and human rights; and a comprehensive settlement (including institutional, political and security issues).

out with a view to maintaining the status quo as the best way of security assurance. Although the parties had maximalist demands (Chişinău wanting the territory's reintegration into a united Moldova; Tiraspol seeking international recognition of Transnistria's declared independence), they were aware that it was not realistic to promote such objectives in the present conjuncture.

“ Tiraspol has increasingly expressed the desire for a ‘civilised divorce’ – which may be a real aspiration, but can also be interpreted as a warning signal to Moldova to discontinue its orientation towards the EU. ”

The status quo is more and more unsustainable, and this is reflected in the changes in the behaviour of the principal actors. Tiraspol and Moscow are applying conservative tactics in their efforts to impede new developments in the region. Such tactics imply various menaces: expulsion of the Moldovan police forces; refusal to continue discussions on political solutions in the "5+2" format; dispossession of farmers from the Dniester left bank area; attempts to organise referenda in the Dniester left bank area with regard to the transfer of the villages under Chişinău jurisdiction to Tiraspol jurisdiction; and amplification of pressure on Moldovan schools with Roman script operating in Transnistria.

Moreover, Tiraspol has increasingly expressed the desire for a "civilised divorce" – which may be a real aspiration, but can also be interpreted as a warning signal to Moldova to discontinue its orientation towards the EU. This unpredictable situation and the general non-sustainability of the status quo make the situation in the Security Zone (a demilitarised buffer zone) more and more unstable and fragile. Unfortunately, the outdated

format of the Joint Control Commission (a tri-lateral peacekeeping force and joint military command structure from Moldova, Transnistria, and Russia) is unable to cope with this new situation in an effective way.⁶

The problem is not just restarting the "5+2" format, but making it functional through opening the "third basket" (finding a political solution) and launching political discussions regarding the problem of the Transnistria region's status. The strategy of small steps must be abandoned in favour of an approach that would deal directly with the whole range of problems without being tied down over social and economic issues in an interminable way. The "Support to Confidence Building Measures" programme should be amended to endorse only those projects that really interconnect the two banks of the Dniester river.⁷

In the context of the Transnistria conflict settlement, the Moldovan authorities will consistently advocate for the unconditional withdrawal from Moldova's territory of foreign ammunition, military equipment, and Russian military troops. However, a concerted international diplomatic initiative is necessary to bring about the transformation of the current peacekeeping operation into a multinational civil mission with an international mandate. This could create the conditions for a lowering of tensions, and pave the way for negotiations towards a peaceful political solution.

Domestic Political Stability – A Challenge for Moldova's Security

The destabilisation of the domestic situation in Moldova represents a potential security challenge. As a rule, destabilising activities take the form of the gradual emergence of organised mass protest movements. This is manifested first in a range of small-scale activities that cumulate in divergence and the

6 *The Reform of the Peacekeeping Mission in Transnistria: A Premise for Conflict Settlement*, Leonid Litra, Alyona Getmanchuk, Corneliu Ciurea and Eduard Tugui, Institute of World Policy, Ukraine, 2014

7 "Support to Confidence-Building Measures" is a programme of the United Nations Development Programme (UNDP), funded by the EU. See http://www.md.undp.org/content/moldova/en/home/operations/projects/inclusive_growth/confidence-building-measures-programme-1.html

occurrence of uncontrolled demonstrations as happened on 7 April 2009 or 20 January 2016.⁸

Moldova has remained relatively resistant to destabilisation so, from the point of view of intensity, the 7 April 2009 and 20 January 2016 events were not major threats, but they served to shed light on a series of unlawful practices that highlight the weaknesses of Moldova's system of rule of law, continuous violations of human rights, and the high level of corruption in Moldova. On the other hand, since 2005 Moldova has been constantly living in fear of large-scale post-election destabilisations that have been predicted time after time either by the opposition or by the authorities.

