

# INSTRUMENTS OF EU EASTERN NEIGHBORHOOD POLICIES APPLIED IN THE REPUBLIC OF MOLDOVA: EFFECTS AND PROBLEMS

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## Abstract

*The paper provides theoretical, institutional and legislative analyzes, but also emphasizes the practical dimension of issues related to EU instruments within the Eastern Neighborhood Policies applied in the Republic of Moldova, including the cross-border cooperation and the implementation of various programs and partnership projects with the participation of civil society, etc. This study focuses on literature analysis, on research conducted during the application period of the EU Eastern neighborhood instruments, as well, it is based on the ENACTED Focus Group Research: Testing the efficiency of EU's Neighborhood Instruments, developed by authors, participating experts from the Republic of Moldova. The paper outlines the situation in the area and presents some conclusions and recommendations that may contribute to the increase of efficiency of EU Eastern neighborhood instruments.*

**Keywords:** EU, Eastern neighborhood, regional policy, instruments, efficiency

## Introduction

The European type of contemporary integration processes, taking place in fact all over the world, differs radically and has a character based on law, as it is a legal type of integration, on institutions, due to its institutional type of integration, and on policies, since one of the activity methods of European integration and unification, within the European Union, is elaborating and implementing common policies in all fields - economics, politics, social, culture, etc.

Among policies developed and implemented by EU, the European Neighborhood Policies hold a special place. Policies designed to achieve certain goals, that have, already, a background and accumulated an implementation experience, have highlighted, as well, some problems, difficulties and uncertainties. Since the launch of neighborhood policies, a range of mechanisms and instruments

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have been developed for their practical application. The effectiveness, results and effects of these mechanisms and instruments, as well as neighborhood policies, have been evaluated differently in the literature of the field, in experts' studies, by European institutions and by beneficiaries, citizens of states where these policies are applied.

Along with a range of achievements, results of the applied European neighborhood policies, particularly in the Eastern neighborhood that includes the Republic of Moldova, in fact achievements of relatively modest success, according to some assessments, even disappointing ones, in this area were highlighted also many difficulties and problems that obviously should be analyzed, and further research is needed as neighborhood remains to be a neighborhood, requiring to be studied, examined, even rethought and corrected, as we discussed in a previous publication (Vasilescu and Morari, 2018).

Thus, considering the subject poorly researched in the national literature of specialty, the goal of this article is to analyze main instruments of European neighborhood policies also applied in the Republic of Moldova. Moreover, the study is aimed to outline the results of European neighborhood policies' implementation in the Republic of Moldova, as well, to address problems this domain copes with.

To carry out the objectives, the study focused on opinions and observations developed by some authors regarding the issue and on special methodology of data analysis collected within the focus-group research that involved experts from the Republic of Moldova. So, based of these data was possible to identify some realities and recommendations that may contribute to the improvement of European neighborhood policies, in general, and of applied instruments in the Republic of Moldova, in particular.

## **1. European Union neighborhood policies: overview, principles and priorities**

The European Neighborhood Policy (ENP), by definition, is an instrument of the European Union's external relations that aims to bring Eastern and Southern European countries closer to the EU. Launched more than a decade and a half ago, following the largest enlargement of the European Union on 1 May 2004, the European Neighborhood Policy, as it is interpreted in literature, represents a new stage in the development and construction of the European continent, consolidating the role of the European Union as international player (Solcan, 2008, p.78).

Historically, the first initiatives and attempts to draw up a European Neighborhood Policy date back to 7 August 2002, when EU Secretary General Javier Solana and Commissioner Christopher Patten signed a joint letter "Enlarged Europe". This was followed by the European Commission's Communications "Enlarged Europe - Neighborhood: A New Framework for Relations with Eastern and Southern Neighbors", of 11 March 2003, and "Preparing the Way for a New Neighborhood Instrument" of 1 July 2003. In March 2004, the European Neighborhood Policy Strategy was adopted and since then began a qualitatively new stage in the development, based on strengthening and deepening, of relations



between the European Union and its neighbors, among which the Republic of Moldova.

The essence of the ENP, according to Romano Prodi, former President of the European Commission, is to establish a "circle of friends" around the Union (Liotti, 2018; Prodi, 2002) in order to create an area of prosperity, stability and security in the EU neighborhood, which would be in the interest of both the EU and the partner countries. The European Neighborhood Policy has well-defined goals and objectives. Respectively, the ENP regulates privileged relations with neighboring states that go beyond general cooperation, including respect for the principles of market economy, sustainable development and free trade, based on the economic integration of neighboring states into the EU internal market, focusing on poverty reduction, strengthening cross-border cooperation, networking and providing sound financial assistance, in exchange for strengthening the rule of law in neighboring countries, democracy, respect for human rights, good governance, promoting market reforms, promoting social cohesion, jointly providing for cooperation on foreign policy objectives, such as the fight against terrorism and the non-proliferation of the means of mass destruction.

