



The Eastern Partnership Roadmap to the Vilnius Summit

An assessment of the roadmap implementation by the Eastern Partnership Civil Society Forum, co-ordinated by the Regional Environmental Centre, Moldova, and PASOS – Policy Association for an Open Society, October 2013

MOLDOVA: Assessment May 2012 – October 2013

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Judicial reform and corruption must be top priority

Political will needed to tackle entrenched interests and to open up policymaking

Does the government engage with civil society on policymaking?	Yes
Is policymaking participatory, e.g. public consultations on draft legislation?	Partially
Does the government actively engage in dialogue with EU and civil society?	Partially
Is the process of drafting agreements between Moldova and the EU transparent with public consultations?	No
Does the EU delegation actively engage in dialogue with government and civil society?	Partially
Does the EU delegation promote dialogue talks with government and civil society?	Yes

Positive developments:

- Completion of Association Agreement and Deep and Comprehensive Free Trade Area Agreement
- Significant progress on anti-discrimination legislation, and moderate progress on freedom of speech
- Amended Visa Facilitation Agreement entered into force, and Moldova became the first partner country to embark upon the second phase of the Visa Liberalisation Action Plan
- The new prosecutor-general, regarded as a professional capable of implementing long-awaited reform of the Prosecutor's Office, was appointed from civil society
- National Integrity Commission and Council on Prevention of Discrimination became operational
- The second phase of the Comprehensive Institution Building programme will focus on judicial reform

Negative developments:

- Changes to the electoral legislation and independence of some institutions on 19 April 2013 and 3 May 2013 were adopted overnight without any consultation with civil society or with specialist international bodies.
- Many of recommendations made by civil society on the draft law on public financing of political parties were disregarded by the government
- Adoption of law on transparency of media ownership and law on local public finance postponed
- Justice and law enforcement institutions continue to be subject to political and private influence
- "Raider attacks" have posed serious problems in the justice sector and public service.

THE SUCCESSFUL CONCLUSION of negotiations on the Association Agreement and DCFTA was dampened by the political crisis and the overnight changes to electoral legislation in April and May 2013. Moreover, judicial reform and corruption continue to stall democratic development and the rule of law. Justice and law enforcement institutions remain subject to political and private influence, while the so-called "raider attacks" (fraudulent takeover bids through misappropriation of stock

in financial institutions) have undermined integrity in public service. A strong political push is required to tackle corruption, including the adoption of legislative proposals developed by the Ministry of Justice to tighten sanctions for corruption, and to introduce mandatory integrity testing for law enforcement and the judiciary. Laws on mass-media ownership and transparency in party political finance are also essential.



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MOLDOVA: Assessment May 2012 – October 2013

According to civil society organisations, in the period April-December 2012 some 33% of the issues on the agenda of government meetings didn't follow the procedures of decisional transparency, and often little time was provided for feedback from civil society and the wider public. Few now dispute that reforms are needed to increase participatory policymaking and civil society engagement, especially well in advance of consideration of a draft law by parliament.

EU-Moldova relations also require a communications strategy to raise public awareness about commitments under the Association Agreement and the DCFTA. Regular trilateral dialogue roundtables are needed between the government, the EU delegation and civil society organisations.

Government engagement with civil society

The government does engage with civil society as a partner in policymaking, but does not always publish draft legislation in time for expert consultation and scrutiny, and has rushed through important, politically sensitive measures without any consultation.

The National Participatory Council (NPC) gathers representatives of civil society organisations from different sectors, and serves as a platform for strengthening participation in the decision-making process.

The head of the NPC attends Cabinet meetings, and can voice the position of civil society there, a ground-breaking development in the partner countries. Civil society representatives are frequently asked by the state authorities (Ministry of Justice, National Anti-corruption Centre, National Integrity Commission) to provide expertise on draft laws, and a few ministries have asked civil society organisations to delegate their representatives to the ministerial consultative councils.

Following monitoring reports by civil society organisations, modifications were made by the government, parliament and the Ministry of Justice to draft laws on conflicts of interests, the e-governance action plan, and an anti-discrimination law (the latter was adopted as a result of numerous roundtables, seminars, and consultations).

At the same time, politically sensitive decisions have been adopted at short notice without consultations with civil society actors or any participatory process, such as changes to the

electoral legislation on 19 April 2013 (later repealed in May 2013). Similarly, many recommendations made by civil society on the draft law on public financing of political parties were disregarded by the government. The draft adopted by the government awaits its passage in Parliament.

The amendment to the Law on Government referring to the status and the competences of the Acting Prime Minister also disregarded the recommendations of civil society. Later, this amendment was declared unconstitutional by the Constitutional Court. Likewise, the measure by political parties to raise to 6% the threshold for parliamentary elections disregarded the recommendations of civil society.

Developments in participatory policymaking

There have been many examples of fruitful collaboration between the government and civil society in the policymaking process, starting with the drafting of legislation at the initial stages in ministries or other agencies, continuing at the level of discussion in the cabinet, and in the parliament. However, consultation takes place on a case-by-case basis, and one problem relates to the very small number of civil society organisations that can offer quality expertise, or any expertise at all, in certain sectors.