In order to deal with these challenges, the state bodies plan to strengthen interaction between the state institutions responsible for the management of risks and threats to national security through the development of an efficient and rapid system of mobilisation and information exchange. They also intend to develop strategic planning capacities focused on the monitoring of risks that can have a major impact on the national security system. These principles were included in the draft of the National Security Strategy of the Republic of Moldova under discussion in 2016.⁹

The state is also working to prevent the activities on the territory of Moldova of cross-border networks of international terrorism, to preclude the proliferation of weapons of mass destruction, and to support the resolution of regional conflicts, including through the involvement of citizens. Other measures are under consideration to prevent and combat organised crime, particularly illegal trafficking

8 The Chişinău revolt, or Twitter Revolution, began on 7 April 2009, when demonstrators claimed that the elections, which saw the governing Party of Communists of the Republic of Moldova (PCRM) win a majority of seats, were fraudulent. The number of protesters rose above 30,000, escalating into a riot on 7 April. Rioters attacked the parliament building and presidential office, breaking windows, setting furniture on fire and stealing property. Four protesters died amid accusations of police violence. After parliament failed to elect a new president, new parliamentary elections were held on 19 July 2009. On 20 January 2016, the day that MPs voted in favour of the government of the new prime minister, Pavel Filip, the parliament building was surrounded by about 1,000 protesters who demanded the interruption of the vote. They broke a side door of the Parliament and entered the building. After several hours, police intervened by force, removing the protesters from the parliament and cordoning the building off.

9 Draft of the Republic of Moldova's National Security Strategy, <http://www.presedinte.md/app/webroot/proiecte/SSN16.pdf>

of weapons and ammunition, narcotics and psychotropic substances, human trafficking, and the manufacture and circulation of counterfeit money and securities.

Combating Corruption – An Indispensable Element of the Security Strategy

The phenomenon of corruption has deep implications not only for the internal functioning of Moldova, but also for the assessment of the country's development by external partners. In the discourse of EU officials on Moldova's association with the EU, the fight against corruption has been singled out as one of the areas of most concern. The formation in 2009 of a pro-EU government coalition with a strong commitment to closer integration with the EU led to a boost in several structural reforms of key significance for the country's modernisation. Significant progress was made in terms of both legislation and institutional reform related to tackling corruption. Yet these changes were translated into only marginal improvements in practice, and a significant degree of distrust persists in the perception of reforms in Moldova.

Overall, the anti-corruption fight achieved positive results, particularly in terms of improving collaboration between civil society and anti-corruption bodies, a considerable increase in the number of cases opened by anti-corruption bodies (including cases of high-level corruption), and an increase in the number of instances where public servants reports on attempts to corrupt them. Nevertheless, CSOs and society at large remain highly disappointed with the selective approach of anti-corruption agencies, which points to the high level of political interference. This has been demonstrated by a number of corruption-related scandals that have shaken not only public faith in the reform-oriented governing parties but also the EU's trust in genuine reform developments.

A major role in the prevention and combating of corruption can be attributed to the National Anti-Corruption Centre (NAC). In 2012, the Centre for Combating Economic Crimes and Corruption, established in 2002, was transformed into the National Anti-Corruption Centre. Unlike its predecessor,

the competencies of the NAC include preventing and fighting corruption, money laundering and terrorism funding, and bringing anti-corruption expertise to the drafting of laws, supervising and assisting public institutions in conducting internal corruption risk assessments, and elaborating integrity plans. The NAC also hosts the Secretariat of the Working Group for Monitoring the Implementation of the National Anti-Corruption Strategy.¹⁰

The other important institutional pillar of the anti-corruption system is the National Integrity Commission (NIC), set up in December 2012 and inspired by similar bodies in Romania and Lithuania. The competencies of the NIC include supervision, and safeguarding the mechanism for the implementation, of three policies aimed at preventing corruption in public service: declaration and control of incomes and assets; conflicts of interest; and incompatibilities.

“ A number of corruption-related scandals have shaken not only public faith in the reform-oriented governing parties but also the EU's trust in genuine reform developments. ”

Nevertheless, in the absence of an adequate legal framework, the competencies of the NIC remain blurry and the roles of the commission members undefined. The credibility and efficiency of the NIC is also undermined by such factors as the appointment of members based on political criteria, the lack of independence

¹⁰ *Anti-Corruption in Moldova and Ukraine. A V4 Handbook of Best Practices*, Anita Sobják, The Polish Institute of International Affairs, Poland, June 2015, https://www.pism.pl/files/?id_plik=20041

of the prosecution service, limited access to the databases of other state bodies, and an absence of international treaties that would allow efficient control over the assets of public servants abroad.

