

# Moldova's European Perspective Breaking the Integration Deadlock?

Károly Benes

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## Executive Summary and Recommendations

The Republic of Moldova, frequently labeled as the poorest country in Europe, has been undeservedly neglected by the European Union in the last decades. The Eastern European state has been burdened by the legacy of the Soviet Union, insufficient separation of power, weak statehood, corruption and organized crime, all of which are major obstacles standing in the way of the country's European integration. In addition, Moldovan society has been struggling with problems of self-determination due to the lack of a national consensus on whether Moldovans constitute a separate ethnic group or whether they are basically a part of the Romanian nation. At the same time, Moldova's multiethnic population consists of significant Ukrainian, Russian, and Gagauz minorities, with their particular political interests.

After the Republic had gained its independence in 1991, the political elite proved to be incapable of finding answers to the internal and external challenges the country faced, and thus, appealing to Soviet nostalgia, the Party of Communists of the Republic of Moldova emerged. However, the communists also failed to modernize the country and reach tangible achievements in Moldova's European integration process. In 2009, following the April general elections, a long-lasting political and constitutional crisis began. Failed presidential elections and snap general elections dominated the political landscape. In the second part of the year, a coalition government, the so-called Alliance for European Integration was formed, defining Moldova's European integration as an absolute foreign policy priority, and providing a window of opportunity for the European Union to facilitate the further democratization of the country.

An outstanding impediment in Moldova's EU integration is the unresolved Transnistrian conflict. The Dniester Moldavian Republic was proclaimed in 1990, on the left bank of the Dniester River, but it has never been recognized internationally. The self-proclaimed Republic has primarily been dependent on Russia's political and economic support. Without this support, the survival of the de facto government of Tiraspol would be highly doubtful. Besides the crucial role Moscow plays in maintaining the status quo in Transnistria, it has a strong leverage on Chişinău due to its influence on Moldova's Russian minority, and the fact that Russia is one

of Moldova's largest trade partners. The EU has so far played a less than visible role in pursuing a settlement to the Transnistrian conflict. Although Brussels appointed an EU Special Representative for Moldova and launched a civilian mission in order to improve border control between Ukraine and Moldova, including the Transnistrian sector, as well as the EU is one of the observers in the 5+2 negotiation format (Moldova, Transnistria, Russia, Ukraine, OSCE, the United States, and the EU), it has been unsuccessful in reaching any tangible progress in conflict resolution. Accordingly, it is desirable to extend the EU's participation in the conflict settlement, in order to live up to the EU's own commitments, laid down in the European Security Strategy, and so become an inevitable global player, or at least a regional one.

The foundation of Moldova–EU relations is formulated in a Partnership and Cooperation Agreement, which came into force in 1998, laying down the principles of cooperation between the two parties. Relations gained momentum with the establishment of the European Neighborhood Policy in 2003, and with the elaboration of an EU–Moldova Action Plan. However, under the communist government in Chişinău, the inevitable democratic reforms were delayed and Moldova's European integration came to be marked by rhetoric rather than real achievements. The year 2009 proved to be a turning point in Moldova's integration process, however. A new government was elected in Moldova with the clearly defined political goal of seeking EU membership, which coincided with the launch of the European Neighborhood Policy's new Eastern dimension, the Eastern Partnership. The Eastern Partnership offers closer ties with the EU for six Eastern European states (Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine), most importantly through new Association Agreements, a Deep and Comprehensive Free Trade Area, and a visa liberalization process. Nevertheless, Moldova has a lot to do in developing truly democratic institutions and in adopting the *acquis communautaire*, as well as building a functioning market economy, in order to meet with the EU's accession criteria. For its part, the EU should overcome its internal division on the former Soviet space, resisting Russia's interference in the enlargement process, and most importantly, it should provide clear prospects of membership and more substantive technical and financial assistance for those Eastern European countries which

are committed to implementing the necessary democratic reforms in order to join the European Union.

## **Recommendations**

- The European Union should utilize the favorable political situation in Moldova, the genuine commitment of the new government toward European integration, and send positive signals to Chișinău, as well as provide tangible assistance in Moldova's integration process through the European Neighborhood Policy and its Eastern dimension, the Eastern Partnership.
- The EU should support Chișinău's efforts to build a sincerely independent judicial system and enhance the rule of law in the country. The Union should promote these efforts by providing both expertise and financial means; organizing trainings for Moldovan judges, prosecutors, and police officers; sending advisers in order to help reform the Moldovan authorities and elaborate EU conform regulations. An appropriate tool could be the extension of the role of the EU Border Assistance Mission to Moldova and Ukraine with functions supporting the reform of Moldova's judiciary and law enforcement, or even a launch of a new civilian rule of law mission under the umbrella of the Common Security and Defence Policy, as a European Parliament resolution urged it to do in May 2009.
- The EU should support Moldovan civil society as a watchdog of the democratic norms. A strong and efficient civil society engagement could provide impetus to the government to implement comprehensive reforms, taking into consideration the interests of Moldovan citizens.
- The European Union should speed up the negotiations on visa facilitation with Moldova, aiming for complete visa liberalization. Also, to overcome the technical requirements of visa liberalization, the EU should provide both more financial assistance and expertise, in order to accelerate the preparation of the Moldovan authorities for a visa free regime.
- Regarding the conflict resolution process in Transnistria, the EU should lean more on its frequently underestimated soft power, and it should engage in widespread negotiations on Moldova's EU integration in order to facilitate democratic and economic development, thus enhancing

Chişinău's potential to reach an accord in the conflict settlement process. Furthermore, the EU should play a more visible mediator role in conflict resolution, possibly within the framework of the 5+2 negotiation format, and it should enhance and extend the role of the EU Border Assistance Mission and the European Union Special Representative for Moldova.

- In a wider context, the European Union should provide a clear membership perspective for those Eastern European countries willing to commit themselves to implementing the necessary reforms, adopting the *aquis communautaire*, and building a market economy. A membership perspective could accelerate the democratic transformation per se, as was proven in the enlargement process of the Central European states. Without a concrete and clear membership perspective, a very important incentive is missing, which could stimulate further reforms and set concrete goals in the involved Eastern European countries.
- The EU should not allow the Eastern enlargement to become a hostage of EU–Russia relations. Moscow should not enjoy a de facto veto right in the EU accession process of the former Soviet states.
- In Moldova, the political decision-makers should be aware of the fragile internal situation, and in order to maintain the momentum and get real reform moving, the former opposition should be united around its European project and implement steady and long-term reforms, in spite of ideological differences or personal ambitions.

## Introduction

Landlocked between Ukraine and Romania, the Republic of Moldova, a former Soviet state, has been struggling with problems analogous with other ex-Soviet countries, such as weak statehood, lack of democratic traditions, vulnerability to external influence, widespread corruption, as well as the survival of Soviet-style methods and practices. However, it would be a mistake to lump together all of the Eastern European ex-Soviet states; Moldova, just like other countries, has its own specific, unique features. To gain a clear picture about the current state of play in Moldova and to examine Moldova's European perspective, a comprehensive approach is needed. One has to take into consideration both the country-specific domestic factors and the inherited problems from the Soviet system, as well as the external environment both in a regional and a wider context.

One of the most important characteristics of Moldovan society, defined by historical circumstances, is the fundamental controversy surrounding the Moldovan identity. Unlike in other countries where nationality and the national language are well established and not debated, in Moldova there is no national consensus whether Moldovans constitute a separate ethnic group or whether they are basically a part of the Romanian nation.<sup>1</sup> The only post-Soviet state to share this problem, albeit to a much lesser degree, is Azerbaijan with its close linguistic ties to Turkey. Also, while many Moldovans call the language they speak Romanian, in the Constitution, adopted in 1994, the state language is defined as Moldovan. These uncertainties around core issues, identity together with the fact that a significant proportion of the population holds double (Romanian or Russian, in addition to Moldovan) citizenship, could endanger Moldovan statehood. Additionally, Moldova is a multiethnic country with one third of the total population consisting of minority populations.<sup>2</sup> Russians, Ukrainians, and the Turkic Gagauz people

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<sup>1</sup> Steven D. Roper, "The Politicization of Education: Identity Formation in Moldova and Transnistria," *Communist and Post-Communist Studies* 38, 2005.

<sup>2</sup> According to a 2004 census, 75.8% of the 3.4 million population (excluding the Transnistrians) is Moldovan, 8.4% is Ukrainian, 5.9% is Russian, 4.4% is Gagauz, 2.2% is Romanian, and 1.9% is Bulgarian. The approximately 150,000 Gagauz, a Turkic ethnic group, live in the southern part of the country around Comrat (National Bureau of Statistics of the Republic of Moldova, [www.statistica.md](http://www.statistica.md)). In the Transnistrian secessionist

oppose excessively close ties with Romania, whilst certain Moldovan political groups are champions of reunification with Romania. Furthermore, the Russian-speaking Slavs, living mainly in urbanized areas, are historically suspicious of Moldova's Western orientation. However, there are no signs of Balkan-type interethnic tensions in Moldova, even if the roots of the unresolved Transnistrian conflict (a prominent problem hampering Moldova's European integration) can be traced back to the revival of nationalism and interethnic tensions caused by the dissolution of the Soviet Union. Since then, Russian geopolitical interests have played a more significant role in the failure to resolve the Transnistrian conflict than tensions between different nationalities. Moscow's clearly defined political goals in its "near abroad," including in Moldova, to maintain and develop political and economic leverage play a crucial obstructive role in the country's European integration process.

One of the most important domestic reasons behind Moldova's difficulties to adopt Western democratic and market economy standards is the survival of Soviet-style symbols, political methods, and practices, and a kind of "Soviet nostalgia" among certain segments of society. The legacy of the Soviet totalitarian system, such as a politically passive and apathetic population, authoritarian political aspirations under a democratic façade, the weak and incompetent public institutions, the poor political culture, the civic indifference and submissiveness – all of this undermines the country's democratic transition and so, too, its European ambitions. Furthermore, the lack of democratic traditions provides a window of opportunity for corrupt public servants, as well as greedy, self-interested, and, in the worst case, autocratic politicians and external actors, to seek political and economic leverage in Moldova. In order to facilitate Moldova's European integration, the enhancement of the rule of law, the further separation of powers, and especially the creation of a fair and independent judicial system are crucial.