Essential to the European Neighborhood Policy, however, are two main goals. First, it is the need to avoid new dividing lines in Europe. This is ensured by erasing the classic significance of borders and establishing interconnections in various areas based on the common interests of the EU and neighboring states. Second, is the need of in-depth development of relations with neighboring countries at both continental and international level, given the necessity to take into account the economic and political interdependence of the ENP with the foreign policy of international actors, such as the Russian Federation policy towards the Eastern neighborhood of the EU, including the Republic of Moldova, as well as the necessity to solve transnational and cross-border problems related to certain socio-economic issues, political instability in neighboring areas, fragility of state structures, due to negative phenomena as organized crime, illegal migration, frozen conflicts, etc.

The European Neighborhood Policy is based on certain principles, such as: the geographical principle, the principle of interdependence or common commitment, the principle of differentiation, the principle of progressivity. In short, these principles can be characterized as follows:

**The geographical principle.** This principle of proximity to EU borders is used within ENP to identify the states that are part of the European Union's neighborhood. According to the ENP Strategy, these are the neighboring states or those that have approached the EU as a result of European enlargements. And because there are several such states, depending on the degree of proximity to the EU and the bilateral legal basis, these states were divided into four groups: I. Eastern European states, including the Republic of Moldova, which have as strategic goal the European integration and have concluded Partnership and Cooperation Agreements or Association Agreements with the EU, but do not have a clear prospect of EU membership, although this is not excluded; II. Mediterranean states that



concluded Association Agreements with the EU, but do not aim at EU membership; III. Candidate countries, with some prospects of EU membership, such as the Western Balkan states that are part of the Stabilization and Association Process and although are EU neighbors are not a part and subjects to ENP; IV. States of the European Economic Area (EEA) and Switzerland, that want to maintain their existing status.

**The principle of interdependence or common commitment.** Provided by the ENP Strategy it stipulates that ENP should be jointly designed and implemented by both the European Union and the neighbor state. The essence of this principle is to establish a privileged partnership and interdependence/ a common commitment, and the goal is to promote good neighborly relations. The ENP Strategy, elaborated by the European Commission, regarding this principle emphasizes the following: "Interdependence or common commitment in this process, based on awareness of shared values and common interests, is essential" (European Neighborhood Policy Strategy Paper, 2004, p.8). The principle has been implemented, for example, in the case of joint elaboration of Moldova-EU Action Plan by the EU institutions - the European Commission, the EU Presidency, the High Representative for the Common Foreign and Security Policy and the Republic of Moldova.

**The differentiation principle.** Initially, the European Neighborhood Policy was conceived as common and coherent for all states bordering the EU. However, an innovative element of ENP with the EU is to differentiate the relations of each state in the process of implementing the neighborhood policy, especially during the negotiation and adoption of Action Plans between the EU and the partner state. The differences are highlighted in the set of priorities for those states. The main elements taken into account in order to use the principle of differentiation are the following: 1) the geographical position of the partner state vis-à-vis the EU within ENP; 2) the socio-economic and political situation of the partner state; 3) bilateral relations established between the EU and the partner state; 4) the capabilities and needs of the EU and partner states; 5) mutual interest between the partner state and the EU.

**The principle of progressivity.** According to this principle, EU offers areas of cooperation combined with incentives depending on the progress made by the partner countries. Areas of cooperation and incentives can range from the use of the EU's main instruments to achieve the Union's foreign policy objectives to providing stronger financial assistance and the development of new contractual relations with the EU.

