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NEWSLETTER

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Synthesis and Foreign Policy Debates

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TOPICS OF THE EDITION:

- 1.** Igor Munteanu, director of IDIS „Viitorul”: A strategic partnership is like a flower - it only lives if it is well cared of
- 2.** Editorial by Victoria Bucătaru, executive director of APE: The way from the “success story” to the “risk area”
- 3.** Corneliu Ciurea, university professor, political analyst: The notion of “Strategic Dialogue” is rather a diplomatic formula that doesn't show the real temperature of our relationship with Washington
- 4.** Expert Opinion: For the foreign relations to take a new shape, Chisinau needs a legitimate, representative and effective government

News in Brief



Moldova has seen three Resolutions this month. At its annual session in Berlin, the OSCE Parliamentary Assembly reaffirmed the need for the complete withdrawal of foreign armed forces from the territory of our country. The Assembly voted three amendments that stipulate the peaceful settlement of the Transnistrian conflict, the withdrawal of Russian troops from the country's sovereign territory and the transformation of the peacekeeping mission into a civilian one with an international mandate. Another Resolution, expressing support for the countries of Eastern Europe and NATO, came from the US Congress. The United States supports the territorial integrity and political sovereignty of the Republic of Moldova, Ukraine and Georgia, and reaffirms its support for democratically elected governments and people in the three countries. The document also stipulates the US commitment to supporting the three states in the process of European integration, ensuring energy security and enhancing trade cooperation. The resolution also condemns Russian aggression in the region and calls for the withdrawal of troops and munitions of the Russian Federation stationed illegally on the territory of the three states. The withdrawal of Russian military forces from the territory of the three countries was also requested by the NATO member states reunited in Brussels. In the statement included for the first time in the final declaration of a NATO Summit, the support to the territorial integrity and sovereignty of Ukraine, Georgia and the Republic of Moldova within internationally recognized borders is reiterated. The three resolutions take place in the context of the approval by the UN General Assembly, in June, of a resolution on the withdrawal of Russian troops from the Transnistrian region.



German Ambassador to the Republic of Moldova, Julia Monar, is finishing her mandate in our country. The Prime Minister Pavel Filip thanked the diplomat for her contribution to maintaining an active Moldovan-German dialogue. He also noted that, although short, her mandate was marked by several concrete initiatives and actions. “We want the good bilateral cooperation to continue and lead to the realization of as many joint projects as possible,” said Pavel Filip. In turn, HE Julia Monar noted the good cooperation she had with the Government and stressed that today the Moldovan-German relations are full of content.



After several year break, the Moldovan diplomacy meeting was held in Chisinau. The Minister of Foreign Affairs and European Integration, Tudor Ulianosvchi, reminded the Ambassadors of our country that today the Republic of Moldova needs a dynamic, result-oriented diplomacy to work on improving the image of the country and to present the domestic realities from the perspective of the rule of law, legislation and national interest. He highlighted the main foreign policy focus on European integration, bilateral, regional and international dialogue, security and country reintegration, training of the national diplomatic staff, including the creation of a National Diplomatic Institute, etc. Referring to the issue of European integration, Tudor Ulianosvchi said it remains an objective of maximum importance for the short, medium and long term. As far as economic diplomacy is concerned, the ambassadors' attention has been drawn to the fact that each diplomatic mission should set clear and precise objectives on promoting trade and attracting investment.

The echo of internal realities or what do we do with the Strategic Dialogue with the USA?

Sorina Ștefăruță

If we were to note down the key words launched in the local public space over the last few weeks, the list would be extended and not necessarily logical. At least, not at first glance. For ... protests-petitions-resolutions-demolitions- new protests-protests against protests-Europeans are bad-Moldovans are good-Europeans are good-Moldovans are bad-financing and non-financing-Trump-Putin-Kolinda-NATO-confusions-collective letters-the sixth African team-and we are taking off the belt...

A kind of reality game in a world where “the war of words” seems to have reached its peak, which is actually leading us into a parallel reality. It's a fight we've been drawn into unintentionally and the only chance to get out alive is to be informed.

In all this amalgam of words - which we could call “abstract”, if it wasn't for the strong political overtones of the Moldovan present it is carrying - there was a message that stood out because it targets the greatest global power. It is about the



relationship with the United States and, in particular, the Moldovan-American Strategic Dialogue, which, according to the transmitters, has been good and will be even better. This Dialogue was (re) launched on the occasion of the visit to Washington in June of the Speaker Andrian Candu and Prime Minister Pavel Filip, which was subsequently reflected in the meetings of the Chisinau officials with HE James D. Pettit, the US Ambassador to the Republic of Moldova; in the message of Minister Tudor Ulianosvchi addressed to the members of the diplomatic corps; but also in several statements of the Opposition which, in various contexts,

reproached the representatives of the government that the dialogue is rather faked than real.

Are we witnessing an attempt to transform the US relationship into an exchange currency for domestic political struggles in Moldova? The experts are saying it's unlikely. Moreover, the impression that the USA is behaving like a footballer on the backup bench is just an impression and one 'of the moment'. Washington is rather waiting to see what the activities on the field are going to end up with - as its echo has certainly reached them - in order to stand up and score with precision.

A strategic partnership is like a flower - it only lives if it is well cared of

Igor Munteanu, director of the Institute for Development and Social Initiatives „Viitorul”

On July 5, 2018, several civil society organizations launched, for the first time, public discussions on the adoption of the “Magnitsky Law” in the Republic of Moldova. This is a series of international integrity standards inspired by the legislation adopted in 2012 by the US Congress in response to the detention, arrest, and killing in 2009 of the Russian lawyer Sergei Magnitski, known for having “dared” to contest and make public a series of very large bank frauds in the Russian Federation. The Global Magnitsky Act has inspired other countries to follow these standards, and the event has made the idea of the alignment of the Republic of Moldova to them come almost simultaneously with the numerous statements about the success of Moldovan-American relations and the intensification of the strategic dialogue with the USA made by certain government exponents following the June visit to Washington. This idea came also in parallel with the huge street protests caused by the invalidation of the local elections for the Chisinau mayor’s office and the painful Resolution of the European Parliament. About successes and failures, both domestically and externally, I have discussed with Igor Munteanu, Director of IDIS “Viitorul”, former Ambassador of the Republic of Moldova to the USA and Canada and one of the authors of the initiative of alignment of our country with the “Magnitsky Act”.