The European Union, on its part, has so far basically neglected Moldova. Although the EU signed a Partnership and Cooperation Agreement (PCA) in 1994, which came into force in 1998, and appointed a Special Representative to the country, it failed to provide a clear European integration agenda, i.e., a concrete membership perspective to its Eastern European neighbor.

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region, the Slavic ethnics form the majority with 59% (Ukrainians 29% and Russians 30%), while about 32% of the approximately 550,000 population is Moldovan.

The lack of a stronger EU commitment is partly due to the desperate Moldovan political and economic situation, burdened as it is by the Transnistrian conflict, and partly due to the EU's lack of concern and enlargement fatigue, topped by a cautiousness among certain member states to interfere in Russia's self-proclaimed "sphere of influence." In the 1990s, the Central European enlargement and the Balkan wars overshadowed political developments in Moldova, but after the 2007 Romanian and Bulgarian accession, Moldova became the EU's direct neighbor, ensuring that the latter can no longer avoid dealing with the country. The European Union is beginning to recognize that closing its eyes to the problems of the Eastern neighbors of the Union could not only be highly costly in terms of political influence, economic gains, and regional security, but that it also fails to take into account the lives of millions living in the concerned states who are denied the opportunity to live in prosperous and fully democratic countries.

In order to promote understanding of current political developments in and concerning Moldova as well as the dynamic of democratic transition and the challenges Moldova faces on the way toward European integration, this study seeks to identify the roots of the existing problems and the most important factors in defining the current state of affairs in the Republic. It also tries to provide tangible solutions for the issues identified in the study. The first part of the paper briefly overviews the historical events responsible for the slow adoption of European democratic and market economic standards, including the unresolved Transnistrian conflict and the widespread implications of Russian leverage on the country. The second part of the study focuses on Moldova–EU relations, their developments, and areas where the need for improvement is substantial, including recommendations for concerned stakeholders both in Moldova and in the European Union.

# Domestic Political Developments and Soviet Heritage

## A New State Emerges

Apart from a short period in 1918, Moldova – or Bessarabia, as the area had been called for centuries – has never been an independent nation state in modern history. The country had either been a part of Russia, later the Soviet Union, or Romania. In 1917, in the wake of the Bolshevik Revolution, Bessarabia declared its independence, creating a Democratic Moldovan Republic, which, however, was still federated with Russia. One year later Moldova broke its ties with Moscow and became an independent state for two short months, before it united with Romania. Since then the Slavic – Russian and Ukrainian – minorities have been wary of a possible unification with Moldova’s western neighbor, cautiously watching any political development aiming to forge closer ties with Romania. In 1940, as a result of a secret protocol in the Molotov-Ribbentrop Pact, in which Stalin’s Soviet Union and Hitler’s Third Reich carved up Eastern Europe, Bessarabia was occupied by the Soviet Union and a Moldavian Soviet Socialist Republic (MSSR) was created. Hardly one year later, German and Romanian troops reoccupied Moldova under Operation Barbarossa against the Soviet Union. In 1944, the wheels of history turned again and Soviet troops were marching on Chişinău’s streets. The 1947 Paris Peace Treaty cemented the Red Army’s military success, and the Moldavian SSR became once again a part of the Soviet Union. During the Soviet times, Moscow conducted a strong assimilation policy in Moldova. The process of “Russification,” next to the sometimes violent suppression of the Romanian nationalist groups, included the introduction of the Cyrillic alphabet to the Romanian language, thus creating a “Moldavian” language. The officially backed “Moldovanism” gained momentum, placing emphasis on the separate character of the Moldovan nation, clearly distinguishing it from the Romanian. Also, the immigration of ethnic Russians to Moldova was encouraged, especially to the larger cities and the most industrialized part of the country, Transnistria. Education, mainly carried out in Russian, played a crucial role in consolidating the superiority of the Russian language and the secondary role of Romanian. Finally, the majority of the Moscow-appointed state leaders controlling

Moldova and responsible for the implementation of the assimilation policy were ethnically non-Romanians.

In 1989, in line with Mikhail Gorbachev's reform policies, so-called *perestroika* and *glasnost*, which provided a window of opportunity for the union republics to pursue a more independent policy, a Moldovan Popular Front was formed to represent the interests of ethnic Romanians, defining reunification with Romania as its main political goal. Naturally, the Popular Front's political agenda and the weakening of the central power in Moscow triggered a strong response from the alienated Slavic minority. The "self-defense" *Yedinstvo-Unitatea Intermovement* was formed and the Gagauz, a Turkic-speaking minority in south Moldova, also established their own political movement, the *Gagauz Halki* (Gagauz People). Following the Moldovan Popular Front's victory in the first democratic elections in 1990, and its leader Mircea Snegur's election as chairman of the Supreme Soviet (later President of Moldova), the political situation sharply deteriorated as inter-ethnic tensions erupted. Meanwhile, the governing forces first declared the sovereignty of the Soviet Socialist Republic of Moldova (changing its name from the Russian-styled Moldavian Soviet Socialist Republic), and later, in May 1991, they finally discarded the communist terminology and renamed their country the Republic of Moldova. In addition, a Moldovan Parliament was established to replace the Supreme Soviet.

In 1991, as the communist system was about to disappear and centrifugal forces of nationalism threatened the mere existence of the Soviet Union, Moldova was on its way to becoming an independent state. At the same time, the revival of nationalism took shape in Moldova in the form of secessionist movements in Gagauzia, which declared an independent Gagauz Republic (*Gagauz Yeri*) in Comrat, and on the east bank of the Nistru (in Russian, Dniester) River where the Pridnestrovian Moldavian Republic (PMR) was proclaimed. Both independent "republics" immediately held elections, in which Igor Smirnov was elected president of the Dniester Moldavian Republic (Transnistria) and Stepan Topal as president of the Gagauz Republic. Following the two regions' secession, violence erupted as armed Moldovan nationalists clashed with the Slavic and Gagauz minorities. The violence was soon averted due to the intervention of the Soviet 14th Army, stationed in Moldova, which supported the Slavs with arms, ammunition, and fire power. Due to the August 1991 coup d'état in Moscow, Moldova,

capitalizing on the political situation, declared its independence. In order to defend its newly gained sovereignty, Chişinău immediately began to organize its own armed forces. Along with the dissolution of the Soviet Union, the previously suppressed nationalism and separatism, considered to have been eliminated during Soviet times, erupted with a renewed force including the violence in Transnistria. In 1992, President Mircea Snegur and President Boris Yeltsin negotiated a ceasefire agreement, halting the fighting and setting up a joint Russian, Moldovan, and Transnistrian peacekeeping force.<sup>3</sup>

### **Consolidation and Moldova's Return to the "Communist Past"**

Following the unsuccessful attempt to reintegrate Transnistria, a stabilization period began. A moderate Democratic Agrarian Party took over the government from the Popular Front, which represented a break with the previous political course, being in favor of the enhancement of independent statehood instead of pursuing reunification with Romania, thus easing the Slavic and Gagauz minorities' negative attitude toward the central power in Chişinău. Also, the new administration ratified Moldova's accession to the Commonwealth of Independent States (CIS), and, in the same year, Moldova joined NATO's Partnership for Peace program, and signed a Partnership and Cooperation Agreement with the EU, which came into force in 1998. In 1994, the parliament adopted a new constitution, and as a result of the shift in the domestic policy toward a "Moldovanist" direction, defined the state language as Moldovan. Concerning the Transnistrian issue, Chişinău reached an agreement with Moscow about the withdrawal of Russian troops in exchange for guaranteeing widespread autonomy for Transnistria and Gagauzia in the newly adopted constitution. However, just like in several other cases during the following decade, Moscow failed to fulfill its commitments and the agreement on the Russian withdrawal has never been ratified in Moscow. Meanwhile, Turkish President Süleyman Demirel personally contributed to the Gagauz-Moldovan rapprochement through mediation; the Gagauz conflict was peacefully resolved. Comrat gained widespread autonomy with the election of a Popular Assembly

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<sup>3</sup> For further historical background, see Helen Fedor, ed., *A Country Study: Moldova* (Washington: GPO for the Library of Congress, 1995), available at: <http://memory.loc.gov/frd/cs/mdtoc.html>

and an executive leader, so-called *Bashkhan*.<sup>4</sup> The peaceful resolution of the Gagauz question was an outstanding example in the region, in a time when armed conflicts played their roles in "solving" interethnic conflicts in the former Yugoslavia and the Caucasus.

However, the weakness of statehood, the unresolved Transnistrian conflict, Moldova's dependence on Russian natural and energy resources, and the wavering political orientation between the CIS and the Western neighbors, resulted in a poor economic performance. As a result, national issues were replaced by socio-economic questions in the political debates. As a result of the increasing societal discontentment with the economic situation, a newly formed Communist Party (Party of Communists of the Republic of Moldova, PCRM) emerged, appealing to Soviet nostalgia.<sup>5</sup> The communist brand was popular again due to the failure of the democratic reforms and the hardships of transition. But while the stability and security provided by the Soviet Union was lauded, the Moldovan communists did not intend to implement a communist ideology. Indeed, the Party only used communist symbols and rhetoric in order to gain popular support, and in practice implemented a populist policy, consigning the real communist ideology and policies, such as the nationalization of the economy, to the dustbin of history. The PCRM became the biggest party in parliament in the 1998 elections, but it was only able to form a government later, after it gained a majority (71 out of 101 seats) in the 2001 elections. Communist Party Chairman Vladimir Voronin was elected as president, thus the PCRM became the only – at least nominally – outright communist government in Eastern Europe.

The Voronin government had spent eight uninterrupted years in power, but failed to fulfill its main objectives – the resolution of the Transnistrian conflict as a foreign policy priority and significant economic development in order to increase the living standards of Moldovans. After eight years, Moldova was still the poorest country in Europe in terms of gross domestic product (US\$1,700 per capita in 2008) and the average wage was also among the lowest in the continent. The remittances of the approximately 600,000

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<sup>4</sup> Vladimir Socor, "Moldova's Gagauz Republic Organizes and Becomes a Precedent for Europe," *Prism*, Vol. 1, Issue 7, June 16, 1995; Gnder Peker, "The Process of Gagauz Autonomy: Past and Present," *Eurasian Studies*, Vol. 2, No. 2, Summer 1995.

<sup>5</sup> In 1991, the Communist Party was legally banned in Moldova due to the communist coup d'etat in Moscow.