The European Neighborhood Policy, in addition to its aims, objectives, principles, also focuses on certain **priorities set out in the ENP Strategy**. Two broad areas of priorities established between the EU and the partner states are the following: 1) priorities oriented towards commitments undertaken to accept or adhere to common values and to some objectives in the field of foreign and security policy; 2) priorities oriented towards commitments undertaken to bring the partner state closer to the EU in concrete areas. These priorities are specified in: **priorities related to common values** (such as freedom, democracy, respect for human rights and freedoms, the rule of law, as well as the judiciary reform, the fight against



corruption and organized crime, respect for basic labor standards, etc.); **political priorities** (strengthening political dialogue, cooperation in the fields of conflict prevention and crisis management, dialogue in the CFSP, cooperation in the areas of global governance, solving global problems, combating common security threats, etc.); **economic and social priorities** (preferential trade relations, high technical and financial assistance, the possibility to participate in the EU internal market, convergence of economic legislation, opening of EU and neighboring economies, reduction of trade barriers, improvement of the investment climate in neighboring countries, etc., and in the social field - socio-economic development, reduction of poverty and inequality, structural reforms, job creation and improvement of working conditions, raising the efficiency of the social assistance system, reforming the national welfare system, etc.); **trade priorities** (harmonization of legislation in this field, including customs, for the free movement of goods, capital, services and people, creation of free trade areas or liberalized trade areas, improvement of administrative cooperation, elimination of non-tariff barriers, development of necessary infrastructure, insurance of the origin of goods, priorities in line with European standards in the sanitary and phytosanitary fields for agricultural products); **priorities in the field of justice and home affairs** (migration and border management, trafficking of human beings, the fight against terrorism, as well as cooperation in the field of migration, asylum, visa facilitation, combating of organized crime, drug and arms trafficking, money laundering and economic and financial crimes); **priorities in the fields of energy, transport, environment, research and innovation** (strengthening energy networks and interconnections, security of energy supplies, expanding the EU internal market to neighboring partner countries, integration into European transport networks, preventing environmental degradation and pollution, protecting health human resources, rational use of natural resources, water, air, waste quality management, etc.); **priorities in the field of interpersonal contacts** (refers to the fields of education, culture, youth, public health, civil society); **priorities in the field of regional cooperation** (development of cooperation between neighboring states, between regions and EU, connecting different regions, cooperation between neighboring states within the European institutions, cooperation within euro-regions at local level, cross-border cooperation).

ENP during its implementation has gone through several stages, registered some certain results, so we cannot state that it was completely inefficient. However, one of the main aims of the ENP to create a "circle of friends" around the Union and to create an area of prosperity, stability and security in its neighborhood was not achieved in the form it was conceived for several reasons. One reason is, as we have argued before (Vasilescu, 2015), the collision in its Eastern part of two neighboring areas - that of the European Union and of Russia (with its alleged interests in its "near neighborhood") and, another one is necessary geopolitical expansion of EU. On the contrary, in the EU neighborhood, both eastern and southern, a series of conflicts have arisen, several problems, difficulties, new risks and threats have



emerged. In these circumstances, the EU had to reconsider its neighborhood policies. Thus, the first serious revision of the ENP took place in 2011, as a result of the riots in the Arab world, also known as Arab Spring. The revised EU ENP objective was to support partners to undertake reforms in the field of democracy and human rights, to contribute to their inclusive economic development and to promote the market economy. The renewed ENP focused on the strengthening of cooperation in the political and security spheres, support for development, economic growth and job creation, the stimulation of trade and the strengthening of cooperation. Under the new ENP, a new incentive-based approach ("more for more") began to be applied for the first time, offering partner countries a modulating regime of financial assistance based on the progress made by ENP states, basically, in the field of democratic changes and respect for human rights. The new ENP had a series of advantages, especially in the economic field that can be quite considerable. Compared to the agreements signed by the EU with neighboring countries, the ENP plays a more significant role, especially in carrying out structural reforms and implementing sound macroeconomic policies, depending on the commitments of neighboring partner countries in the ENP processes.

The second major review of the ENP took place in 2015, when Federica Mogherini, EU High Representative for Foreign Affairs and Security Policy, and Johannes Hahn, European Commissioner for European Neighborhood Policy and Enlargement Negotiations, presented the *Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Review of the European Neighborhood Policy*. As experts have estimated, the need to revise the ENP has been determined, in particular, by the awareness that the EU is not able, by itself, to solve all the problems of the region, that its influence is limited, and that the new ENP would help to create the necessary conditions for a positive development of relations with the ENP States (FPARM, 2015). The purpose of the ENP review was to find ways for the EU and its neighbors to build more effective partnerships in the neighborhood. According to European officials, the EU should shift from the idea of being the center, surrounded by neighboring countries, to the idea of a new partnership based on cooperation.

## 2. Mechanisms and instruments for implementing EU neighborhood policies

In implementing the European Neighborhood Policy one of the main questions was and remains the issue of applied mechanisms and instruments. Although, any policy, no matter how wonderful and attractive may be, it can just be written on paper while not supported and provided with tools, effective mechanisms for its practical application.

