

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

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# NEWSLETTER

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## Synthesis and Foreign Policy Debates

The newsletter is developed by Mădălin Necșuțu, editor-coordinator

### TOPICS OF THE EDITION:

- 1. Panel I:** Relaunching and deepening Moldova's partnership with the European Union: opportunities, priorities and perspectives
- 2. Panel II:** Ensuring the integrity and independence of the judiciary and combating high-level corruption: priorities and obstacles
- 3. Panel III:** Reintegration of the country step by step, between desideratum and realities: What's next?

### News in Brief



About 70% of citizens are in favour of Moldova's accession to the European Union, according to an iData poll. According to the study, 68.8% of participants in the survey support the integration of the Republic of Moldova in the European Union, and 35% - in the Eurasian Union. 41.2% of respondents are in favour of the unification of Moldova with Romania. 30.1% of respondents are in favour of Moldova's accession to NATO. 22.5% opt for restoration of the Soviet Union; 17.8% opt for recognition of Transnistria's independence; and 45.9% are in favour of Moldova's withdrawal from the CIS. Also, 42.7% of respondents believe that things in Moldova are going in the right direction, while 45% think the country moves in the wrong direction. Asked about the first 100 days of the Gavrilă Government, 34% of the survey participants rated its activities positively, 31.7% - neutral, 23% - negative and 11.3% found it difficult to answer. The survey was conducted by telephone between November 15-25 with the participation of 1,047 respondents from 367 localities (including the left bank of the Dniester). The margin of error is 2.9%.



The President of Romania Klaus Iohannis and the President of the Republic of Moldova, Maia Sandu, declared in a joint conference held on November 23, in Bucharest, that they agree to strengthen the bilateral partnership between the two capitals. While Iohannis thanked Maia Sandu for the "valuable" medical support that Moldova has provided to Romania and that "saved lives", Sandu reminded Iohannis that he was the first head of state to "honour" Moldova with his presence immediately after presidential elections. Maia Sandu has also had a strong message for the Romanian businessmen to whom she conveyed that the Republic of Moldova is changing and that it will soon become a more business-friendly environment. "Most of our exports go to Romania. We will make sure that the reforms in the judiciary make Moldova a safe place for investment," said Maia Sandu.



On November 11, Prime Minister Natalia Gavrilă presented the report of the first 100 days of government in which she listed a series of measures and achievements adopted by the cabinet she is leading, such as increasing pensions, overcoming the gas crisis, concluding a \$ 564 million loan with the IMF, continuing the fight against corruption, bringing in 600 million euros from the EU and another non-repayable 60 million euros to overcome the energy crisis.

"We have made progress on the implementation of the Association Agreement with the EU, including the adoption of the new Customs Code, the new Railway Code and other basic documents that have unlocked European funding for Moldova. With concrete steps we are approaching Europe and bringing the country's laws and institutions in order. We have obtained from the EU the commitment to support the Republic of Moldova with 600 million euros for the way out of the crisis, and this money will go where the needs are biggest: the healthcare system, infrastructure, creation of well-paid jobs", Gavrilă also declared.

## Reforms and desiderata: The Republic of Moldova in front of a new chapter of European integration



The eighth edition of the Moldovan European Integration Forum from 9 November 2021, hosted by the Friedrich Ebert Foundation (FES) Moldova, the Foreign Policy Association (APE) and the Ministry of Foreign Affairs and European Integration has brought into discussion the most pressing issues related to Moldova's

European integration process.

The representative of the Friedrich-Ebert-Stiftung (FES) in Ukraine and the Republic of Moldova, Marcel Röthig, has stated at the beginning of the event that the purpose of the forum is to find the best solutions for Moldova to continue its European integration course in an

accelerated way through implementation of the necessary reforms and harmonization of values with those of the EU.

"The forum has reached its eighth edition and today's conference takes place in a different context compared to previous editions, taking into account the new government in the

► Republic of Moldova, which aims at accelerating the integration of the country into the EU. This gives hope that the Republic of Moldova will move much more firmly towards European integration. When we initiated this project nine years ago, the goal was to establish a new platform for discussions on the most pressing issues facing the Republic of Moldova in the process of European integration”, said Marcel Rõthig.

“The forum is a platform for discussions that brings together Moldovan and EU policy makers, opinion leaders, civil society representatives, political parties, and international organizations. We are aiming at finding solutions to the identified problems together, and with the coming to power of the pro-European political forces we hope that the living standards of the Moldovan citizens will improve”, the FES representative also mentioned.

