

MOLDOVA ON THE WAY TO THE EUROPEAN UNION: DISTANCE COVERED AND NEXT STEPS TO BE DONE

Dr. Valeriu Gheorghiu
Institute for Public Policy, Chişinău

The Republic of Moldova is a small-size country, whose economy is extremely dependent on energy imports and on foreign markets. The internal situation in the Republic of Moldova is strongly influenced by the Transnistrian conflict whose settlement depends ultimately on external factors. Like any small country, the Republic of Moldova has its own destiny influenced by the history and, especially, by the great powers.

In June 1990, being still a Soviet republic of the USSR, Moldova proclaimed its sovereignty. After a year, on the 27-th of August 1991, Moldova declared its independence and abandoned the Soviet Union. Within the period 1991-1992, Moldova got recognition as an independent state and became a member of the United Nations Organization, of the OSCE and of other international bodies.

So, the history has offered a gift to Moldova, like to other former Soviet republics, but we could not benefit from it fully because Russia, pretending to detach from the Soviet Union to become an independent and democratic state, instigated separatism in Transnistria and supported actively separatist leaders with the force of arms as well as through political and economic means. Moldova has faced a short-term armed conflict which turned into a frozen conflict because of Russia's interference and keeps being frozen for 13 years.

Meanwhile, the European Union started reconsidering its policy towards the former republics of the USSR. In 1992, a regional approach was developed: the European Council decided to begin negotiations concerning the Partnership and Co-operation Agreements (PCA) with new independent states, former USSR republics and Mongolia.

To mention is that such negotiations began with many member-states of the CIS, except with Moldova. On the 1st of November 1993 and, repeatedly, on the 28-th of January 1994, Moldovan President Mircea Snegur addressed letters to the Presidents of the European Council and of the European Commission to express regret that Moldova was the only country in the Eastern and Central Europe which did not have definite relations with the European Union [1].

Probably, it was due to the consistent efforts of Moldovan authorities of that time that a PCA was negotiated and signed after a quite short period of time – on the 28-th of November 1994, 10 months after the last letter of President Mircea Snegur had been sent. Nevertheless, when that event occurred, the European Communities had already concluded such agreements with Russia and Ukraine.

The PCA entered into force four years later, following the same strict order: Russia, Ukraine, Moldova. Initially, the European Union was perhaps not so interested in the intensive collaboration with countries under the PCA: article 4 of the Partnership and Co-operation Agreement concluded between the Republic of Moldova and the European Communities leads to such a conclusion. According to that article, the PCA can be amended, but for the adoption of the amendment “...Parties shall consult each other in the year 1998 as to whether circumstances ...allow the beginning of negotiations on the establishment of a free trade area” [2].

Late in 1994 and during the first term of the year 1995, the Republic of Moldova had a favorable international image, being even considered as an example of democratic reform. Within that period, Moldova was the first CIS member-state to join the Council of Europe - on the 13-th of July 1995.

Before the PCA entered into force, Moldavian authorities realized that the agreement meant co-operation, not integration into the European Union and attempted to persuade the UE leadership to open a new stage in its relationship with the Republic of Moldova. On the 13-th of December 1996, President Petru Lucinschi, in his letter to Mr. Jacques Santer, President of the European Commission, expressed for the first time the aspiration of the Republic of Moldova to become by the year 2000 an associate member of the European Union. Mr. Santer did not react to that letter, so, late in October 1997, Petru Lucinschi sent a new letter pointing out the will of the Republic of Moldova to get the statute of associate-member and proposing to start negotiations on the association agreement. Two months later, President Lucinschi sent letters with a similar content to all Heads of the European Union member-states. The reaction was similar to the one of Mr. Santer: there were either no answers or negative responses [1].

All those events preceded immediately a new policy of the European Union: in summer of the year 1999, the European Union on its own initiative, opened for a group of Balkan states the perspective of integration [3], despite the fact that most of those states did not differ radically from the Republic of Moldova from the viewpoints of democracy, economic and social-political situation. Moreover, the risk of conflicts was (and still remains) in that region much higher than the risk of the Transnistrian conflict. The power vacuum was filled in the Balkans by NATO and the EU but neither NATO nor the EU dared to do the same in Transnistria because of the Russian presence in that area.

