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## MOLDOVA'S FOREIGN POLICY STATEWATCH

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*Leonid Litra*

# TIME FOR VISA-FREE FOR MOLDOVA

**A**lmost 3 years ago, on 24 January 2011 the Republic of Moldova received the Visa Liberalization Action Plan from the European Union. A year earlier at the launch of the Visa Dialogue, no one believed that the Republic of Moldova's citizens would be able to travel without visas to the EU. As then, today very few believe as well. In 2011 even among well-informed bureaucrats there were opinions ranging from one extreme to the other. While in 2010 nobody thought it was possible, in 2011 the vast majority thought that Moldova would get a liberalized visa regime by the end of 2012. The assumption of rapid visa liberalization was due to the experience of Balkan states obtaining a visa-free regime in just one and a half years (Macedonia, Serbia and Montenegro) or two and a half years (Bosnia and Herzegovina and Albania).

## Evolution of the debate on visa liberalization

Most bureaucrats, except for several knowledgeable people with vision, believed that Moldova would adopt the majority of laws (except those sensitive ones such as the anti-discrimination law), send some scapegoats to prison as a proof of a fight against corruption, and pre-

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Moldova's Foreign Policy Statewatch represents a series of brief analyses, written by local and foreign experts, dedicated to the most topical subjects related to the foreign policy of Moldova, major developments in the Black Sea Region, cooperation with international organizations and peace building activities in the region. It aims to create a common platform for discussion and to bring together experts, commentators, officials and diplomats who are concerned with the perspectives of European Integration of Moldova. It is also pertaining to offer to Moldova's diplomats and analysts a valuable tribune for debating the most interesting and controversial points of view that could help Moldova to find its path to EU.

tend to implement cardinal justice reforms. But the EU experience with the Balkan states proved that the European Union has to be more demanding with the countries seeking to get a visa-free regime. The effects of such an attitude emerged very quickly in the action plans offered first to Ukraine, then to Moldova, and then finally to Georgia. The Action Plan for the three countries within the Eastern Partnership keeps the general benchmarks as those offered to the Balkan states, but is much more demanding. First, Moldova received an action plan divided into two phases. Respectively, from the technical-bureaucratic point of view, the process became more lengthy and complicated. Second, there is an assessment of migration and security impact following visa liberalization carried out between the two phases. Third, the EU is much stricter in its assessment. While, Macedonia obtained the liberalized visa regime without having an anti-discrimination law, Ukraine cannot even move on to the second phase without this law.

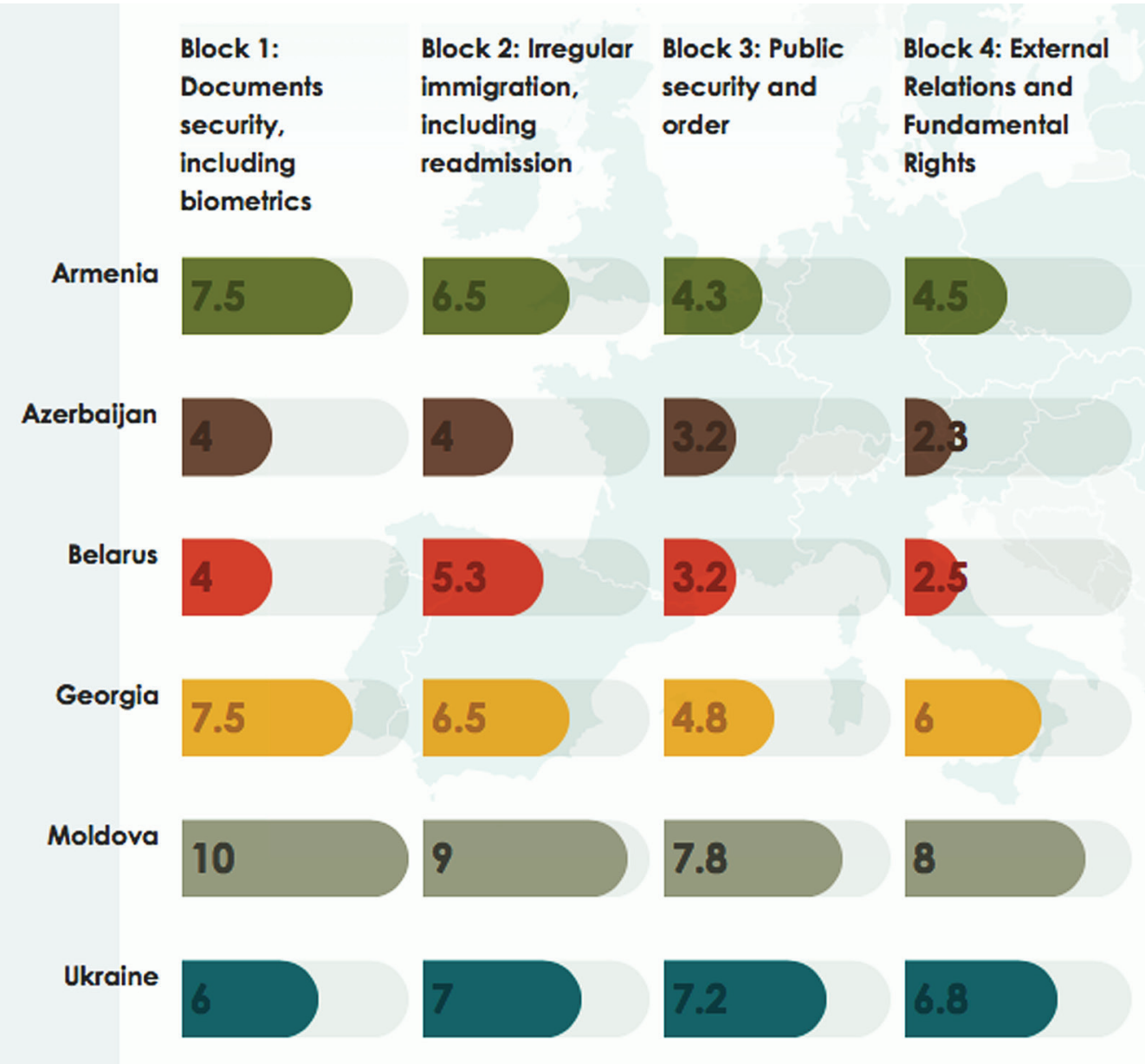
Politicians and bureaucrats in Moldova have attempted to provide dozens of arguments from the political point of view why the visa regime with the EU must be liberalized. These arguments varied from “all those who had to leave Moldova have already left and there is no risk for the EU and Moldova is far too small to create problems for the EU” to “if the EU does not want Moldova to be swallowed by Russia, then it has to offer a liberalized visa regime as soon as possible.” These arguments have proved useless and have transferred the responsibility from the political class in Chisinau to the decision makers in Brussels. Following several detailed discussions on visa liberalization with the European experts, eventually the paradigm has changed. The new attitude means giving up any evasive tactics and instead focusing on meeting all criteria based on the idea that the action plan on visa liberalization is a process of profound change of the justice sector, security and internal affairs strengthening the institutions of law and respect for human rights, fight against corruption and improving living standards and mobility of citizens.