### **The need to stay on the European path**

In her turn, the head of state Maia Sandu, present at the event, spoke about the need to build a strong state, after the leaders of the Republic of Moldova have failed to do so for 30 years.

“A weak and vulnerable state has perpetuated inefficient governance and allowed corruption to grow, turning it into a real threat to the state security and compromising the aspirations of millions of Moldovans to build a prosperous future at home. Our European aspirations have also fallen prey to narrow interests or corrupt politicians”, said Maia Sandu.

President Maia Sandu has underlined that the Republic of Moldova must remain on the pro-European course and that the presidential elections in November 2020 and the parliamentary elections in July 2021 showed this need.

## **The Republic of Moldova has gone through several periods in its relations with the EU in recent years, including frost and setbacks**

*Nicu Popescu, Minister of Foreign Affairs and European Integration*



***It's a great pleasure to be in this room at the eighth edition of this forum. It is a good opportunity to review our achievements, but also our shortcomings in the European integration process, as well as our plans for the future. We would like to discuss more about the vision we intend to implement as a governing team.***

The first steps that the Republic of Moldova took 20 years ago, and for me it is an honour and a pleasure to evoke those early times in our process of European integration together with

Prime Minister Sturza, the one who took the first steps in the direction of our institutionalization as a state and promotion of those policies that were to bring us closer to the European Union. That is when the first European integration department was set up at the Ministry of Foreign Affairs. At that stage, the institutional framework was created, which in the last 20 years has made many efforts to bring the Republic of Moldova closer to the European Union.

From the first days of our activity, the speed and quality of the dialogue with

the European Union have increased significantly. We can say that at this moment we have managed to establish direct contacts with 12 Member States of the European Union at the level of foreign ministers.

Regarding the future vision on relations with the EU, the Association Agreement provides a very deep framework and the Republic of Moldova has not yet completed the implementation of all provisions. At the same time, policy areas were outlined in 2007-2008, and several new areas of interaction with the EU have emerged since then. Moldova intends to establish new additional cooperation platforms in areas such as politics, security, energy, justice and environment.

### **EU magnetism**

The Republic of Moldova has gone through several periods in its relations with the EU in recent years, including frost and setbacks, despite that, however, our country has continued to integrate deeper and deeper with the EU - the force of attraction of the European Union has acted as a magnet for our citizens because of our desire to live better, and served as an anchor for our economy that allowed the country to transform.

Over 65 percent of Moldova's exports go to the EU, Moldova is the state that has benefited most from the Free Trade Agreement with the European Union among the Eastern Partnership countries: since the signing of the Free

Trade Agreement, Moldovan exports to the EU have increased by 70 percent, which is unprecedented in the region.

The Association Agreement is the most ambitious international agreement signed by the Republic of Moldova, which gives us even more obligations to adjust to the EU standards than the Balkan candidate countries now have.

In addition, over the last seven years, more than two million Moldovan citizens have enjoyed the freedom to travel to the EU.

### **Outstanding obligations and derivative issues**

The unresolved issues and gaps are related to the catastrophic situation with corruption and the justice system - Moldova ranks 115<sup>th</sup> in the world in the corruption perception index, a place of shame given that Moldova has lost 20 positions in the last decade due to the capture of state institutions. This creates serious investment problems, which are hostile to corruption.

The Republic of Moldova also had underdeveloped foreign relations in the field of security. The Republic of Moldova is a neutral state, but it is very important not to treat neutrality as self-isolation - we are in a very sensitive area and the state needs effective institutions in this field which needs to be strengthened in the coming years, including through external partnerships. After almost 100 days of governing, this is how the governing team sees the next steps.

The first objective - the need to unblock external contacts in order to reconnect the Republic of Moldova to the international circuit. And we can say at this moment that we have managed to establish direct contacts with 12 EU states at the level of foreign ministers. Concrete benefits are the social security agreement with Greece; Lithuania recognizes Moldovan driving licenses; and we have signed an agreement with France to recognize bilingual studies.

### **Lack of a broad national consensus**

In the area of roaming price liberalization, the hope is that by the end of this year an agreement will be signed in the Eastern Partnership to eliminate roaming prices between the 6 states. The same efforts are being made for the states of the European Union. The dialogue on the security dimension, including energy security, with the EU will be launched in the near future. The above will also be addressed at the Eastern Partnership Summit that we are preparing for in December.

