

# EU-Moldova Civil Society Platforms

## Lessons learned



The project benefits from the support through the EaP CSF Re-granting Scheme. Within its Re-granting Scheme, the Eastern Partnership Civil Society Forum (EaP CSF) supports projects of the EaP CSF members with a regional dimension that contribute to achieving the mission and objectives of the Forum.

The donors of the Re-granting Scheme are the European Union and National Endowment for Democracy.

The overall amount for the 2017 call for proposals is 290.000 EUR. Grants are available for CSOs from the Eastern Partnership and EU countries.

Key areas of support are democracy and human rights, economic integration, environment and energy, contacts between people, social and labour policies.

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## Content

Project Summary.....	3
List of abbreviations .....	4
Moldova Executive summary .....	6
Background.....	7
Association Agreement signing and provisions.....	14
Cooperation of the authorities on AA DCFTA implementations .....	15
Cooperation with EU institutions.....	21
National Platform – bilateral platform relations .....	<b>2Error! Bookmark not defined.</b>
Recommendations.....	23

## **PROJECT SUMMARY**

The aim of the project is to analyze the experience and current situation in the EU-Georgia and the EU-Moldova bilateral civil society platforms and developing recommendations for the decision makers on both making changes and improvements in these platforms as well as using their experience in forming of similar platform between Armenia and the EU. Three organizations from Armenia (Eurasia Partnership Foundation), Georgia (Foundation Liberal Academy) and Moldova (Promo-LEX Association) jointly examined the existing experience, used the expertise of Armenian, Georgian and Moldovan civil society organizations, meet with respective stakeholders in all three countries and the EU, developed recommendations for all three countries, as well as presented and advocated these recommendations to the decision makers.

The project consists of series of meetings and interviews with the representatives of national authorities, civil society actors, as well as representatives of the EU Delegations to develop country reports and recommendations addressed to Armenian, Georgian and Moldovan governments and the EU.

As a result of the project consolidated report and set of recommendations covering three countries were developed as a civil society input to the institutionalization of the bi-lateral relations between the three EaP countries and the EU.

## **List of abbreviations**

AA-Association Agreement

CC- Constitutional Court

CEC-Central Electoral Commission

CEPA- Comprehensive and Enhanced Partnership Agreement

CS-Civil Society

CSO- Civil Society Organization

CSP- Civil Society Platform

DCFTA- Deep and Comprehensive Free Trade Area

EaP CSF- Eastern Partnership Civil Society Forum

EaP- Eastern Partnership

ECtHR-European Court of Human Rights

ENI-European Neighbourhood Instrument

ENP- European Neighbourhood Policy

EU- European Union

MIA- Ministry of Internal Affairs

MP-Member of Parliament

NAPIAA- National Action Plan for Implementation of the Association Agreement

NDI-National Democratic Institute

NGO- Non Governmental Organization

NIA- National Integrity Authority

NP-National Platform

PCA- Partnership and Cooperation Agreement

PD- Democratic Party

PPEM- European People's Party of Moldova

PSRM- Party of Socialists of the Republic of Moldova

RM-Republic of Moldova

SCC-State Constitutional Commission

SIGMA- Support for the Improvement in Governance and Management

TI-Transparency International

USSR- Union of Soviet Socialist Republics

WG-Working Group

## **Moldova**

### **Executive summary**

Moldovan non-government organisations have always played an important role in the process of democratisation, taking consistent actions to make the idea of European integration a national priority. Some well-known organisations are part of this community, and their experience and expertise, recognised at the national and international levels, has often drawn the attention of both international society and strategic partners to the successes and failures of Chisinau, thus trying to strengthen the democratic path.

The national law on non-government organisations does not restrict the right to association, and the number of registered NGOs exceeds 11,000.<sup>1</sup> However, only a few hundred of them are active. In 2016, the Two-Percent Law was passed, allowing individuals to redirect 2% of their income tax to a non-government or religious organisation. According to the State Tax Service, 16,126 taxpayers have exercised this right to percentage allocation, of whom 4,452 of cases benefitted NGOs.

However, non-government organisations continue to rely almost entirely on foreign financing, which was supported and encouraged by Government authorities until 2014, while lately there has been a tendency to discredit civil society on the grounds of this very dependency, especially on the part of the national Government. This trend raises concerns for the representatives of Moldovan civil society, since the discrediting of non-government organisations has even become a regional trend (Hungary, Belarus, Russian Federation, etc.). At the same time, it is worth noting that the Government of the Republic of Moldova does not allocate enough resources to support the work of the non-government sector.

Additionally, civil society in the Republic of Moldova continues to promote and defend human rights, protect the environment, conduct civic education activities, develop and strengthen the democratic path, etc. using all legal means and existing tools. The RM-EU Association Agreement is the document that has offered civil society its own space in the European journey of the Republic of Moldova, thus emphasising the importance of the non-government sector in any democratic society.

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<sup>1</sup><http://rson.justice.md/organizations>

## **Background**

The formal relationship between the Republic of Moldova and the European Union began in 1994, when a Partnership and Cooperation Agreement was signed by the European Community and its Member States and the Republic of Moldova. The Agreement provided for the legal framework of the bilateral relations between Moldova and the EU in a number of areas, such as: politics, trade, economics, law, culture and science. The PCA entered into force on 1 July 1998 for a period of 10 years, with the possibility to extend it tacitly. It provided for the establishment of a Cooperation Council which was supposed to monitor the implementation of the PCA and meet once a year.

In 2005, the EU-Moldova Action Plan was developed under the European Neighbourhood Policy. It was passed by the Cooperation Council in February 2005. This document set up the strategic cooperation objectives for a period of 3 years, which was later extended. The EU-Moldova political dialogue, which involved discussing the reforms in Moldova, bilateral relations and matters of common interest regarding the foreign and security policy, was based on this document.

In 2014, the EU-Moldova Action Plan was replaced with the Association Agenda, based on the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, on the one part, and the Republic of Moldova, on the other part, and was signed on 27 June 2014, ratified by the Parliament of the Republic of Moldova on 2 July 2014 and by the European Parliament on 13 November 2014, coming into effect from 1 July 2016. The Partnership and Cooperation Agreement between the European Community and its Member States and the Republic of Moldova was thus repealed and replaced with the Association Agreement.

The Association Agreement also replaced the Agreement between the European Union and the Republic of Moldova on the protection of geographical indications of agricultural products and foodstuffs, signed on 26 June 2012 in Brussels and effective from 1 April 2013.

Thus, the Association Agreement established a new legal framework for EU-Moldova bilateral relations, including by setting up the Deep and Comprehensive Free Trade Area (DCFTA). Decision No 1/2015 of 18 December 2015 of the EU-Moldova Association Council provides that the AA is applicable all across the territory of the Republic of Moldova.