## Reform process: difficult but achievable

The reform process for fulfilling the Action Plan was structured into a national plan coordinated by the Ministry of Foreign Affairs through an inter-ministerial working group. During the implementation of the first phase all laws with a technical character were adopted rather rapidly without any resistance from the decision makers. However, the laws that were prone to jeopardizing political stability and image of the government were passed with many difficulties and hesitations. We refer particularly to the laws related to combating corruption and discrimination. Nevertheless, the government has shown the ability to focus its efforts and find solutions when it comes to European integration. Therefore, the first phase is fully fulfilled, except for some minor elements and Moldova is the only country within the Eastern Partnership that has an anti-discrimination law complying with all basic EU requirements.

The second phase is much more difficult. In terms of block 1 (security of documents) and block 2 (irregular immigration) Moldova made almost exemplary progress. In terms of block 3 (public security and order) and block 4 (external relations and fundamental rights reforms) have advanced considerably but without reaching the highest level. The biggest problems are those related to fighting high level corruption. Despite a promising beginning by initiating cases against senior officials, the bodies responsible for fighting corruption have failed to act independently of the government by proving the guilt of officials. Reforms and institutions made under the aegis of visa liberalization have almost a “staknanovite movement” character for such a short period of time. The results of these reforms are already felt and certainly the visa liberalization process has become the most powerful tool of the European Union to impose reforms in Moldova. This is confirmed both by internal debates on combating corruption and by the last progress report of the European Commission.

TABLE COMPARING FULFILMENT OF CRITERIA FOR VISA LIBERALIZATION WITH THE EU  
BY EASTERN PARTNERSHIP STATES (data on May 2013, Batory Foundation)



## Beyond the Action Plan: collateral effects

The fulfilment to a large extent of the action plan by Moldova should be naturally followed by the EU decision to liberalize visa regime with Moldova. This step will encourage the countries involved in this process, especially Ukraine, to implement the Action Plan. Moldova’s reward should lead to a sound competition in the region and prove that the EU has kept its promise that visa liberalization would be granted on merit.

Moldova will demonstrate once more that there are no risks associated with visa liberalization. The Republic of Moldova’s citizens do not have the capacity or propensity to generate the same problems the EU had following visa liberalization with the Balkans states related to asylum seekers. For instance,

the Moldovan community in Italy exceeds 310,000 citizens and in 2012 only 12 Moldovans applied for asylum in this country.

Finally, the visa-free regime with the EU will contribute to the rapprochement of Transnistria to Chisinau as more inhabitants in the Transnistrian region will apply for Republic of Moldova civil documents.

## Conclusions

Chisinau should continue implementing reforms related to visa liberalization with the EU, particularly those referring to corruption. Every player in Moldova has needed and still needs visa liberalization. The state needs them to reform the domains of justice and internal affairs, the government to show its successes, and if visa liberalization is achieved before the elections it will help it to win the elections, the opposition uses it to accuse the government of corruption, the patriots to integrate the country, citizens for visa-free travels to the EU and Brussels to create a space of security at its borders and prevent illegal migration.

In this context it is up to the European Commission to present the following progress report and recommend the European Council to liberalize the visa regime with the Republic of Moldova as soon as possible.



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