An online forum (established by parliament) is available to which civil society representatives can send comments, some ministries carry out consultations and public debates, and the government organises public consultations when drafting national or sector strategies. The policymaking process is participatory in most cases, but many sensitive political decisions are still taken without public consultations.

Draft laws are published on the official web page of the Ministry of Justice at the beginning of the enactment procedure and are updated if some changes appear, so that civil society representatives can provide feedback at any phase. According to civil society organisations, however, in the period April-December 2012 some 33% of the issues on the agenda of government meetings didn't follow the procedures of decisional transparency, and often little time was provided for feedback from civil society and the wider public.

In addition, the government's draft decision to cease live broadcasts of government meetings marks a change for the worse.

MOLDOVA: Assessment May 2012 – October 2013

Role of EU as catalyst to foster policy dialogue

The EU Delegation in Chisinau always encourages the members of the Eastern Partnership Civil Society Forum National Platform to engage in monitoring of the activities of the government and to come forward with policy proposals, but the whole negotiation process of the Association Agreement and Deep and Comprehensive Free Trade Area Agreement was not transparent, and the draft agreements have not been published.

When bilateral agreements between the EU and Moldova are known to specific think-thanks and civil society organisations from a specific sphere, there is still no access or debate reaching the wider public.

Trilateral forums for regular consultation have not been established but, when possible, the National Platform and its separate members have come forward with concrete policy proposals for the government. In spring 2013, at a meeting with the representative of the EU Delegation in Chisinau, the members of the National Platform expressed their concern at the lack of transparency on the negotiations between the EU and the government. The negotiations on DCFTA were of particular interest for the representatives of the Small Business Association. According to civil society representatives, even though some trilateral meetings are held, they do not take place on a permanent basis.

The state authorities, on the other hand, point to the twice-yearly dialogue between the EU, the government, and the representatives of civil society, regarding the protection of human rights and the improvement of Moldovan legislation in this respect.

Impact of Comprehensive Institution Building Programme (CIB)

The areas covered by the CIB were determined jointly by the EU and Moldova, but it is clear that the priorities were dictated by the outline of the Association Agreement. Most of the institutions covered by the government's annual programme are also covered in the CIB programme, which shows a high degree of ownership of Moldova.

Moldova focused exactly on the institutions that are going to play a significant role in the implementation of the Association Agreement and Deep and Comprehensive Free Trade Area Agreement (DCFTA). Since the CIB was launched, many twinning and Technical Assistance and Information Exchange (TAIEX) programmes have been implemented, and most of the institutions involved in the negotiations of the Association Agreement and DCFTA participated in trainings.

The first phase of the CIB (preparation for negotiations and capacity building) has been completed. The second phase started in June 2013 and will focus on judicial reform and capacity building for implementation of EU-Moldova agreements.

The objective of the CIB is so far partially met since it was not able to address in a systematic manner the reform of the judiciary, including the prosecutor's office. These reforms are only starting now.

ROADMAP IMPLEMENTATION BY POLICY AREA

POLITICAL ASSOCIATION AND ECONOMIC INTEGRATION

Implementation of common values and principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law

POLICY OBJECTIVES

- strengthening the stability and effectiveness of institutions guaranteeing democracy and the rule of law

The stability and effectiveness of institutions guaranteeing democracy and the rule of law were strengthened and weakened at the same time. Justice and law enforcement institutions continue to be subject to political and private influence, while the so-called "raider attacks" (fraudulent takeover bids through misappropriation of stock in financial institutions) have posed serious problems in the justice sector and public service.

Nevertheless, several improvements took place. For example, the new prosecutor-general, regarded as a professional capable of implementing long-awaited reform of the

MOLDOVA: Assessment May 2012 – October 2013

Prosecutor's Office, was appointed from civil society. In recognition of the improvements, in 2012, an additional € 28 million was awarded under the Eastern Partnership Integration and Cooperation programme (EaPIC) for good progress in the area of democracy and rule of law – in line with the principle of the EU's "more for more" policy.

In September 2012, elections were organised in the Autonomous Territorial Unit of Gagauzia, and no serious violations were observed.

On the other hand, in April-May 2013 the Moldovan parliament twice adopted legislation on elections (first changing the electoral system from a proportional to a mixed voting system, and a week later changing it back to a proportional system while also raising the threshold for representation in parliament from 4% to 6% of votes cast). All the changes were adopted "overnight" without consulting the specialised international bodies where Moldova has commitments and without consulting civil society and the wider public. The EU, civil society and experts seriously criticised these actions.

Moreover, despite commitments made to ensure transparency in the funding of political parties, negligible action has been taken. The government adopted a decision on public funding of political parties, which should also make the system more transparent, but the law also needs to be adopted by the parliament where there is to date no support for such a law.

POLICY OBJECTIVES - further reinforcing administrative and judicial capacity

Several programmes were launched with a view to reinforcing administrative, institutional and judicial capacity. The Comprehensive Institution Building Programme for 2011-2013, which amounts to € 41 million in support from the EU, is targeting most of the key institutions engaged in the European integration process. In addition to the CIB, on 14 June 2013, Prime Minister Iurie Leancă signed two agreements worth a total of € 90m.