Regarding the European Union, the issue of mechanisms and instruments within ENP has been constantly in the attention of the European institutions, especially within the process of reviewing European neighborhood policies. Thus, when the European Commission and the European External Action Service (EEAS) launched the consultation process for ENP review in March 2015, one of its main



objectives was to adapt the policy instruments to take better account of the specific aspirations of the partner countries (European Parliament, 2019). In this context, the European Parliament adopted a resolution, on July 9, 2015, stressing the need for a more strategic, targeted, flexible and coherent approach to the ENP. On November 11, 2015, as result of consultations, a communication from the EEAS and the Commission on this subject was presented. Similarly, in 2014 the European Union launched the European Neighborhood Instrument (2014-2020) by Regulation (EU) no. 232/2014, which replaced the European Neighborhood and Partnership Instrument (ENPI) established in 2007. The instrument aimed to create an area of common prosperity and good neighborliness between EU and partner countries by:

- promoting human rights, the rule of law, sustainable democracy and citizen participation;
- sustainable and inclusive economic, social and territorial growth and development, including through progressive integration into the EU internal market;
- mobility and interpersonal contacts, including student exchange programmes;
- regional integration, including cross-border cooperation programs (IEV – Instrumentul european de vecinătate (2014-2020)).

At the same time, it was emphasized that respect for human rights, democracy and good governance would be considered important criteria that influence the allocation of funds to partner countries. In terms of instruments, the ENP is based on existing legal agreements between the EU and its partners - the Partnership and Cooperation Agreements (PCAs) and the newly created Association Agreements (AAs), including the Eastern Partnership as part of the ENP aimed to accelerate political association and deepen economic integration between the EU and its Eastern neighbors, including the Republic of Moldova. Bilateral action plans and partnership priorities established between the EU and partner countries hold a central place within ENP, setting out political and economic reform programs on short- and medium-term priorities (3-5 years). The ENP Action Plans as well as the Partnership's priorities are based on interests, needs and capabilities of EU and each individual partner. The most important fact is that EU supports the achievement of ENP set objectives by providing financial support, political and technical cooperation. Financial assistance for the ENP implementation is provided through the European Neighborhood Instrument (ENI) and, according to the data, amounts in the EU financial year 2014-2020 to about 15.4 billion Euros (Romanian Ministry of Foreign Affairs).

The European Neighborhood Instrument (ENI) has four components:

- bilateral component (intended for bilateral relationship between the EU and each partner state. This component represents most of the ENI funds);
- inter-regional ENI component (Erasmus Mundus, TAIEX, twinning, Neighborhood Investment Facility / NIF);
- component of ENI Regional East and ENI Regional South (dedicated to regional projects);



- ENI-CBC component (intended to finance cross-border cooperation programs).

Additionally, more instruments and programs were proposed, such as *Civil Society Facility*, used to fund the ENP. Moreover, the Commission provides financial support in the form of grants to partners, also the European Investment Bank and the European Bank for Reconstruction and Development provide support through loans. Meanwhile, new instruments were developed under ENP to promote the access to the European market, as through negotiation of deep and comprehensive free trade agreements, agreements to improve mobility and migration management, including agreements on visa liberalization, and in 2016 a specific financial instrument was launched - the Mobility Partnership Instrument.

The EU is constantly looking for new mechanisms and tools within ENP. Thus, the architecture and functioning of the EU's external financing instruments, including ENI, are currently being re-examined in the discussions on the future Multiannual Financial Framework (MFF) for 2020-2027. On April 18, 2018, the European Parliament adopted the Report on the Implementation of EU External Funding Instruments, including the 2017 mid-term evaluation and the future post-2020 architecture. Regarding the ENI, the report called for more flexibility, better use of the 'more for more' approach, the incentive-based approach and better coordination between regional programs (European Parliament, 2019). Also, in the context of the search for new instruments for the ENP, in June 2018, the European Commission published a proposal for a Regulation of the European Parliament and the Council establishing the Instrument for Neighborhood, Development and International Cooperation (NDICI). The proposal aims to simplify the current way of financing EU external action for the next MFF period and integrates several financial instruments into the new NDICI, including the ENI. In 2019, the Parliament adopted this proposal, while requesting additional funding, a greater role in decision-making on policy options, as well, the suspension of assistance in the case of human rights violations.