Also, at the Prague Eastern Partnership Summit, on 7 May 2009, the Eastern Partnership Platform was launched – an initiative to strengthen and deepen the cooperation between the EU and the states from the Eastern region (Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova, Ukraine), which also included the Republic of Moldova.

The EU-Moldova relationship went periodically through times when the EU would trust the Moldovan Government less. In recent years, Brussels sent more frequent reminders regarding the implementation of reforms as per the Association Agreement. While, in 2014, Brussels used to speak of Moldova as the ‘success story’ of the Eastern Partnership, in 2015 the implementation of



the AA slowed down, as the internal policy in Chisinau was affected by a political crisis — the country had 4 Governments during a period of only 2 years: Iurie Leanca (31 May 2013 – 10 December 2014), Chiril Gaburici (18 February 2015 – 30 July 2015), Valeriu Strelet (30 July 2015 – 29 October 2015) and Pavel Filip (20 January 2016 – present). These events not only weakened the communication, but also suspended the direct budgetary support for the Republic of Moldova because of the lack of any progress in the investigation of the banking fraud. On the background of the street protests against the newly established Government, the trust of the EU in the Chisinau Government was low in the beginning of 2016. Brussels changed its approach to Chisinau and adhered to the principle of ‘less talk and more concrete results in terms of the reform agenda’.<sup>2</sup>

Moreover, RM citizens lost their trust in the Moldovan Government, as well as in European integration and in the effectiveness of European institutions for reforming Moldovan institutions.

In this context, the newly established Government reconfirmed its commitment to European integration without much delay. It assumed the responsibility of implementing the Action Plan, the reforms in the roadmap, as well as developing a new National Action Plan for Implementation of the Association Agreement, NAPIAA (2017-2019) and a new Association Agenda. Thus, the EU restored the direct budgetary support for Moldova for the implementation of 4 direct budgetary support programmes: driving economic development in rural areas, the European neighbourhood programme for agriculture and rural development, the public finance reform and vocational education and training. Starting with 2006, the total trade between the EU and Moldova amounted to more than 3,343 million euros,<sup>3</sup> and it was only in 2016 that Moldova received 94.9 million euros<sup>4</sup> from the EU.

The economy of Moldova turned gradually to the European market in a not-so-favourable national (banking crisis, theft of one billion, depreciation of the Moldovan leu, appreciation of the dollar, unfavourable climate, etc.) and regional context (armed conflict in Eastern Ukraine, mutual economic sanctions and trade restrictions between the EU and the Russian Federation), and because the Russian Federation kept the restrictive tariff and non-tariff measures against the Republic of Moldova, which influenced its level of performance.

For these reasons, the monitoring report developed by the Institute for European Policies and Reforms revealed that on 31 December 2016, 63.1%<sup>5</sup> of the NAPIAA had been implemented. However, the Government Progress Report on the NAPIAA Implementation (2014-2016) revealed

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<sup>2</sup> Annual Report on evaluation regarding the progress in implementation of the EU-Moldova Association Agreement, in the period 1 September 2015-1 July 2016, <http://ipre.md/2016/07/29/raport-anual-privind-monitorizarea-implementarii-acordului-de-asociere-rm-ue-1-iulie-2016/?lang=en>

<sup>3</sup> Trade in goods with Moldova, European Commission, the European Union, p. 3, [http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc\\_113419.pdf](http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113419.pdf)

<sup>4</sup> Annual Report on Foreign Assistance to the Republic of Moldova in 2016, developed by Moldova State Chancellery, p. 23, [http://amp.gov.md/portal/sites/default/files/inline/oda\\_raport\\_2016.pdf](http://amp.gov.md/portal/sites/default/files/inline/oda_raport_2016.pdf)

<sup>5</sup> Progress Report on the Implementation of the NAPIAA – 2016-2017, Iulian Groza, Iulian Rusu, Mariana Platon, Adrian Ermurachi, 24 March 2017, Chisinau, Institute for European Policies and Reforms, p. 5, <http://ipre.md/2017/03/24/5175/>

that 73.73%<sup>6</sup> of the planned activities had been implemented. At the same time, according to the European Commission Association Implementation Report on the Republic of Moldova, Moldova should invest its future efforts into strengthening the rule of law and the business environment, which are still plagued with endemic corruption and inconsistent policies.<sup>7</sup>

In 2017, the new President, Igor Dodon, elected in this position following the presidential election of November 2016, took an obvious stance against Europe and befriended the Kremlin. He pushed the idea of denouncing the European Union Association Agreement and refused to acknowledge the statistics regarding the financial support that the EU had granted to Moldova. In this way, the Moldovan President increased the divide in Moldovan society and among public institutions, while the Government based in Chisinau reiterated every so often that the implementation of the Association Agreement continued to remain a national priority.

The relationship between the EU and the civil society crystallised during the formal cooperation of Moldova with the EU. Civil society thus became an important stakeholder as relations with the EU grew stronger. It is believed that after the 2005 parliamentary election, ‘the state needs the expertise of the civil society more and more in this complicated European integration process.’<sup>8</sup>

In July 1992, the European Commission advanced the suggestion that partnership and cooperation agreements be signed with the new states that became independent after the USSR fell apart. To this end, in 1993, a reform agenda was developed in Copenhagen for Central and Eastern Europe states, to which Moldovan non-government organisations committed to call attention.

In fact, most non-government organisations supported European integration as a strategic priority for the development of Moldova, which is why they used all available legal tools to push for the European path and to provide assistance to any government willing to regard European integration as a national priority. At the same time, it is believed that ‘the Moldovan civil society became stronger thanks, to a great extent, to the European commitments that Moldova made.’<sup>9</sup>

On the one hand, the European Commission actuated civic participation, including by involving non-government organisations, while on the other hand – more and more NGOs implemented projects and conducted surveys, the medium- and long-term objective of which was ‘to strengthen democracy and the market economy in Moldova according to the European democracy model.’<sup>10</sup> Thus, civil society participated in developing some important documents for the development of

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<sup>6</sup>*Idem*, p. 4.

<sup>7</sup>Joint Staff Working Document, Association Implementation Report on the Republic of Moldova, European Commission, 10 March, 2017, p. 2,

[https://eeas.europa.eu/sites/eeas/files/association\\_implementation\\_report\\_on\\_the\\_republic\\_of\\_moldova\\_2017\\_03\\_10\\_final.pdf](https://eeas.europa.eu/sites/eeas/files/association_implementation_report_on_the_republic_of_moldova_2017_03_10_final.pdf)

<sup>8</sup>Organizațiile neguvernamentale din Republica Moldova: evoluție, activități și perspectivele dezvoltării [Non-government Organisations in Moldova: Evolution, Activities and Development Prospects], Eduard Tugui, Chisinau, 2013, pp. 31-32, [http://www.viitorul.org/files/library/4183299\\_md\\_ong\\_site.pdf](http://www.viitorul.org/files/library/4183299_md_ong_site.pdf)

<sup>9</sup>*Idem*, p. 46.