It is interesting to imagine which could be the situation in the Republic of Moldova (including in Transnistria) be today if about ten years ago the European Union did not ignore our requests.

Meanwhile, on the 1st of July 1998, the Partnership and Co-operation Agreement entered into force setting up the legal basis for a closer collaboration between the European Union and the Republic of Moldova as well as for the implementation of TACIS Assistance Programme. To mention that a number of the Agreement's provisions are evasively formulated and, consequently, the importance of the document diminishes. For instance, article 23 on the legal employment of migrants provides that parties " ...shall endeavor to ensure that the treatment accorded..."

Nevertheless, 8 months later, despite the reticent position of the EU, the new Moldavian government of Ion Sturza declared European integration the prior strategic objective of its foreign policy [4]. But late in 1999, the parliamentary fraction of the Party of Communists of the Republic of Moldova and its allies – People's Christian Democratic Party, overturned the Government of Ion Sturza, while the EU made several steps which played *volens-nolens* a negative role in our country's destiny. The European Commission decided to postpone the disbursement of 15 million Euro aimed at supporting the balance of payments and adjourned until an indefinite date the meeting of the Council for Co-operation between the Republic of Moldova and the European Union. Afterwards, the Republic of Moldova was omitted from the conclusions of Helsinki Committee concerning the EU enlargement to the east. In the same time, those who pleaded in Moldova for deeper

relations with the CIS to the detriment of the relationship with the EU got a very strong reason from Brussels itself: the EU does not want us, the only chance is to go to CIS, together with Russia. As it has already been mentioned, all that occurred when the EU was opening for five Balkan states the perspective of accession.

Despite the difficult conditions, the process of Moldova's approach to the EU could not be stopped.

On the one hand, Moldova involves more and more actively into the European and world circuits, establishing co-operation relationship at European regional and sub-regional levels. Being a member of the Council of Europe, of the Central European Initiative, of the Organization of Black Sea Economic Co-operation, of the Danube Commission, of the Partnership for Peace, of the Euro-Atlantic Partnership Council and of other international co-operation structures, Moldova is the only country in the CIS to be a member of the South-East Europe Co-operation Initiative and the Stability Pact for South-Eastern Europe. Moldova is an observer in the South-East European Co-operation Process.

The Republic of Moldova is also the only country of the CIS included in the European Neighbourhood Policy, which is a member of the World Trade Organization (since May 2001). So, in its relationship with the EU, Moldova has advanced further than other CIS member-states, neighbours of the EU.

On the other hand, the European Union is getting closer to Moldova as a result of its enlargement to the east. After the European Neighbourhood Policy was launched in 2003 [5-8], two extremely important events happened in 2004: on the 2nd of April 2004, seven new states, including Romania, joined NATO and the western border of our country became a border with NATO. On the 1st of May 2004, as a result of the accession of ten new states to the European Union, Moldova got closer to the EU. In the same period, Moldova, the first western member-state of the CIS, started negotiations on the Action Plan but, given the regional approach (in spite of opposite declarations made by Brussels), that document was signed on the 22nd of February 2005 [9] in Brussels (nearly a year later than promised).

So, Moldova has today several fields of co-operation with the European Union, being unique from this viewpoint: co-operation with EU within the neighbourhood policy, which includes co-operation in the frame of the PCA as well, and, indirectly, co-operation within the Stability Pact for South-Eastern Europe and within the South-East European Co-operation Process.

Concerning the internal situation in the Republic of Moldova, to mention that public opinion tends to become more and more favorable to European integration. Most political parties (in 2000 and in 2003) and all parliamentary factions (in 2004) adopted declarations related to the European integration option of the Moldovan society. According to public opinion polls conducted by the Institute for Public Policy [10] and by other institutions, about 70% of the population of our country support the European option and there is a broad consensus on this issue in the country. Entering 2005 parliamentary election campaign, all large political parties, first of all - the Party of Communists of the Republic of Moldova, included in their election programmes the major objective of integration of the Republic of Moldova into the European Union [11].