The first (€ 60m) is designed to support the implementation of the Strategy of Reform of the Justice Sector, while the second is aimed at supporting the implementation of the EU-Moldova agreements.

In the same context, with the support of the World Bank, the government engaged in a

programme to reform public administration by strengthening institutional capacity, policy implementation, and efficient use of public funds. This complements an agreement signed in June 2011 with the US government (worth \$ 10m) to support justice sector reforms in Moldova.

Overall, while significant shortcomings persist in the justice sector, Moldova improved its capacity in the field of policy formulation and co-ordination, strategic planning, policy assessment, and civil service policy. In most of the institutions involved in the visa liberalisation process, capacity-building seminars took place for employees.

POLICY OBJECTIVES - co-operation on respect for human rights and fundamental freedoms, including ensuring the rights of minorities and respect for children's rights

Human rights and fundamental freedoms continue to fall short in Moldova. However, there has been significant progress in a few areas, such as anti-discrimination legislation, and moderate progress on freedom of assembly and freedom of speech.

The Moldovan government has continued the EU-Moldova Human Rights Dialogue, ratified the Convention on the Rights of Persons with Disabilities, and signed (but not yet ratified) the European Charter for Regional or Minority languages. In addition to the existing institutions taking care of children's rights, the Ombudsman institution is monitoring the observance of legislation in this area. The Lanzarote Convention on Prevention of Abuse and Sexual Exploitation of Children was ratified.

Overall, Moldova made progress in respecting human rights, and showed openness and commitment in addressing human rights issues.

POLICY OBJECTIVES - stepping up the fight against organised crime, including trafficking in human beings

Moldova signed and joined all the important international conventions and protocols on the fight against organised crime and trafficking in human beings.

Moldova has developed framework documents and action plans concerning both the fight against organised crime and the fight against human trafficking. At the institutional level, there are special entities fighting respectively organised crime and human trafficking.

Except for the “raider attacks” on banks, companies and state institutions, Moldova has showed progress in dealing with these two areas.

POLICY OBJECTIVES

- ensuring equal treatment by gender

Gender equality in Moldova touches the political, social, and economic spheres. Only 20% of MPs are women - less than in the legislature of 2005-2009 - while in the government the share of women is around 19%.

Two drafts laws were developed in order to impose quotas for gender representation, but the progress of both is blocked (one in parliament and one in the government), lacking sufficient support.

In the economic sphere, women are seriously underrepresented in the management bodies of companies. Moreover, it is estimated that the difference between men and women in paid salary is about 27% (less for women).

In the social dimension, there has been some progress on tackling domestic violence against women - as more protection orders were issued. Several information campaigns were conducted in the media by civil society organisations aiming to raise the awareness and observance of gender equality in Moldova, and to prevent domestic violence.

The adoption and implementation of appropriate legislation will be necessary to make significant progress.

POLICY OBJECTIVES

- continuing to strengthen respect for the

freedom of the media and the freedom of expression

The media is partially free in Moldova and noticeable problems still exist. According to the World Press Freedom Index, Moldova is now ranked 55th place (up from 75th in 2010)¹.

At the same time, questions were raised on behalf of the EU in relation to transparency in the case when the Audiovisual Co-ordination Council withdrew the broadcasting license from NIT TV channel (affiliated with the Party of Communists) due to violation of “good-faith” rules in presenting information about ongoing processes in the country. Media experts argue that the NIT TV channel did not respect the audiovisual code, which requires the broadcasting of news in an impartial manner.

At the same time, polarisation can be observed in the media, and a process of “Berlusconisation”, or accumulation of ownership in a few hands, is taking place, which raises questions about the quality of the information presented. In response, the parliament, at the initiative of civil society, initiated a draft law that would oblige the media to disclose their owners, including the beneficiary owners. Although to date there has been resistance to adopting the law, the coalition partners are now trying to reach a consensus on this issue.

Some other issues in the area of freedom of expression remain problematic: difficult access to public information (the law is not entirely functioning); financial dependence of the biggest part of the media on different actors and thus partisanship; and unfair conditions for independent media, given that advertising is concentrated in the hands of a few companies that distribute it as they wish.

¹ 2013 World Press Freedom Index, <http://en.rsff.org/press-freedom-index-2013,1054.html>

MOLDOVA: Assessment May 2012 – October 2013**POLICY OBJECTIVES****- stepping up efforts towards a settlement of the Transnistria conflict**

Moldova has taken significant steps to advance the settlement of the Transnistrian conflict. The 5+2 talks² resumed, and several rounds of negotiations took place, including separate meetings in the format of 1+1 (then Moldovan Prime Minister Vladimir Filat with Transnistrian President Yevgheny Shevchuk and later the current Prime Minister Iurie Leancă with Yevgheny Shevchuk).

Steps forward were registered, for instance the resumption of train connections and an unofficial agreement on freedom of movement was reached and implemented. Moreover, during the negotiations process in the 5+2 format, the parties agreed on two important documents, namely Principles and Procedures for the Conduct of Negotiations, and the Agenda of the negotiations process.

Despite good progress since the re-launch of the negotiations process, tension between the parties has increased, especially in the Security Zone. The Transnistrian side have taken unilateral steps that could be regarded as provocations as they were not agreed within the Joint Control Commission. The Organization for Security and Co-operation in Europe (OSCE) and the 2013 Ukrainian OSCE chairmanship made important efforts to prevent any escalation, and praised Moldova for its policy of constructive dialogue.

