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"10 tips for the Moldovan Parliament on their road to accession."

Moldova on the path to the EU membership: Navigating Negotiations, Overcoming Challenges, and Sharing Insights

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Event for representatives of political and civil society.

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Your duty is to share with the European Union, and the world, that your European integration story did not start on 3rd March of 2022 when you presented your application for the membership. EU–Moldova relations date back to the independence of Moldova in August 1991. In November 1994 a Partnership and Cooperation Agreement was signed and entered into force in July 1998. Political and economic cooperation was enhanced with the beginning of negotiations on the Association Agreement in 2010. The Association Agreement, including a Deep and Comprehensive Free Trade Area, was signed in June 2014 and fully entered into force on 1 July 2016. The subsequent Association Agendas agreed between EU and Moldova establish clear priorities in order to implement the Association Agreement and its DCFTA. Adoption of the Association Agenda (2021-27), which focuses on democracy, human rights and good governance, freedom, security and justice, and economic, trade and sectoral cooperation, is imminent.

Therefore, I would say, that Moldova continues its journey towards European integration. I also believe that, even if learning from others is never easy, it is crucial to learn from those who have gone through similar processes and understand the challenges and opportunities that lie ahead. Every enlargement is different, and you become a member of the EU on the basis of your own merits, but there are common features in the so called eastern enlargements.

The Russian war of aggression against Ukraine is having serious effects on Moldova. ln a real spirit of solidarity and upholding European values, Moldova is actively supporting those fleeing Ukraine, hosting the highest number of refugees per capita.

We hosted in the European Parliament the President of your country, Maria Sandu and I fully share her view that Moldova belongs in the EU. We share values. We appreciate your clear stance against Putin. We have to go together through your accession process. But in the deepest moral sense we are already together.

The European Union has been a beacon of stability, prosperity, and democracy for its member states. Over the years, the EU has expanded its borders, welcoming new nations into its fold. Accession negotiations are a critical phase in this process, during which aspiring countries align their policies, institutions, and legislation with European standards and values. However, negotiations are only a tip of the ice berg and the last step following countless months of proper preparations. I also know that learning from others is not easy, though it is worth doing. I also see it as my duty to share what we experienced and what I learned.

Let me start with some dates regarding Poland’s accession process. We signed our Association Agreement in December 1991. Its trade and political part entered into effect in March next year and two years later, in March 1994, the whole Agreement came to fruition. Unilaterally, we put into its preamble our final goal - membership. And then, on the 8 of April 1994 we applied for membership. ln parallel to our journey to democracy and market economy, successive governments, regardless of their political colors, spared no efforts to anchor Poland in the NATO and European Union.

Back in the 1990s, new democracies in Central and East Europe used the chance that every generation has, to change the course of their history. They had made their choice - return to Europe. lt did not happen overnight, it was a lengthy process, with its ups and downs, steered and coordinated by politicians, but engaging all levels of governance, all economic and social stakeholders, and massively Polish civil society.

That was the time when politics in Poland appeared as Aristotle's common public good rather than a technique of manipulating society by populist nationalistic forces as we see it now.

You, Moldavians have this chance now - to change the course of your history. Like today, in 1990s there was a divided world around us, with a lot of uncertainties. There were people that fell in love with democracy and started practicing it, but around us there were as well assertive regimes of autocrats and dictators of all sorts.

I would like to share with you ten points which might be useful on your road to the Union.

First, I would like to underline that Poland's accession to the European Union was first of all a political process of huge strategic importance. Economically, it was both a challenge and unprecedented opportunity. But it was also never experienced administrative effort for a country with no tradition of civil service, of coordination and sharing, with dominant vertical structures, low salaries and low social position of those employed in public administration. When we applied for membership in 1994, my first task, therefore, was to establish a fit for purpose institutional architecture at the government level. We built an administrative machinery based on the inspiration from the French system of inter institutional coordination (SGCI). We established as well a National School of Administration (KSAP) based on the model of ENA. And it worked.

What we built in 1996 became for years a fundamental structure for coordinating the entire process, with all hands across all levels of public administration on the deck. But I can tell you that even the best administrative structures would not have been enough had we failed to wake up among all those involved a sense of public mission and emotional engagement, the feeling of ownership and responsibility for this epochal public good of joining the European family of democratic states.