<sup>10</sup>*Idem*, p. 46.

the collaboration with the EU. For instance, a civil society representative participated in the work of the National Commission for European Integration. Also, as many as 30 national experts from the Institute for Public Policy and the Ministry of Foreign Affairs and European Integration participated in the development of Moldova's European Strategy.

Gradually, the Moldovan non-government organisations became part of a range of regional and European networks and platforms, continuing to work on developing the third arena, whereby non-government organisations from both the right bank and left bank of the Dniester River initiated collaborations and partnerships, including with international donors. They continued to stick together even when the Tiraspol administration refused to participate in the 5+2 negotiations.

Actually, the financial sustainability of Moldovan non-government organisations—even before the signing of the Association Agreement and after it too—relies on external funds to the extent of 80-90%.<sup>11</sup>

Before the AA was signed, Moldova used tools created under the **European Neighbourhood Policy**, which was launched in 2004 and the objective of which was to regulate the relations of the EU with 16 countries neighbouring the European Union in the east and the south (South: Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria and Tunisia. East: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine). Thus, using the European Neighbourhood Instrument (ENI), Moldova continues to implement regional, interregional and cross-border cooperation programmes, namely Technical Assistance and Information Exchange (TAIEX), Support for the Improvement in Governance and Management (SIGMA), and Twinning programmes.

Also, Moldova participates in the Black Sea Basin Joint Operational Programme, the purpose of which is to contribute to a stronger and sustainable economic and social development in the Black Sea Basin. Another programme that Moldova is part of is the Romania-Ukraine-Moldova Joint Operational Programme, the purpose of which is to bridge three partner countries in order to support the communities near the border area in finding joint solutions to the similar issues they have. The Southeast Europe operational programme was another programme with the participation of Moldova. Its general strategic objective was to improve the territorial, economic and social integration process and to contribute to cohesion, stability and competitiveness by developing transnational partnerships.

Also, the European Commission provides support in the form of subsidies to partners, while the European Investment Bank and the European Bank for Reconstruction and Development add to this support by awarding loans.

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<sup>11</sup>Mapping study: Organizațiile societății civile din Republica Moldova, Evoluția, sustenabilitatea și participarea la dialogul politic [Moldova's Civil Society Organisations. Evolution, Sustainability and Participation in Political Dialogue], Authors: Liubomir Chiriac, Eduard Tugui, Chisinau, 2014, p. 4, [http://www.csdialogue.eu/sites/default/files/mapping\\_md\\_idis\\_ro\\_1.pdf](http://www.csdialogue.eu/sites/default/files/mapping_md_idis_ro_1.pdf)

Another instrument created on the basis of the European Neighbourhood Policy in which Moldova participates is the **Eastern Partnership**, approved in 2008 and launched in 2009. Its main objective was to speed up political association and strengthen the economic integration between the EU and its neighbours to the east.

Since 2005, when the EU/Moldova Action Plan was signed, civil society has participated in monitoring its implementation. The consortium of ADEPT and Expert-Group Independent Think-Tank was involved in this – they developed the ‘Euromonitor’ quarterly reports (February 2005–December 2007), as well as Soros Foundation Moldova, via the European Initiatives Program, which developed a report for the period of February 2005–May 2006, and the Euroform Consortium Platform (consisting of 13 NGOs), which developed yet another report.

Although before 2009 non-government organisations were not regarded as important actors in the implementation of the action plan, despite being active in the monitoring process, after 2009 the Government in Chisinau took a number of measures to intensify dialogue and involve civil society. The initiative of the National Participation Council was relaunched, NGO representatives were made members of the collegiums in some ministries (the Ministry of Finance, for instance) and were invited to round tables on matters of public policy.

Still, the reports stressed that the phenomenon of developing and pushing decisions in a non-transparent fashion and without public consultations persisted, while civil society had limited capacity to share its expertise in narrow areas with the public authorities and was not significantly involved in the development of decisions.<sup>12</sup>

In 2015, the transparency of MIA and of the police increased. Cooperative relations were set up between the police and civil society as well as international organisations. The MIA developed the Consultation Council and representatives of different NGOs participated (Promo-LEX Association, Soros Foundation Moldova, and Institute for Public Policy etc.). Until today, the composition of this Council has not changed and all draft laws are consulted, for example: the law of meetings, public servants from the MIA and General Inspectorate of Police etc. The former Ministry of Youth and Sports set up a strong collaboration with civil society in order to take measures for the successful implementation of the law on volunteering. Nevertheless, the monitoring reports argued that the cooperation between the Government and civil society is a rather perfunctory one. What is more, the consultations with civil society in terms of decision-making are still perfunctory. Most of the suggestions coming from civil society are ignored by the Government and the Parliament, while the attempts to return to dialogue by creating working groups/commissions has failed. The recent examples are the NGO law and law on financing of political parties. In the first case, during one year the working group elaborated a draft law for

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<sup>12</sup> Implementarea reformelor inițiate conform Planului de Acțiuni UE-RM, Evaluarea progresului în perioada septembrie 2009-iunie 2010 [Implementation of the Reforms Initiated According to the EU/Moldova Action Plan. September 2009 – June 2010 Progress Assessment], Euromonitor. Authors: Igor Botan, Corneliu Gurin, Elena Prohntchi, Valeriu Prohntchi, Alexandru Oprunenco, Ana Popa, Adrian Lupusor and Victoria Vasilescu, ADEPT and Expert-Grup, p. 11, <http://www.e-democracy.md/files/euromonitor18.pdf>

NGOs. In 2017, the Justice Ministry proposed amendments which limited NGO activity. In the end, that draft law was not adopted. In the second example, the law on financing of political parties which was adopted by Parliament with some amendments, changed the limit of donations from 20 and 40 average salaries for individuals and legal entities to 200 and 400 average salaries. Civil society opinion leaders were even intimidated by public authority representatives because of their opinions regarding certain matters.<sup>13</sup>

Promo-LEX recommends that Parliament revise the thresholds for donations from individuals and legal entities at the level of 20 and 40 average salaries respectively, as originally set out in Draft Law 36 of 9 April 2015.

From October 2009 to December of the same year, civil society representatives participated in consultations between the Ministry of Internal Affairs, courts of law and the Prosecutor's Office. The dialogue between the Ministry of Internal Affairs, courts of law, the Prosecutor's Office and civil society on the development of the National Torture Prevention Plan lasted from September 2009 to June 2010.