Conclusion of Association Agreement**POLICY OBJECTIVES****- continue implementation of ENP Action Plan priorities and engagement in preparation of the Association Agenda, anticipating Agreement obligations, including regulatory approximation and capacity building**

The consultations on the Association Agenda which will replace the ENP Action Plan started in December 2012, although no draft document

has been made public. The June 2013 EU-Moldova Parliamentary Co-operation Committee asked the EU to provide tailor-made expertise and financial support to Moldova in implementing the future Association Agenda.

Under the clause of confidentiality imposed mainly by the EU, the text of the EU-Moldova Association Agreement is not public even though negotiations have now been completed, pending the initialling of the Agreement at the summit in Vilnius.

While the EU-Ukraine Association Agreement has reached the public domain, and the likely content of the EU-Moldova Association Agreement can be inferred from the EU-Ukraine agreement text, there are differences between Moldova and Ukraine.

The business community is the most anxious group expressing concern at the content of the Association Agreement. More precisely, it harbours uneasy expectations about the Deep and Comprehensive Free Trade Area Agreement (DCFTA), despite the fact that the authorities have insisted that Moldova managed to secure a good deal with the EU – a claim that civil society will be able to assess only after the text has been made public.

On the Association Agenda, it is most likely that this will include reforms that are part of the Association Agreement - which will be divided into steps and targets for each year.

POLICY OBJECTIVES**- continue the Moldova-EU human rights dialogue**

In 2013, the fourth round of the EU-Moldova Human Rights Dialogue was held. The participants took stock of the developments, the EU delegation reiterated its support for Moldova on its European integration path, and announced that, within the European Instrument for Democracy and Human Rights, a range of proposals to be launched would support progress in the elimination of several forms of discrimination. The objectives were largely met.

² The talks include Transnistria, Moldova, Ukraine, Russia, and the OSCE, plus the US and the EU as external observers

POLICY OBJECTIVES

- planning of Institution strengthening

(migration, competition and state aid, sanitary-phytosanitary, other areas)

The institutions responsible for areas related to European integration co-operated in pursuing reforms towards the implementation of the visa liberalisation action plan and the future DCFTA.

The CIB programme, as well as the TAIEX and twinning projects and other funding offered by the EU, is making inroads in reforming institutions. While a comprehensive assessment of the readiness of these institutions has not been undertaken, experts agree that insufficient financial means pose one of the biggest challenges.

POLICY OBJECTIVES

- encouraging international assistance to support core reforms covered by the Association Agreement

Alongside the EU and individual EU member states, important support is being provided by the US government, specifically through USAID, which supports technical projects such as rebuilding infrastructure, but also projects directed to ensure the rule of law and democracy as well as to increase the capacity of law-enforcement and security institutions. In addition, the World Bank is very active in helping Moldova to deal with serious issues, such as education, while a lot of EU member states are providing assistance for Moldova on a bilateral basis (e.g. Austria is providing assistance for the establishment of a DNA laboratory).

It can be concluded that Moldova is successful in attracting additional funding for reforms covered by the Association Agreement.

Establishment of Deep and Comprehensive Free Trade Area

POLICY OBJECTIVES

Negotiate a DCFTA as part of the future EU-Moldova Association Agreement

The negotiation of the DCFTA as part of the Association Agreement has been completed and the agreement now awaits only initialling and signature, so the objective has been fully met.

POLICY OBJECTIVES

Continue trade-related reforms in the areas agreed in Moldova's Action Plan for implementing the DCFTA-related recommendations. These include primarily trade-related reforms in the areas of TBT, health and phytosanitary measures, financial services, and competition, and the strengthening of institutional capacity in this regard.

The national market oversight authority is not yet functioning in accordance with the EU's guidelines, but adjustments are underway.

Moldova has implemented more than 16 New Approach Directives, and producers have the right to apply EU and international standards for products sold for export. Moreover, the Law on State Aid and the new Law on Competition that have been adopted are in line with EU and international standards.

Therefore, Moldova meets only partially the objectives, but reforms are in progress.

POLICY OBJECTIVES

Close dialogue on the trade-related reform agenda between Moldova and the EU (in regular Co-operation Committees, Trade Subcommittee)

Moldova has a permanent dialogue on trade-related reform agenda within the DCFTA preparations. The meetings of the subcommittee on Trade and Investments are taking place once per year; the last meeting was held in November 2012.

MOLDOVA: Assessment May 2012 – October 2013

Common Security and Defence Policy

POLICY OBJECTIVES

Conclusion of a framework

participation agreement by the end of 2012, as an important step for extending the EU-Moldova co-operation to the area of CSDP

Moldova and the EU signed the Framework Participation Agreement on December 13, 2012.

ENHANCE MOBILITY IN A SECURE AND WELL-MANAGED ENVIRONMENT

Visa facilitation and readmission agreements

POLICY OBJECTIVES

Continuous implementation of the existing

visa facilitation and readmission agreements

The last Joint Readmission Committee (held in June 2013) confirmed that Moldova is implementing satisfactorily the agreement, and that the number of readmitted citizens is decreasing. On visa facilitation, the refusal rate has decreased from 11.43% in 2010 to 6.53% in 2013.