The Republic of Moldova does not have a national consensus on foreign policy as was the case in Romania, for example, through the Snagov statement. However, the aspirations for rapprochement with the EU are deeply entrenched among citizens and institutions, and over the last 10-15 years ago the number of people supporting the EU integration has increased.

**Chisinau, 9 November 2021**



# Elucidation of the bank fraud is the key test for the justice system

*Luc Pierre Devigne, Deputy Managing Director for Eastern Europe and Central Asia, European External Action Service*

**I would like to talk about three key elements: first, about opportunities, second, about priorities, and then about the tools available to make progress on cooperation.**

In recent years, the Republic of Moldova has registered extremely positive developments following the parliamentary elections, and the new government has assumed a very solid pro-reform programme. In the past, I have seen a number of politicians in the Republic of Moldova who positioned themselves as pro-European, but in reality, they were anti-reform and the results did not happen.

The Moldovan citizens have shown that they do not want a country mired in corruption and private interests. You now have a strong mandate from the people and a major responsibility to get the country on the right track, and you have new opportunities to enhance Moldova-EU relations.

The Republic of Moldova matters to the EU, it is a state in the immediate vicinity with which the EU has much in common and we would like to see evolution, prosperity, good governance and a functioning market economy in the Republic of Moldova. Our policy is not to dictate to the Republic of Moldova with whom and how to move forward as it should build its foreign relations independently.

## Benefits for citizens

We would like to see that the people of the Republic of Moldova enjoy a better future based on better policies. We are committed to strengthening the association with the Republic of Moldova by integrating this state with the help of



the full implementation of the Association Agreement, which is very ambitious. It is about fighting corruption and reforming the judiciary, which alongside fighting poverty, are important objectives set out in the Association Agreement.

The benefits of the Association Agreement and the Free Trade Agreement with the EU are already being felt by the Moldovan citizens - 70 percent of Moldova's trade is with the EU, and people benefit from the liberalized visa regime. And we are willing to expand cooperation. An updated association agenda for the coming years is currently being finalized where energy efficiency and overcoming the economic crisis exacerbated by the pandemic are topical issues.

## The need for a reformed and efficient justice

The justice system reform and the rule of law are the key reforms necessary in the Republic of Moldova. The institutions of the prosecution and the judiciary should be brought in accordance with the law. The framework for the integrity of civil servants needs to be improved, which will

make it possible to improve the quality of public services.

Elucidation of bank fraud is the key test for the justice system, the culprits must be punished and the goods recovered. The Republic of Moldova is notorious for this fraud and the Kroll report, and among the beneficiaries is Mr Șor, who continues to be a Member of Parliament.

The EU will provide assistance to the Republic of Moldova in improving energy security, including through the creation of mechanisms to improve reserves, diversification of sources and energy efficiency. The European Union will also continue to support Moldova in the Covid-19 pandemic, supplement aid and vaccine lots, help inform citizens correctly, and work to equate the Moldovan Covid digital certificate. The EU will continue supporting the small and medium-sized enterprises, the digitalisation of public services and the justice sector reform. We have full confidence in the current leadership of the Republic of Moldova that it will make progress with reforms and get tangible improvements for the benefit of the Moldovan citizens.

*Chisinau, 9 November 2021*

# The volume of investment coming to a country is directly proportional to the independence of that country's judiciary

Johannes Schraps, member of German Bundestag

**I would like to refer to the future of the Republic of Moldova in the context of cooperation with the European Union. It is about deepening the relationship between these two entities, and today's forum is an important step in this regard.**

As mentioned by Mr. Popescu in the context of the energy crisis, but also by President Maia Sandu, it is necessary to diversify the sources of energy supply. Germany will provide support to the Republic of Moldova to overcome the energy crisis and reduce the impact of this crisis on vulnerable people. We will support reforms to reaffirm public confidence in the judiciary and to improve the investment climate in the Republic of Moldova. These as well as the fight against corruption are key priorities and challenges of the reform agenda. In July 2014, when the association agenda was agreed, these reform priorities were set, and in August 2017 this Agreement was completed with additional provisions in the area of fighting against corruption, justice system reform, and public administration. These needs remain valid today, being a precondition for closer relations between the EU and the Republic of Moldova, but also for the financial support provided to Chisinau.

The lack of progress in the judiciary was the reason for the freezing of financial support in the previous period. The €60 million in grants recently received from the EC is a sign that some progress has been made. Now, the Republic of Moldova has to intensify the efforts in



the fight against corruption and ensuring a favourable investment climate, which are very important.