In March 2011, civil society representatives participated in the public consultations organised by the Parliamentary Committee for Human Rights and Inter-Ethnic Relations regarding the 2011-2014 National Human Rights Action Plan. Civil society also participated in developing the 2011-2015 Roma People Support Action Plan.

From April to June 2011, civil society representatives participated in public consultations regarding the development of the Report on the Universal Periodic Review on Human Rights in the Republic of Moldova. At the initiative of the Ministry of Justice, civil society also participated in public consultations regarding the Draft Anti-Discrimination Law, which was not passed however – neither by the Government, nor by Parliament.

In 2013, the National NGO Forum was held. At this event, civil society discussed with representatives of the Parliament and Government the improvement of the legal framework on NGOs, representation of NGOs in the dialogue with public institutions, regional development, etc. In 2008, a communication from the European Commission to the European Parliament<sup>14</sup> contained suggestions regarding the creation of a special partnership between the EU and 6 close countries (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine). This way, the European Union sent a sustainable political message conveying its feeling of solidarity with these countries and its openness to provide additional and concrete support for efficient democratic reforms, whereby the population in these countries would be given the chance to develop and thrive. To implement this project, called the Eastern Partnership, 4 thematic platforms were chosen: 1. Democracy, good

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<sup>13</sup> Realizări și dificultăți în implementarea Acordului de Asociere UE-RM, august-decembrie 2015 [Achievements and Difficulties in Implementing the EU-Moldova Association Agreement. August – December 2015], Authors: Igor Botan, Denis Cenusă, Mariana Kalughin, Adrian Lupusor, Iurie Morcotilo, Polina Panainte and Elena Prohntitchi, Euromonitor, p. 18, <http://www.e-democracy.md/files/euromonitor36.pdf>

<sup>14</sup><http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52008DC0823&from=EN>

governance and stability; 2. Economic integration; 3. Energy security and 4. Contacts between people.

The same document highlighted the role and need to involve, as much as possible, civil society organisations and to create a **Civil Society Forum in the Eastern Partnership** in order to facilitate their dialogue with local public authorities. Thus, at this **CS Forum, National Platforms** of the Forum were established, including Moldova's – the National Platform of the EaP CSF. Just like other platforms, the Moldova CS Platform at the EaP CS Forum has 5 working groups (1. Democracy, human rights, good governance and stability; 2. Economic integration and convergence with EU policies; 3. Environment, climate change and energy security; 4. Contacts between people; 5. Social & Labour Policies and Social Dialogue).

In Moldova, the National Platform played an active role in promoting and monitoring the relationship of Moldova with the European Union, and later – the processes and reforms that were implemented by virtue of the documents and commitments made as a member of the Eastern Partnership. All these activities were conducted, however, under some direct and individual projects of some member organisations of the National Platform.

For example:

- 1) Several members of WG1: TI-Moldova, ADEPT, IDIS Viitorul and Legal Resource Centre Moldova elaborated the Study “State Capture: the Case of the Republic of Moldova.”<sup>15</sup>
- 2) On 23 March 2017, TI-Moldova and its partner IDIS Viitorul organised a press-conference with the title “The legal framework that regulates the activity of state enterprises needs substantial modifications based on corporate governance standards.”<sup>16</sup>
- 3) Foundation for Advancement of Moldova, member of the WG4 implemented the action Empowerment of rural librarian's community by training them in project management/design and accessing funding which has been funded by IREX/Novateca and the National Association of Librarians.
- 4) Research titled “Reintegration of vulnerable youth, including those lacking parental care and youth in conflict with the law” was conducted. After the research “Reintegration of vulnerable youth, including those lacking parental care and youth in conflict with the law”, CNTM, a member of WG4, was a stakeholder with expertise in this field; this positively influenced the relations with prisons' administrations. CNTM provided several pro bono trainings for youth in these institutions on different topics like “The concept of human rights and international framework of the UN and regional mechanism of human rights protection”, “The competencies of the ombudsman in the Republic of Moldova”, “The competencies and framework of the Equality Council in the Republic of Moldova”, “Discrimination on employment for youth from penitentiary No.9 – Pruncul”.

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<sup>15</sup> [http://www.transparency.md/wp-content/uploads/2017/06/TI\\_Moldova\\_State\\_Capture.pdf](http://www.transparency.md/wp-content/uploads/2017/06/TI_Moldova_State_Capture.pdf)

<sup>16</sup> <https://www.youtube.com/watch?v=1KP7B5RdAbk>

So, there can be no institutionalisation of the National Platform, and unfortunately, neither can there be an institutional memory of the platform in general, or of the working groups in particular. At present, there are about 60 NGOs in the National Platform. The activity of the Platform was coordinated by 6 facilitators – representatives of 6 member organisations.

Since 2010, the NP has encountered sufficient internal difficulties, which could not be fully settled due to the lack of a legal status and lack of financing for its Secretariat. According to some members, the NP's identity is one of its weaknesses. This means that, after 2014, when the AA was signed, the NP lost its role as a 'bridge between the EU and RM'.

The lack of some joint, NP-specific activities transformed the Platform into a space for discussing general topics. Its members failed to see in the NP new opportunities or efficient tools, other than those existing in the platforms to which they belong.

However, due to the fact that it was developed under the Neighbourhood Policy, the NP can represent a forum allowing for a European-level dialogue, not a forum for participation between two or more organisations. At the same time, according to civil society experts, the NP is an opportunity for Moldovan non-government organisations to develop international partnerships and to bring the internal issues on which they are focused into the limelight of European stakeholders. At the same time, the NP can be the platform for NGO reports and studies. During 2017, members of WG1 made a compilation of materials and assessments and the final report<sup>17</sup> was made public at the meeting of the members of the Working Group in Brussels on 1-2 June 2017. This kind of activity represents good practice for the NP in general, because it can be more effective, especially for NP advocacy activity.

Small-sized NGOs at the local level could also be supported under the NP, thus developing their organisational capacities, including by identifying new international partners.

### **Association Agreement signing and provisions**

The Association Agreement was signed by Moldova on 27 June 2014, with the Deep and Comprehensive Free Trade Area (DCFTA) being part of the AA. As of December 2013, for a period of 41 months, the EU helped Moldova in the area of capacity building in the Ministry of Economy and other relevant institutions by having consultations with civil servants regarding the drafting and selection of policies, approximation of laws, coordination, implementation, communication, monitoring and evaluation under the Support to the DCFTA Process in the Republic of Moldova Project.

For a joint dialogue platform to be created, the AA provides in Article 377 that the parties shall set up a joint dialogue forum that will consist of civil society organisations, members of their internal consultancy group or groups and the general public.