POLICY OBJECTIVES

Undertaking all internal

procedures necessary for preparation for signature and conclusion of the amended visa facilitation agreement.

On 1 June 2013 the amended Visa Facilitation Agreement between the EU and Moldova entered into force following ratification of the agreement by the European Parliament. The amended agreement extends the categories benefiting from a facilitated procedure and shortens the list of documents required.

POLICY OBJECTIVES

Implementation of Visa

Liberalisation Action Plans

Moldova has successfully implemented the first phase of the Visa Liberalisation Action Plan (VLAP), and the Council confirmed this by its decision in November 2012. At the same time, the EU Council invited the European Commission to officially monitor and report on the implementation of the second phase of the VLAP. On 21 June 2013, the EC issued the fourth report on implementation of the VLAP and the first on the second phase. The report records that Moldova has made very good progress in implementation of the second phase and largely meets the benchmarks of the VLAP.

Implementation of existing Mobility Partnerships and possible launching of new ones

POLICY OBJECTIVES

Further expansion of the

MP by encouraging non-participating member states to adhere to the Joint Declaration

Moldova is successfully implementing the Mobility Partnership with 15 EU member states and three partners: FRONTEX, the European Commission, and the European Training Foundation. During the visit of Prime Minister Leancă to Brussels in June 2013, the EU Commissioner for Home Affairs, Cecilia Malmström, mentioned that Moldova was an incontestable leader as regards the implementation of the Mobility Partnership's goals, encouraging the Moldovan authorities to continue to share this experience with countries from the EU's eastern and southern neighbourhood.

Despite this, no new countries were reported to adhere to the joint declaration.

Mobility in a well-managed & secure environment

POLICY OBJECTIVES

Complete where relevant the

legislative, policy and institutional framework and ensure its effective implementation, in particular meeting the relevant benchmarks of the Action Plan on Visa Liberalisation

Moldovan legislation in the area of asylum policy is in line with EU and International standards. The legislation is respected in practice, and the process is further improving. In addition, civil society organisations (e.g. Memoria) are engaged in offering assistance to asylum-seekers.

POLICY OBJECTIVES

Fight against irregular

migration, including readmission

Complete where relevant the legislative, policy and institutional framework and ensure its effective implementation, in particular meeting the relevant benchmarks of the Action Plan on Visa Liberalisation

Moldova has in place an appropriate legal framework and institutional capacity to deal with irregular migration. The amended legislation and reform of the Border Guards allow these to conduct inland detection of irregular migrants and for the use of mobile units.

The main challenge remains the control of the entry of foreigners on the Transnistrian perimeter of the Moldova-Ukraine border. The European Commission has requested that Moldova opens six additional border posts on the administrative line with the Transnistrian region. However, this action creates tension between Moldova and the Transnistrian authorities.

POLICY OBJECTIVES

Legal migration and enhancing the link between

migration and development

Complete where relevant the legislative, policy and institutional framework and ensuring its effective implementation, in particular meeting the relevant benchmarks of the Action Plan on Visa Liberalisation

Moldova developed the Extended Migration Profile, which helps to systematically collect data on migration for enhancing better coherence and co-ordination of migration policies, and for developing evidence-based policy and integrating migration in the development of Moldova. A pilot project, “the Integration of Migration in the Development of the Republic of Moldova”, was launched by the United Nations and the International Organization for Migration (IOM), with the support of the Swiss Agency for Development and Cooperation.

Moldova largely meets the benchmarks on legal migration set up in the VLAP.

Fight against trafficking in human beings

POLICY OBJECTIVES

Partner countries to adopt the

legislative, policy and institutional framework and ensure its effective implementation, ratify and fully implement the relevant international conventions

Moldova has adopted, ratified, and transposed into national legislation all of the international conventions and texts targeting human trafficking, and has also developed a legislative and institutional framework in full accordance with EU and international standards. There is an Action Plan with clear benchmarks, but limited funds are provided.

Human trafficking remains an issue, mostly due to poverty and insufficient information.

MOLDOVA: Assessment May 2012 – October 2013**POLICY OBJECTIVES****Establish a national referral mechanism****Improve co-operation and exchange of information with EU**

The National Referral System is in place and provides assistance to potential victims and vulnerable groups. The system is still considerably reliant on the assistance of non-governmental organisations (NGOs). Specialised training is provided to policemen, health and social workers.

Moldova largely meets the objectives, but more support on behalf of the state should be offered to NGOs that are providing assistance.

POLICY OBJECTIVES**Complete where relevant the legislative, policy and institutional framework and ensuring its effective implementation, in particular meeting the relevant benchmarks of the Action Plan on Visa Liberalisation**

Moldova has the necessary legal framework in place, including the Strategy and the Action Plan - which have been implemented. According to the European Commission evaluation report on the VLAP, Moldova largely meets the objective.

Integrated Border Management**POLICY OBJECTIVES****Continue to implement the EUBAM Programme**

Moldova continued to co-operate with EUBAM (the EU Border Assistance Mission to Moldova and Ukraine) as so far EUBAM has proved successful in reducing the level of smuggling in the Transnistrian perimeter, supporting reform of the border police, and increasing the efficiency of the mobile units.