Investors will not come to a country where justice is biased and corrupt. Ensuring the integrity of the judiciary is a major challenge and priority. The volume of investment coming to a country is directly proportional to the independence of that country's judiciary. Investors do not want to risk losing capital. They want to make sure that their investment is somewhat protected. Fighting high-level corruption in the Republic of Moldova and ensuring the integrity of the judiciary are major challenges but also priorities.

As Mr Devigne has mentioned, it is important that appropriate reforms be implemented in these areas. As a member of the German-Moldovan Forum Council, and following the May talks in Berlin with Maia Sandu, I would

like to express my optimism about the current government's ability to make progress in fulfilling its electoral promises. At the same time, the Moldovan authorities must fully comply with legal procedures when reforming the judiciary or trying to clean up the system or prosecute people in the system.

All this should be done in consultation with the public and civil society. The lack of transparency in the detention of prosecutor Stoianoglo should be avoided so as not to undermine the credibility of the steps towards reform. I understand that it is hoped in the country that the election promises be fulfilled as soon as possible. The fight against corruption, although a key commitment, is not easy to achieve.

Chisinau, 9 November 2021

# We are at war with the biggest crooks since the turn of the century who have stolen billions from this people

*Ion Sturza, President of APE, former Prime Minister of the Republic of Moldova*

**T**he years 98-99 were a very dynamic period for the European integration of the Republic of Moldova, with multiple meetings, high-level interactions with the EU and member states. We must recognize that back then we had an opportunity to start the formal process on political grounds, not on performance criteria, which I think is a dominant issue today. But we missed it then and the lesson must be learned, because it is very similar to what is happening today.

We are talking about the same tools, the same energy crisis. In the summer of 1999, suddenly and influenced by both Chisinau and the East, we were cut off from electricity in Cuciurgan. The delivery of electricity was resumed in a relatively short period and we showed that we have the technical capacity to bring energy from other sources.

My message to the Western partners is that discussions about democracy, transparency and procedures are okay, but we are at war with the biggest crooks since the turn of the century who have stolen billions from this people. And here all the tools are good. We could keep appearances, but if we do not bring and hold Shor, Platon and Plahotniuc accountable, our mission is lost.

The problems with the gas and export of vegetables can be solved. But if we do not solve the problem of corruption, we



will continue to be a provider of regional insecurity.

President Maia Sandu has a 'credo' - the fundamental problem of the Moldovan citizens is poverty, and the only way to solve it is to fight corruption. If we looked at the billions that went into the pockets of crooks, we would be shocked - it's definitely tens of billions of dollars.

For the first time since 2003 the European integration is no longer on the top in the list of government priorities - it is rather a pragmatic approach, in line with what is happening today, including in the EU. We cannot talk about the European integration of the Republic of Moldova

only on political criteria without reaching the performance criteria. The best formula is the reforms contained in the Association Agreement, in the Free Trade Agreement which gave a major boost to the economy of the Republic of Moldova, with 65 percent of exports oriented towards the EU. This reorientation demonstrates the ability of Moldovan economic agents to be competitive on the European market. If we have now a successful wine industry, we should be grateful for the embargo. In the current energy crisis, the government has avoided a catastrophe in the grip of winter, the aim of which was to block our path to European development.



# Ensuring the integrity and independence of the judiciary and combating high-level corruption: priorities and obstacles

*About the judiciary reform and achievement of the most important milestones, especially through the external evaluation of magistrates; about the fight against corruption and political intervention in the process of cleaning up the corrupt justice system in the Republic of Moldova.*

**SERGIU LITVINENCO,**  
*Minister of Justice of the  
Republic of Moldova:*

*“The benefits of reforms  
are far greater than the costs”*

**O**rdinary citizens understand things very well. They see exactly what the problems are in society - there has been talk about the involvement of politics in justice and external evaluation of magistrates, but also about other issues that 10 years ago were unknown to the general public.

The costs of external evaluation and judicial reform are indeed high, but the benefits of the reform will be far greater than the costs involved. Shortly about the priorities: when I came to the Ministry of Justice, I have started with the governing programme and the electoral promises. There were several things there, but we set a list of priorities. We have worked with the whole team in a room and we came up with 10 things we would like to accomplish in 2021 and 2022. I mean, we are somehow on schedule because we



managed to initiate a dialogue with the development partners regarding the judicial reform in general, and the extraordinary external evaluation of magistrates in particular. We have sent the concept to potential donors who will help us with this reform that somehow everyone realized is unavoidable.