### **3. EU's neighborhood policies implementation in the Republic of Moldova: methodological aspects**

In the Republic of Moldova, among first remarks on the ENP implementation level is mentioned in 2008, in a work published on the occasion regarding the end of three-year implementing period set for EU-Moldova Action Plan (EUMAP) – one of the main instruments applied by EU in the framework of neighborhood policy. The paper refers to the evolution of ENP outlined in the Preface as "significantly influenced the initial expectations and behavior of targeted countries" (Bușcăneanu, 2008). A broader analysis of the ENP implementation in the Republic of Moldova was conducted in 2015 by a group of researchers, including Igor Botan, Denis Cenușă, Mariana Kalughin, Adrian Lupușor, Iurie Morcotilo, Polina Panainte (Botan *et al.*, 2015). The study was carried out within a project implemented by the non-governmental organization ADEPT and Expert-Grup with the support of the US Agency for International Development (USAID) through the Eastern European



Foundation and FHI 360. The Progress Report provides an analysis and summarizes major developments and progress in the field of political dialogue and economic sphere during years 2005-2014, but also identifies key issues and formulates a set of conclusions and recommendations for authorities. The analysis is performed in most areas of ENP application - justice reform, Transnistrian conflict, trade relations, population welfare, rural and regional development, sanitary and phytosanitary issues, social policy, movement of persons, social insurance, services, public procurement, politics competition, industrial policy, transport, information society, public health, macroeconomic and macro financial policies, functional market economy, etc.

Thus, the Republic of Moldova registered relatively modest success in implementing the EU's neighborhood policies and met a series of difficulties in that process. We proposed the ENACTED project to analyze the efficiency of the neighborhood instruments at the experts' level and to observe their perceptions and feedback on ENP/EaP instruments, also on the approach of improving the cross-border cooperation (CBC) between EaP and EU. For this purpose, to carry out a research, the ENACTED Focus Group: *Testing the efficiency of EU's neighborhood instruments* was created. Taking into consideration the research subject, the focus group of the Republic of Moldova included 8 participants, representatives of governmental structures and different civic society organizations. Issues addressed to experts covered the following:

1. Do you consider the overall cross-border cooperation of the EU at its eastern borderlands efficient?
2. How would you evaluate the civil society (from your region) involvement in the Europeanization process of your country?
3. EU's eastern borderlands: barriers or drivers of cooperation? Is the CBC diminishing the administrative border effects in the region? If not, which of the factors that hinder cross-border cooperation do you consider as being the most important?
4. How visible do you consider EU's instruments (JOP RO-UA, JOP RO-MD, Erasmus+, Euroregions, etc.) in the Eastern neighborhood? Have you ever been involved in a CBC project? Please indicate your status in the project (coordinator, implementation team, beneficiary, etc).
5. Which are the most important effects you have noticed of EU's instruments and actions in your region/country?
6. When it comes to the European versus national legislation, are there any legal and administrative differences which hinder cross-border cooperation between the EU and its eastern neighbors? If they exist, how could they be overcome?
7. Considering the legislative differences, but also all the other factors that hinder better transnational cooperation (distance, administrative cost, etc.) could you offer some recommendations on how to reduce the complexity, length and cost of cross-border interactions at the Eastern flank of EU?



8. Do you perceive the public-private partnership helpful in consolidating cross-border cooperation? Can you indicate some ways to improve the public-private partnership?
9. Bilateral versus multilateral programmes: Will the new framework bring added value to cross-border cooperation?
10. Lessons learnt from previous CBC programmes: Are the current programmes the result of a pragmatic progress? Is the new management and implementation framework more efficient?
11. How do you foresee the medium and long-term impact of European CBC instruments upon your region/country?
12. What perspectives and strategies for the future of borderland cooperation between the EU and your country do you envisage, considering the regional context altered by the international/regional political crisis and the existing tensions?

The focus group objective was to provide perspectives of experts on the European neighborhood policies also on progress and difficulties of instruments. Working with a focus group, our goal was to interpret and analyze the situation in the area in the Republic of Moldova. Results are presented in the following section.