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<sup>17</sup> <http://eap-csf.eu/wp-content/uploads/Moldova-EaP-CSF-monitoring-report-2017.pdf>

Implementing the actions provided for in the AA implied, among other things, strengthening the institutional implementation coordination and monitoring mechanism. The key role in this regard fell upon the Governmental Committee on European Integration (GCEI), the scope of which is the same as that of the Ministry of Foreign Affairs and European Integration. PlanPro, the AA implementation reporting and monitoring online platform ([www.monitorizare.gov.md](http://www.monitorizare.gov.md)), played an important role in this regard since 2015 when it started to operate.

In this period, considering the implementation of the AA, the agendas of the Government and of the Parliament were synchronised. At the proposal of the Government, the Parliament approved in 2015 and in 2016 legislative programmes to fulfil the commitments made under the AA.

According to MFAEI, special focus was put in 2016 on implementing the incomplete tasks (88%), the purpose of which was to expedite the fulfilment of these tasks regarding the implementation of the action plan that was supposed to be carried out in 2015. Some actions were included in the Roadmap of priority actions for the reform agenda adopted as a result of the Conclusions of the Council of Foreign Affairs of 15 February 2016.<sup>18</sup>

Civil society monitored unceasingly the implementation of the AA, as well as of the DCFTA. From 2014 to 2016, more than 50 analyses, surveys and reports were developed regarding the implementation of the 15 chapters of the DCFTA. Tens of analyses and reports on the observance of AA provisions and their implementation in a range of areas were developed, namely in justice, public procurement, trade, digitization and technologies, development of public institutions, etc. Transparency International Moldova, IEPR, ADEPT, the Foreign Policy Association (FPA), Expert-Grup, IDIS Viitorul, the Regional Environmental Centre, Soros Foundation Moldova, the Independent Press Association (IPA), etc. were among the organisations that were involved in monitoring. A part of the DCFTA-related analyses was also conducted by organisations outside Moldova, such as: the Romanian Centre for European Policies, the Georgian Institute for Strategic Studies, the EaP Civil Society Forum, etc.

### **Cooperation of the authorities on AA DCFTA implementations**

Both in 2016 and in 2017, the civil society monitored actively the activities that public institutions performed in relation to the implementation of the AA, as well as assessed whether their activities and the activities of governmental actors influenced the European course taken by Moldova positively or negatively.

As regards Title II of the AA: Political Dialogue and Reform, Cooperation in the Field of Foreign and Security Policy,<sup>19</sup> one of the internal reforms provided for in the Action Plan Implementing the AA was about the national legal framework regarding the **political party and election**

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<sup>18</sup>2014-2016 Progress Report on the Fulfilment of the National Action Plan Implementing the EU-Moldova Association Agreement, developed by the Ministry of Foreign Affairs and European Integration, p. 2, [http://www.mfa.gov.md/img/docs/Raport-privind-implementarea-AA-2014\\_2016.pdf](http://www.mfa.gov.md/img/docs/Raport-privind-implementarea-AA-2014_2016.pdf)

<sup>19</sup> [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0830\(01\)&from=ro](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0830(01)&from=ro)



**campaign funding.** The Law Amending and Adding to the Electoral Code and the Law on Political Parties was passed by the Parliament in April 2015. Still, experts believe that the amendments and addenda were of little impact as the ceiling for annual donations from individuals and legal entities is much too high.<sup>20</sup> The funding of political parties via intermediaries and off-shore enterprises, and their funding from the state budget are not applicable to the presidential election that we went back to, following a decision of the Constitutional Court.

After the presidential election in November 2016—on the basis of the conclusions drawn by the Promo-LEX Association election observation missions, as well as on the basis of the Decision No 34 of 13 December 2016 of the Constitutional Court—the civil society demanded, in February, by means of a public appeal, for a working group to be established to develop proposals for the amendment of the Electoral Code and related legislation.<sup>21</sup>

In 2017, by public appeal, Promo-LEX Association drew the attention of political parties and of the public authorities concerned at transparency, at the need for political parties' financial statements for the second half of 2016 to be submitted to the CEC.<sup>22</sup>

In May 2017, a number of non-government organisations condemned the actions of the MPs of PD, PSRM and PPEM parliamentary fractions for having included on the additional agenda of the plenary meeting in the Parliament two drafts introducing crucial amendments to the electoral system.<sup>23</sup>

Later, these organisations were attacked for their position through special discretisation in the media. By means of another joint declaration, they demanded that the representatives of public authorities, decision-makers and the media refrain from attacking civil society organisations that had contrasting or criticising opinions about the actions or initiatives of the Government and to start an open and inclusive dialogue about actual priority reforms with all the civil society organisations.<sup>24</sup>

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<sup>20</sup> <http://ipre.md/2017/03/24/5175/>

<sup>21</sup>Public Appeal of the Signatory Organisations on the need to establish a Working Group responsible for developing proposals on changing the Electoral Code and related legislation, 2 February 2017, <https://promolex.md/4939-apelul-public-al-organizatiilor-semnatate-cu-privire-la-necesitatea-crearii-unui-grup-de-lucru-responsabil-de-elaborarea-propunerilor-de-modificare-a-codului-electoral-si-a-legislatiei-conexe/?lang=en>

<sup>22</sup>APPEAL of Promo-LEX Association on the necessity for reports on the financial management of political parties in the second half of 2016 to be presented and examined by 15 January 2017, <https://promolex.md/4674-apelul-asociatiei-promo-lex-cu-privire-la-necesitatea-prezentarii-si-examinarii-rapoartelor-privind-gestiunea-financiara-a-partidelor-politice-pentru-semestrul-ii-al-anului-2016-catre-15-ianuarie-2017/?lang=en>

<sup>23</sup>DECLARATION: The parliamentary majority is amending the electoral system by breaching the legislation and common sense, undermining the principles of democracy, 5 May 2017, [http://www.crjm.org/wp-content/uploads/2017/05/2017-05-05-Declar-CSOs-change-elect-syst\\_en.pdf](http://www.crjm.org/wp-content/uploads/2017/05/2017-05-05-Declar-CSOs-change-elect-syst_en.pdf)

<sup>24</sup>DECLARATION: The attack on civil society organisations because they oppose the amendment of the electoral system is inadmissible and erodes trust in state authorities, 19 May 2017, <http://crjm.org/wp-content/uploads/2017/07/2017-05-19-Declaratie-ONG-NEafiliere-politica-EN.pdf>

The **reform of the judicial system** made no great progress. The process of *appointment and promotion of judges* did not improve. The reform of the prosecution authorities was implemented only partially. The Anti-Corruption Prosecution Office, which was established to fight against cases of severe corruption, conducted criminal investigations of small corruption cases. The *reform of the Constitutional Court* was not completed either. Actually, at a meeting that took place on 26 January 2016, the civil society commented on the way in which some judges are appointed and promoted<sup>25</sup> by the Superior Council of Magistracy, as it believed that the SCM decisions are adopted with disregard to the principles of meritocracy and incorruptibility.