With the support of EUBAM, Moldova is planning to enhance control of migration on the administrative line with the Transnistrian region, and to further improve co-ordination with the Ukrainian authorities.

POLICY OBJECTIVES**Complete where relevant the legislative, policy and institutional framework and ensure its effective implementation, in particular meeting the relevant benchmarks of the Action Plan on Visa Liberalisation**

The legal framework and institutions dealing with the Integrated Border Management are organised in line with EU standards. The border police is organised in line with the Schengen Catalogue, and the risk-analysis system is in line with Schengen practices.

Fight against organised crime**POLICY OBJECTIVES****Partner countries to adopt the legislative, policy and institutional framework and ensure its effective implementation****Ratify and fully implement relevant international conventions**

Moldova's legislation is in full accordance with EU and international legislation and the relevant international conventions. In order to better fight organised crime, a co-ordination council was created which involves all the relevant stakeholders. However, there are still problems with the so-called "raider attacks", and the smuggling of cigarettes and other goods to Romania, and the under-reformed judiciary sometimes stalls efforts in fighting organised crime.

Moldova largely meets the EU and international standards in terms of legislation and the institutional setting, but in practice implementation needs to be strengthened, especially by reforming the justice sector and law-enforcement agencies.

POLICY OBJECTIVES**Strengthen capacities of law enforcement authorities to fight organised crime, while ensuring appropriate data protection safeguards**

The institutions in charge of fighting organised crime are in the process of undergoing reform. The Ministry of Interior started a thorough process of reform in March 2013, when the

MOLDOVA: Assessment May 2012 – October 2013

new law entered into force. The main objectives of the reform are the demilitarisation of the *carabinieri* forces, better co-ordination between different subordinated institutions, de-politicisation, and professionalisation.

In terms of legislation, Moldova largely meets EU and international standards. Nevertheless, EU experts have indicated that some gaps persist in legislation on confiscation. More widely, the results of the reforms (e.g. reform of the Ministry of Interior) are still anticipated, as the reforms have only just started.

In terms of data protection, the legislation is fully in place, the National Centre for Personal Data Protection is operational and implements the law. The law-enforcement authorities are still not accustomed to being refused access when the police request for information does not specify clearly why the data is requested.

POLICY OBJECTIVES

Complete where relevant the

legislative, policy and institutional framework, and ensure its effective implementation, in particular meeting the relevant benchmarks of the Action Plan on Visa Liberalisation

Moldova largely meets all standards in terms of fighting organised crime. More results are expected when the reform of the law-enforcement agencies will be fully implemented.

Fight against financial crime, including terrorist financing

POLICY OBJECTIVES

Partner countries to adopt the legislative, policy

and institutional framework and ensure its effective implementation

Establish/ strengthen Financial Intelligence Units and foster their co-operation with the FIUs of the EU MS

Partner countries to ratify relevant conventions preventing radicalisation and recruitment for terrorist activities

Complete where relevant the legislative, policy and institutional framework and ensure its effective implementation, in particular meeting the relevant benchmarks of the Action Plan on Visa Liberalisation

The laws against financial crimes and terrorism financing are in place, and the institutions dealing with these issues are established. The relevant conventions in the area of financing terrorism and money laundering have been ratified and are being implemented. The Moneyval (Evaluation of Anti-Money Laundering Measures) Committee of Experts of the Council of Europe gave a positive evaluation, but indicated some minor improvements that need to be made in the legislation currently under preparation.

Overall, the legislation and institutional co-ordination in the area of financial crime and financing terrorism is in line with European and international standards.

Tackling illicit drugs

POLICY OBJECTIVES

Partner countries to adopt and

implement national drug policies and integrated drug action plans

Complete where relevant the legislative, policy and institutional framework and ensure its effective implementation, in particular meeting the relevant benchmarks of the Action Plan on Visa Liberalisation

Moldova has a National Anti-Drug Strategy and an Action Plan, as well as legislation in line with international standards.

Moldova joined the Council of Europe Pompidou Group and signed a co-operation agreement with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). Similarly, the National Anti-Drug Commission is in place, and is co-ordinating the implementation of anti-drug policies.

Moldova largely meets the objectives.

Fight against corruption

POLICY OBJECTIVES

Partner countries to adopt the

legislative, policy and institutional framework and ensure its effective implementation

Alongside legislation on fighting corruption, the Strategy and Action Plan on fighting corruption is in place. The biggest concern is the

MOLDOVA: Assessment May 2012 – October 2013

persistence of high-level corruption as politicians are unwilling to adopt decisions that might have an impact on their economic interests. For example, it took a long time to appoint the members of the National Commission for Integrity, which is in charge of checking the declarations on income and assets of public officials and public servants. Finally, the team was appointed and some results were delivered, but only at the level of middle professionals or mayors from villages – no results on high-ranking officials.

As regards petty corruption, concrete steps have been taken, including the e-Governance Centre that has made many public services available online, thus limiting direct interaction between the public and the civil service.