#### **4. EU's neighborhood policies implementation in the Republic of Moldova: realities and problems**

The focus group allowed authors to identify the perceptions, opinions and appreciations of the EU's neighborhood policies implementation in the Republic of Moldova. Thus, considering the first question, majority of experts appreciate as efficient the overall cross-border cooperation of the EU at its eastern borderlands. The underlined pro arguments are the role of Eastern Partnership, which encourages and empowers the cross-border cooperation between its 6 members; the role of EU4business, EU4energy, EU4youth, EU4Innovation programs through which have been implemented various actions across the EaP countries, including Moldova, with considerable outcomes; and projects supported by the EU, designed to contribute to the development of the country in strategic areas, such as education, security and border control, infrastructure, agriculture, healthcare, media, civil society etc. However, it is mentioned that for implementing cross-border, regional and transnational strategy, the Republic of Moldova faces lack of financial instruments that can lead to economic and social development, as well, there is not fully utilized the social and economic potential that have vast opportunities for collaboration in various fields. Some tangible results may be visible in collaboration with Romania, as ecology, culture, healthcare or education. On the other hand, cooperation with Ukraine remains somewhat affected by the Transnistrian conflict and its economic and political ramifications. Also, there is an opinion that the overall cross-border cooperation of the EU at its eastern borderlands is not very effective, due to many untapped areas of cooperation in this direction. Nevertheless, both Moldovan and EU sides have to be more determined in this regard, aiming to make use of all



opportunities provided through the EaP instruments, so that Moldova could raise its status from the receiver to contributor status of good governance, rule of law, democratic society, security provider, climate change supporter etc.

Regarding the second question, we note that two national Platforms are currently active on the relation EU-Moldova: Eastern Partnership National Platform (established in 2011) and the EU-Moldova Civil Society Platform established in 2016 as consultative body under the EU-Moldova Association Agreement. It is certain that the involvement of the civil society in policy-making, reform, governance and service delivery are critical for achieving the development objectives, including the implementation of the Association Agenda (AA) and Deep and Comprehensive Free Trade Area (DCFTA). Experts argue that the last 5 years, the civil society organizations became a sound voice in Moldova, being an outstanding supporter of the Europeanization process, due to implementation of projects supported by the EU and EU member countries. Often there are critical opinions concerning the lack of consultative and delegation systems to/from smaller grassroots organizations and citizens. But, generally, the civil society is an active and important actor in Europeanization process. Its role has increased with the involvement of youth, who started to manifest a stronger interest to EU academic instruments as Erasmus+ programs and involvement in volunteering activities, such as enrolling themselves in the Young European Ambassadors movement. Nevertheless, argue experts, most of the active MD CSOs are located in Chisinau or in big cities of Moldova. The local CSOs are more or less active because of their dependence on foreign funds and support, as well because of poor or lack of institutional capacity, expertise or experience. Also, the opportunities for social dialogue between the central government and civil society are limited. Dialogue prevails between the Government and business organizations on economic development issues. However, the NGOs represent value tools and promoters of Europeanization process at the local level, and it requires guidance to reach the potential they have. Most of them managed to have an impact on MD citizens' life through their activities promoting critical thinking, media literacy, gender issue aspects, rule of law, EU values and principles, encouraging people to be more civic engaged in the community at different levels etc.

Reflecting on EU's Eastern borderlands, experts have identified a range of barriers that hinder cross-border cooperation. Among them we mention the weak state institutional capacity, expressed by the insufficient human resources for the existent workload along with the ineffective institutional reform, high bureaucracy that leads to considerable delays and the political instability, which again causes delays in the decision-making and execution processes within the state; corruption, low or lack of transparency, the absence of an information office for the potential beneficiaries. Also, the lack of economic development in Eastern countries, low level of democracy and migration processes are considered the main reasons, that create additional difficulties for effective cooperation, implementation of new projects and formation the favorable business environment in the region. At the same time, the



frozen conflict related to Transnistria could be presented as a big barrier, both, for bilateral relation with the direct neighbors (Romania and Ukraine) and in relation with European Union. Anyway, ENI is a driver instrument and activities supported by the programme directly mobilized a large number of individuals and organizations coming from different levels of government and various civil society sectors. The cooperation and exchange among actors from different countries and professional backgrounds significantly improved the intercultural and cross-sector understanding. As some experts have mentioned, the Republic of Moldova is privileged to be eligible for CBC programmes, with its entire territory. The potential beneficiaries could benefit to create their own partnerships and to apply for a common action. The programmes components are quite large and suitable for practically all the cooperation domains.

In this context, The Republic of Moldova benefits from a cross-border cooperation program (CBC), regional programs (especially in the fields of transport, energy and environment) and inter-regional programs (Tempus, Erasmus, TAIEX and SIGMA). It can be pointed out that in the period 2007-2013 Moldovan beneficiaries were involved in 171 projects within all eligible CBC/TNC programs. Therefore, it can be assumed that through the CBC programs, Moldova achieved - and further achieves - progress in economic development, environmental protection and development of the social, agricultural, small and medium enterprise (SME) sectors. Through well-known and visible EU's instruments are highlighted mainly Erasmus+ and EU4Business instruments. The Erasmus+ program is very familiar especially among students and teachers, both parties benefiting from studies in EU universities. The other instruments are less known, being somewhat used by the business environment or public authorities.