While Moldova has made impressive reforms in building a legal and institutional anti-corruption framework, and thus it is a step ahead of the majority of the Eastern Partnership countries (some of the laws are exemplary in the region, such as the one on illicit enrichment, or on the ombudsman), implementation has often been elusive.

Another problem has been the lack of a comprehensive vision of anti-corruption reforms, resulting in duplication of efforts, for instance, the lack of synchronisation of the National Anti-corruption Strategy and the Justice Sector Reform Strategy. Institutional fragmentation, for instance in the competencies of the anti-corruption institutions, namely the NAC and the Anti-Corruption Prosecutor's Office (which functions under the General Prosecutor's Office), generates competition, rather than co-operation.

Economic Security in Great Danger

The economic security issue has been intensely discussed in Moldova. Three components draw special attention: financial-banking security; energy security; and Russia's sanctions applied to Moldovan exports.

Only some 4-5% of Moldova's energy consumption is generated by internal sources. The rest is imported from Russia (gas), as well as Ukraine and Romania (electricity). Moldova imports 1.5 bcm (billion cubic metres) of natural gas per year (not counting the separatist Transnistria region).

Unlike Ukraine, it lacks gas deposits and its role as a transit country is limited. Moldova and Ukraine have committed to implementing the EU's Third Energy package, which is a condition of the Deep and Comprehensive

Free Trade Area agreement (DCFTA), which is a part of their Association Agreements with the EU.¹¹

Romania has built a gas interconnector with Moldova with the financial support of the EU (trilateral Romania-Ukraine-Moldova cross-border co-operation). This pipeline is scheduled for completion in August 2016 and could supply up to 10% of Moldova's gas consumption. Critical decisions face the Moldovan government to put in place the necessary legislation to open internal pipelines in Moldova (owned by a local Gazprom subsidiary) for Romanian gas. However, 10% is not enough to make Moldova energy-independent. The Romanian project should be followed by the launch of a compression station and another pipeline to Chişinău (thus making it possible to cover 60-80% of Moldova's gas consumption).

The instability and existing processes in the banking system constitute the basis of the banking and financial insecurity that poses a threat to the national economy. This instability emerged as a result of institutional vulnerabilities in managing systemic crises, in counteracting the influence of vested interests, and in managing the impact of currency fluctuations.

The threats are the following:

- 1) the concerted actions of vested interests in the banking and insurance market;
- 2) the misuse of funds from banking institutions by generating non-performing loans;
- 3) a negative business climate generating economic and socio-political instability in the country;
- 4) suspicious transactions conducted through commercial banks, showing strong signs of "money laundering".

Threats to the banking sector are also manifested through dubious deals in the shares of banking institutions and through the negative impact of the banking sector in the Transnistria region.

¹¹ *Integrating Ukraine and Moldova in EU's Energy Security Plans*, Cristian Ghinea, European Policy Centre, 23 June 2014, http://www.epc.eu/pub_details.php?cat_id=4&pub_id=4549

Consolidating the National Defence System

At a time when significant changes are underway in the regional and international security order, and when Moldova (without any stated ambition to join NATO) aspires to approximate to the standards of the Euro-Atlantic security architecture, there is a need to design and implement a viable and effective defence system to match current needs.

The challenge is to develop and upgrade the capabilities and forces of Moldova's national defence system to deter, prevent and repel potential attacks and subversion against Moldova, especially unconventional, or new generation, warfare. New generation, or hybrid, warfare is a leading concern that needs to be addressed by the new National Defence Strategy and Military Strategy (building on the new National Security Strategy, the National Defence Strategy is scheduled to be finalised by the end of 2016 and the Military Strategy is due to be completed in 2017).

Combining conventional attack, cyber warfare and information operations, and psychological insurgency, new generation warfare creates confusion, undermines decision-making capacities, and destabilises civil society. In this regard, Moldova will make every effort to build its own defence resources and also to strengthen co-operation with foreign partners to obtain the necessary support for the maintenance, development, modernisation and professionalisation of Moldova's defence sector.

These combined efforts will be necessary if Moldova is to maintain, develop and modernise the portfolio of operational forces necessary for its national defence system, contribute to international, regional and national security, manage the operation of its integrated national defence system, and ensure the continuous education of its citizens by developing a culture of security.