The civil society spoke up in relation both to the trial of the case of the ex-Prime Minister Vlad Filat, demanding for the court sessions to be public, as this is an essential procedural safeguard of the right to a fair trial of the defendant and a tool to make sure that the public trusts the act of justice, and in relation to the fact that the Government did not abide by the decision of the Committee Selecting Candidates to the Position of Judge in the Constitutional Court, whereby Veaceslav Zaporozjan was nominated as a judge in the CC. The non-government organisations made an appeal<sup>26</sup> to the Prime Minister and the Cabinet of Ministers to adopt a decision regarding this nominee and to ensure transparency in the selection of judges to the CC.

At the end of April, a number of non-government organisations condemned the way in which the authorities treated several participants in the anti-governmental protest that took place on 24 April 2016 in Chisinau Municipality and asked<sup>27</sup> the Chisinau Court of Appeal to examine the cases through the lens of the ECtHR standards, as well as for the criminal prosecution bodies and the Prosecutor's Office to conduct the criminal prosecution promptly and correctly while observing human dignity and human rights. They also asked the SCM to bring to disciplinary liability those judges who did not comply with the standards that provide for a detailed and well-founded substantiation of court decisions. On 4 July, the SCM declared Judge Manole to be unfit for the position of judge.

In May, the civil society condemned the fact that Judge Dominca Manole was subjected to criminal prosecution and asked the Acting Prosecutor General to explain the charges against her and make the notification against her public. They also asked the SCM to examine the notification at a public sitting and look thoroughly into all the aspects of the case and provide a strong substantiation for the adopted decision.<sup>28</sup>

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<sup>25</sup>Public Appeal: Civil Society Organisations are Concerned About the Manner of Appointment and Promotion of Some Judges, 8 February 2016, <http://crjm.org/wp-content/uploads/2016/02/2016-02-08-Apel-CarieraJudecatori-ENG.pdf>

<sup>26</sup> PUBLIC APPEAL regarding the nominee to the position of judge in the Constitutional Court, 29 March 2016, <http://crjm.org/wp-content/uploads/2016/03/16-03-25-apel-numire-judec-CCM-final1.pdf>

<sup>27</sup> The civil society condemns the way in which the authorities treated several participants in the anti-governmental protest of 24 April 2016 <http://crjm.org/declaratia-societatii-civile-participanti-arestati-protetul-din-24-aprilie/>

<sup>28</sup> PUBLIC APPEAL: civil society organisations concerned with the actions of the Prosecutor General in relation to a judge, 30 May 2016, <http://crjm.org/apel-public-fata-de-actiunile-procurorului-general/>

The **reform of the institutional framework on anti-corruption and integrity control** was not completed as the National Integrity Authority is not operational yet because the activities regarding the integrity control mechanism will be implementable after the Integrity Council of NIA elects the Chair and Deputy Chair.

In June 2016, the civil society asked<sup>29</sup> the Parliament to postpone the adoption of the Draft Law on Integrity to avoid its adoption without coordination with other laws as well as without public consultations. The non-government organisations asked the Government of Moldova around the same period of time to take the required measures to initiate the necessary procedures for the development of a 4-year integrated action plan in the area of human rights.<sup>30</sup>

At the end of 2016, civil society launched a new appeal whereby the non-government organisations drew the attention of the Parliament, Government, civil society and development partners to legal initiative No 452, registered in the Parliament on 1 December 2016, which provided that individuals and legal entities that failed to report their property shall be relieved of any obligation so long as they report by 15 April 2017 and pay the state 2% of the value of the property they failed to report previously.<sup>31</sup>

**Title III of the AA – Justice, Freedom and Security** – according to the IEPR Monitoring Report 2014-2016,<sup>32</sup> the Law on Reorganising the Courts of Law provides only for the merging of the offices, not for the optimisation of the courts. There are no effectively functioning mechanisms that improve access to justice etc.

Also, the “Big Brother Law”—the special investigation measure for cyber crimes violating one’s privacy and for crimes involving copyright infringement and violation of related rights—is a ‘violation of the right to privacy in favour of public interest.’<sup>33</sup>

The non-government organisations asked the Prime Minister Pavel Filip, by public appeal,<sup>34</sup> to make the results of the 2014 Census public as soon as possible. In April of the same year, the civil

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<sup>29</sup> The civil society asked the Parliament to postpone the adoption of the Draft Law on Integrity (Draft Law No 267), 30 June 2016, <https://promolex.md/1903-societatea-civila-solicita-parlamentului-amanarea-adoptarii-proiectului-de-lege-a-integritatii-proiect-nr-267/?lang=en> <https://promolex.md/1903-societatea-civila-solicita-parlamentului-amanarea-adoptarii-proiectului-de-lege-a-integritatii-proiect-nr-267/?lang=en>

<sup>30</sup> PUBLIC APPEAL regarding the need to develop a 4-year integrated action plan in the area of human rights, 30 June 2016, <https://promolex.md/1901-apel-public-privind-necesitatea-elaborarii-unui-plan-integrat-de-actiuni-in-domeniul-drepturilor-omului-pentru-urmatorii-patru-ani/?lang=en>

<sup>31</sup> PUBLIC APPEAL: the adoption of the law on the liberalisation of capital and financial incentive undermines anti-corruption efforts and discourages honest taxpayers and state servants, <https://promolex.md/5590-apel-adoptarea-legii-privind-liberalizarea-capitalului-si-stimularea-financiara-submineaza-eforturile-anticoruptie-si-descurajeaza-contribuabilii-si-functionarii-onesti/?lang=en>

<sup>32</sup> Progress Report on the Implementation of the Association Agreement (NAPIAA) – 2016-2017, Iulian Groza, Iulian Rusu, Mariana Platon, Adrian Ermurachi, 24 March 2017, Chisinau, Institute for European Policies and Reforms, pp. 37-46, <http://ipre.md/2017/03/24/5175/> <http://ipre.md/2017/03/24/5175/>

<sup>33</sup> *Idem*, p. 46.

<sup>34</sup> APPEAL to the Prime Minister of the Republic of Moldova – Pavel Filip, <http://crjm.org/wp-content/uploads/2016/03/16-03-17-CRJM-APEL-catre-Prim-ministru-recensamint-2014.pdf> <http://crjm.org/wp-content/uploads/2016/03/16-03-17-CRJM-APEL-catre-Prim-ministru-recensamint-2014.pdf>

society asked for the “Big Brother” Draft Law—submitted by the MIA and adopted by the Government—to be subjected to international expert review on 30 March 2016. The organisations that signed under the appeal<sup>35</sup> stressed some of the potential consequences for fundamental human rights and the abuses that the draft would allow.