An eventual “Magnitsky Law” would de facto strengthen the state security

■ Mr. Munteanu, in the announcement about the launching of the initiative to align our country with the ‘Global Magnitsky Act’ International Integrity Standards, you mentioned: the time has never been more favourable. Why “favourable”?

■ Because the challenges the “Magnitsky Act” can respond to are systemic, the risks



are global and the premise from which we started together with several comrades from TI-Moldova, WatchDog and CPR, was that the Republic of Moldova should demonstrate international solidarity and national will aligning with Magnitsky legislation. That is the only way we can solve the serious problems of the country’s financial and banking system and that is how we can end the investigation of the \$1 billion bank fraud and hold accountable the frauds who, having enjoyed the complicity of some political parties and the state’s inaction, betrayed the citizens of this state. Thus, by a “Magnitsky Law” we could recover years of inertia and bureaucratic blocking of problematic cases, we could stop the access of people directly involved in the bank fraud or money laundering operations and could confiscate properties from fraudulent money - three crucial elements of the Magnitsky integrity standards. We called on Parliament to adopt this law as a matter of priority, which means to adhere to an existing mechanism for preventing and sanctioning organized crime on a global scale, so that we also join the states that impose coordinated sanctions on those involved in widespread corruption, money laundering and violation of human rights.

■ In a period of serious social tensions, it sounds like an optimistic urge. What answer are you actually expecting? Did they get the message at least?

■ I’m a positive person. I hope that the response from the parliamentary political class, but also from the extra-parliamentary parties, will be positive. All the more so, as the title of the law adopted by the US Congress and promulgated by President Barack Obama contains the name of our country - “Russia and Moldova Jackson Vanik Repeal and S. Magnitsky Rule of Law Accountability Act of 2012” (No.112 -208 of December 14, 2012) - and the purpose of this law was to put an end to the commercial-economic restrictions we were targeted through the Jackson Vanik Amendment as a “successor to the USSR,” which opened the access to obtaining the PNTR (Permanent Normal Trade Regime) with the USA. Adopting a “Magnitsky” Law can be a “game-changer” in the current context as we need accelerators to overcome stagnation and inhibition in the justice system.

■ As one of the most vocal voices of the moment, what predictions do you have for the future of the Republic of Moldova?

■ We are at the end of a political cycle marked by the signing of the Association Agreement with the European Union, including the implementation of the Free Trade Area with the EU, as well as by other political obligations to the EU. A period in which there have been successes and resounding failures. Both the parties and the pro-European public were much more optimistic at the beginning of this cycle (2009) which, in 2018, is ending with a stalemate and unprecedented democratic decline in our country. And against the backdrop of a growing political confrontation between the opposition and the government, on July 5, 2018, the European Parliament adopted a particularly categorical Resolution on the current political crisis in the Republic of Moldova. The EU is alert to the recent involutions of Chisinau and to the emergence of an authoritarian political model implemented by the Democratic Party (PD) leadership at the expense of the previous course of adherence to the norms and

values of the European space. The Republic of Moldova has always had a very pluralistic society - for which reason, personally, I do not think that a party of 5% popular support can achieve its goals - but it is certain that having a quasi-total control over the state and the decision-making agencies, it can generate many problems, a lot of confusion and costs in relation to the external partners. Today, we are witnessing a form of power usurpation specific to the regimes with authoritarian leaders in which well-trained entrepreneurs in corporate business take control of the public sector and de-legitimate the state institutions through a rentier system subjected to political will and cut off from any democratic control. Thus we are observing in Chisinau the strengthening of a governmental model extracted from public consultations, subjected exclusively to the decisions and interests of some decision-makers from outside the institutional field of public authorities, acting in a manner that contradicts the constitutional provisions and the model of representative democracy.

We are dealing with a Belorussian model, but in an inverted manner

■ So we are talking about the end of a political cycle, not of an era?

■ Politics in the Republic of Moldova is highly personified, often attributed to familial-parochial relationships: the godchildren, godparents, and relatives are “institutions” often stronger than any “impersonal” (Weberian) mechanisms of collective leadership, which compromises the essence of power in the state. In 2001-2009 the political power was identified with the name of the communist leader, Vladimir Voronin, who introduced a kind of “social power-of-people mimicry” of the socialist-chronist type, but who was still preserving a certain lineage with the leader’s accountability to the public. Let us recall the press conferences held by Mr Voronin at the Presidency headquarters, the call of Prime Ministers to report, and the renunciation of the Kozak Plan in November 2003, under the pressure of street protests, which is symbolic to this regard. Many “auxiliary” people in the Communist leader’s entourage felt at some point that they could use this personified power for less altruistic purposes. Respectively, when they were given the chance, they started to consolidate

an oligarchic-plutocratic governance model that had no longer any connection with the ideas of the “welfare state” or the “European model” that they are claiming to embody today. Against the backdrop of governance failures in the coalition, these people fuelled and took advantage of the existence of a functioning power vacuum, which they managed to take over, thanks to a better managerial experience of the private sector. But their solutions don’t seem to bring the benefits that any public sector should generate for citizens. We are rather at the stage of reading the label, not of consuming the promised goods.

■ However, Mr Voronin had popular support, he was an elected leader.