As to the most important effects of EU's instruments and actions in the Republic of Moldova, in the opinion of experts, are those reflected upon the civil society engagement and media independence, gender equality in institutions, education etc. A special impact is observed upon the local business climate, international trade (esp. export to EU) and digitalization of public services, business processes and commerce. The JOP, for example, supported the existing interrelations to achieve a better social and economic integration of the area. The cooperation across the border was considered as an instrument to tackle common problems of the neighboring regions in a wide variety of areas. Consequently, the JOP was built from the bottom up, based on local/regional initiatives and harmonized with the national and regional strategies of each country (see "relevance"), to be in line with local and regional partners on each side of the border. Considering the size and nature of the CBC programme, global and macro-economic impact indicators (impact on GDP, unemployment, education qualifications, population growth, etc.) were not formulated. However, limited and simple indicators focusing on the programme contribution to European cross-cutting themes were introduced. It was also vitally important in terms of the overall objective that the programme stimulated greater cooperation across the border through collaboration and exchange of experience activities including the creation of networks. All achievements were reached as part



of the EU's territorial cooperation activities under the Regional and Cohesion Policies. Thus, EU's instruments are practically the unique instrument offered to the Republic of Moldova beneficiary to apply directly for actions and to be directly responsible for the implementation, even for the actions with the infrastructure component.

When it comes to the European versus national legislation, Moldova implements its commitments provided by the Association Agreement, thus, since 2014 the national legislation has been heavily aligned to the EU *acquis* with considerable progress in this respect. Moreover, a Legislation Harmonization Centre is established within the State Chancellery of the Republic of Moldova. Basically, note some experts, all the national legislation was adapted to the European legislation (Government decision no. 377/2018 and no. 576/2017). In this context, the process of harmonization and compliance of national legislation with European legislation is ongoing process and do not represent an overall barrier in implementing the EU financed Programmes. Nevertheless, a constraint is related to limited capacities of local and regional authorities in implementing CBC projects and applying PRAG procedures. There still exist several impediments that hinder the CBC in trade with EU, linked to higher standards imposed for goods imported in the EU member states. Finally, is argued the vague understanding of the potential of cross-border cooperation with EU countries, as business and other sectors are not enough proactive in penetrating the EU area.

Therefore, participants of the focus group, considering the legislative differences, but also all other factors that hind better transnational cooperation, have advanced some recommendations on how to reduce the complexity, length and cost of cross-border interactions at the Eastern flank of EU: implementation of jointly operated border crossing points to facilitate the border controls and customs procedures; long-term investment in national infrastructure (roads and railroads); mutual recognition of Authorized Economic Operator(AEO) certification; better prioritization of projects that primarily need external assistance (financial and technical); use at the most of the EUHLAM, TAIEX, Twinning and other EU assistance instruments; establishment of a permanent information Office; organization of more frequent working meetings with the managing authorities and national managing authorities through more available means of communication (video conferences). Also, as a recommendation on reducing the complexity of CBC programmes was stated that the monitoring systems of the programmes need to be improved. Measuring the effectiveness of the programme based on the achievement of the indicators at programme and project levels should be possible. The assessors in the project selection procedures should take account of the applicant's projections of indicator values on and after completion of the project when scoring proposals (i.e. link the indicators to the assessment process). The beneficiaries should be required to improve the quality of their project performance frameworks (logical frameworks and indicators) before contract signature. The beneficiaries should be required to calculate the value and provide evidence for indicators (at output,



outcome and impact levels) as part of their monitoring and reporting duties, with support from the JTSs. At the JTS (or Contracting Authority), the monitoring data need to be processed to allow for an evaluation of the programme effectiveness, efficiency and impact.

Next, analyzing the public-private partnership, participants of the focus group consider that, generally, the CBC programmes contributed significantly to the formation of cross-border networks and long-term partnership frameworks. These networks served as a starting point for building up more joint and durable problem-solving capacity in the future. There were identified several ways for its improvement as well. Increase of awareness regarding the existent programs the representatives from private sector can benefit of; concentration of the partnership on activities that consolidate the competitiveness of national sectors and focus on international operations; letting the public institutions be the facilitator for cross-border cooperation by creating the “bridges” to foreign markets and partners, justice reform, financial and banking reform, clear and transparent competitive rules for stakeholders are some of these recommendations.