Moldovans working abroad provide an essential complementary income for those receiving them and also compose a notable part of the GDP. Furthermore, shady business interests play a significant role in the economy, increasing one of the most serious problems of Moldova, corruption. Within the administration, the judicial system's corruption and bias in favor of the governing forces due to the inadequate separation of powers, and the lack of appropriate checks and balances, is especially alarming. Freedom House's Nations in Transit 2009 report on Moldova concluded that "Moldova is the only country in the Commonwealth of Independent States without persons or public servants jailed for corruption,"<sup>6</sup> and this is hardly a result of the high moral standards of state officials. Another indicator signaling the less than satisfactory situation is Transparency International's 2009 Corruption Perceptions Index, which placed Moldova in 89th place<sup>7</sup> (the Index covers 180 countries), behind Colombia and Panama, albeit it still occupies the second best position among the former Soviet states (Georgia was in 66th place).

As far as European integration is concerned, the nominally pro-European communist government did little to implement the EU–Moldova Action Plan, which was supposed to facilitate the convergence between Moldova and the EU during a three year period (2005–08).<sup>8</sup> It was simply not in the Voronin regime's interest to continue the democratic transition, thus restricting its own power, and this signaled the ruling party's semi-authoritarian character under a democratic façade. The Action Plan aimed to foster institutional balances that would have prevented any political force from monopolizing political power; enhance the rule of law, which would have been detrimental for the government-close shady business interests; and strengthen media freedom, which would have endangered the election victory of the Communist Party in the following elections. As a result of the political unwillingness to implement real reforms, the integration process

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<sup>6</sup> Nations in Transit 2009 ([www.freedomhouse.org](http://www.freedomhouse.org)).

<sup>7</sup> Transparency International, Corruption Perceptions Index 2009, <http://www.transparency.org>

<sup>8</sup> Dumitru Minzarari, "EU-Moldova Action Plan: An Unfinished Task or a Complete Failure?" IDIS Viitorul Discussion Paper, No. 2, January–July 2008, <http://www.pasos.org/www-pasosmembers-org/publications/eu-moldova-action-plan-an-unfinished-task-or-a-complete-failure>

was halted, and Moldova's European convergence was only declarative and rhetorical, lacking any concrete achievement.

Additionally, the communist government's double-faced foreign policy course, trying to maneuver between the West and Russia, hampered Moldova's European integration. The bilateral attempts to reach a settlement in the Transnistrian conflict with Moscow's help, unfortunately also encouraged by several EU member states, enjoyed absolute priority. However, Chişinău's rejection of the so-called Kozak Memorandum (see the chapter on the unresolved Transnistrian conflict) resulted in the deterioration of Moldovan–Russian relations. As soon as President Voronin met with closed doors in Moscow, Chişinău “rediscovered” its pro-Western orientation; but this lasted only until a thaw in relations with Russia, placing the Transnistrian settlement, thus a pro-Russian foreign policy course, again in the forefront of Chişinău's political agenda. As a result of the vacillation between the West and Russia, the Voronin government lost its credibility not only in the Western capitals, which had already been disappointed due to the halt in the democratization process, but also in Moscow. Another external factor burdening EU–Moldova relations under the communist government was the Communist Party's strong “Moldovanism.” As a vocal – sometimes paranoid – advocate of the Moldovan ethnic group, the Voronin government was always ready to confront Bucharest in order to prove Moldovan distinctiveness, which sometimes seemed – from an outsider's perspective – to be a form of over-compensation for a serious inferiority complex. The confrontation with Romania, which joined the EU in 2007, put in question the very credibility of Chişinău's interest in a European integration process.

### **A Year of Political Turmoil**

Following the 2005 general elections, in which the PCRM won 46 percent and 56 seats out of 101 in the Parliament, the communists were able to reelect Vladimir Voronin as president only with the support of the Christian Democratic Popular Party (which incidentally totally lost its popularity due to this support), since electing the president in Moldova requires a three fifths majority, i.e., 61 votes. The 2007 local elections brought a further setback for the communists, predicting a sharp electoral struggle on the eve of the 2009 general elections. At the same time, the PCRM was faced with internal uncertainty over the Party's presidential candidate, due to the fact

that President Voronin had already completed his second term in office, and a constitutional limitation prohibited him from standing for a third one. The Communist Party, fearing a possible failure in the elections, used and abused every means provided by its incumbency to secure the election outcome. Police harassment, increasing state pressure on independent media, NGOs, and opposition political parties, were all part of the Communist Party's tactics.<sup>9</sup> Moreover, the International Election Observation Mission<sup>10</sup> received numerous complaints during the electoral campaign, such as biased media coverage by the state television channels, inaccurate voters' lists, and police intimidation of opposition party leaders and supporters. Meanwhile, the Liberal Party and the Liberal Democrat Party skillfully mobilized the urban, younger generation, using modern campaign means such as flash mobs. The tense electoral campaign detrimentally polarized society, and, not surprisingly, led to huge disappointment among the anti-communist section of society as the exit poll results of the April 5 elections indicated a landslide communist victory. On April 6, anti-government demonstrations began in Chişinău against the alleged election fraud, leading to the violent events on the next day, when a few hundred demonstrators occupied and looted the presidential building and the parliament. The ensuing police crackdown was devastating. According to a Soros Foundation Moldova report on the April police violence,<sup>11</sup> approximately 700 people were apprehended, including several children, and at least one person died in police custody, allegedly due to ill-treatment and torture.

The April violence was just the prelude to a long-lasting political and constitutional crisis. As a result of the April 5 elections, the Communist Party gained 60 seats in the 101-member parliament, just one seat short of the number needed to elect a president. To great surprise, the communists subsequently failed to persuade another party, or at least a single member of the parliament, to provide the extra vote needed. After two failed

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<sup>9</sup> Michael Emerson and Richard Youngs, *Democracy's Plight in the European Neighbourhood, Struggling Transitions and Proliferating Dynasties* (Brussels: Centre for European Policy Studies, 2009), pp. 97–98.

<sup>10</sup> A joint mission of the Parliamentary Assembly of the Council of Europe, the Organization for Security and Co-operation in Europe (OSCE) and the European Parliament.

<sup>11</sup> Clarisa Bencomo, *Entrenching Impunity, Moldova's Response to Police Violence During the April 2009 Post-Election Demonstrations*, Soros Foundation – Moldova, Swedish International Development Cooperation Agency, October 2009 [http://www.soros.org/resources/articles\\_publications/publications/moldova\\_20091013](http://www.soros.org/resources/articles_publications/publications/moldova_20091013)

attempts to elect a president, in May and June, the parliament was dissolved and snap elections announced for July 29, thus extending the bitter electoral campaign further. Meanwhile, inside the PCRM a split occurred in the leadership, shifting the balance toward the opposition parties. One of the country's most popular politicians, the former communist Speaker of the Parliament (2005–09) Marian Lupu announced his resignation from the Party, disagreeing with its undemocratic methods and authoritarian character. Lupu took over the leadership of the earlier marginalized Democratic Party, emerging as a kingmaker in the following snap elections.

The July election secured a narrow majority for the opposition forces. The Communist Party won 48 seats, while the opposition gained 53 seats, including the 13 MPs of Lupu's Democratic Party. Theoretically, Marian Lupu had the possibility to form a governing coalition with the PCRM, and even elect a president with the combined 61 MP majority (the exact number necessary to elect a president), but he decided to join the three opposition parties instead and form the Alliance for European Integration (AEI).<sup>12</sup> However, the AEI's majority in the parliament has proved to be insufficient in electing a president. The failed presidential elections in December 2009 were eerily reminiscent of the PCRM's unsuccessful attempts to elect a president a few months previously. Also, the political deadlock has revealed the deficiencies of Moldova's constitution, namely that a three-fifths parliamentary majority is necessary to form a viable government, and triggered a constitutional reform process.<sup>13</sup>

Besides the modification of the constitution, the Alliance for European Integration's political program placed emphasis on Moldova's democratic development, mainly the enforcement of the rule of law and power decentralization (contrary to the Russian-styled "power vertical") as domestic policy priorities. It also aimed at the improvement of relations with Romania and Ukraine, besides a strategic partnership with Russia, as foreign policy goals. Most importantly, the Alliance for European integration, *nomen est omen*, defined Moldova's European integration as an absolute foreign policy priority. This approach provided a window of opportunity for the European

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<sup>12</sup> The members of the Alliance are the Liberal Democratic Party (18 MPs), the Liberal Party (15 MPs), the Our Moldova Alliance (7 MPs), and the Democratic Party (13 MPs).

<sup>13</sup> Károly Benes, "Moldova and the Year Ahead-Continuation of Constitutional Crisis," *ISDP Policy Brief*, No. 14, January 14, 2010 [http://www.isdp.eu/files/publications/pb/09/policy\\_brief\\_14.pdf](http://www.isdp.eu/files/publications/pb/09/policy_brief_14.pdf)

Union in practicing constructive influence on the Moldovan government in order to facilitate the further democratization of the country and the adoption of EU standards and the *acquis communautaire*, thus accelerating Moldova's European integration.

The 2009 events also attracted attention in Western capitals, ensuing that at least one positive consequence resulted from the political turmoil, with Moldova emerging on the EU's "radar screen" after the quasi-isolation of the communist years.

### **An Unresolved Conflict on the Bank of the Dniester River**

In 1990, as the Soviet system struggled to stay alive, in the periphery of the empire suppressed nationalities discovered the possibility to attain long-desired independence. In Moldova, the newly formed Popular Front took up the struggle, representing the country's Romanian population. However, on the left bank of the Dniester River, in Transnistria, Russians and Ukrainians formed the majority of the population, who feared a possible unification with Romania. Due to the lack of a central power, city and *raion* (Moldova's administrative unit) delegates, as well as the region's Supreme Soviet members, met independently, first claiming autonomy, then on September 2, 1990, proclaiming an independent Pridnestrovian Moldavian Socialist Republic (later Pridnestrovian Moldavian Republic), with Tiraspol as capital. Following the secession, sporadic violence broke out both in Gagauzia and Transnistria, which lasted until 1992, when President Snegur made an effort to disarm the separatist militias, and declared a state of emergency. Chişinău's attempt to gain back control over the secessionist areas escalated into a civil war, in which Moldova's central government proved to be incapable of breaking down Tiraspol's armed resistance, supported by the Russian 14th Army.