We managed to complete one thing that was promoted by the previous government, namely the amendment of the Constitution. This law would give more independence to the judiciary. Judges must be independent, but we can talk about an independent justice system only when we have fair, honest, and law-abiding judges.

## **Lack of internal will to reform**

It is not realistic for the justice system to get self-cleaning – it has had this possibility, including in June 2019, when Maia Sandu, in her capacity as prime minister, conveyed then to the justice system the message it can start the self-cleaning process. That is why we have to use other methods when reforming the judiciary, including the vetting procedure, even if this will take a long time. We have the advantage of having the experience of Albania and Ukraine and we can analyze existing risks there.

There is a strong political will to carry out judicial reform on the part of

the parliamentary majority, which has a strong popular mandate. The cause of the failures so far has been that previous governments did not really want to reform the judiciary, they wanted to control it. We will do everything to change things in four years and to have the necessary institutions.

### **Priorities and possible help**

The priority in the justice system is to carry out the reform in order to obtain

honest and law-abiding judges. Now we are at the stage where we have to do things so that, on the one hand, we exclude the possibility of blocking the system, and on the other hand, we make sure that the law we implement is in line with the international standards with regard to the independence of the judiciary, so that there is no risk for the Republic of Moldova to be subsequently convicted by the ECHR.

We need to hurry with these reforms, but we need to do it slowly, because it is important for us to have the support of our development partners.

We need to change the institutional framework for fighting big-scale corruption. At the same time, we need to train new staff in the judiciary for the functions which will become vacant after the reforms and integrity verification – at present we are training 10 judges and 10 prosecutors a year, but we will have to increase the number to 50 new magistrates in the coming years. Here we will also have to ensure Romania's support in this field.

**Chisinau, 9 November**

**JEROEN HOOIJER,**  
**Head of Unit,**  
**Interinstitutional,**  
**international coordination,**  
**Directorate General**  
**for Justice and Consumers**  
**(DG JUST):**

***"My advice for the process of reforming the justice system would be "Festina lente!"***

**We** are very happy to see those commitments that have been made by the representatives of the Moldovan government. We are welcoming the government's ambitions to reform the justice system. However, the first recommendation is not to rush, specifically with those legislative amendments. Quality must prevail over speed. I know that you do not have all the patience and I know that patience needs to be educated, but it is very important that you do not rush when it comes to new legislation, for which wide discussions and consultations should be ensured. Otherwise, it could be discussed in international courts. My advice would



**be "Festina lente" and that should be your slogan.**

### **Support and experience**

I would like to welcome the adoption of the constitutional amendments. They are very important and are in line with the recommendations of the Venice Commission. For me, these are a clear signal that the government has made this commitment and has come up with structural reforms that are necessary for the Republic of Moldova. To be clear, you have our full support

for reforming the justice system, as we at the DG Just which is part of the European Commission, have some experience in supporting reforms of the justice system in the Western Balkans and other Eastern Partnership countries. We are ready and eager to share our experience with you and support you in this very important and complex project.

### **External evaluation and its difficulties**

We are also welcoming the vetting process (external evaluation), which involves evaluating magistrates in the



system. However, it is important that the vetting process be a last resort. It will take a long time to evaluate prosecutors and judges. In Albania, the process began in 2017 in which 450 final decisions were taken out of a total of 800 judges. In the Republic of Moldova, there are about 1000 judges and prosecutors, so a genuine vetting process will take a minimum of 4-5 years.

They've learned two lessons in Albania. The first is that the responsible entity should have all the resources to assess both the magistrate and the family, including assets abroad. The second is that there must be all the legislative leverage to oblige the person to explain and justify the origin of the income.

It is a good idea to assess the integrity of the new members of the Superior

Council of Magistrates and the Superior Council of Prosecutors. These two councils are the most important in the justice system that must ensure the integrity of the system. When we manage to clean up the system from above, it means important progress. At the same time, we hope that the vetting process will be fair and correct and that it will start with the top of the pyramid.

We are ready to provide assistance and attract international experts. We believe that the involvement of the Venice Commission in the process of reforming the justice system is very important. However, we are not convinced that there is a need to create a new institution such as an anti-corruption tribunal, the emphasis should be on the functionality of existing institutions.

With regard to the idea of strengthening the role of the Intelligence and Security Service in cleaning up the judiciary, there is a risk that this service will be used for political purposes, so I would be very careful about that.

The message to the government is to talk to the people and explain to them that any major reform takes time, and the results will not be immediately visible. It is important that citizens do not have exaggerated expectations, otherwise the government risks losing public confidence.