■ Indeed, Voronin was brought to the head of the state by the votes of the electorate, expressed by a constitutional parliamentary majority (71). The PDM’s current “managerial-oligarchic” model does not enjoy a similar electoral support and does not have the electorally-confirmed legitimacy. Moreover, in 2014, the PDM obtained only 18 mandates. However, because the current party finance system is full of holes like a sieve this party has managed to poach its deputies from other parties. It has happened through frauds that have nothing in common with the sudden change in political convictions, but rather have to do with forcing them, through less Orthodox means, to join a powerhouse. And if it has control over the Prosecutor’s Office, the Central Electoral Commission, the National Anti-Corruption Agency, a party with sufficient financial resources can easily block the mechanisms of separation and co-operation of powers in the state (checks and balances), assigning itself powers and functions which, according to Article 2 of the Constitution of the country, qualifies as “the most serious crime against the people” - the usurpation of state power. At this moment, PDM leaders exercise the state power on their own behalf - they promote or dismiss officials as dictated by their interests, give instructions to the Prime Minister directly from the party headquarters, use public money as they please, break any dialogue with the Opposition and the free press, and ultimately assigns to those without a certain function in the state roles of “monarchs” of a parallel order to the constitutional regime. This model of corporate-oligarchic governance has nothing to do with the mechanisms of European democracy - it is

rather a model inspired by the Byelorussian leader, Lukashenko, but in an inverted manner.

■ Aren’t we exaggerating when we assign such power to a single person and thus legitimize, actually, his power?

■ My analysis is based on evidence and not on speculations. Today PDM is the dominant actor of the governing coalition, even though this coalition formally includes PPEM with a secondary role and, informally, the PSRM, embedded in sequential, multi-movement games. The state is what PDM wants: the budget resources are redistributed by the Government for electoral purposes (roads, Arena, salary increases); the media market operates under a monopoly regime where almost no independent institutions can exist; the most important state-owned enterprises (from “Air Moldova” to “Metalferos”) are managed by politicians loyal to PDM. The oligopolies in the economy (energy sector) are exploited by political groups under the control of the PDM, thus securing their resources by which they buy again loyalty and control over the public sector. In 2017, the PDM and PSRM voted to modify the electoral system, contrary to all the recommendations of the Venice Commission and the OSCE/ ODIHR, opting for a mixed system - also with the aim of political survival rather than strengthening political accountability mechanisms. The citizens have been told they will be able to withdraw their deputies if they do not work efficiently, which later proved to be a “bluff” served to the credulous people. And because the manipulation succeeded in 2017, in 2018, we got landed with the invalidation of the local elections through the decision of the courts - an unprecedented situation in the modern history of the Republic of Moldova, which clearly shows that the promoters of this authoritarian and non-liberal model that are in power can be particularly damaging to the rule of law and the interests of citizens, and unfortunately they will leave only if they are helped to leave. Peacefully, obviously.

There have been two calculation errors: Silvia Radu and the European Parliament

■ To what extent do you think the recent European Parliament Resolution is influenced by this democratic decline?

■ To quote Dostoevsky, it is the direct relationship between “crime and punishment”. And the hysteria with which the Democratic Party (PDM) accused the opposition of having influenced the decision to suspend the EU funding, which is going to affect the “nutrition of children in schools and kindergartens,” I find simply absurd. The Prime Minister Filip’s statements are shameful, while his language - tactless and lacking education. I mean, you pretend to be “European” as long as it is convenient to wait for the EU “cookie” or “carrot” promised (the macro-financial and bilateral assistance), but you don’t show basic respect towards the institution of political competition, the institution of Opposition and the separation of powers?! Who at this stage believes that a judge of first instance with an absolutely unrelated experience in the judiciary, can challenge the results of the election? And immediately the Court of Appeal and the Supreme Court of Justice whose membership includes judges that were subject of serious journalistic investigations maintain an extremely poorly judged decision? After that, pretending you have nothing to do with the decision, you are hiding from political responsibility by not interfering with the justice?! Do not insult the public’s intelligence, it is clear that the only beneficiary of this precedent is PDM, which risked the degradation of dialogue with the EU only in order not to give the Opposition the capital - the most influential and the richest city which is anchored to a pool of democratic votes. We could see how PDM relied erroneously on a technocrat candidate who proved disappointing, without relevant political substance, which underlines that the advice of the political consultants to this mega-party is either deeply flawed or shaded by the emotional instincts of the leader.

■ **And what was the error in relation to the European Parliament?**

■ It lies in the absence of strategic calculation. Being perhaps accustomed to the leniency ensured to them in different offices in Brussels by the lobbying companies, the PDM leaders have not even admitted that there will be such a strong majority in favour of a tough resolution penalizing the invalidation of the elections and the political control over justice in the Republic of Moldova. And trying to publicly subvert the power of a resolution adopted by the EU legislative forum and, at the same time,

to praise a resolution on the subject of Russian troops adopted at the UN with a much less instrumental value, seems to me an aberration. The first serious blow to the relationship between Chişinău and Brussels was given in 2015 when it was found out about the huge bank fraud in which some of the exponents of the current ruling coalition are complicit. The fact that at this moment they hold very high positions in the state means - both for the public and our strategic partners - that the political lessons of the bank fraud haven’t been learned in Chisinau. By the way, the authorities of the Republic of Moldova have shown impotence in the investigation of frauds, in the situation when the facts revealed by the Kroll Company and the availability of important partner states to help with money recovery should have solved the problem quickly. We see, however, that three years after the collapse of the banks and big street protests against the bank fraud, things did not move. In June 2018, the current political class added to its list the indiscriminate vote-voiding, which for any European official, regardless of the political color, is a “red line” that one cannot cross under any circumstances. The EU is wondering: if it was possible for an anonymous judge to cancel the vote of hundreds of thousands of people in Chisinau, why should one hope that the same pattern will not be repeated in the future parliamentary elections of 2018, especially that the stakes will be even higher? And then, why should the EU funding help a government to further usurp power in the state, using various pseudo-European campaign slogans of Soviet or “Putin” type?! The risk is neither metaphoric nor hyperbolic.