In looking for the roots of the Transnistrian conflict, certain analysts have identified it as an inter-ethnic conflict.<sup>14</sup> Although there has undeniably been an ethnic element to this conflict, it is a simplification to point out the ethnic component as the single reason for the outbreak of violence and the lack of a feasible settlement process in the last two decades. As a

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<sup>14</sup> William Crowther, "Ethnic Politics and the Post-Communist Transition in Moldova," *Nationalities Papers*, Vol. 26, No. 1, 1998.

matter of fact, besides the ethnic element, historical, regional, internal, and external political reasons have all played their role in the conflict between the two banks of the Dniester River.<sup>15</sup> Historically, the left bank has never been a fully integrated part of Bessarabia; it has always maintained its own regional identity, self-awareness, and traditions, even among the ethnic Moldovans living in the region. Politically, the Transnistrian resistance was triggered primarily by the prospect of Moldova's unification with Romania and the national government's linguistic policies, declaring the Romanian language as the state language. Nevertheless, the possible unification with Romania quickly disappeared from Chişinău's political agenda as moderate forces took over the government, and the state language was defined as Moldovan – instead of Romanian – in the 1994 Constitution. Since the end of the armed hostilities in 1992, there has not been a sign of insuperable ethnic antagonism between the two banks of the Dniester. Thus, in order to find the reasons behind the escalation of the Transnistrian conflict, and more importantly, behind the failure of conflict resolution during the last two decades, one should examine the role of a crucial external actor – Russia.

Moscow's role was significant both in the early phase of the Transnistrian conflict and in the failure of conflict settlement over the following decades. The military support provided by the 14th Army to the breakaway region was decisive in Transnistria gaining de facto independence, albeit between 1990 and 1992 Moscow's policy toward Moldova, and its secessionist region, was not always coherent due to the political instability in Russia and the lack of a comprehensive governmental policy toward the whole region.<sup>16</sup> Since the end of the armed hostilities in 1992, Moscow has continuously supported the breakaway region politically, economically, and militarily. In thus doing, it has become the major force in preserving the status quo and hindering a conflict resolution process.

The crucial role of Moscow, and its military presence, in the conflict is clearly seen in the cease-fire agreement of July 21, 1992, which ended hostilities. The convention on the principles of a peaceful settlement of the

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<sup>15</sup> Pål Kolstø and Andrei Edemsky, "The Dniester Conflict: between Irredentism and Separatism," *Europe-Asia Studies*, Vol. 45, Issue 6, November 1993; Pål Kolstø and Andrei Malgin, "The Transnistrian Republic: a Case of Politicized Regionalism," *Nationalities Papers*, Vol. 26, No. 1, 1998.

<sup>16</sup> Stuart J. Kaufman and Stephen R. Bowers, "Transnational Dimensions of the Transnistrian Conflict," *Nationalities Papers*, Vol. 26, No. 1, 1998.

armed conflict in the Transnistrian region (Yeltsin-Snegur Convention) was signed in Moscow by Russia's and Moldova's presidents, admitting Russia's active participation in the conflict.<sup>17</sup> The convention also stipulated the establishment of a Joint Control Commission (JCC) and joint peacekeeping forces (Russian, Moldovan, and Transnistrian troops), thus legalizing Russia's military presence in Moldova. Nevertheless, the negotiations on a Russian withdrawal continued. In 1994, the parties reached an agreement, in which the Kremlin committed itself to the removal of its forces within three years from the ratification of the agreement. The agreement has never been ratified by Moscow. Meanwhile, the Gagauz conflict had been peacefully resolved, signaling the different approach of the two involved international actors. Whilst Turkey facilitated the rapprochement between the Moldovan government and the Gagauz minority, Russia, pursuing its own interests, maintained the status quo and its military presence in the secessionist region.

In 1999, Russia signed the Adapted Treaty on Conventional Armed Forces in Europe (CFE) at the Istanbul summit of the Organization for Security and Co-operation in Europe (OSCE), which was supposed to replace the outdated original CFE Treaty.<sup>18</sup> The so-called Istanbul commitments – and the CFE Treaty's flank limitations, which restricts the number of troops in the northern and southern flank zones – included stipulations on the withdrawal of Russian forces from Georgia and Moldova.<sup>19</sup> Following the summit, Russia duly started the implementation of its commitments. According to OSCE data, between 2000 and 2004 the Russian armed forces removed and destroyed vast amounts of ammunition (approximately 22,000 tons) and heavy weaponry in Transnistria. In 2002, the OSCE Ministerial Council in Porto welcomed Russia's withdrawal ("necessary conditions are in place") and extended the deadline for further withdrawal. Nevertheless, the positive OSCE attitude proved to be premature. Since 2004, no further

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<sup>17</sup> Dr. Mihai Gribincea, "Russian troops in Transnistria – a threat to the security of the Republic of Moldova," [politicom.moldova.org](http://politicom.moldova.org/news/russian-troops-in-transnistria-a-threat-to-the-security-of-the-republic-of-moldova-20998-eng.html), December 5, 2006, <http://politicom.moldova.org/news/russian-troops-in-transnistria-a-threat-to-the-security-of-the-republic-of-moldova-20998-eng.html>

<sup>18</sup> The original Treaty was signed in 1990 between NATO members and the Warsaw Treaty Organization, thus its stipulations became outdated by the end of the Cold War.

<sup>19</sup> Zdzislaw Lachowski, "The CFE Treaty One Year After Its Suspension: a Forlorn Treaty?" *SIPRI Policy Brief*, January 2009, <http://books.sipri.org/files/misc/SIPRIPB0901.pdf>

withdrawal activities have taken place. In Transnistria, some 20,000 tons of ammunition remain in the depots of Colbasna, and the Operational Group of Russian Forces (OGRF) – the successor of the 14th Army – is still deployed together with Russian “peacekeeping forces.” Currently, the number of Russian troops stationed in Transnistria is approximately 800–1200. The future of the Adopted CFE Treaty is in question per se. For their part, NATO members have refused to ratify the Treaty until Moscow delivers on its Istanbul commitments, and in 2007, President Putin suspended Russia’s participation in the CFE. Moldova is still insisting on the implementation of the Treaty, repeatedly demanding the elimination of the Russian military presence and the replacement of the Russian “peacekeepers” by an international observer mission. The latest request was made at the OSCE’s Ministerial Council in Athens, on December 1–2, 2009, without any tangible results.<sup>20</sup>

Interestingly, the halt in the Russian withdrawals coincided with the failure of the political reconciliation process in 2003. The communist government, following its election victory in 2001, pursued a pragmatic foreign policy, recognizing Tiraspol’s dependence on Moscow and that a conflict settlement would be virtually impossible without Russia. From this premise, President Voronin pursued a trilateral settlement with Moscow and Tiraspol, ignoring Western mediation, and paving the way for the so-called Kozak Memorandum, named after Dmitri Kozak, the representative of the Russian presidential administration, who led the negotiations on Russia’s part. The settlement would have provided extensive sovereignty for Transnistria, within a neutral, demilitarized, asymmetric federation, including co-equal status with Moldova and veto rights in common affairs. Furthermore, Tiraspol would have had its own legislation and constitution. The implementation of the memorandum would have been guaranteed by Russian troops staying on Moldovan soil up to 2020. However, the Kremlin overplayed its hand. The possible federalization of Moldova and the exaggerated demands of the “Dniester Moldavian Republic” triggered widespread discontent in Moldovan civil society, leading to mass demonstrations against the government. Also, the bilateral deal pursued by Moscow and the

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<sup>20</sup> Louis O’Neill, “Moldova – the Switzerland solution?” [politicom.moldova.org](http://politicom.moldova.org), December 7, 2009, <http://politicom.moldova.org/news/moldova-the-switzerland-solution-204765-eng.html>

almost full control the Kozak Memorandum would have secured for Russia in Moldova alienated the Western observers (the United States and the EU), which otherwise supported the Russian-led conflict settlement.<sup>21</sup> The Communist Party's fears of a Georgian-styled revolution combined with international pressure from Western countries and organizations forced President Voronin to cancel the ratification of the Memorandum at the last moment. The failure of the Kozak Memorandum resulted in a serious deterioration of Moldovan–Russian relations, and, as a side effect, has halted the Russian withdrawal from Transnistria up until the present day.

Besides Chişinău's bi- and trilateral negotiations with Moscow and Tiraspol, there is also an internationalized settlement process, the so-called 5+2 format, an extension of the original five-sided format, which had been set up in 1995, including Moldova and Transnistria, as well as Russia, Ukraine, and the OSCE as mediators. The additional two members of the 5+2 negotiations are the United States and the EU, enjoying observer status since 2005 at Moldova's request. The 5+2 negotiations have been conducted at a snail's pace, however. After 2006, it took more than three years to organize an informal meeting between the parties in Vienna on November 6, 2009, aimed at addressing practical questions, such as social cooperation, infrastructural development, etc., rather than achieving a comprehensive political solution. However, the 5+2 format has an untapped potential, mainly because it provides the only possibility of Western involvement. In the long run, it would be desirable to extend the EU's and the U.S.'s observer status to a mediator one. Of course, a simple status change cannot solve the major problem, namely that Moscow and Tiraspol are not interested in an overall rapprochement, but in maintaining the status quo. Until the Russian and Transnistrian approach changes, there is little real chance for conflict resolution.

Under the circumstances that Moscow and the de facto Transnistrian government are uninterested in the conflict resolution process, it seems there is no quick-fix solution to the Transnistrian problem. Recognizing this fact, Moldova's current coalition government adopted a slower, long-term approach based on Moldova's European integration process, which could lead to a significant rise in Moldova's living standards, creating a more

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<sup>21</sup> Vladimir Socor, "Federalization strikes back: Bad for Moldova, Bad for International Precedents," EuroJournal.org, April 2004, <http://eurojournal.org/files/fed.pdf>

attractive country for those living on the left bank of the Dniester River, thus facilitating the reintegration of Moldova. Naturally, following the logic above, European integration is the absolute priority in the government's foreign policy, while the conflict resolution process focuses on rather smaller and concrete steps and non-political cooperation, such as confidence building, infrastructural projects, economic and environmental issues, people-to-people contact, etc. – areas where it is easier to reach concrete achievements. This approach seems more pragmatic and effective than the communist government's sometimes desperate attempts to reach a comprehensive political solution in Moscow. The latter policy, pursuing a quick-fix at any price, led to several serious mistakes, such as the failed Kozak Memorandum. The most recent of these mistakes was a Joint Statement signed by the presidents of Russia and Moldova (then Vladimir Voronin) and the de facto president of Transnistria in Moscow, on March 18, 2009, just a few weeks before the Moldovan general elections. The Statement emphasized the equality of the participating sides (underpinning the Transnistrians' claim that they are a subject of international law), and linked the Russian withdrawal from Transnistria to an overall political resolution of the conflict (i.e., Russian troops could be deployed in Transnistria until the conflict is finally resolved), which totally contradicts the official Moldovan position that Russian troops must be withdrawn unconditionally according to the Istanbul Commitments, and that the Russian peacekeepers be replaced by an international observer mission.