According to drafts of the National Defence Strategy and Military Strategy, Moldova will focus efforts on strategic defence and ensuring the security of its citizens and territory. In this regard, it will be necessary to develop capacity to respond to the new challenges to the security environment, and to prepare the population and territory for defence.

The strategy's direction does to some extent take into account the new regional security environment. The conflict between Ukraine and Russia has generated a series of new threats and placed Moldova in a context where hybrid warfare has begun to unfold, yet the Moldovan authorities have not succeeded in shifting their attention from the traditional elements of warfare towards identifying and countering at the strategic and policy level elements of hybrid warfare – one of the most important ones being information propaganda.

“ The Moldovan authorities have not succeeded in shifting their attention from the traditional elements of warfare towards identifying and countering at the strategic and policy level elements of hybrid warfare – one of the most important ones being information propaganda. ”

Russian media in Moldova have a fortified position at the top of the preferences of Moldovan citizens. According to the Barometer of Public Opinion from April 2016, 13% of respondents have a strong level of trust in the Russian media against only 2% for Moldovan media sources, 5% for EU media, or 3% for Romanian media.¹² More detailed analysis shows that at the institutional level the informational war is not acknowledged as a threat to national security and is not included in the current security strategy.

12 *Barometer of Public Opinion*, April 2016, Institute of Public Policy, Moldova, http://www.ipp.md/public/files/Barometru/BOP_04.2016_prima_parte_finale-r.pdf

Co-operation with the neighbouring countries (Romania, Ukraine) should represent an important part of the National Defence Strategy, but the current draft document disregards this aspect, mentioning strategic partnership only in the framework of the EU Association Agenda. The relationship with Russia is foreseen only in terms of the search for a settlement of the Transnistria conflict. No other aspects of relations with Russia are considered to be a topic for further analysis.

Priorities for National Governments and Civil society

Strategic Requirement No. 1: Rule of Law

It is essential to restore and maintain public confidence in the rule of law and the judicial system. According to the Barometer of Public Opinion, the level of trust in the justice sector is very low at only 10.1%, while 67.8% of citizens expressed their distrust.¹³ In order to change this perception, there is a need to achieve the positive and fair application of the rule of law for all Moldovan citizens. The Ministry of Justice should undertake a detailed and transparent evaluation of the current shortcomings and introduce reform of the justice system, and needs to not only lead the reform, but to demonstrate tangible and successful implementation. The following steps are crucial:

1. Produce a public report on the existing shortcomings and propose solutions.
2. Implement the necessary reforms and elaborate recommendations for further authorised state bodies.
3. Ensure accountability and transparency in the enforcement of the rule of law at the levels of both the prosecution service and judiciary.
4. Establish mechanisms in order to ensure an independent judiciary, which operates with full integrity, transparency and public oversight.

¹³ Ibidem

Strategic Requirement No. 2: Good Governance

The concept of good governance should become a "national obsession" – implementing a national campaign to promote good governance and establish mechanisms applicable to Moldovan society as a whole, and public institutions in particular.

The aim is to improve the capacity, expertise and efficiency of government in order to ensure sustainable growth and civil society support for governance reforms. Taking into account the good governance concept, this implies improving the efficiency of the state in ensuring a basic level of welfare for all citizens. Good governance is needed in order to optimise the decision-making processes and increase the government's accountability towards the people. In order to improve the good governance environment, the following key objectives should be pursued by the government in consultation with, and under the monitoring of, civil society:

1. Publish a list of objectives related to good governance and a timeframe for their implementation. The initiative should include a set of good governance and public service modernisation landmarks.
2. Outline and implement the requirements for public service reform, setting standards for meritocracy, gender equality, transparency and public accountability for civil servants. An essential component of this effort should constitute the process of determining how to ensure the payment of salaries in the public service according to the efficiency and skills of the staff. The priority areas of the initiative should include the law enforcement bodies, and justice, banking, health and education services.

Strategic Requirement No 3: Fight Against Corruption

The high level of corruption poses the danger that Moldova will qualify as a "failed state" or "captured state", a state where it is increasingly difficult to enforce the law and provide basic public services.