■ **Can we say we are in an undeclared war with the EU today?**

■ Let’s say that the statements of the Moldovan authorities have exceeded the limits of diplomatic courtesy ... and that there is no trust whatsoever in the Filip Government. And even if they step back - personally, I think they will step back, although the reality is more complicated than any detective story - I am convinced that the vehement speeches of Speaker Candu and Prime Minister Filip have hit some extremely sensitive cords in Brussels, and the reactions are opposite to what PDM political advisers would have expected. Blaming the EU’s legal forum that it had allegedly urged the political leaders in Chisinau to interfere

with the Moldovan “independent” justice (this is how it is at least described by the two), the message that the foreign partners get is that the current government is, in fact, the political issue no. 1 in the Republic of Moldova and that its lack of legitimacy deprives the Moldovan citizens of the extremely necessary help from the EU, not the other way round.

I think the PDM’s both “messengers” were fatally wrong about the kind of reactions to make public, transferring the nervousness of their party leader to the government position. And the errors have consequences. In other words, although we are not on the brink of war with the EU, we are witnessing a dramatic degradation of relations with the European institutions, and the blame falls on the PDM and all those public servants who prefer to sacrifice the relationship with the EU in the name of personal comfort. To cover oneself with the infamous thesis that “it is the judges who decided so” is, I think, ridiculous and shameful, especially since the latest report on the progress of the Association Agenda (March 2018) and the numerous appointments of judges with serious problems of integrity, have shown that our justice is neither independent nor reformed.

■ **What is the way out of this diplomatic deadlock, which looks more like a blackmail - if you do not accept us as we are, we will be moving to another house?**

■ We are in a political deadlock, not just diplomatic, and this episode of the European Parliament Resolution cannot be treated (as ignorant politicians do) as a mere misunderstanding. As I said, it is a serious collision between the PDM interests and goal of concentrating the power and changing the rules of the game, and the basic rules defining the EU’s relationship with its associated partner Republic of Moldova. These are the conditionalities imposed on our country by the European Council on several occasions, starting on 15 February 2016, which cannot be exchanged, traded or replaced by anything else, the alternative being merely the suspension of the Association Agreement. We are talking about a very dangerous intersection, revealing a kind of “chicken game” of the Game Theories. The Republic of Moldova needs the EU as oxygen - no other foreign partner can replace the European governance principles,

the development resources, the attraction and the benefits enjoyed by our citizens in their orientation towards the European cultural model. And the EU only requires rules and key conditions: the functioning of democratic institutions, the justice reform and respect for human rights and freedoms, including in terms of political competition and the maintenance of public authorities under the control of the citizens. A chaotic agenda dictated by the interests of a political leader is a safe recipe for instability and isolation. That is why I am convinced that the EU will not give up on its support conditions so easily for the 100 million euro expected by the authorities. There are intangible values that make the EU strong and that cannot stop at the border of the EU. Now, however, it is the turn of the political actors in Chisinau to make a firm choice: either they win this semi-authoritarian, semi-doctrinal that can change the rules based on their partisan interests, or the Power accepts the existence of limits which cannot be crossed and resets its political conduct in order to be part of a political solution, not part of the problem, meaning a rational game of political probabilities and certainties.

When you use manipulation, the costs can be enormous

■ ***As former Ambassador to the United States, how do you see America today? And how do you think the quite contradictory changes across the Atlantic whose echo, though more difficult, reaches us, is going to influence our region?***

■ What is happening in the United States is part of a wider transformation of the world order. The relative decline in the US economy's global share has created a sense of anxiety in the American society and has generated the phenomenon of power transition to a Trump type businessman president- which is in contradiction with the Republican Party's doctrine and doctrinal legacy which becomes a violent denouncer of globalization that does not preserve the US dominant role in the world. "The rise of the rest," as Zbigniew Brzezinski would say in order to explain the reasons for the change of forces on the international arena, triggered the "America first" electoral response, exploited by Trump's team in the presidential campaign.

At the same time, vocal and even virulent populist groups came to power or close to the power nucleus in several influential states of the EU, from the Freedom Party in Austria to the National Front in France, from Jobbik in Hungary to the UKIP, which triggered the exit of the Great Britain from the EU and pushes the governments of Hungary, Poland, the Netherlands, Italy or Greece into extremely dangerous actions. These actions are taken up by populist leaders who are planning to come to power through elections but who publicly disregard and disapprove the fundamental pillars of democratic governance; they accuse the EU of corporatism and question the European solidarity. The Trump administration came to power with the idea of nationalizing the benefits of globalization and reducing the spending on activities that are not to the advantage of the US interests, and with another vision of the role that the United States can play externally - hence challenging the free trade with some countries on the grounds that the US is losing out of these agreements. It is a new order whose effects impact also Europe, creating nervousness especially at the level of the states threatened from the East, but not only. The fact is that our world has become more complex, and also more complicated, devoid of cohesion on its democratic flanks and more unpredictable.

■ ***In this context, do you admit the theory of conspiracy - that someone would have been convinced so that we appear just as a pawn in the ever more obvious battle between the USA and the EU?***

■ Not at all. The US administration is sending its messages directly to the relevant capital, trying to influence commercial issues first and foremost. The security challenges, as we have seen at the recent NATO Summit, though problematic, they are openly discussed. And, ultimately, I do not think anyone would entrust such missions to PDM leaders. I believe, however, that the Republic of Moldova is so captured by its own internal weaknesses that we cannot afford to resort to various conspiracies or more complex paradigms than the analysis I have made above.

■ ***How do you explain, in this case, the excessive optimism with which the exponents of the current government returned from Washington a few weeks ago?***

■ I see them optimistic compared to other political players only because they feed on the reports of well-paid lobbyists who only give their clients what they like to hear. Full stop. More regrettable seems to me the fact that the PDM leader's subjectivism is fueled by the slicks that take advantage of the pre-modern way in which decisions are made in this party, and thus maintain a bubble on the most delicate matters that the governance is responsible for. Personally, I was sad to see that even the press release from the meeting at the State Department (Filip - Pompeo) was censored in a rudimentary way, without giving the full text, presenting the meeting as a great success of the PDM. The key message that "the people's will should be respected, and justice and the press should be independent"! was excluded from the press release.