Moscow's passport policy in the breakaway region also works against Moldova's reintegration. Since the Dniester Moldavian Republic has not been recognized internationally, holding a Russian or Ukrainian passport is crucial for Transnistria's population to travel outside of the secessionist region. According to estimates, 150,000 Russian passports have been issued to Transnistrian residents, while Ukraine has also distributed approximately 60,000–100,000 Ukrainian passports. Considering Transnistria's 550,000 population, this is a significant number. The Russian and to a lesser extent Ukrainian passport policies in Transnistria, combined with the distribution of Romanian passports in Moldova, are detrimental to Moldova's sovereignty, mainly because the mere fact that Russian citizens live in Transnistria en masse provides an excellent pretext for Moscow to "defend" its compatriots any time when Russia's interests require. The Russian passport

distribution in Transnistria is eerily reminiscent of Moscow's passport policy in South Ossetia and Abkhazia. In 2008, Moscow partly justified its war with Georgia on the pretext that it had to defend its "citizens" against "aggression." Russia's active involvement in the Transnistrian conflict, and the political and financial support it provides to the secessionist government, underpin the view that the unresolved Transnistrian conflict is not an internal (or inter ethnic) conflict, but greatly determined by one significant international actor.

The European Union has also been engaged in the Transnistrian settlement process, but it has so far played a far less visible role than Russia. In 2003, the EU introduced a visa ban against the Transnistrian leadership, which has been extended several times since then. In 2005, under the umbrella of the EU's common security and foreign policy (CFSP), an EU Special Representative for Moldova (EUSR) was appointed, in order to contribute to the resolution of the Transnistrian conflict and represent the EU on a high level in Moldova. While the EUSR has been reporting to the High Representative for the CFSP,<sup>22</sup> another important contribution was provided by the European Commission. In 2005, the EU Border Assistance Mission to Moldova and Ukraine (EUBAM) was deployed in order to improve border control and cooperation between the Moldovan and Ukrainian border services, including the Transnistrian sector. The Mission has no executive power. It provides technical assistance, training, and advice in order to harmonize border management standards with EU norms. Besides the technical assistance the EUBAM has provided for Moldova's and Ukraine's customs services during the past five years, it has also contributed to the integration of the Transnistrian business entities into the Moldovan economy, through the creation of a legal framework for imports and exports. The Mission has a unique feature, because unlike the EU's other civilian and military missions under the aegis of the European Security and Defense Policy (after the Lisbon Treaty, Common Security and Defense Policy – CSDP), it was launched and is financed by the Commission and not by the European Council.

In the short term, most likely the current status quo will continue to dominate in Transnistria, punctuated by occasional provocations and quarrels,

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<sup>22</sup> Before the Lisbon Treaty came into force, the EUSR positions and the Secretary General/High Representative led Council Secretariat had been clearly separated from the European Commission and its external activity.

but without serious clashes requiring international intervention. In the long term, should Moldova's European project succeed, the situation will slowly tilt toward a peaceful reintegration process, as the palpable benefits provided by European integration become visible. On the other hand, it is unlikely that Russia will annex the secessionist region, since Transnistria is more than 1,000 km away from Russia's borders, creating enormous logistical problems should Transnistria unite with Russia. The Kaliningrad enclave has already caused enough headache in Moscow; the Kremlin hardly needs another troublesome faraway province, with local overlords and organized crime as the main engine of the economy.<sup>23</sup> A much more plausible scenario would be for Russia to recognize Transnistria's independence following the precedent set in Abkhazia and South Ossetia. The logistical problems would nevertheless be the same, and the experience in the South Caucasus may be a deterrent to Moscow as much as an example.

### **Russia's Role in Moldova's European Integration**

To discuss Russia's role in Moldova's European integration is unavoidable due to several factors. One of them is the role Moscow plays in the Transnistrian conflict, as was mentioned in the previous chapter, but there are a number of other reasons why Russia's leverage has a crucial bearing on Moldova's future. First, a significant Russian minority lives within Moldova's borders and the Russian language is widely used – this means that both the local Russian and Russia's mass media have a widespread leverage on the Moldovan political arena. The votes of the Slavic minorities also proved to be decisive in several elections. Second, a remarkable part of Moldova's agricultural exports is absorbed by the Russian market. Moscow is one of Moldova's main economic partners, and in 2009, 22 percent of Moldovan exports went to Russia. Furthermore, Moldova's energy sector is almost entirely dependent on Russian imports. Approximately 65 percent of Moldova's electricity consumption and 100 percent of its natural gas consumption are supplied by Russia.

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<sup>23</sup> On the political regime of Transnistria, see Oleh Protsyk, "Representation and Democracy in Eurasia's Unrecognized States: The Case of Transnistria," European Centre for Minority Issues, *ECMI Working Paper #40*, June 2008, [http://www.ecmi.de/download/working\\_paper\\_40.pdf](http://www.ecmi.de/download/working_paper_40.pdf)

Since 1991, Moldova has been a member of the Commonwealth of Independent States (CIS), and in 2001, Chişinău signed a Friendship and Cooperation Treaty with Moscow, emphasizing the strategic partnership between the two countries. Moldova's neutral status is guaranteed by the country's constitution, adopted in 1994, to ease Russian fears of a possible accession to any Western military alliance, mainly NATO. Also, according to Moscow and Tiraspol, Moldova's neutrality is a prerequisite in solving the Transnistrian conflict.

Taking into consideration the reasons above, it is not surprising that any government in power must consider Moscow's opinion on issues ranging from the Transnistrian settlement to veterinary and phytosanitary regulations in agricultural exports. Moldova's close ties – and in certain cases strong dependence – on Russia, combined with an increasingly assertive Russian foreign policy, have compelled Chişinău to steer a careful course between its European ambitions and the Kremlin's suspicious attention concerning any movement toward Western integration in its “near abroad.” On the one hand, Moscow's heavy-handed policy in the former Soviet space, including military aggression and gas cutoffs, is very counterproductive, since it alienates even Moscow's closest allies. On the other hand, it sends out a strong warning signal to those that ignore Russia's will, something that has to be considered by every government in the region. While the Kremlin has categorically opposed NATO's further expansion in its “sphere of influence,” it is more indulgent concerning EU integration, since the Kremlin does not consider the EU as a strong rival in the field of foreign and security policy. Indeed, Moscow has successfully managed to divide the Union on several foreign policy and energy security issues. At the same time, it does not mean that Moscow has given a green light to the former Soviet states in their European integration project, as the Russian condemnation of the Eastern Partnership has signaled.

The current government in Chişinău is well aware of the Russian leverage on Moldova; thus it carefully avoids even hinting at possible NATO membership, placing emphasis instead on the country's neutral status. Also, the Russian minority's strong opposition to possible NATO integration makes accession to the Alliance virtually impossible, leaving aside NATO's unwillingness for further enlargement in the former Soviet space. On the other hand, a possible EU accession, representing the hope of higher living

standards for average Moldovans, is very popular in society, and there is no serious political force which has not been an advocate – at least rhetorically – of Moldova's European integration. Also, Moldovan EU membership is probably easier to accept in Moscow, mainly if Chişinău were to simultaneously maintain its CIS membership. Whether EU membership could, however, be harmonized with CIS membership, particularly concerning the EU's vast regulation codex, the *acquis communautaire*, is another question.

# Moldova's European Integration

## The EU's Interests in Moldova and Eastern Europe

Why should the European Union be more engaged in Moldova? Why is it in the EU's interest to facilitate the democratic reforms in the Republic and provide a membership perspective not just for Moldova, but for other Eastern European states? Or why should the EU endanger its relations with Russia for the sake of a small "insignificant" country on its Eastern periphery? These questions are frequently raised in the Union and answering them requires the examination of three crucial factors. The EU should support Moldova's European integration to strengthen its own security, stability, and last but not least its own credibility.<sup>24</sup>

As the 2008 Georgian–Russian war proved, the EU's "ostrich" policy in Eastern Europe – not to face security challenges, but rather avoid dealing with them – is inappropriate, since it condemns the EU to play a secondary role in the region without being able to prevent the escalation of the existing conflicts, whose fallout, in turn, the EU cannot avoid being affected by. It is always more expensive – not just in terms of financial means, but human lives and political consequences – to engage in crisis management than to prevent the escalation of a conflict. The Georgian case shows clearly the benefits of a more proactive policy in the region, placing emphasis on crisis prevention and more active participation in the conflict settlement processes in Transnistria and Nagorno-Karabakh, aside from South Ossetia and Abkhazia. It is in the EU's own interest to promote security and peace in the European continent and to play a more visible role in Eastern Europe, in order to facilitate peaceful conflict resolution and prevent the evolution of acute armed conflicts.

Similarly, facilitating democratic reforms, building a market economy, and promoting stability in Eastern Europe are essential in order to strengthen the security and stability of the European Union. Autocratic regimes, failed states, and poverty in the region increase the migration pressure on the EU, and provide fertile ground for organized crime, corruption,

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<sup>24</sup> Fabrizio Tassinari, *Why Europe Fears its Neighbors* (Santa Barbara, Calif.: Praeger Security International, 2009).

and the trafficking of drugs and humans. It is not enough to deal with these challenges on the borders of the Union: mere administrative measures – building a “fortress Europe” – will not stop migration and the spread of crime. The solution is greater engagement in the countries affected by these problems.