The European orientation of the Republic of Moldova which enjoys the recognition of notable European political analysts is supported at national level by a series of actions aimed at institutionalizing this process:

- establishment of a National Commission for European Integration (in November 2000) which developed the Concept of Integration of the Republic of Moldova into the European Union and remitted it to the European Commission [12];
- another national document of the Republic of Moldova – the European Strategy (much broader than the Action Plan) is going to be issued [13];;
- a Parliamentary Committee for European Integration, an Department for European Integration of the Ministry of Foreign Affairs as well as ministerial and departmental subdivisions in charge of the European integration were established in 2003;
- an inter-ministerial group in charge of legislative harmonization was established in 2004 and the decision was adopted to open a diplomatic mission of the Republic of Moldova to the European Communities:
- to ensure the efficient implementation of the Action Plan Republic of Moldova - European Union, the President of the Republic of Moldova issued in December 2004 a decree to appoint the Minister of Foreign Affairs of the Republic of Moldova as Vice-Prime Minister.

Having theoretically a broader co-operation area than some states recognized as candidates by the EU, the Republic of Moldova has in fact less possibilities because of the fact that it is not recognized as a potential candidate to accession. Moreover, the Republic of Moldova is unique from the viewpoints of the problems it faces. Moldova differs radically from all other countries situated to the East of the EU and included in the European Neighbourhood Policy because:

- Moldova is the only country in Europe, on whose territory are illegally deployed foreign occupation troops of the Russian Federation that supports the separatist regime of Transnistria through military, political, diplomatic and economic means and defies international public opinion which, in numerous documents issued by international organizations, claimed the withdrawal of Russian troops from Moldova, while the European Court of Human Rights qualified Russia as an aggressor in Moldova [14];
- The Republic of Moldova is the only country in Europe where are infringed the OSCE principles concerning the involvement in the processes of conflict settlement and the United Nations peace-keeping principles, because, as a mediator of the conflict settlement and as a peace-maker, Russia unleashed, maintains the conflict and opposes to its settlement;
- The borders of the Republic of Moldova are unique in Europe: its western border with Romania separates the population of two states who speak the same language, have a common culture and history, etc., while the eastern border with Ukraine includes a 443 km segment (in a total of 1 222 km) that is out of the control of central authorities. Being controlled by the separatist Transnistrian regime, that segment generates, because of its porosity, a risk for international security [15];
- The Republic of Moldova is the only country in Europe where the EU does not have any diplomatic mission even such missions exist in 120 countries (including in

Zimbabwe, for example) and Moldovan government requires opening of such a mission since 1998.

All local issues, including Transnistrian conflict, which is a regional problem, as well as the EU's concern not to annoy Russia are obstacles both to the process of accession to the EU and to the country development, in general. Moldova cannot overcome all existing barriers without external support.

What will happen afterwards?

Probably, all factors that affected the evolution of the relationship between the Republic of Moldova and the EU will keep having a particular importance. It is difficult to assume that the Transnistrian conflict will soon be settled because: (i) Russia promotes a more and more aggressive policy towards its neighbours, former soviet republics; (ii) the OSCE is getting weaker and plays a less important role on the international stage; (iii) the European Union, in spite of its insistent tendency to become an important political factor in Europe, has not got into position yet to act without being concerned about Russia's reaction.

Nevertheless, the international situation is getting more favourable for Moldova's advancement towards the EU.

The end of the negotiations on the Action Plan Republic of Moldova-European Union has coincided with the final stage of the fifth enlargement, when the EU accepted ten new members and has become an international structure of 25 member-states with 460 million of people. The EU is now preparing for its sixth enlargement: 4 potential members have been officially recognized as candidates to accession - Romania, Bulgaria, Croatia and Turkey. On the other hand, four other states (Albania, Bosnia and Herzegovina, Macedonia and Federation of Serbia and Montenegro) which will probably be subjects of the sixth enlargement are now in the Stabilization and Association Process (which is an official way to join the EU for countries of the Western Balkans).

Enlargement processes generate naturally a number of problems for the EU institutions and member-states. So, while negotiating on up-coming enlargements, the new candidates have to overcome some barriers in their relationship with the EU. Moldova could benefit from the fact that former Soviet republics like Estonia, Latvia and Lithuania, affected by Molotov-Ribbentrop Pact, are among the new EU members. Moreover, a series of former states of the so-called socialist camp dominated by the USSR have also become EU members. Among them, Poland is, since the first stage of accession, a notable member of the EU. Having in the past (and at present, too) a kind of special relationship with Ukraine and Russia, Poland has a clearer vision on these countries' evolution and on their problems, as well as on other former Soviet republics, including the Republic of Moldova. That is a positive point: in its relationship with the EU, Moldova can rely on Baltic States and Poland as well as on other new EU members.