This simply means manipulation, and if you resort to it in relation to the USA, your costs can be enormous. I personally met Mike Pompeo in Washington when he was Congressman of Wichita and I think he does not share Filip's dull joy ... Our officials claim we have a strategic dialogue with the USA - but a strategic dialogue is like a garden, a flower that should be watered every day. If you do not take care of the hygiene of this relationship, it will serve only for domestic consumption of party TVs and will remain just an empty phrase at practically the first contact with reality. And I do not exclude that the American side has an unpleasant feeling about the visits being exploited for electoral purposes without being seen as such - as long-term investments for the Republic of Moldova. There are errors generated by the tendency to transplant corporate management solutions into the public sector that cannot succeed in the public sector simply because it is built differently and needs legitimacy and transparency.

Ambassadors are not magicians

■ ***Do you think Moldovans need democracy? The "success story" from Orhei and, more recently, Jora de Mijloc is speaking of something else...***

■ Yes, I am convinced that the citizens of this country need democracy and European values to develop as individuals and exponents of an ethno-cultural community. It would have been impossible to ask for



democracy in a closed Soviet-style society, the famous “aquarium” described by Victor Suvorov, where you could have bread on the table, but at the risk of being accused of state betrayal any time the leaders of that regime wanted. The collapse of the USSR offered the chance to develop institutions and practices incompatible with the logic of “barracks”, “gulag” or official propaganda of the regime. That’s why I find it horrible to see that people who were born free after 1991 can find the former Soviet camp’s “aquarium” regime attractive for some personal benefits ... As far as the rapprochement to the EU is concerned, this is a process, not an end in itself. And our citizens should learn to value the benefits offered by the EU (liberalized visa regime, the benefits of free trade), but also to fight for the benefits they have exclusively of the political regime that we are maintaining in the state - the constitutional order, the pluralistic and democratic regime etc. By valuing these political goods, we could advance towards an efficient governance model and close the lid of the “aquarium” that can block us at a dead end. What is happening in Orhei with his famous mayor is a pick of absurdity reached by our brave justice, controlled by politicians incensed by the “unjust Resolution of the European Parliament”. Shor is just the cherry on the cake and the symbol of the illegitimate, grasping, protected from impunity Power, and as its electoral slogan said, “which proved it can do it.” However, this puerile rhetoric that “we cannot interfere with the justice” isn’t worth yesterday’s garbage if people start to discuss, analyze and want something else.

■ **Recently, the reunion of the diplomatic corps of the Republic of Moldova took place in Chisinau. How should and how do you think our diplomacy will de facto act in the present context which is rather complicated, especially domestically?**

■ Nicolae Titulescu said: “Give me a good internal policy and I will make an excellent foreign policy!” It is a quote that answers your question. I must admit that it has never been easy to place the Republic of Moldova on the agenda of the big international players, not to mention benefiting from it - and at present it is no any easier. I have seen the optimistic-festive statements of the minister Tudor Ulianoschi about increasing the efficiency of Moldovan diplomacy,

dedication etc. It is what any minister has to do and say, but the task of our diplomats is getting complicated because of the unprecedented antidemocratic abuses happened this year in the Republic of Moldova. The ambassadors are not magicians, they cannot do wonders if things go wrong at home. The calls for mobilization only inflict them a certain fear of not telling what is unsuitable for a dominant party or to lead them to “faking” some external messages. And this undermines the role of ambassadors, who should be sufficiently free and respectful and not put in situations where they should show loyalty to the “boyar.” Fear is an inhibitor of diplomatic creativity and a negative capital that is raging in public service. That’s why ... I would remind you that in the Republic of Moldova you can fall into disgrace even if you don’t say anything, as happened to Aurel Ciocoi, recalled from Washington just after one-month mandate. It seemed to me a clear insult to the USA, if we get back to the issue of the strategic dialogue. Without courage – there is no use of diplomats.

■ **How not to return to the “aquarium”? There have already been speculations about a possible suspension of the visa-free regime in response to the political abuses...**

■ The issue of the liberalized visa regime is a taboo - there are experts who are even refusing to discuss this issue in the public space. It is understandable: some people have worked enormously to give Moldova’s citizens the freedom to travel to the EU two years before other countries like Ukraine and Georgia could get it. And now, as a result of the mess and lack of compass in the domestic politics, to discuss this topic would mean, at least, to admit that everything can fall overnight ... Personally, I believe that a benefit offered can always be withdrawn, this is the logic of any political construction in which states undertake obligations in exchange for goods they need. I am convinced, however, that the EU will think it twice before cutting the Moldovans’ access to the EU - because it is primarily aimed at citizens, not parties. So I don’t think it will get there, but I don’t rule it out either, because all agreements have a start and an end, especially when key conditions are violated and some politicians play risky.

■ **Could you please give an example of a risky game?**

■ I will mention only one - the controversial Law on Citizenship against Investments, adopted in spring 2018, despite the criticism of the civil society, which is advancing by selecting a company that will deal with the “sale of the citizenship to foreign persons, subsequently called “investors”, which will be accepted by a Commission of Officials set up by the Ministry of Economy.” Such a primitivisation of the citizenship institution raises many questions. For when you open such a loop, you are risking a lot. You are risking the devaluation of citizenship and national security interests, which the authors of this law have tried to substitute with money. And we’ve already had the first alert in the press (the independent press, obviously!) about the dubious reputation of the company selected by the Government for this project. In addition, it is enough to have some concrete failures in the international press – unverified people with international criminal records, connected to various suspicious networks or affiliated to groups sanctioned globally - and the Republic of Moldova can enter into an increased risk situation for the EU. You can realize one day that all your citizens can be subject to sanctions or even suspended visas. Risks are probabilities that can be mathematically calculated - and never impossible.

In this context, I’m sometimes wondering if the officials who allowed for this law are not, de facto, sabotaging the liberalized visa regime with the European Union, and (the great democratic politicians) are not following in their “corporate” labyrinths of thinking “ exactly the purpose of a rejection on the part of the EU?! And I’m wondering if the price of this action is much lower than the money the Chisinau government estimates to collect from the “investment against citizenship” operation. The circle is closing. And I’m getting back to the beginning of this dialogue and I’m reiterating my conviction that a Magnitsky Act type of legislation could balance these lethal risks - but only if there was enough power to mobilize and persuade the society, the political class and the people of common sense in all social groups that this is the direction to follow.