Also, the European Union's international credibility is highly dependent on its ability to live up to the commitments laid down in major foreign and security policy documents, such as the 2003 European Security Strategy. According to the Strategy, “the European Union is inevitably a global player” and “Europe should be ready to share in the responsibility for global security and in building a better world.”<sup>25</sup> However, as long as the EU subordinates its relations with former Soviet states, including Moldova, to its relations with Russia, and does not provide membership prospects for what are clearly European countries ready for the adoption of EU norms and regulations, it can hardly claim itself to be a global political actor. Should the EU fail in democratizing its own neighborhood, the credibility of the European project, based on the belief of a free, democratic and prosperous European continent, will be put into question.

### **Moldova–EU Relations**

To make an assessment of Moldova's European perspective and the way ahead on its integration path, first it is worth reviewing the developments of the past couple of decades in Moldova–EU relations, in order to identify the areas where tangible progress has been reached and define those fields where further efforts are necessary.

The first step to institutionalize EU–Moldova relations was the signature of a Partnership and Cooperation Agreement (PCA) in 1994. However, the Agreement came into force only in 1998 for an initial ten-year period, and later it was extended for an unlimited time frame. The PCA has set a framework for trade and economic cooperation and a range of sectoral cooperation, including energy, environment, justice and home affairs, etc., as well as a political dialogue on domestic and international issues, democracy, human rights, and conflict resolution over Transnistria. Also, the Agreement has

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<sup>25</sup> [Council of the European Union], *A Secure Europe in a Better World – European Security Strategy*, <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>

institutionalized bilateral relations between the EU and Moldova, setting up an annual Ministerial Co-operation Council, a Co-operation Committee at a senior civil servants level, several specialized Sub-Committees, as well as a Parliamentary Co-operation Committee between the European Parliament and the Moldovan Parliament. So far, the PCA has been the key framework of Moldova–EU relations, and it is likely to remain as such until the ratification of a new Association Agreement, providing closer ties between the involved parties.

In 2003, in line with the EU's historic enlargement process, in which ten new states joined the Union in 2004 and two additional ones in 2007, the European Commission (EC) launched its European Neighborhood Policy (ENP), aiming to foster democratic development in the "wider Europe," i.e., in the new Eastern and Southern neighborhood of the EU. The Commission issued a Country Report on Moldova, since it is one of the participating partner countries, and developed jointly an EU–Moldova ENP Action Plan in 2005, laying down concrete strategic objectives of cooperation for a three year period, in order to facilitate the convergence of Moldova's legislation with European norms, and provide tangible support to the country's European integration. The Action Plan identified several priorities, such as – among others – sustained efforts toward a viable solution to the Transnistrian conflict; reinforcement of the administrative and judicial capacity; ensuring respect for the freedom of the media and the freedom of expression; improving the investment climate; strengthening state border management; and dealing with organized crime and migration questions.<sup>26</sup>

Three years later, in 2008, when the Action Plan's implementation period expired (later Moldova and the EU agreed to prolong it for an undefined period as a useful instrument), a Commission paper provided an assessment of the major achievements of the Action Plan. According to the Commission, the most important elements of progress were a pilot Mobility Partnership, strengthening the migration management; visa facilitation and readmission agreements; the simple fact that Moldova aligned itself with almost all common security and defense policy declarations of the EU; two new laws on civil services aiming at the delimitation of political and non-

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<sup>26</sup> "EU-Moldova Action Plan," [http://ec.europa.eu/world/enp/pdf/action\\_plans/moldova\\_enp\\_ap\\_final\\_en.pdf](http://ec.europa.eu/world/enp/pdf/action_plans/moldova_enp_ap_final_en.pdf)

political functions and transparency in the public sector; anti-corruption laws and financial assistance by the EU to promote the internal reforms.

However, a Moldovan study on the implementation of the Action Plan provided a different picture.<sup>27</sup> According to the study, the implementation of the Action Plan was partly snagged – besides Russian obstruction and pressure – due to the resistance of influential political elites, who were not ready to accept the consequences of the democratization of Moldova. For these elites, building institutional balances, strengthening the rule of law, or enhancing press freedom would have been detrimental regarding their ambitions to monopolize political power. Indeed, the ruling Communist Party, while ostensibly urging Moldova's European integration process, in reality implemented a policy that substantially contradicted Moldova's approximation to European standards. The PCRM's policy aimed at centralizing both political and economic power, cementing its ruling position by every possible means, and practicing autocratic control over the judicial system and the law enforcement agencies as well as a significant part of the mass media. Meanwhile, since the idea of European integration is highly popular in Moldova (according to a survey 63 percent of Moldovans would vote for accession to the European Union),<sup>28</sup> the Communist Party faked the implementation of the Action Plan. Consequently, laws adopted according to EU standards were mostly not implemented, and only provided evidence for the government to prove its commitment toward EU integration. With the Alliance for European Integration coming to power in 2009, this situation could radically change, should the new governing force stabilize its power and implement a genuinely pro-European policy. On the other hand, taking into consideration the Moldovan political culture, which is determined by post-communist values and practices, it will definitely take time until Moldova's political elite, irrespective of party preferences, overcome their political heritage and conduct political activities corresponding to Western norms.

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<sup>27</sup> Minzarari, "EU-Moldova Action Plan."

<sup>28</sup> Institutul de Politici Publice, [Barometer of Public Opinion], November 2009, [http://www.ipp.md/public/files/Barometru/2009/BOP\\_decembrie\\_2009\\_prezentare\\_English.pdf](http://www.ipp.md/public/files/Barometru/2009/BOP_decembrie_2009_prezentare_English.pdf)

## Closer Cooperation between the EU and Moldova: The Eastern Partnership

A new chapter in the history of the European Neighborhood Policy was opened in Prague, in May 2009, where the EU officially launched the ENP's Eastern dimension, the Eastern Partnership (EaP), providing closer ties for six Eastern European ex-Soviet states (namely Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine). The Polish–Swedish common initiative was intended to give an impetus to the EU's engagement in Eastern Europe. Despite the eminent EU interest in facilitating stability and fostering democratic transition and economic cooperation in the region, certain EU members were skeptical of the initiative. Mediterranean countries, such as France, Italy, Greece, and Spain, feared that the EaP would shift the ENP's focus from the Southern region to the East, as a competitor of the French-brokered Union for the Mediterranean. Also, these countries – and Germany – were concerned about Russia's reactions, and its implications on their special relations with Moscow. Furthermore, they worried that the Eastern Partnership might be seen as a stepping stone toward EU membership. A few Balkan countries (e.g., Greece and Romania) were concerned that the Black Sea Synergy and the Black Sea Economic Cooperation could be undermined by the new initiative. However, the EaP was approved by a Joint Declaration in Prague, which was signed by every member state and the involved Eastern European countries.<sup>29</sup>

The most important novelty of the Eastern Partnership was its multilateral track, institutionalizing the cooperation between the 27+6 states. The multilateral track includes bi-annual meetings of heads of states, annual meetings of Ministers of Foreign Affairs, furthermore four thematic platforms were set up to deal with specific issues at a senior official level. The four platforms are: Democracy, good governance and stability; Economic integration and convergence with EU policies; Energy security; and Contacts between people. Furthermore, so-called selected flagship initiatives, such as an Integrated Border Management Program, a Small and Medium-size Enterprise Facility, etc., provide more visibility for the Eastern Partnership's multilateral track. Also, to strengthen the engagement of civil society

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<sup>29</sup> Károly Benes, "Whose Sphere of Interest? Eastern Partnership Summit in Prague," *Central Asia-Caucasus Analyst*, Vol. 11, No. 11, June 3, 2009, <http://www.cacianalyst.org/?q=node/5122>

in the former Soviet states' European integration process, a Civil Society Forum was established. Since civil society is rather weak in these Eastern European countries due to the survival of a Soviet-era mentality, when the superiority of the state suppressed every civil initiative, it is essential to enhance civil engagement in the EU's Eastern neighborhood in order to create a vibrant civil society, which could practice democratic control over public issues. Besides the interaction between the EU members and their Eastern neighbors, it is noteworthy that the multilateral track provides a platform to build mutual understanding and trust among the Eastern European states themselves, which is crucial if considering the existing conflicts between these countries. One outstanding example is the participation of Armenia and Azerbaijan in the same multilateral platform, since the official relations between the two states are severely restricted due to the unresolved Nagorno-Karabakh conflict.

The bilateral track of the Partnership also goes beyond the cooperation previously provided by the ENP. First, it offers the replacement of the current Partnership and Cooperation Agreements by new Association Agreements, deepening cooperation and the legal harmonization between the involved parties. Moldova started the negotiations on an Association Agreement on January 12, 2010. The negotiations have been structured to cover the general objectives in plenary sessions, and working groups have been set up to deal with specific issues such as justice, economic cooperation, and foreign and security policy. Second, within the framework of a new Association Agreement, the EU and the partner countries are aiming at the establishment of a Deep and Comprehensive Free Trade Area (DCFTA), not just between the EU and its Eastern neighbors, but among the partner countries themselves, possibly creating a Neighborhood Economic Community. Third, a Comprehensive Institution-Building program was established, in order to improve administrative capacities. In December 2009, Moldovan Prime Minister Vlad Filat signed a memorandum of understanding in Brussels on EU consultative assistance to Moldova. According to the memorandum, the EU delegates a group of high-ranking consultants to help the authorities to implement sectoral policies focusing on legal approximation. Fourth, within

the EaP's bilateral track, the EU has placed emphasis on energy security. Since Moldova is almost entirely dependent on Russian energy imports, the diversification of the energy system and the interconnection to the European electricity and gas transportation networks are crucial. A reassuring step toward Moldova's integration in the European energy system was taken on December 18, 2009, in Zagreb, when the Energy Community's Ministerial Council approved the accession of Moldova and Ukraine to the Energy Community.<sup>30</sup> Fifth, the EaP intends to support economic and social development through regional programs and cross-border cooperation. Last but not least, the EaP bilateral track offers so-called Mobility and Security pacts (mobility of individuals), reflecting the principles laid down in two major documents, the European Commission's Global Approach to Migration and the European Pact on Immigration and Asylum. The Mobility and Security pacts would include migration issues, labor mobility, a visa facilitation process, as well as security measures, ensuring a secure environment for the mobility aspect through high-standard border management, and a more efficient struggle against organized crime, trafficking, and corruption.