POLICY OBJECTIVES**Play an active part in anti-****corruption monitoring mechanisms (GRECO, OECD Anti-Corruption Network for Eastern Europe and Central Asia and, where relevant, Istanbul Anti-Corruption Action Plan)****Implement relevant legal instruments, including appropriate follow-up to the recommendations and political commitments**

Moldova is actively participating in the international mechanisms that support fighting corruption. However, the GRECO recommendations are not fully implemented. The partially implemented ones are mostly related to the financing of political parties. Recent steps were taken, and it is expected that political parties will be financed by the state, but for this the law adopted by the government needs to be passed by the parliament, which is still hesitating.

The objective has been partially met.

POLICY OBJECTIVES**Enhance the role of civil society in that area**

Civil society plays an active role in combating corruption in Moldova, for instance the members of the Anti-Corruption Initiative. Moreover, some organisations provide expert analysis of draft anti-corruption laws.

In addition to the NGOs active in fighting corruption, teams of investigative journalists

(e.g. Ziarul de Garda) also provide very good reports about corruption in Moldova.

POLICY OBJECTIVES**Complete where relevant the****legislative, policy and institutional framework, and ensure its effective implementation, in particular fulfilling the relevant benchmarks of the Action Plan on Visa Liberalisation**

The fight against corruption has started to bring some concrete results, but experts contend that there is still a dearth of convictions of high-level figures, and insufficient will on the part of the political elite to take more serious steps in this direction. The institutions in charge of combating corruption are still subject to political influence. So, on the one hand, there has been good progress; on the other, the objective has only been partially met.

The biggest challenges in combating high-level corruption continue to be insufficient political will and lack of resources. Political will remains limited since reforms will touch upon some politicians. As for resources, for example, the National Commission for Integrity has 11 staff members but has to process 90,000 declarations per year, so the staffing is not sufficient. In the same context, some reforms have not been accompanied by increases in employees' salaries, for instance in the Ministry of Interior and its traffic police.

No action has been taken to address irregularities in the spending of public money, which are shown in the reports of the Court of Accounts.

Law enforcement cooperation

POLICY OBJECTIVES

Partner countries to establish an appropriate co-ordination mechanism between national agencies

Complete where relevant the legislative, policy and institutional framework, and ensure its effective implementation, in particular meeting the relevant benchmarks of the Action Plan on Visa Liberalisation

There are several co-ordination mechanisms that ensure proper co-operation among the law-enforcement institutions in relation to the implementation of reforms: the National Commission for European Integration, the Task Force on Implementation of the VLAP, and bilateral co-operation agreements between the law-enforcement institutions.

The objective is fully met.

SECTOR CO-OPERATION

Promote participation in EU programmes and facilitate the conclusion of general protocols to be followed by specific Memoranda of Understanding (MoU) with Partner Countries

POLICY OBJECTIVES

Partner countries need to make informed decisions about their participation in programmes, in consultation with the EU

Moldova to consider negotiating memoranda of understanding for individual programmes where appropriate

Moldova signed several memoranda of understanding with the EU, including in July 2012 with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), and in April 2013 with the EU's INOGATE programme on energy co-operation with partner countries. A series of bilateral MoUs were signed between Moldova and EU member states.

POLICY OBJECTIVES

Ensure sustainable participation in EU Seventh Framework Programme for Research and Technological Development

Moldova participates in the EU's Framework Programme 7, and is estimated to be involved in about 50 projects. The head of the Academy of Sciences has indicated that Moldova is now preparing to join the "Horizon 2020" Framework Programme for Research and Innovation.

Promote Partner Countries' participation in the work of EU agencies

POLICY OBJECTIVES

Partner countries need to identify priority agencies and explore possibilities for co-operation activities or formal agreements as appropriate

Negotiate agreements with individual agencies

Moldova has implemented almost all conditions under this commitment, as set out below:

POLICY OBJECTIVES

Europol: enhance co-operation - ongoing

Moldova has had a strategic co-operation agreement with Europol since 2007, and is awaiting the Europol evaluation of its data protection regime after which an operational co-operation agreement will be signed.

POLICY OBJECTIVES

EUROJUST Conclusion and signature of the operational co-operation agreement

Negotiations on the operational co-operation agreement with Eurojust are in progress. According to the European Commission Report on the Implementation of the VLAP, the first round of negotiations was very positive, and the negotiations are expected to be finalised soon.

MOLDOVA: Assessment May 2012 – October 2013

POLICY OBJECTIVES

**FRONTEX
Implementation**

of the working arrangement - ongoing

Moldova has been implementing the working arrangement with FRONTEX since its signature in 2008. In 2012, the National FRONTEX Point of Contact was created within the Border Police in order to ensure full co-ordination.

POLICY OBJECTIVES

**CEPOL
Participation in**

**CEPOL training activities
- signature of formal cooperation
agreements**

On 2 October 2012 CEPOL (European Police College) and the Academy "Stefan cel Mare" of the Ministry of Interior of Moldova signed a co-operation agreement.

Energy

**Promote energy security and sustainability,
notably through infrastructure, energy
efficiency and renewables**

POLICY OBJECTIVES

**EaP countries to
continue**

**developing and sustaining strategic oil
stocks**

According to existing national legislation, the companies are obliged to have reserves of petroleum products, but the Directive 2009/119/EC was not adopted.