■ **Thank you for the interview.**

Sorina Ștefârță

Editorial

The way from the “success story” to the “risk area”

Victoria Bucătaru,
Executive director, Foreign
Policy Association

Invalidation of the local elections in Chisinau generated the dissatisfaction not only of the candidate who suffered the right to take over the position of Mayor of Chisinau, but also of the development partners of the country for whom the political situation from the end of June has quickly turned into a crisis.



For all the actors involved and also for the whole society, the final decision of the Supreme Court of Justice was only a reconfirmation of the belief they were already sharing, and namely, that we are confronted with the lack of independence and transparency in the decision-making process of the judiciary, but also with the perpetuation of major vulnerabilities to the rule of law in the Republic of Moldova. Thus, although it is speaking of progress in the economic development, the Moldovan Government is lagging behind when it comes to the state of democracy, the current situation being qualified as a “captured state” with an uncertain path.

De facto, the “success story” of the Republic of Moldova ended together with the stealing of the billion. Because of the high corruption index, it was not possible to qualify the country for the Compact 2 Programme offered by the United States through the Millennium Challenge Corporation. Also the Euro-Atlantic partners have set a number of tough conditionalities - including political ones - for providing potential financial support. And because many of the commitments made under key contract documents, one of which is the Association Agreement with the European Union, have not been fulfilled, Brussels has repeatedly suspended the macro-financial assistance promised to Moldova. As a result, if until now the messages of the development partners were transmitted in a latent form, today, the messages coming from the EU capital are less diplomatic.

The “apogee” came on July 5, when the European Parliament adopted a resolution on the political crisis in the Republic of Moldova, as a result of the invalidation of local elections for mayoral office of Chisinau municipality, with the vote of 343 out of 538 MEPs present at the meeting, representatives of various European political families. In this case, MEPs have reported serious violations and deviations from the principles guiding a democratic state.

In the weeks that followed, the European Union and the United States expressed, both officially and almost unanimously, the perplexity of the actions taken in Chisinau and noted the potential dangers for the parliamentary elections in the autumn of 2018. The strong argument

for this incomprehension was, above all, the fact that the international observers considered Chisinau mayoral elections to be free and fair.

The future of the relationship between the Republic of Moldova and its Euro-Atlantic partners seems to be getting complicated, including because of the reaction of the Chisinau authorities and representatives of the Moldovan political elites to the criticism brought to them in this period of time.

The promotion of contradictory messages with a visible anti-European tinge by the Chisinau Government in response to the European Parliament Resolution puts the dialogue with the development partners in difficulty and the former “success story” - in the category of risk-states. And the consequences of such a “dialogue of annoyance”, which contains also propaganda elements, not only intensifies the lack of trust in the Republic of Moldova as a consistent development partner, but also disqualifies the country for a potential European path.

Moreover, on the one hand, the Moldovan officials’ discourse - one frequently passing from one extreme to another - confirms once again the lack of a clear European association agenda of the country and sincere political will to carry out reforms in the key areas. On the other hand, it makes the Republic of Moldova become a major risk area from the point of view of the regional security architecture.

In the face of a confrontation with the Russian Federation, this posture is giving us neither any added value nor much strategic comfort. And here we have to mention the recent NATO Summit in Brussels, which once again highlighted the complex security context, the tensions between the allied states, and the position of the Alliance towards the Russian Federation. Despite internal disagreements, NATO states have shown unity at the external level and reiterated their support for international conflicts, including the sovereignty and territorial integrity of partner countries such as Georgia, the Republic of Moldova and Ukraine.

It goes without saying that, at present, the favourable position of the Republic of Moldova is largely due to its inclusion in the NATO Summit Final Statement and less to the cooperation efforts with the Euro-Atlantic partners - a status that generates more vulnerabilities and fewer opportunities. If Moldova doesn’t take urgent steps to rehabilitate the rule of law and democratic values and continues to ignore the messages of its development partners, such as the USA and the EU, the risk of losing the last favours is very high. And then what it’s left is just a grey area.

The notion of “Strategic Dialogue” is just a diplomatic formula that doesn’t show the real temperature of our relationship with Washington

Corneliu Ciurea, university professor, political analyst

■ **Mr. Ciurea, what are, in your opinion, the current challenges of the Moldovan foreign policy at the regional, European and transatlantic level?**

■ The Republic of Moldova should rebalance its foreign policy, which is suffering from an excessive idealism. Even if the pro-European orientation is correct, this course should be correlated with the latest developments in the region - the rise of populism and illiberalism in the EU, the lack of interest in enlargement, the possible Russian-American rapprochement, the need to promote its own national interests that often doesn’t fit in with the liberal agenda proposed by the EU. Last but not least, the foreign policy of the Republic of Moldova should be correlated with the characteristics of the political regime at home, which remains a pluralism *by default*, with a fierce confrontation between several oligarchic groups - some in power, others craving revenge by all means. Under such conditions, the discourse and objectives of our foreign policy is going to be gradually brought to political realism. We will no longer claim to be pioneers of democracy in Eastern Europe, but at the same time, we will have an increased interest in ensuring the country’s security and its reintegration.