The experts also pointed out that for the Republic of Moldova equally bilateral and multilateral programmes were with a great impact. It was underlined that bilateral programs are more focused and can be better monitored. Multilateral programs are more social oriented. Thus, The Republic of Moldova will benefit both bilateral and multilateral programmes by: transformation of the border from a line of separation into a place for communication between neighbors; overcome mutual hostilities and prejudices between peoples of border regions which result from historical heritage; strengthen the democracy and the development of operational regional/local administrative structures; overcome national isolation; promote economic growth and development and the improvement of the standards of living; rapid assimilation into or approach towards European integration etc.

Regarding the 10<sup>th</sup> question, just one expert could present a comprehensive answer, while others found it difficult, due to the lack of experience. So, some of lessons and conclusions learned from previous CBC programmes are considered to be: the need to create a co-financing mechanism at the national level; the lack of co-financing mechanisms represented an impediment to civil society; very long decision-making time (about 18 months from launch to signing the contract); procedures should be simplified and aligned for all partners; difficulty in finding credible partners; difficulty in completing project documents due to lack of qualified staff; difficulties of administrative procedures (e.g. submit one original and 3 copies of supporting and financial documents; requiring agreement from of all partners for a small change in a partner's budget; approval of visibility materials; per diem were considered ineligible); simple and more transparent rules of procedure are needed.

Regarding the last two questions, the experts expect CBC to increase in the near future as the Moldova -EU relationship deepens. These should target both economic and social-political cooperation resulting in mutual benefits. The highest risks are determined by the political factors, or the recent political arrangements do not seem to be in the same direction. Also, it is noted that medium and long-term



impact of European CBC instruments upon the Republic of Moldova depends on further domestic and regional political developments, and which path of Moldova's development will be a priority – the European or Russian one. As well, the eagerness of the EU community to give a clear perspective of association of the EaP countries (not referring to Association Agreement). In terms of increasing efficiency (maximizing the benefit of EU funding), but also effectiveness, impact and sustainability, a greater focus should be put on a narrower and more targeted set of objectives and outcomes that offer a higher probability of sustainable socio-economic impact in the border regions. This could be achieved by carrying out preliminary studies in preparation for 2021-2027 programming (funded under the TA priority), as well as by involving the relevant line ministries for the chosen thematic priorities in the programming process.

## Conclusions

The goal of the article, to analyze main instruments of European neighborhood policies and to highlight the results of implementing the European neighborhood policies in the Republic of Moldova, as well to identify problems in this area, was fulfilled. Based on the focus group findings was possible to identify some realities and recommendations that may contribute to the improvement of European neighborhood policies, in general, and applied instruments in the Republic of Moldova, in particular. Thus, according to experts, the overall results of European neighborhood policies in EU eastern borderlands are efficient, as they do contribute to the development of the country in strategic areas: education, security and border control, infrastructure, agriculture, healthcare, media, civil society etc. As to the most important effects of EU's instruments and actions in the Republic of Moldova, in the opinion of experts, are those reflected upon the civil society engagement and media independence, gender equality in institutions, education etc. In this context, is underlined the necessity to increase the role of civil society in implementing the EU instruments. This is due to their ability to promote the Europeanization process at the local level, to produce an impact on the life of citizens in Moldova through their activities, promoting critical thinking, media literacy, gender issue aspects, rule of law, EU values and principles, encouraging people to be more civic engaged in the community at different levels etc.

As well, some barriers and problems in implementing the EU neighborhood policies in the Republic of Moldova were underlined. Among them could be mentioned predominantly: weak state institutional capacity, low level of transparency, low level of democracy and of economic development, frozen Transnistria conflict, etc. Thus, the perspectives and strategies for the future of borderland cooperation between the EU and the Republic of Moldova depend on political will and democratic political parties and their leaders who should unite their forces. In addition, the EU should decide on the future format of cooperation within the Eastern Partnership mechanism, to express more clearly the EU accession



perspectives, which will give an impulse to interested countries, including Moldova. Nevertheless, the perspectives to cooperate with EU are quite promising and encouraging, the implementation of strategies and action plans will be very tough and challenging in striving to reach the long-awaited achievements.

Therefore, the most important aspect of EU instruments applied in Eastern Neighborhood is the efficiency and motivation of the government in Chisinau. On it largely depends if all offered tools are used and all necessary reforms needed for the democratic development of the country will be realized. In this way, European integration of the Republic of Moldova must be the guideline in the country's development. EU's technical and financial assistance are vital for the development of Moldova, as the country does not have a better integrationist alternative.

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