Moldova has already had a Mobility Partnership with the EU since 2008, a pilot project aiming to create a better framework for the movement of persons and legal migration, including measures to fight illegal migration, human trafficking, and to help and protect migrants and returnees. Another pilot project has signaled the particular role that the migration and visa issue plays in EU–Moldova relations. Since 2007, a Common Visa Application Center has been operating in Chişinău under the auspices of the Hungarian Embassy. Currently, the Center issues entry visas on behalf of 12 EU countries, thus simplifying the procedure to enter the Schengen zone for Moldovans. As a part of the Eastern Partnership mobility aspect, in 2010, the EU and Moldova set up a dialogue on a visa facilitation process, possible leading to visa-free travel for Moldovans as a long-term goal.

The visa facilitation process is of paramount importance for Moldova. First, several hundred thousand Moldovans work in EU countries, and their remittances constitute a significant part of the Moldovan economy. Obviously, their legal or illegal status and their traveling is a major issue not

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<sup>30</sup> The Energy Community was established in 2005, in Athens, in order to extend the EU's energy market to South East Europe, and create a stable regulatory framework to strengthen the security of energy supply, [www.energy-community.org](http://www.energy-community.org)

just in Moldova, but in those EU states affected by this migration flow. Second, as mentioned, Russia, and to a lesser extent Ukraine, has conducted an active passport distribution policy in Transnistria. Holding a Russian passport comes with several advantages, since albeit controversially it is easier to travel to the EU as a Russian citizen than as a Moldovan. In this context, Romanian citizenship is even more tempting, due to Romania's accession to the EU in 2007. The Romanian regulations make it simple to apply for Romanian citizenship. Since Moldova was a part of Romania before World War II, it is easy to prove that the applicant and/or his/her parents and grandparents were once Romanian citizens. An estimated 200,000 Moldovans have already received Romanian passports, and approximately one million applications have been submitted to Romanian consulates. Only in 2008, 14,000 applicants were granted Romanian citizenship. These are striking statistics in a country with a population of only four million. For the EU's part, it seems an unfortunate policy to maintain the visa obligation in the long run and thus force people to apply for another country's citizenship in order to travel on the continent. As the dynamic of Moldovan migration shows, merely administrative means cannot hold back those Moldovan young people looking for a better future in the West, especially when a "Trojan Horse" – Romania – is prepared to provide them with EU citizenship.

Therefore, it is time to speed up negotiations on visa facilitation with Moldova, aiming at complete visa liberalization. Also, to overcome the technical requirements of visa liberalization, the EU should provide both more financial assistance and expertise, and so accelerate the preparation of the Moldovan authorities for a visa free regime.

### **Building Democratic Institutions and Market Economy**

There are several indispensable prerequisites for a democratic state, including free elections, freedom of the press, respect for human and minority rights, rule of law, etc. In 1993, the EU elaborated its own membership criteria – the so-called Copenhagen criteria – in which it defined the necessary preconditions a state has to meet with in order to become an EU member. According to the Copenhagen European Council's decision, a candidate country must meet three basic criteria: a political one (stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities); an economic one (functioning market

economy and the capacity to cope with competitive pressure and market forces within the EU); and last but not least the acceptance of the Community *acquis*, i.e., ability to take on the obligations of membership.

For its part, Moldova has far from met these criteria. One of the most important reasons why Moldova has lagged behind other Central and Eastern European countries in its democratic development is the weakness of the rule of law and the inadequate separation of powers, or more precisely the lack of an entirely independent judicial system. Since Moldova has hardly been a sovereign state in its history, it lacks experience of an independent, truly “Moldovan” administration, and the Soviet administrative system did not help found democratic traditions. It is therefore not surprising that a centralized and politically controlled Soviet-style judicial system, as well as political interference in the work of the law enforcement agencies and the courts, continues to exist in Moldova. The survival of Soviet working methods in the police, such as the principle of “not the method, but the result counts,” leads to recurring human rights abuses. The deficiencies in the separation of powers, the shady overlaps, the formal and informal influence on the judiciary by political formations, politicians, and economic actors, are the main reasons for the high level of corruption, and also hamper the democratic development in other areas, e.g., the protection of human rights or the freedom of press. Furthermore, the inadequate judicial system and the politicized law enforcement agencies serve to hamper economic development, and in thus doing, the building of a functioning market economy (the second Copenhagen criteria); this prevents the adoption of the *acquis communautaire* (the third Copenhagen criteria), since even though the parliament adopts an EU conform law, it remains on paper only and is not satisfactorily implemented.

Moldova’s current pro-European government has recognized the fact that the independence of the judiciary and the reform of the law enforcement agencies are inevitable in order to fight effectively against corruption and organized crime, and to live up to the EU membership criteria of being a democratic state. However, several cases in the Strasbourg-based European Court of Human Rights, in which the Moldovan authorities (above all

the police) were censured for torture and the inhuman treatment of Moldovan citizens, and Moldovan Prime Minister Vlad Filat's strong criticism of Moldova's special anti-corruption agency (Centre for Combating Economic Crimes and Corruption), according to whom the agency has only served narrow party and personal interests, have all signaled that the situation in the judiciary and law enforcement requires special attention from the government, and also from the European Union. Certain reforms have recently begun, such as the creation of court and prosecutor self-administration bodies and penitentiary reform, focusing mainly on the respect of human rights. However, it is too early to talk about any tangible results, and it will definitely be a long time until Moldova's judiciary and law enforcement system conforms to European standards.

An efficient and impartial judiciary is also a prerequisite in building a functioning market economy. To adopt the internal market *acquis* and create a Deep and Comprehensive Free Trade Area with the EU, as the Eastern Partnership envisages, requires reliable and efficient courts in order to build confidence in the legal system and provide a steady framework for business activities. It is per se an enormous task to take on the EU regulations both regarding economic governance and market access. Chişinău stands to adopt, and more importantly implement, a huge number of regulations regarding competition and state aid, public procurement, protection of intellectual property, company law, standards and technical regulations, etc. The adoption of the EU's sanitary and phytosanitary rules is an especially important challenge, since agricultural exports constitute the most significant share of Moldova's exports. The poor quality of food safety is the major stumbling block in exporting agricultural products to the EU. The implementation of the Union's food safety requirements demands considerable governmental and private investment, thus the approximation of Moldova's and the EU's regulations is not only a legal question, but it has serious financial implications for the agricultural sector of Moldova.<sup>31</sup>

Moldova has been a member of the WTO since 2001, and it enjoys Autonomous Trade Preferences (ATPs) provided by the EU, which replaced the Generalized System of Preferences (GSP) in 2008. ATPs offer unlimited duty

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<sup>31</sup> Oxana Gutu, "Moldova's Convergence with the Acquis, A Pro-Growth and Pro-Integration Strategy," Centre for European Policy Studies, Working Document, No. 238, March 2006, <http://www.ceps.eu/node/1158>

free access to the EU's internal market for almost all products originating in Moldova, except for certain agricultural goods (e.g., wine and meat products). The GSP (later GSP+) and the ATPs have created the necessary conditions to reorient a part of Moldova's exports away from Russia and other CIS states to the EU, and more importantly have supported a steady and durable increase in Moldova's exports led by the textile sector. At the same time, the underdeveloped transport infrastructure is still a major impediment in attracting foreign investment and increasing the volume of exports to the EU. The creation of a Deep and Comprehensive Free Trade Area, as a core element of the Association Agreement currently under negotiation, could be a major step toward the full compliance with EU Internal Market *acquis*, which is an inevitable prerequisite of EU membership. However, due to the economic difficulties Moldova faces, and the enormous costs of the implementation of the EU regulations, certain derogations *from* the Community rules will be unavoidable.

### **Further Enlargement: A Divided Union**

Following the "big bang," the enlargement of the European Union in 2004 and 2007 to encompass twelve new countries, the Union is still struggling to "digest" the new member states. The historical enlargement did not only prove a burden on the EU's budget, since the majority of the twelve new member states had less developed economies than the EU's average economic development, but it also strained the EU's institutional framework, which was not designed for 27 member states. Albeit the Lisbon Treaty is supposed to ease the EU's institutional problems, and the enlargement proved to be successful in many regards, public opinion within the EU (mainly among the older member states) seems to be skeptical concerning the organization's further enlargement. The "enlargement fatigue" is partly understandable, since it is difficult to explain to the voters of the EU member states why it is important to support poor Eastern European countries and offer EU membership prospects to them, when a financial and economic crisis has badly affected their own economies.

Besides the less favorable situation within the EU, it is also true that the new applicants are more "problematic" than the Central and Eastern European states that joined the EU in 2004 and 2007. The countries in the

Balkans and Eastern Europe<sup>32</sup> have hardly had any experience as sovereign – not to mention democratic – states, thus the political instability and the lagging behind in democratic development could be seen as a natural historical consequence. In Moldova's case, since it had been a part of the Soviet Union, it has proven more difficult to build sovereign statehood with strong democratic institutions from scratch, than it was for the Central European countries, which enjoyed juridical independence with their own legislative system, government, military, etc. More importantly, long lasting ethnic tensions and open military conflicts have made the EU very cautious concerning its new Eastern neighborhood. The unresolved Transnistrian conflict has a strong negative impact on Moldova's democratic and economic development per se, and it also alienates the EU, which does not want to import unresolved conflicts from its neighborhood. Last but not least, the Eastern European applicants are poorer than the countries that joined in the previous round of enlargement. The net financial contributors of the EU's policies do not want to pay more; it has already been difficult to explain to their electorates why they should support other countries' development with vast amounts of money. On the other hand, the net financial recipient EU members do not want to share their stake – rather they try to secure more subsidies for themselves. Under these circumstances, the lack of willingness to admit the new, poorer countries to the EU's "dining table" is not surprising.

Another important factor in examining a possible Eastern enlargement is Russia's position in the region. During the 1990s Moscow was politically and economically weak and dependent on Western loans. After President Putin had successfully consolidated state power in Russia, mainly due to the windfall from hydrocarbon exports, Moscow's foreign policy became more assertive, using its oil and gas exports as a lever in its international relations. Russia's assertiveness is especially visible in Russia's near abroad, where the containment of the expansion of Western organizations – above all NATO – became a priority for the Kremlin, which considers the region as its special "sphere of influence."