■ **What are and, eventually, should be the priorities resulting from these challenges? Does the Republic of Moldova have the capacity to deal with them? And if so, is this capacity fully exploited?**

■ More realism in our foreign policy means stopping the talks about red lines (a subject dear to those who want comfort and tranquillity in the framework of fixations that have become obsolete) and accepting courageous navigation in a constantly changing region. The rebalancing of foreign policy towards a growing pragmatism demands the expansion of our external



contacts beyond the tightness of the Moldova-EU Action Plan. This Plan should be seen today not as a way to get closer to the EU, but as a useful tool to benefit economically from this relationship. What is happening already is that the document is no longer an object of singular interest for our society. Many of the Government’s important actions are done without being strictly linked to the Action Plan (the Tax Reform, the ‘Prima Casa’ (First Home) Programme, Pension System Reform have a logic of their own). The Chişinău-Kiev-Tbilisi trilateral should be promoted without being an obstacle to our dialogue with Moscow on vital issues for us - Transnistria, the withdrawal of Russian troops, and economic relations. Political realism involves the discovery of new opportunities - the possibility of the country reintegration, the reinventing of Eastern Europe as an area in which you can survive under the umbrella of neutrality (permanent or non-alignment), the elaboration of a mutually advantageous model of cohabitation with Romania in which the main contradictions (treaties, language problem, unionism issue) should not be tackled in a trenchant manner. For the moment, this model works. As far as capacity is concerned, we shouldn’t forget that our country is a small actor in the region and cannot guarantee the fulfilment

of all these objectives. For example, it depends on how the conflicts in Ukraine will be managed. From this point of view, the Republic of Moldova should hunt its favourable chances to promote its interests in a wider game.

Collaboration between Chisinau and Brussels will take the path of a pragmatic partnership

■ **To what extent did the internal political polarization, driven to the extreme by the recent events in Chisinau, deteriorate the relations of the Republic of Moldova externally, especially in the West?**

■ I would prefer the notion of disclosure rather than deterioration of our relations with the West. The real character of the relations with the West has been disclosed because the latent contradictions have been reactivated - it is about our inappetence for some liberal values, the priority being the sovereignty as opposed to combating corruption and the lack of consensus both here and in Europe as regards accession. The idealistic line once proposed by Iurie Leanca - European integration is irreversible - was a beautiful dream that began to show its limits. We still have to answer the question whether the Republic of Moldova is a viable project in the absence of integration with either the West or the East. Curiously enough, it may be viable because both the West and the East have real interests in the region. Only these interests are not accommodated, they remain divergent rather than convergent.

■ **What would you reproach the government- if you could do it- for having admitted things to de/evolve in such a manner? What would you reproach the Opposition?**

■ I would reproach the government the inadequate and slow implementation of the 'Shor model', in the sense that part of the non-transparent accumulations should be returned into benefits for the population. Yes, this practice is non-liberal, but it is absolutely necessary. As to the opposition, I would reproach its infantilism in relation to the West, and namely, the sacrifice of national interests at the cost of receiving encouragement from Brussels. Neither the opposition in Ukraine or Georgia does so.

■ **Do you think the current 'crisis' - internal and external - could have been avoided?**

■ I don't think so. I think sooner or later it would have appeared. The EU is quite negligent in treating the near neighbourhood and doesn't recognize its alterity. Any crisis can be overcome. There will be a dialogue process that we hope will lead to improvement, not to deterioration. The lessons should be learnt both by Chisinau and the EU.

■ **What are the solutions to re-establish dialogue with the EU and, especially the trust in the Republic of Moldova and its pro-European commitment?**

■ I think the solutions will be tested after the parliamentary elections and they will depend on the political configuration of the parliamentary majority. Regardless of the configuration in question, however, the Republic of Moldova will be less smoother a partner than before (like Ukraine). And the collaboration between Chisinau and Brussels will take the path of a pragmatic partnership and not of the passionate friendship promoted by Filat and Leancă.

■ **From your point of view, is there a risk that, under an alleged offense, Chisinau will give up on its pro-European commitment?**

■ I don't believe there is such a risk. But the pro-European commitment can be made compatible with a greater interest in other partnerships - for example, the Moldovan-American one (which is not identical with the European one) or the Moldovan-Russian one in the case of the Socialists' victory.

■ **In this context, how do you assess the hypothesis that, in the "dispute" with the European Union, Chisinau would play the**

game of the USA, which is currently in a quite tense relationship with the EU?

■ This hypothesis is partly true, but the policy in question derives from the understanding that the Republic of Moldova needs the support of big powers. The worst situation for our country will be when nobody - neither the United States, neither Russia nor the EU - will any longer have interests in the Republic of Moldova.

The relationship with the USA is complicated - like any other relationship, actually

■ **How would you characterize today the relationship between the Republic of Moldova and the United States, which undergo transformations that could impact the whole world?**

■ It's a complicated relationship - like any other relationship, actually. We need Americans in order to develop further. Americans need us to keep Russia in check. Although we want to take advantage of American contributions, we need to be careful because the elephant movements of the USA in the region can crush ants like Moldova.

■ **At the end of June, as a result of the visits to Washington, the government officials made several statements about the Strategic Dialogue with the USA, which is going to be intensified and capitalized. What should this Strategic Dialogue contain today and how de facto can we benefit from it, also taking into account the international political situation?**

■ The formula of the strategic dialogue, launched in 2014 and relaunched in 2017, implies the intensification of Moldovan-American cooperation in the field of security. For the time being, this notion has not been filled with content, because it is often limited to our troops participating in military exercises. The notion seems to me quite a diplomatic formula that does not show the real temperature of our relationship with Washington. Normally, the Chisinau authorities demand economic assistance and respect for the country sovereignty from the Americans. Occasionally, Americans meet these demands-the IMF assistance, the

statements of the State Department when the Filip government was sworn into office in 2016. In other situations, the Americans hold the government under pressure: the intention of the American officials to remove Vlad Plahotniuc from the game is well-known though with an unclear end.

■ **Is a Strategic Dialogue possible in the context of antidemocratic abuses in the Republic of Moldova, signalled by the European institutions and senior officials from Washington, as well as by the US Embassy in Chisinau?**

■ Antidemocratic abuses signalled by some American officials is making the Moldovan-American relationship more complicated, though Washington is more pragmatic than the EU. The American policy is "not to put all the eggs in the same basket," so the US is not dependent on the relationship they have with Vlad Plahotniuc. For this reason, the PDM leader's task is to persuade the Americans that, despite certain dubious political actions, he is the only serious political player in the Republic of Moldova. So far he seems to be partially successful in this.