And another important aspect - draw the attention of schools that train magistrates to train new staff, so that the new generation of magistrates is better than the current one.

*Chisinau, 9 November*

**CRISTINA ȚĂRNĂ,**  
**anti-corruption expert and**  
**former deputy director of the**  
**National Anticorruption Center:**

***"What is happening now is an imitation of reforms that took place in other countries"***

***I believe that it's the person that sanctifies the place, just as I believe that the leader of an institution in the justice system should do the same.***

I believe that these institutions - the Superior Council of Magistracy and the Superior Council of Prosecutors - and their members do not have the credibility to clean up the system of corrupt judges and prosecutors by themselves. It is obvious that they will never apply the mechanisms they have at their disposal - evaluation, discipline and sanction. And this is seriously



affecting the image of justice, and an entire country understands this except for the magistrates and the above-mentioned councils.

Any evaluation should start with these Councils because they are going to play a very important role in the evaluation process, whatever it will be. We are close to completing the staffing of these councils in a short time, and the judges

and prosecutors will appoint their next members.

Public information with regard to the lack of integrity of judges is not taken into account in any way and corrupt judges continue to hold office. It is important that the evaluation of integrity in the judiciary begins with the councils of prosecutors and judges, but also with the magistrates of the

Supreme Court of Justice. It is also important to check the integrity criteria for the competition process and the new candidates who are going to complete these councils in the near future.

We have talked for a long time about mimicking reforms by previous governments. What we are seeing now is an imitation of reforms that took place in other countries, and even if there is a desire for reform, I am afraid we will only create appearances, without generating the content and effectiveness

of those we want to copy. In Georgia, for example, the miracle in fighting corruption occurred because they invented it at home and really wanted to do it, just like in Singapore or Romania.

### ***The key to success – people of integrity***

The secret ingredient for the justice reform is the people - it is wrong to ignore the staffing policy and meritocracy. It may be necessary to promote people in the justice system

who are able to make changes until the laws are changed.

It is also important to verify the assets in the evaluation of judges - all states that have achieved big results in reforming the judiciary have followed this path. It is not correct to think you cannot ask the people about the origin of their wealth based on the presumption of innocence. If we don't do this we will not advance much.

*Chisinau, 9 November*

**GALINA BOSTAN,**  
**president of the Center**  
**for Corruption Analysis**  
**and Prevention:**

***"The priority in the judicial reform is clarity and predictability of laws"***

**A**ny process to ensure the efficiency of an entity must be looked much more broadly. Several proposals have been made public as a result of monitoring these authorities. All of them could be taken into account, only there is need to pay attention to certain peculiarities.

The priority in the judicial reform process is clarity and predictability of laws. The 2010-2016 reform laws on the Anti-corruption prosecutor's office and the Integrity Authority have been amended dozens of times. If the rules of the game change, it is very difficult to ensure efficiency in the work of public authorities.

With regard to the control of the functioning of laws, this function is not fulfilled by the Parliament, which



generates inefficiency in the activity of the public authorities.

Another important element is to provide institutions with budget and staff. Together with the 2010 reform, a barrier has been crossed - satisfactory salaries have been paid in court, which is a positive thing. It was believed this would ensure the judges' independence, but in fact, the bribe has increased from hundreds to thousands of euros, because, in parallel, anti-corruption policies have not been implemented.

Staff has also been provided to the judicial authorities. National Anti-corruption Agency has 350 staff units, and the National Integrity Authority

(ANI) - 76 people. This is the cost that society pays to make progress in the fight against corruption, only we do not see any progress. We need to change our approach and focus on the principle of cost-effectiveness, and demand results. Let's not forget that the employees of the National Anti-corruption Agency retire at just over 40 years old. This is a very big task for our society and we have every right to demand results from their work.

### ***Efficient administration of the judicial system institutions***

Another aspect to keep in mind is that there is not always an efficient

administration of the already existing resources in these institutions. In the last parliamentary elections, ANI's biggest challenge was to issue certificates of integrity. This was more of a technical thing which could only be done by two people from the secretariat who were to check the candidates - yes or no - and issue the certificate.

The peculiarities of corruption offenses are that from the point of view of criminal prosecution, these offenses are simpler than murder or other crimes. Tracking them involves office

work and analysis. But they can also be easily covered up, because the criminal investigation remains at the mercy of a civil servant, the prosecutor. Prosecutors tend to prosecute serious offences that they later requalify. And we found out that all those requalifications were not done for free.