On the other hand, Moldova enjoys the favourable attitude of old EU members, especially of Germany. On the 6-th of May 2004, the German Bundestag adopted a parliamentary motion to support the way towards the unification and democratization of the Republic of Moldova. According to that document, Germany together with European and international partners, should strengthen their commitments towards the Republic of

Moldova in order to foster German and European efforts aimed at the settlement of the Transnistrian conflict and at the country's reunification.

The future EU enlargement in 2007 will include new members which, for various reasons, could become active supporters of the process of Moldova's integration into the EU.

Romania is the country which will transform in 2007 the Republic of Moldova into an EU immediate neighbour. For Moldova, it will mean that Romania will be its main partner in cross-border co-operation, including in the fields of regional security, managing migratory flows, etc.

After its accession to the EU, from the viewpoint of its size, Romania will be the seventh in 27 (or more) countries of the EU of that time. The role and the importance of Romania for the EU will considerably grow, taking into account its geographical situation in the Black Sea area. As a NATO member, together with Bulgaria, Romania has formed the south-eastern flank of the North-Atlantic Alliance. Romania will play a decisive role in fighting against organized crime and against the traffic in drugs, in human beings and in arms in the region.

On the other hand, Romania, due to its history, to its common roots and culture, etc. with Moldova as well as due to the fact that it will be the only EU country to have a border with the Republic of Moldova, is interested to establish and to promote good co-operation relationship with our country. This is a mutual interest shared in its relationship with Romania by Moldova, too.

Bulgaria, like Romania but to a smaller extent, will be an EU country which have in the Republic of Moldova a lot of its nationals (most of them form the Bulgarian minority). So, there will be the mutual interest of Bulgaria and of the Republic of Moldova to establish close collaboration in all fields so that Moldavian citizens who have Bulgarian passports consider themselves not just Moldavian citizens but Bulgarian and EU citizens as well. A similar desideratum can be formulated with respect to Turkey with the only difference that representatives of the Gagauz minority of Moldova do not hold Turkish citizenship. All the same, the existing good relations between Moldova and Turkey and Turkey's support offered to Moldova could foster cultural and economic development of Gagauz-Yeri territorial-administrative unit of the Republic of Moldova.

The implementation of the Action Plan Moldova – EU started when the EU institutions were under reconstruction and their competences were clarified or even modified. Moreover, that period succeeded immediately to the election of the European Parliament and to the establishment of a new European Commission of 25 members.

For the Republic of Moldova, it is a new opportunity: most of previous European officials and previous members of the European Parliament who had shown a significant dose of conservatism towards Moldova's intention to integrate into the EU are no more present within European structures. New officials, based on EU regulations, will hopefully be able to adopt new, really individual visions on each country which has relationship with the European Union.

This is an extremely important point for the Republic of Moldova which conceives the European Neighbourhood Policy as a supplementary way of co-operating with the EU and as a bridge towards the following stage – association and integration into the EU.

The relationship of the EU with Ukraine and Russia is among the most important issues of the European Neighbourhood Policy. For Moldova, it is a crucial issue, too: in

addition to the great importance of our relations with Ukraine and Russia, the relations between the EU and these countries have a direct impact on the relationship Republic of Moldova-European Union.

According to its new President, Ukraine has firmly oriented towards the EU, showing alignment with democratic standards, including in the field of the relationship between states. Supporting such an orientation of Ukraine, the Republic of Moldova is in the right to expect an efficient collaboration with Ukrainian authorities aimed at the Transnistrian conflict settlement. The coordination of the Ukrainian and Moldavian efforts in the process of European integration of these countries could bring positive effects on the inclusion of Ukraine and Moldova in the seventh EU enlargement.

Taking into consideration the above-mentioned, the perspective of our country's accession to the European Union could look as it follows.

In 2005, after the adoption of the Action Plan, the Republic of Moldova could become a full member of the South-East European Co-operation Process. That fact would lead to the perspective of admission into the Stabilization and Association Process.

In 2006, the first evaluation of the Action Plan implementation will be done and preparation will start for applying the European Neighbourhood and Partnership Instrument [16]. The European Union will probably define new positions in its relations with such countries as the Republic of Moldova and Ukraine which have rejected the proposal to sign in 2007 neighbourhood agreements, as provided initially by the European Neighbourhood Policy.