■ **On July 5, representatives of several NGOs proposed to adopt a "Magnitsky Law" in the Republic of Moldova which, according to the authors of the initiative, would contribute to the rehabilitation of society and of the political class. What should be the Parliament answer to this and how do you think it will respond?**

■ I think it is a marginal initiative by increasingly politicized institutions that will not be taken into account by the current parliamentary majority.

■ **What do you think the next - electoral - half a year in the Republic of Moldova will look like? Or this period is running the risk of being a little longer?..**

■ I think we will have elections in the winter. I hope there will be a pro-European parliamentary majority. This will require some sacrifices from the political right-wing. If the right-wing is not going to accept such a political course, the solution of a broad centre-left coalition also seems viable.

■ **Thank you for the interview.**

Expert opinion



Dionis Cenusa: “For the foreign relations to take a new shape, Chisinau needs a legitimate, representative and effective government”

For more than half a year, Dionis Cenusa has been in Germany, on a research grant (PhD) at the Justus-Liebig University in Gießen. However, he remains a devoted observer of the political life in Chisinau, coming up with prompt and pertinent reactions both as an expert with the “Expert-Grup” and as the author of a permanent column at the Info-Prim Neo Agency. In the current edition of the newsletter, I’ve asked him to refer to some key aspects: the state of play of foreign policy promoted by Chisinau, but also the relations –wished to be strategic - with the United States of America.

About the country’s foreign policy at regional, European and transatlantic level

The main challenges faced today by the Republic of Moldova externally have to do, in fact, with the unpredictability of domestic politics. National interests are often replaced by those of the ruling party. The foreign policy is no longer seen as a way to maximize the benefits for citizens and promote the interests of the state, but is rather treated as

a platform for strengthening internal political positions, for internal strategies or for the transfer of image, when one has to compensate for public mistrust in government. For this reason, the relationship with the two neighbouring countries and with the EU and the USA is, to some extent, marked by this separation of the ruling party from the interests of citizens and of the state in general. The same explains the ease with which the current Moldovan authorities voluntarily and deliberately choose to deteriorate the dialogue with the European Union.

In other news, the regional policy is an additional source of resources (loans, grants) and legitimacy to cover the failures of the Moldovan government. The controversial profile of the Bucharest government or the oligarchic traits of the Kiev leadership help de facto the Democratic Party to optimize its policies, taking advantage of the regional context. For the time being, the most stable actor with which the official Chisinau is determined to have close relations and to avoid confrontation is the United States of America.

About the (current) priorities and (necessary) solutions to repair the relationships with external partners, deteriorated as a result of internal political polarization

The foreign policy priorities are, on the one hand, divided into two opposing geopolitical directions and, on the other hand, they are mixed with the narrow political interests of the parties that control the decision-making process. Thus, President Igor Dodon’s office is pedalling towards Russia - not without creating confusion over the true attitude towards the EU, though. Therefore, the pro-Russian forces are very explicit about the strategic role of Russia and very vague about the future of the relationship with the EU. At the same time, the Democratic Party is setting its external agenda in a manner that corresponds to its plans of maintaining the power. The animosities with Russia, exploited by the government for the internal public discourse, take place in parallel with the strategic dialogue with the USA and with the problematic

dialogue with the EU.

In order to improve or, in some cases, repair relationships with external partners, the solution can be to ensure fair and competitive parliamentary elections. The political structure of the Chisinau Legislature is distorted and very different from the vote expressed by the citizens in November 2014. Both the calming of the domestic situation and the clarification of the foreign policy require a legitimate and credible Parliament and Government in relation to the citizens and the external partners of the country.

On the relationship between the Republic of Moldova and the United States, the visits of the Chisinau officials to Washington and the intensification of the strategic dialogue with the USA

Chisinau's relations with the USA are more orderly than those with the EU, even if the European Union is among the country's largest donors. Both the Socialist President Igor Dodon, known for his pro-Russian visions and the Governance associated with the EU, tend to have a pragmatic dialogue with

Washington. The head of state aims to establish close contacts with the conservative segments of American politics, while the Democratic Party has focused its efforts on maintaining the dialogue with the United States, away from the complications the Government faces in its relationship with the EU, and on justifying the pro-Western rhetoric. However, the presence of the US in the region is affected by the President Trump administration, who showed openness in scarifying the US strategic positions in this area in order to launch a geopolitical competition with Russia, to the detriment of maintaining the Western liberal order and the previous commitments with the EU and other neighbouring regions and countries.

The strategic dialogue with the US should include mainly the security and assistance component for structural reforms in the Republic of Moldova. On the one hand, the USA alignment should be used to guarantee the national security and territorial integrity, which are at permanent risk due to the Tiraspol separatist regime. The United States weight in the United Nations Organisation, the observer status in the 5 + 2 negotiation format,

or NATO's work for third countries are those channels that can strengthen our country's negotiating and/ or defense capabilities. In the field of reforms, the USA practice and assistance can become an important source of justice sector strengthening and the advancement of anti-corruption legislation, money laundering, etc. Even if the Republic of Moldova transposes European norms, the experience of the United States can be useful in strengthening efforts to modernize the democratic institutions, weakened by politicization, cartelisation and oligarchization - phenomena that have intensified especially in the period of 2009 - 2018. For the relationship with the USA and with the other Western partners to take new shape, a government in Chisinau is needed which is legitimate, representative and effective. The current fatigue of the world towards the Republic of Moldova is caused by the fatigue over the governments that have constantly worsened the trust in the institutions and in all the powers of state - especially in the judiciary. Without this sine-qua-non condition, the establishment of sustainable and dense relations is unlikely.

Sorina Ștefăruță

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Foreign Policy Association (APE) is a non-governmental organization committed to supporting the integration of the Republic of Moldova into the European Union and facilitating the settlement of the Transnistrian conflict in the context of the country Europeanization. APE was established in fall 2003 by a group of well-known experts, public personalities and former senior officials and diplomats, all of them reunited by their commitment to contribute with their expertise and experience to formulating and promoting by the Republic of Moldova of a coherent, credible and efficient foreign policy.



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