The implementation of **Title IV of the AA: Economic and Sector Cooperation**, following the monitoring reports, has gone through modest developments. Thus, it should be noted that the 2016-2020 Public Administration Reform Strategy and its Action Plan were adopted in 2016. The banking system has also gone through moderate developments, with legislative and regulatory changes, although investigations have not led to the expected outcome. In addition, the law transposing the EU Third Energy Package into the electricity and natural gas fields was adopted.

Cooperation with the civil society also registered positive trends. We should mention the adoption of the law allowing individuals to donate 2% of their income tax to non-government organisations. However, the working environment of civil society worsened at the beginning of 2017. Moreover, in March 2017, the member organisations of the National Platform of the Eastern Partnership Civil Society Forum, through a public appeal, asked the public opinion and the development partners to closely monitor, prevent and disapprove of all actions undermining the freedom of association, freedom of opinion and expression in the Republic of Moldova. Civil society even reacted to a campaign aimed at discrediting representatives of the diplomatic corps that monitored the evolution of reforms in the Republic of Moldova, with the NGOs demanding<sup>36</sup> that interest groups stop their unfounded and inadmissible attacks.

In the media sector, legal amendments to reduce concentrations on the media market have been taken, but the actions planned on the media segment have mostly focused on the audiovisual sector and have been unable to respond effectively, according to the experts, to the real provisions of the AA, nor to the need to create and develop a democratic, pluralist and professional media system.<sup>37</sup> Besides, in March 2016, mass-media non-government organisations warned the public and the President of the Republic of Moldova about the lack of transparency and violation of legislative procedures during the amendment of the Broadcasting Code, qualifying these actions as being an attempt to mime reforms and to protect the ‘private interests of some media owners.’<sup>38</sup>

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<sup>35</sup>PUBLIC APPEAL regarding the draft law submitted by MIA and adopted by the Government, which extends and deepens the control of law enforcement bodies on the information space, 8 April 2016 <http://crjm.org/wp-content/uploads/2016/04/2016-04-08-Apel-Control-Informatic1.pdf>

<sup>36</sup> Declaration of civil society organisations on the campaign aimed at discrediting representatives of the diplomatic corps in the Republic of Moldova, [http://crjm.org/wp-content/uploads/2016/04/16-04-19-CRJM\\_Declr\\_corp\\_diplomatic.pdf](http://crjm.org/wp-content/uploads/2016/04/16-04-19-CRJM_Declr_corp_diplomatic.pdf)

<sup>37</sup> MONITORING REPORT on the fulfilment of mass-media commitments undertaken under EU-RM Association Agreement, No 1, March – May 2017, [http://www.api.md/upload/files/Raport\\_1\\_Implementarea\\_prevederilor\\_Acordului\\_de\\_Asociere\\_UE\\_-\\_RM\\_pe\\_segmentul\\_mass-media\\_SUPERFINAL.pdf](http://www.api.md/upload/files/Raport_1_Implementarea_prevederilor_Acordului_de_Asociere_UE_-_RM_pe_segmentul_mass-media_SUPERFINAL.pdf)

<sup>38</sup> The Civil Society Asks the President of Moldova Not To Sign the Law on Modifying the Broadcasting Code <http://www.api.md/news/view/en-the-civil-society-asks-the-president-of-moldova-not-to-sign-the-law-on-modifying-the-broadcasting-code-1124>

It is worth mentioning that the non-government organisations condemned<sup>39</sup> the distortion of the democratic process in the Republic of Moldova based on the manner in which Filip's Government was established, voted and sworn in. The representatives of non-government organisations believe this had a severe impact on confidence in the Chisinau Government. And when the Metropolitan Bishop of Moldova Vladimir made, in April 2016, discriminatory statements during the session of the Parliament of the Republic of Moldova, being supported by some MPs, civil society condemned these statements vehemently.<sup>40</sup> He advocated for the repeal of the Anti-Discrimination Law and his statements seriously affected LGBT equality and human dignity.

As far as the resolution of the Transnistrian conflict is concerned, in August 2016, a number of non-government organisations, people from the areas of culture and science, diplomats, journalists and politicians requested the constitutional authorities, through a Declaration, to negotiate only with those representatives of the Transnistrian region who had not committed crimes, persecuted Moldovan citizens and promoted purposes contrary to the Constitution of Moldova.<sup>41</sup> In addition, the right to education in the Transnistrian region was the subject of another public appeal to the President of the Republic of Moldova, Igor Dodon. The latter was requested to contribute to protecting the right to education in this region, since the European Court found that the local legislation ('RMN') contains discriminatory provisions, incompatible with the guarantee of the right to education for all residents of that region of the Republic of Moldova. The unjust provisions restrict the use of the Latin script for working and teaching in Romanian in that region (Article 6 of the 'Law on the Use of Languages', Article 12 of the 'Constitution of the RMN', Article 200/3 of the 'Contraventional Administrative Code of the RMN')<sup>42</sup>.

The monitoring of the actions of **Title V: Trade and Trade-Related Aspects, DCFTA**, shows that in 2016 the value of exports to the EU increased by 6.9% as compared with 2014, the volume of exports reaching an increase of over 27% (2014-2016),<sup>43</sup> given that the first two years of DCFTA implementation, according to Expert GRUP Monitoring Report, 'were marked by serious

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<sup>39</sup> DECLARATION The Undersigned Organisations Condemn the Undemocratic Manner the Government led by Pavel FILIP was Sworn In, Chisinau, 22 January 2016, <http://crjm.org/wp-content/uploads/2016/01/2016-01-22-CS-Declar-Filip-Gov-Vote-en.pdf> <http://crjm.org/wp-content/uploads/2016/01/2016-01-22-CS-Declar-Filip-Gov-Vote-en.pdf>

<sup>40</sup> Declaration on the non-admission of discriminatory statements during the sessions of the Parliament of the Republic of Moldova, [http://crjm.org/wp-content/uploads/2016/04/CRJM\\_16.04.28\\_DeclaratieMitropolit.pdf](http://crjm.org/wp-content/uploads/2016/04/CRJM_16.04.28_DeclaratieMitropolit.pdf) [http://crjm.org/wp-content/uploads/2016/04/CRJM\\_16.04.28\\_DeclaratieMitropolit.pdf](http://crjm.org/wp-content/uploads/2016/04/CRJM_16.04.28_DeclaratieMitropolit.pdf)

<sup>41</sup> Declaration of the Civil Society regarding the Redlines of the Transnistrian Settlement, 21 August 2016, <https://promolex.md/2767-declaratia-societatii-civile-cu-privire-la-liniile-rosii-ale-reglementarii-transnistrene/>