The year 2007 will be decisive as Moldova assumed the task to prepare the field for becoming in 2007 an associate member of the EU. Late in 2007 should end (as much as it will be possible) the implementation of the Action Plan Moldova - EU. By that time, Moldova will probably request to sign either an association or a stabilization and association agreement. The latter seems more logical.

In such a situation, the EU could propose something intermediate between a Neighbourhood Agreement (that is still something vague) and an Association Agreement, for instance an European Partnership or even an Association Partnership which would take the form of a political document not a legal one.

In the same time, Russia could launch activities to create four spaces identified in Sankt-Petersbourg (which would, in fact, be an Action Plan) and would attempt to include in those spaces everything that is situated between Russia and the European Union – Ukraine, Belarus and Moldova. So, the real interests of the EU will determine if Moldova either drifts towards the single European space or remains anchored in Russia's sphere of influence.

What should be done further?

Our conclusion is that in such a difficult situation, the integration of the Republic of Moldova into the European Union (not the simple co-operation with the EU as neighbours) is the only viable solution to escape from the negative influence of Russia which is not a democratic country and promotes an imperial policy towards Moldova and other former Soviet republics. It would also lead to the Transnistrian conflict settlement and would eliminate tensions and risks at the new EU border.

The Republic of Moldova has been included in the same frame of co-operation with the EU as all other western CIS member-states. Keeping Moldova in that frame would mean keeping Russian influence. Collaborating with the EU within the European Neighbourhood Policy, Moldova should deviate from the EU eastern neighbours, especially from Russia and Belarus.

The only real possibility to reach the above-mentioned goal is to intensify the co-operation with the EU in the frame of the European Neighbourhood Policy in order to outrun all other EU neighbours in implementing the Action Plan. In addition to it, Moldova should largely explore all collaboration opportunities in South Eastern Europe (Stability Pact for South-Eastern Europe, South-East Europe Co-operation Process, etc.). Both the Republic of Moldova and the European Union should undertake during next two years the following prior actions:

1. Settlement of the Transnistrian Conflict. The identification of a viable solution to this conflict is defined as a key-objective of the Action Plan. The following actions should be undertaken.

1.1. Actions of the Republic of Moldova. Moldovan authorities have lately adopted a very clear position towards Russia's involvement in the Transnistrian conflict. The next steps to be done are:

- Adoption by the Parliament of the Republic of Moldova of a resolution to give the legal and political definition to the act of separatism in the Republic of Moldova and to unmask the external support provided to the separatist regime;

- Adoption by the Parliament of a Conflict Settlement Plan based on the demilitarization, decriminalisation and democratization of Transnistria (the so-called "3D" Strategy proposed by Moldovan civil society [17,18]) to express the commitment of the Moldovan state to undertake concrete measures in the fields of both foreign and domestic policy;

- Adoption by the Parliament of the set of legislative documents required to implement the Conflict Settlement Plan;

1.2. Actions of the European Union. To reach the objective set in the Action Plan – supporting a viable solution to the Transnistrian conflict– the EU should:

- identify the tools of involvement in the process of conflict settlement (consultations, mediation, good office, enquiry, negotiations, economic levers, etc.) and post-conflict rehabilitation (in collaboration with the OSCE);

- follow-up trilateral consultations between the EU, the Republic of Moldova and Ukraine in order to establish joint control (including with the participation of the EU experts) on custom points on the Transnistrian segment of the Moldovan-Ukrainian border;

- promote the policy of positive discrimination, prioritizing citizens and loyal economic entities of the Republic of Moldova, including of Transnistria, in order to generate positive expectations concerning the country's reunification and its further integration into the European Union.

2. Implementation of the Action Plan. According to the Action Plan, a major priority in its implementation is strengthening the stability and the efficiency of institutions focused on ensuring democracy and the rule of law.

2.1. Actions to be implemented by the Republic of Moldova. Moldovan authorities should focus their efforts (without neglecting other issues) on:

- ensuring the required conditions for the real separation of competences among state power branches;
- ensuring the real independence of the judiciary;
- ensuring the freedom of speech and of the press, as well as the public status of the National Television and Radio;
- ensuring real local autonomy, taking into consideration the provisions of the European Charter of Local Self-Government;
- implementing priorly the Action Plan provisions concerning justice and home affairs.