POLICY OBJECTIVES

**EaP countries to
pursue electricity**

**tariff reforms, implement measures to
ensure full cost-recovery, strengthen
capacity and independence of regulators,
and set up appropriate legislative
frameworks**

Moldova adopted only Directive 2003/54/EC on the internal market in electricity, but Regulation (EC) No 1228/2003, Commission Decision 2006/770/EC and the Directive 2005/89/EC have still not been adopted.

POLICY OBJECTIVES

**Energy Efficiency
Agency has been**

**set up, engagement with Energy
Community Secretariat to approximate with
EU legislation**

National legislation in line with the following *acquis communautaire* has been partially adopted: Commission Delegated Regulations (EU) No 1059/2010 to 1062/2010 and No 626/2011; Directive 96/60/EC; Directive 98/11/EC; Directive 2002/40/EC; Directive 2006/32/EC; Directive 2010/30/EU; Directive 2010/31/EU is partially adopted. Further legislation is in progress.

The creation of common rules for the internal market in electricity and the internal market in natural gas are currently under deliberation.

POLICY OBJECTIVES

**Develop
connections to**

**the European Gas and Electricity Regional
Network and streamline the process of
accession to the ENTSO-E and ENTSO-G
(European Networks of Transmission
Systems Operators for Electricity and Gas)**

Moldova is now undertaking feasibility research into its options for joining ENTSO-E, and Moldova has been invited to join ENTSO-G.

Transport

**Conclusion and implementation of Aviation
Agreements**

POLICY OBJECTIVES

**Regulatory
approximation**

**through gradual implementation of EU
aviation legislation, including in the
following areas: aviation safety, aviation
security, consumer protection (such as
passenger rights), environment (noise),
social aspects, air traffic management,
market access related issues such as slots
and ground handling and airport charges.**

Moldova signed the Common Aviation Area Agreement with the EU, and started to implement its obligations under the agreement. Moldova is expecting technical assistance from the EU to support further legislative harmonisation with the *acquis* in this area.

MOLDOVA: Assessment May 2012 – October 2013

Some steps were already taken, e.g. the Civil Aviation Authority was established with the aim of strengthening aviation safety.

POLICY OBJECTIVES

Launch or enhancement of regional policy dialogues and development of Pilot Regional Development Programmes (PRDPs)

The financing agreement on the Pilot Regional Development Programme between the EU and Moldova was signed only on 18 March 2013, and has not yet delivered results. The financing agreement is worth € 7 million.

Environment and climate change

POLICY OBJECTIVES

Work on approximating environmental legislation, especially in view of new Association Agreement

In the approximation of environmental legislation, Moldova is preparing about 20 laws for harmonisation with the EU acquis.

Co-operation on macroeconomic and financial stability issues

POLICY OBJECTIVES

The core objectives are:

1) Promote macroeconomic stability including price stability, sustainability of public finances and balance of payments positions

A reform of public finances is taking place, based on budgetary and fiscal discipline and budgetary transparency. This builds on the 2011 pension reform, aimed at strengthening the sustainability of, and reducing the risks in, the public finances system.

POLICY OBJECTIVES

2) Implement appropriate

structural reforms

3) Implement appropriate reforms and regulation in the financial sector

Moldova has embarked upon a series of reforms in order to ensure a stable financial sector. The biggest challenges are posed by the banking system and the negative influence of the judiciary (most probably corrupted) on the banking system. The government is making attempts to prevent instability in the banking system, but the results are still modest.

Customs co-operation and trade facilitation

POLICY OBJECTIVES

Strengthen customs co-operation,

remove procedural, human resource and infrastructural bottlenecks, and implement customs modernisation strategies

With effect from 1 July 2013, the Customs Office eased the procedure for exports and imports, and reduced the bureaucratic steps that have to be taken. Moldova is partially implementing the necessary reforms in the Customs Area.

POLICY OBJECTIVES

Implementation of the Strategic

Framework (SF) for EU-Moldova Customs Co-operation

Two meetings of the working group on the implementation of the Strategic Framework (SF) for EU-Moldova Customs Co-operation have taken place. The main areas of co-operation relate to permanent exchange of information with OLAF (European Anti-Fraud Office), risk analysis, and post-clearance audit.

Employment and social co-operation

POLICY OBJECTIVES

Co-operation in line with the

**provisions of the ENP Action Plans/
Association Agendas including ensuring
respect for trade union rights and core
labour standards. Engaging in a dialogue
on employment and social policy with a
view to develop an analysis of the situation
and to identify key challenges and policy
responses (employment policy, social
protection policy, social inclusion policy,
social dialogue, health and safety at work,
labour law, gender equality) gradually
moving towards EU practices and including
implementation of the EU acquis on health
and safety at work, labour law and working
conditions.**

The United Federation of Building and Construction Materials "SINDICONS" proposed to the government and trade unions the creation, by the end of 2013, of a Council on Health and Safety at Work.

According to the National Confederation of Trade Unions, construction is among the sectors with the highest degree of injury and occupational disease. The trade unions have proposed that the Council on Health and Safety at Work should be created by the Commission for Consultation and Collective Bargaining.

In terms of co-operation, there has been progress, but the objective has not been met yet.