For the EU's part, Russia's increasing assertiveness has basically been unanswered. Moscow has proved to be very skilful in dividing the EU

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<sup>32</sup> Turkey's EU membership bid is a different, complex case, which is not the subject of this paper.

member states, placing emphasis on bilateral relations and using various sticks and carrots in order to influence the EU's decision-making processes. A study of the European Council on Foreign Relations<sup>33</sup> distinguished five different groups of EU member states concerning their relations with Moscow. These ranged from those countries ready to act according to Russia's interests in order to maintain an advantageous special relationship with Moscow ("Trojan Horses"), to those which have hostile relationships with Russia ("New Cold Warriors"). In between these two groups, the study identifies "Strategic Partners," "Friendly Pragmatists," and "Frosty Pragmatists." However, even if the extent of Moscow's influence on the EU and its decision making is the subject of debate, there is no doubt that Russia enjoys significant leverage in its relations with the EU and the EU member states including over enlargement issues. On the contrary, Moldova has practically no lever it could lean on in its relations with the EU. Moldova's membership bid could exclusively be based on its own achievements in the democratic and economic development. Therefore, it is very important not to allow the EU's further Eastern enlargement to become a hostage of EU–Russia relations. Moscow should not enjoy a de facto veto right in the EU accession process of the former Soviet states.

The European Union should provide clear membership perspective for those Eastern European countries willing to commit themselves to implementing the necessary reforms, adopting the *aquis*, and building a market economy. A membership perspective could accelerate the democratic transformation in itself, as was proven in the enlargement process of the Central European states. Without a concrete and clear membership perspective, a very important incentive is missing – something which could stimulate further reforms and set concrete goals in the Eastern European countries.

### **Moldova and Its Neighbors**

Moldova's geopolitical position – namely the fact that it is landlocked between Ukraine and Romania – is of vital importance to the country's relations with these two states. The western neighbor, Romania, an EU member since 2007, has always had special but controversial ties with Moldova.

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<sup>33</sup> Mark Leonard and Nicu Popescu, "A Power Audit of EU-Russia Relations," European Council of Foreign Relations, *ECFR Policy Paper*, November 2007.

The inconsistencies surrounding Moldovan identity, and the simple fact that Moldova was once part of the Romanian state, have caused continuous swings in Moldovan–Romanian relations, depending on Chişinău's self-perception, that is, whether the Moldovan government pursued the idea of Moldovanism and an independent Moldovan language and culture, or whether it defined Moldovans basically as Romanians. During those periods when Moldovanism was the leading principle in the government, the relations between the two Eastern European countries were generally poor. On the contrary, when pro-Romanian forces took over the political leadership in Chişinău, the relations between the two states flourished.

In 2009, Moldova–Romanian relations reached a nadir. After the April general elections and the following mass demonstrations, the communist government accused Romania of orchestrating a coup d'état, aiming at the annexation of the country. Chişinău expelled the Romanian ambassador and introduced a visa ban on Romanian citizens. Following the Communist Party's defeat in the snap elections in July 2009, the new pro-Western governing Alliance immediately started to work on the normalization of relations with Romania. The rapprochement attempts met with open doors in Bucharest. The visa ban was lifted, and within half a year the parties signed an Agreement on Small-Scale Border Traffic, which introduced a simplified border crossing regime for over one million Moldovans. Additionally, Bucharest committed itself to providing financial assistance for the crisis-hit government in Chişinău, and fully supported Moldova's inclusion in the Western Balkan group of countries, whose negotiations on EU accession are more advanced than Moldova's. Romania also urged a stronger EU role in the Transnistrian conflict settlement process. Generally speaking, it seems Bucharest is fully backing Chisinau both politically and economically,<sup>34</sup> and relations between the two countries have never been as harmonious as now. However, this situation could deteriorate just as quickly as relations blossomed after the July elections, should pro-Russian political forces come back into power with the support of Moldova's Slavic population.

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<sup>34</sup> In 2009, 52.3 percent of Moldova's exports were directed to the EU (Romania's share was 18.5 percent, thus Bucharest is the second biggest export partner of Moldova after Russia). At the same time, 43.4 percent of Moldova's imports come from the EU, including 9.5 percent from Romania (Russia's import share is 11.4 percent). National Bureau of Statistics of the Republic of Moldova, <http://www.statistica.md/newsview.php?l=ro&idc=168&id=2862>

The most controversial issue in Moldova–Romania relations is the latter’s passport distribution policy. A significant part of the Moldovan population aspires Romanian citizenship for both emotional and practical reasons. The emotional reason is the expression of the Romanian identity, and the practical one is the possession of a passport of an EU member state. For its part, Bucharest is ready to provide Romanian citizenship for those Moldovans who can prove their Romanian origins, which is not a difficult requirement in a country that was once a part of Romania. As mentioned, almost one quarter of the Moldovan population has already applied for a Romanian passport, and after earlier restrictions (e.g., the limitation of applications to 30,000 per year to Romanian consulates) were lifted by both Bucharest and Chişinău, it is likely that more and more applications will be positively considered by Romanian authorities. The Romanian passport distribution raises several questions in the Moldovan political arena, ranging from practical questions – e.g., whether dual citizenship should be allowed in high state and administrative positions – to abstract questions such as whether holding two nationalities weakens Moldova’s statehood. A less discussed aspect of Romania’s passport policy in Moldova is the effect of this policy on Romanian domestic affairs. As the 2009 Romanian presidential elections signaled, the vote of the Romanian citizens residing in Moldova may be a decisive factor in a balanced political competition. Re-elected Romanian President Traian Băsescu himself admitted that his election victory was partly due to the vote of the Romanian diaspora, including Moldovans holding Romanian passports.

Moldova’s relations with its eastern neighbor, Ukraine, are less intense, but there are several debated issues which need to be overcome in order to maintain good neighborly relations. Kiev also distributes Ukrainian passports en masse in Moldova, mainly in Transnistria, which burdens bilateral relations. Also, the demarcation of the 1,200 km long border (including 470 kilometers under the Transnistrian authorities’ control) is still incomplete, and there are several debated border sections such as the Odessa–Reni roadway near Palanca village. Furthermore, it is necessary to improve both the Ukrainian minority’s situation in Moldova, and enhance the Moldovan minority’s rights in Ukraine. Recently, the new government in Chişinău has made several attempts to facilitate the solution of the abovementioned debated issues with Kiev. A possible rapprochement between the two

countries would provide a mutually beneficial possibility for cooperation regarding both countries' European integration bid. There is an untapped potential in utilizing and harmonizing Ukraine's and Moldova's efforts in order to represent the common integration interests in a stronger, united voice in Brussels. The creation of a common Dniester Euroregion, which could help use the financial mechanisms of the Eastern Partnership, is one positive example of how to use the possibilities provided by the cooperation between the two states, and signals the excellent opportunity the Eastern Partnership's multilateral track offers for institutionalized cooperation. Last but not least, friendly relations with Kiev could facilitate conflict resolution in Transnistria, since Ukraine is one of the moderator countries in the 5+2 negotiation format. Furthermore, Transnistria is landlocked between Moldova and Ukraine, thus its international trade must go through one of these countries; it is also of significance that any Russian troop enhancement can arrive to the secessionist region only from the direction of Ukraine.

## Concluding Comments

The idea of European integration has been very popular in Moldovan society, since the Moldovans strongly connect their and their children's well-being with the country's future as an EU member. Therefore, irrespective of the political color of the government in power in Chişinău, Moldova's EU integration will always have a high place on the country's political agenda. Naturally, the pace and extent of the democratic reforms could differ according to the priorities of the current governing force, but in the long run, the final goal, that of EU membership, will indubitably be a central issue in Moldovan politics.

The Moldovan political decision-makers should be aware of the fragile internal situation and the menace that the "Ukrainization"<sup>35</sup> of the political sphere represents. After the 2004 Orange Revolution in Ukraine, the leading forces behind the political change missed the opportunity to unite and implement steady and long-term reforms. Instead, pettiness and their own personal ambitions have served to halt the further democratization of the country and led to political instability. In Moldova, in order to maintain the momentum and get real reform moving, the former opposition should be united around its European project, in spite of ideological differences or personal ambitions.

On the other hand, so far Moldova has basically been neglected by the European Union, partly because its attention in the region was focused on Central and Eastern European enlargement and the Balkans, and partly because Moldova has been considered only a small and insignificant country in Russia's backyard. Also, certain EU member states' special relations with Moscow have overshadowed Moldova's – and other Eastern European countries' – EU aspirations. The unresolved Transnistrian conflict has likewise been an obstacle to forging closer ties between the EU and Moldova. The EU's reluctant approach to engage in the conflict resolution processes in its Eastern neighborhood is counterproductive. A more active EU participation

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<sup>35</sup> Louis O'Neill, "Note to Moldova: beware the Kiev trap!" *Open Democracy*, August 10, 2009, <http://www.opendemocracy.net/russia/article/note-to-moldova-beware-the-kiev-trap>

in the conflict settlement in Transnistria – and other unresolved conflicts in the region – could help prevent the escalation of these conflicts and provide a more visible character for the EU's common security and foreign policy. To live up to the commitments laid down in the European Security Strategy of the European Union and “make an impact on a global scale,”<sup>36</sup> or even less ambitiously on a regional scale, requires a strong, active and determined EU approach, which has so far been missing.

In addition, the Union's institutional debates over deeper integration and an operable structure, which could deal with more than 27 member states, has put in question the EU's further integration capacity. However, after the Lisbon Treaty came into force, the EU is again faced with several urgent issues it needs to address in the foreseeable future, which were put aside earlier due to the institutional debates. The most important ones are how large the EU should be, and how many countries could join the EU in the next few decades. In the long run, the Eastern European countries, including Moldova, should become members of the European Union, albeit contingent on progress in democratic and market economy reforms. The EU cannot deny the concrete prospect of membership to what are clearly European countries, if their development meets with the EU's enlargement criteria. It is in the EU's own interest to enhance democracy and facilitate closer economic ties in its neighborhood. The Union's unwillingness to officially provide a membership perspective per se dampens the pace of democratic reforms in the region. Originally, the “European project” was built on the perhaps naïve but sincere belief of the universality of democratic values and solidarity with those who cannot enjoy the advantages of a free and democratic society. It is time to dust off these founding ideas and put them in practice at least in the EU's closest neighborhood. At the same time, it is undeniable that Chişinău has a long way to go until it will be entirely ready to join the European Union, and so take its place among other European countries in Brussels.

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<sup>36</sup> [Council of the European Union], *A Secure Europe in a Better World – European Security Strategy*, <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>