<sup>42</sup> Appeal on ensuring the right to education in the Transnistrian region of the Republic of Moldova, <https://promolex.md/4682-apel-cu-privire-la-asigurarea-dreptului-la-educatie-in-regiunea-transnistreana-a-republicii-moldova/?lang=en>

<sup>43</sup> Progress Report on the Implementation of the Association Agreement (NAPIAA) – 2016-2017, Iulian Groza, Iulian Rusu, Mariana Platon, Adrian Ermurachi, 24 March 2017, Chisinau, Institute for European Policies and Reforms, p. 63, <http://ipre.md/2017/03/24/5175/>

internal and external economic and political issues that affected the country's trade performances and generated some speculations about the benefits and opportunities of this agreement.<sup>744</sup>

At the same time, the value of agrifood exports to the EU increased by 25%, Despite the fact that climate conditions have not been favourable to this sector, and the Russian Federation has imposed trade restrictions with the signature of the AA, it managed 'to compensate to a certain extent the loss of eastern markets.'<sup>745</sup>

Wheat, corn, barley and sugar are among the top agrifood products that have had the highest export dynamics, so that 'of all agrifood products subject to quotas and exempted from entry prices, the quotas for grapes and plums were practically fully used,<sup>746</sup> while those for apples remain unused.

It should be noted that despite fears and speculation about the 'invasion' of agrifood goods from the EU, the reality here is the opposite – the agrifood imports from the EU registered a negative trend during 2014-2016, shrinking by 15%.

### **Cooperation with EU institutions**

At the national level, the National Platform member organisations have developed a long-standing communication with the European Union Representation in Chisinau, the Delegation of the European Union, which in turn has developed financing programmes for the projects implemented especially by local small-sized organisations (economic development, good governance, etc.) and not necessarily for the activities of the National Platform of the Eastern Partnership.

Note that many NGOs, members of the Platform, have implemented individual projects promoting European values and standards over the years, thus contributing to increasing the level of knowledge of the EU among Moldovan citizens.

At the same time, there is no trilateral communication mechanism between the EU Delegation to the Republic of Moldova, the Government and civil society. Most of the time, the EU Delegation communicates separately with each stakeholder, and then merges the information. As far as the existing national platforms are concerned, the Delegation believes that the National Platform of the Eastern Partnership is not very active and has not achieved concrete results, and many organisations in recent years avoided getting involved in the National Participation Council – a platform developed by the Government.

According to some civil society representatives, the cooperation mechanism between the Government and civil society worked much better until the Association Agreement was signed, when Government representatives were doing their homework more diligently and had a wider

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<sup>44</sup> Evolution of the RM-EU Trade Flows after 2 Years of DCFTA Implementation, Vadim Gumene, Expert-Grup Independent Think Tank, p. 26, <http://dcfta.md/uploads/0/images/large/evoluyia-fluxurilor-comerciale-rm-ue-dupii-2-ani-de-implementare-zlsac.pdf>

<sup>45</sup> *Ibid*, p. 27

<sup>46</sup> *Ibid*

openness to the dialogue with civil society experts and activists. However, the interest in the Strategy for Civil Society Development has decreased after the AA was signed.

On the other hand, non-government organisations still need the openness of Government authorities to reach the objectives of their projects, including those funded by the EU. Most of civil society organisations continue to have an attractive cooperation with the European institutions, since funding opportunities are pivotal for their work, and from a financial point of view, national NGOs remain dependent on donor resources. At the same time, we should mention that a vibrant civil society is more than necessary for the RM's long transition to democracy.

Some representatives of non-government organisations believe that the recommendations made by civil society on various topics and submitted both to the EU Delegation and to the Government, could certainly be submitted directly to other relevant European institutions too, if the national non-government organisations knew more about how European bureaucracy works or were better organised within National Platforms.

At the same time, the communication with national and local non-government organisations, according to NGOs representatives, is the weak point of the European Union in general and of the EU Delegation to the RM in particular. The communication and cooperation with national NGOs and Government stakeholders, which most of the times work in parallel, should be strengthened.

As regards the Eastern Partnership, a number of non-government organisations, especially the new ones, hardly understand the Eastern Partnership philosophy, and many of them give up and choose to no longer engage in the Platform or adopt a passive behaviour. From a different perspective, it is quite difficult to motivate and maintain member organisations due to the fact that the Platform does not perform its own activities. The procedures for participation in the Eastern Partnership Civil Society Forum are not clear and fair either, fuelling a lack of confidence in its format and effectiveness.

Note that non-government organisations participated in the consultations on the Association Agreement Agenda, and some of the recommendations have been included in both the AA Agenda, in general, and the article on civil society. Nonetheless, AA implementation by Government institutions is either partial or delayed.

### **National Platform – bilateral platform relations**

On 30 June 2014, 50 civil society organisations signed a Declaration supporting the European path of Moldova and launched the 'Pro Europe' Platform, calling for civil society to unite around a national idea – preparing Moldova for accession to the European Union.<sup>47</sup>

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<sup>47</sup><https://promolex.md/3123-declaratie-organizatiile-societatii-civile-sustin-parcursul-european-al-republicii-moldova-si-lanseaza-platforma-pentru-europa/>

The Civil Society Forum operates under the Eastern Partnership and aims to publish recommendations to influence the EU institutions and the national governments of the Eastern Partnership countries.

Most of the National Platform member organisations are also members of other similar civil society platforms and structures such as: EU-Moldova Civil Society Platform, Gender Equality Platform, National Participation Council, NGO Council, Civic Coalition for Free and Fair Elections – Coalition 2009, National Coalition ‘Life without Violence in the Family’, etc. Most of the times these platforms work separately, in narrow areas; they do not have any joint activities and do not coordinate aspects that would help streamline their efforts.

## **Recommendations**

### **NGOs from the National Platform**

- a. There is a need to strengthen the National Platform in terms of the development of its institutional capacities and positioning in Moldova
- b. The registration of the Secretariat is needed, as is fundraising for NP activities via the Secretariat to ensure regular meetings, expertise collection and communication.
- c. Membership of CSOs in the NP should be more explicit, representation of the NPs by its member organisations is important in terms of positioning the platform as a key actor in Moldova.
- d. The expertise of separate organisations is significant, however the civil society in Moldova is lacking consolidation efforts, and the NP can become an important actor to play the consolidating role for civil society.
- e. The Georgian experience of sectoral meetings and an annual conference can be applied, the Armenian experience of registering the Secretariat is also worth consideration.

### **Moldavan Government**

- f. Develop a trilateral communication mechanism between the EU-Government and Moldovan Civil Society to facilitate direct dialogue, thus eliminating parallel communication.

### **EU Delegation in Moldova**

- g. Appoint a person in the EU Delegation in Chisinau in charge of ensuring permanent communication with National Platform members, as well with his/her counterparts from EU Delegations in other Eastern Partnership countries.