And in terms of punishments, the most important thing is the lack of the right to hold public office - the corrupt person must be disconnected once and for all from public office. Confiscation of assets is possible even by existing

legal framework, but this is not done, because there is a certain institutional and professional "solidarity", so as not to create precedents for people in justice.

The conclusion is that we have a satisfactory legal framework, the big problem is that this legislation is not implemented properly and this is because the parliament does not exercise its power of control over the laws.

*Chisinau, 9 November*

## Reintegration of the country step by step, between desideratum and realities: What's next?

*About visions and strategies with regard to the country's reintegration, the 5 + 2 negotiation process, the political settlement of the conflict and the human rights situation on the left bank of the Dniester*

**MIHAI POPȘOI,**  
deputy speaker of  
Parliament, Chair of the  
Committee on Parliamentary  
control of reintegration:

***"We will insist on the negotiation of the third basket related to the final political settlement of the conflict"***

**P**eople's scepticism about the settlement of the Transnistrian conflict is justified when we look back. In the 30 years since independence, little has been done and, unfortunately, the definition of success has become the status quo. As long as things don't get worse, the situation seems to be acceptable.



However, that depends on how we look at it - half full glass or empty half. It is good that things are not getting worse, but obviously we want the situation of ordinary citizens on both banks of the Dniester to improve. We now have the determination to move things forward, but also the experience of 30 years. We became wiser and learned from the

experience of past governments that had exaggerated ambitions to overthrow the mountains.

The government's plans are well known. Dialogue is the only way to find a sustainable solution. That is why we are anchored in this process of dialogue that must continue. On the other hand, there



is a reluctance in the negotiation process that we are all aware of regarding the terms of political solution. The so-called authorities on the left bank of the Dniester prefer to focus on economic concessions and avoid discussing political regulation.

### **Looking for dialogue solutions**

In the negotiations for the Transnistrian settlement, we will insist on the negotiation over the third basket which is related to the final political settlement of the conflict. It is not in the interest of the Republic of Moldova to focus in these negotiations only on the economic and social basket. We will have to find solutions to persuade Tiraspol to discuss the political issues.

The approach according to which the economic integration of the Transnistrian region through the European market will lead to a change of perceptions and interests in the field of approximation is a naive one. As long as there are obscure interests, things will move very

hard and slowly. So our firm intention is to put an end to existing schemes. It is the only chance to achieve sustainable regulation.

In the meantime, we must improve people's lives - there are many problems with Romanian-language schools on the left bank of the Dniester, with access to agricultural land, arbitrary arrests, smuggling which is the main source of income for the Tiraspol administration. Smuggling schemes are multiple and as long as they exist, it will be convenient for those on the left bank of the Dniester to maintain the current status quo.

### **A more transparent public communication on the conflict**

The Commission for Parliamentary Control over the Regulation was recently set up to bring the Transnistrian settlement back on the agenda, given that in the polls, the Transnistrian issue has always been at the bottom of the citizens' priorities. It has virtually disappeared from the public agenda. The Commission's role will also be to

improve public communication on this issue.

The attractiveness of the right bank is far from a sufficient condition for Transnistrian settlement, but it is still a necessary thing. The Republic of Moldova must be attractive to our compatriots on the left bank of the Dniester - in the last 30 years it has not been - economically, politically, but also from the perspective of the rule of law. But we are determined to change this in the next four years.

In addition, the goal of Chisinau in the field of energy is not to be within the reach of the Transnistrian region in terms of energy supplies. But the situation that has created over the 30-year period can't be recovered in a month or two. The Republic of Moldova intends to have at least two-month gas reserves to be stored in Ukraine or Romania. In the coming years, we must diversify our sources of energy supply so that we are no longer vulnerable and so that Transnistria's debt does not continue to grow.

*Chisinau, 9 November*

**ION MANOLE,**  
**Director Promo-LEX:**

***"The needs of ordinary people are not heard on the left bank of the Dniester and very rarely on the right one"***

**We need such debates in society because they are missing both because of the pandemic and the socio-political situation in the Republic of Moldova. The lack of such discussions and meetings with relevant actors has a negative effect on the conduct of these negotiations.**



I represent a human rights organization that has made great efforts to defend human rights on both sides of the Dniester. For 20 years, 16 of which we

have been active in the Transnistrian region, we have continued to monitor the situation, to go to court with cases, including at the international level. Our

goal is to prevent the recurrence of such cases.

We cannot talk about concrete steps in the Transnistrian conflict settlement process. Over time, we have witnessed a lack of strategy and vision on the part of the authorities, ineffective negotiations, issues with human rights and limited capacity of the Chisinau government to manage the role and contributions in this regard of the external partners of the Republic of Moldova.