2.2. Actions to be implemented by the European Union. The EU should focus its efforts, including the financial ones, on the co-operation with the Republic of Moldova in order to:

- implement the Action Plan's provisions concerning justice and home affairs;
- connect the Republic of Moldova to the EU programmes in all possible fields;
- diminish the international isolation of the country and simplify interhuman contacts (in cultural field, business, tourism, etc.) by the means of the liberalization of the European Union visa system for the citizens of the Republic of Moldova;
- if the first evaluation of the Action Plan implementation is positive, the European Union should establish and announce the date for the start of negotiations concerning the Association Agreement between the EU and the Republic of Moldova.

A final conclusion could probably be formulated in such a way: Moldova has the right to be an EU member-state, the integration of the Republic of Moldova into the EU does not seem to be illusory. Moreover, taking into account the small area of the Republic of Moldova, its geographic situation and other factors, the process of integration could be a quite rapid one. Its speed would depend first of all on the speed of the reforms promoted in the country as well as on the external factors, especially with respect to the Transnistrian conflict settlement.

The evolution of our relationship with the EU shows that Moldova's endeavours should be supplemented by the EU interest in our accession. What could offer to the EU a small country like ours which does not have oil and other strategic resources and only produces much wine and cheap textiles (which is disapproved by EU producers)?

It is paradoxical, but the EU could benefit much more from Moldova's integration than from maintaining it into the grey area of the "European neighbourhood". Reunified Republic of Moldova, with the Transnistrian conflict settled, would mean that this area, and not only it, has radically changed.

In fact, Moldova cannot ensure today by itself the withdrawal of Russian troops from its territory and settle the Transnistrian conflict. The fact that, despite its mediator and guarantor statute, Russia still maintains the state of conflict says much.

To be concrete, neither a public authority of Russia nor a Russian political analyst could up to now formulate the real interest of Russia not to allow the conflict settlement. Transnistria does not have any importance from military point of view. As for the economic side, Russia suffers continuous loss provoked by keeping its troops in Transnistria to support marionette-government of Tiraspol, supplying to Transnistria free

natural gas, etc. Neither the concern about Russian nationals is a real reason – most of the Russian population from Moldova is in fact on the right-bank area, while Russia's support to its nationals reduces to rhetorical appeals of some deputies of the State Duma. As a result, the image of Russia on the international stage is damaged because of its inadequate attitude towards the Transnistrian conflict.

Only one explanation for the Russian policy promoted in Transnistria looks logical: there is a Russian interest in Transnistria, but this is not an interest of the Russian state nor of the Russian society. These are criminal interests of Russian mafia groups which have relations with similar structures of Transnistria and Ukraine. Those groups seem to be very influential if for so many years Russian Presidents are stuffed up with the same lies about the importance of Transnistria and this fact causes the perpetuation of the conflict.

Peaceful settlement of the Transnistrian conflict, according to international law standards, would mean elimination of those influential people from Russian political and business circles. Moreover, it will give the possibility to annihilate mafia structures of Ukraine and of Moldova which benefit from the Transnistrian conflict perpetuation. That would be a small, but real contribution for transforming Russia into a democratic state with which the EU intends to create four co-operation spaces – a common economic space, a space of freedom, security and justice, a space for co-operation in the field of external security and a space for research and a common space of research and educations, including culture.

The settlement of the Transnistrian conflict will strengthen the security at the border of the larger EU: this desideratum is the main reason and objective of the European Neighbourhood Policy. Another important point is the abnormality of having a border and a visa system which separate Romania and the Republic of Moldova – two countries with a common history and culture. Moreover, there is a great number of “common” citizens of both states - holders of dual citizenship whose number is continuously growing. There are also Bulgarian citizens (not so numerous) in Moldova and a large Gagauzian minority which has affinity with Turkey. The accession of Romania, Bulgaria and Turkey to the European Union without any perspective of accession for Moldova would have unpleasant consequences both for the Republic of Moldova, the above-mentioned states and for the European Union.

Opening the perspective and the process of Western Balkan states accession, the EU has gained in security (which has repercussions on all fields of the society). The EU could have a new security benefit from starting the process of the Republic of Moldova's accession.

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