It is a strategic necessity to strengthen the institutional capacities of the anti-corruption

system, create a genuine public service pursuing the national interest in preventing and combating corruption, ensuring the detection, confiscation and recovery of assets from corrupted officials. In order to do so, the government, working with civil society, should focus on the following activities:

1. Strengthen law enforcement bodies dealing with corruption and/or money laundering as well as provide the legal and technical framework for sanctions and punishment.
2. Strengthen democratic institutions and consolidate the institutional integrity system in order to reduce vulnerability to corruption.
3. Improve the capacities of law enforcement bodies by strict delimitation of powers, ensuring their independence and integrity, and creating mechanisms for the recovery of stolen assets.

Strategic Requirement No. 4: Transnistria Conflict

One of the main security challenges, the frozen conflict in the Transnistria region, requires the special attention of the government, civil society, and international partners. It is essential to promote continuous dialogue with representatives of Tiraspol and external partners to support the Transnistria settlement process. Particular attention should be focused on:

1. The dynamic use of platforms for dialogue with external partners and relevant international organisations in order to find solution to technical issues that might strengthen the "small steps" approach.
2. Foster and build up a reintegration environment by means of common spaces (economic, political, social, cultural, informational, etc.).
3. Launch a co-ordinated and synchronised initiative between national public authorities, academia and NGO representatives, political parties and media in order to elaborate and promote a genuine reintegration policy and eliminate barriers between the two banks of the river Dniester.

4. Implementing confidence building and community development projects on the basis of partnership between the two sides of the Dniester.
5. Provide firm political support for the main Moldovan political negotiator in the "5+2" negotiations format and establish a clear reintegration strategy acknowledging the possibilities as well as the challenges.

An important role in the resolution of the Transnistria conflict should be given to the co-operation framework – bilateral and multilateral – between the Republic of Moldova and international partners. Thus, the following steps should be pursued:

1. The Moldovan authorities should use all relevant international platforms, particularly the UN and the OSCE, to ensure external support for a settlement of the Transnistria conflict that respects the sovereignty and territorial integrity of Moldova. The Moldovan authorities should strengthen political and sectoral dialogue with the EU and EU member states with a view to achieving the goal of political association and even closer economic integration with the EU. In this respect, obtaining the status of an EU candidate country and launching the EU accession negotiations should represent a national priority.
2. The authorities should consolidate co-operation with the EU within the framework of the EU Common Security and Defence Policy. In order to increase national capacities in conflict prevention and crisis management, Moldova should ensure participation in EU-led civilian and military crisis management operations.
3. Civil society should increase its knowledge and expertise about the EU Common Security and Defence Policy, establish viable co-operation with the Moldovan government, but also international partners, in order to strengthen watchdog practices in the defence and security sector.
4. Civil society, using the opportunities provided by the Eastern Partnership Civil Society Forum and other regional and international platforms, should identify and promote trans-border projects aimed at enhancing capabilities and awareness

concerning confidence-building measures, peacekeeping operations, and common security challenges.

5. Efforts should be undertaken to implement the EU-Moldova Association Agreement throughout the country, especially in the context of the extension of the DCFTA component to the Transnistria region.
6. Ensure full disclosure of information to civil society and relevant foreign actors about the content and implementation of the EU-Moldova Association Agreement, limiting the space for misinterpretation and misinformation regarding the benefits of the country's European development vector.
7. The government authorities should increase their efforts to interconnect with the EU energy market, in particular natural gas, ensuring the objective of real diversification of energy sources and routes by 2018.
8. In order to contribute to regional and international security, Moldova

should consolidate co-operation with EU countries, with the US and other development partners, and with Ukraine, Russia and other relevant actors. On the sub-regional level, Moldova should continue strengthening partnership with the Visegrad Group, GUAM Organization for Democracy and Economic Development, the Central European Initiative (CEI), and the Black Sea Economic Cooperation (BSEC) with a view to ensuring the territorial integrity and sovereignty of the country as well as achieving economic and energy objectives.

9. Moldova should strengthen political dialogue and practical co-operation with NATO with the aim to reform and modernise the security and defence sector in line with the developments in, and requirements of, the regional and international security environment, as well as provide ground for practical co-operation in promoting security and stability in Europe. For this purpose, Moldova should fully exploit the mechanisms offered by the NATO Partnership for Peace programme.

by Corneliu Ciurea (additional analysis by Victoria Bucătaru)

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