The needs of ordinary people are not heard on the left bank of the Dniester and very rarely on the right one. Many people have left the region because there it is not possible to defend themselves when they have problems with the authorities in the region.

### **Lack of vision**

It is foggy on the right bank of the Dniester - there are no feasible solutions for reintegration. The impression is that the current situation suits all parties involved in the negotiations. The constitutional authorities have no plan, no vision for the political solution of the conflict and also no solutions to people's problems. The approaches are superficial and sporadic, and the population is not interested in the issue.

The eastern districts remain a closed territory, without access for lawyers, journalists, human rights defenders; freedom and human rights are suppressed. The attitude of the actors

in the 5 + 2 format towards human rights is inadmissible.

Impunity is the biggest problem on the left bank of the Dniester, where ECHR decisions have no value and there are no consequences for abuses of those who commit them. Civil society and the press in the region are silenced and have access only where they are allowed by the administration.

Human rights cannot be negotiated, we need clear legislation and mechanisms to eliminate impunity. A Magnitsky law would send clear messages to the human rights' violators in the Transnistrian region.

*Chisinau, 9 November*

**DUMITRU MÎNZĂRARI,**  
**Researcher, Eastern**  
**Europe and Eurasia**  
**Research Division, Stiftung**  
**Wissenschaft und Politik:**

**„The Russians have low capacity to maintain the desired status quo in Transnistria”**

**I see the Transnistrian issue largely as a technical one. I work primarily in the field of science and do research that I make available to the public sector to optimize public policy.**

In my opinion, the Transnistrian issue is a technical one. This is a matter of negotiations between two parties where each party has interests and ability to promote and defend those interests. The outcomes of the discussions between the two parties may be multiple. It depends on how much their interests coincide. The more different they are,



the greater the clashes between the parties.

My impression is that in the Republic of Moldova there is no understanding of the technical aspects of the Transnistrian conflict. No government since the independence of the Republic of Moldova, including the current one, has made sufficient effective efforts to develop levers to influence the situation. The Transnistrian conflict is

very different from other conflicts in the region through the fact that Moldova has no direct border with Russia as Ukraine or Georgia do.

Thus, the capacity of the Russians to maintain the desired status quo in Transnistria is reduced. Also, the Republic of Moldova has a very big advantage, especially due to the change of government in Ukraine, and should exploit this vulnerability of Russia.

It is a wrong premise that when the right bank of the Republic of Moldova becomes attractive, the Transnistrian conflict will resolve by itself. First of all, even if the right bank becomes attractive, the population of the Transnistrian region does not have the opportunity to put pressure on the Tiraspol administration to approach reintegration. The population may want change, however, under the conditions of an authoritarian regime as it is in the Transnistrian region it cannot decide anything. Moldova may become a second Switzerland, but as long as Russia's influence is decisive in the Transnistrian region, this will not work. So, it's a wrong strategy.

The priority for Chisinau should be the withdrawal of the ammunition and Russian troops, and the replacement of the peacekeeping format with a civilian one. The withdrawal of Russian military forces from the national territory is a

first step towards gaining full control over the entire territory of the country.

### ***Need to change the peacekeeping format***

The current peacekeeping format is important. One of its main purposes is to observe and resolve security incidents in the Security Zone. Those familiar with the work of the Unified Control Commission (JCC) know that the latter is made up of representatives of the Republic of Moldova, the Russian Federation, pro-Russian proxies in Tiraspol and observers from Ukraine.

When an incident occurs and observers are to be sent there, the Russian side can block this initiative. So, the Russian side has the veto power over the effective functioning of the peacekeeping mechanism. This is contrary to the principles of the UN peacekeeping standards. The Russian

model is completely different from that of the UN and is built in such a way as to allow Russia to block the agenda and processes that don't suit it.

Abandoning the 5 + 2 format is too difficult, but through diplomacy, the Republic of Moldova should migrate to another format, removing Russia from among mediators and showing its role as a party to the conflict. Russia cannot afford high costs for long-term conflicts.

Meetings in the 5 + 2 format are not useful for the Republic of Moldova in terms of reintegrating the country as long as the third basket - political issues - is not discussed. During these negotiations, Tiraspol and Moscow focus on economic and social issues, insisting on setting their own agenda and obtaining new concessions and levers from Chisinau. So, the solution is either we discuss the third basket or nothing.

***Chisinau, 9 November***

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



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