The Committee on European Integration (KIE) was chaired by the Prime Minister and included nearly all Ministers. The Office of the Committee (UKIE), under my chairmanship as Secretary of State provided administrative capacity for strategic thinking, coordination, implementation and enforcement, both during the accession process and the first years of membership. Let me underline that the beginning of the whole process is political will, but the outcome of this political process depends heavily on civil servants contribution to it. So yes, the truly crucial step on this road is the administration, fit for purpose and committed.

Secondly, accession meant a strong involvement of all public institutions. The basis for this was the National Integration Strategy (NIS). This was a very useful bible for many years. It was a document prepared by UKIE, adopted by the government and endorsed by the Parliament. The Strategy had a political chapter, followed by institutional tasks, program of economic adjustment, harmonization of law, external

actions plan, required human resources, communication strategy, costs and benefits of accession. There was also a program of the implementation of the Strategy, covering the role of public administration at all levels and system of reporting. lnterministerial team embracing more than 50 deputy ministers was organized to make the whole process of coordination feasible. At a later stage those teams became the core of our negotiating team. I think that at central administration level there were around 800 civil servants engaged, a unit was established in every ministry and central institution. In parallel we were working on preparing Poland to benefit from structural funding. Our option from the beginning was to prepare regions to take responsibility for regional programs. As you can see the whole process of preparing for joining the Union was extremely comprehensive, covering political challenges, institutions, economic adjustments, harmonization of law, external action, human resources, communication, costs and benefits analyses of accession. We established regular reporting on all aspects of the implementation of the accession strategy.

Thirdly, we needed a multidimensional expertise for both the preparation for accession and the membership. Teams of lawyers, translators and interpreters were set up, centers of information and documentation were established, research centers were mobilized, training for experts on European policies had to be launched, media were involved in a huge scale communication campaign, teachers started to voluntarily provide European education, civil society organizations were massively engaged. We also ensured that everything that government adopted was shared with Parliament. I would say that this relationship was fundamental. It embraced reporting to the Parliament on progress in the process, briefings offered to many parliamentary committees, close cooperation in the area of adopting European legislation. System of providing opinions on the alignment with European law for every piece of legislation prepared by the government to be considered by the Parliament was established. Political parties were encouraged to set up relations with the parties in member states belonging to the same European political families. Relations with the European Parliament played an important role. Those multiple links established between national institutions and their equivalents in the member states and European level matter strongly.

So my fourth point is about the relevance and importance of building relations with the European Union institutions and member states. Working in close partnership with European Commission proved fundamentally important and useful. They offered help basically on everything related to both association and accession. Also, establishing cooperation with administrations of other member states was of key importance. Commission was a friend while not all EU member states kept their arms open for that big bang enlargement of 2004. This is also the case today, so you have to build a group of friends of Moldova in the Council.

My fifth point is that you cannot take for granted that both public opinion support for the accession as well as political unity around the issue of enormous value for your future will be cast in stone through the process of preparation and negotiations. In Poland, unlike in other candidate countries, there was an anti-European opposition in the Parliament. There were two political parties strongly opposing the accession and actively blocking the process, prepared to organize a vote of confidence against minister in charge of accession. That is why the head of the UKIE had to be in the rank of the Secretary of State and not minister. In all those difficult situations a strong unity in reaction coming from pro European parties played a fundamental role. These anti European parties disappeared later from the political space. Unfortunately, their negative narrative can be seen today in the policies of the current government. ln this context, meeting and talking about Europe with local communities, village leaders, teachers, students was in Poland an imperative. Confidence and hope prevailed there. My experience tells me that reaching down to local and regional level early enough increases chances for good outcome on the road to accession. ln Poland, the 1991 reform of decentralizing the state, establishing local communities and empowering them politically and financially, was very helpful in the accession process. It also led to emergence of non-governmental organizations, strengthening the pivot to democracy.

At that time, we did not talk about fake news, but one could hear a lot of lies about Europe and its integration. One should never leave such issues unanswered. So we had a dedicated web of UKIE where all those fake stories were coped with. There were as well many local centers for European information. ln Poland, as you can imagine, I also had to have long conversations with Church hierarchy, mostly but not

only a Catholic one. We took bishops and cardinals for a visit to Brussels. Finally, we had the Church on the pro-European side. That included the Pope.

I think that the fact that we had a referendum deserves a special mentioning. All the efforts to keep public well informed, building a critical mass of European knowledge among public and private media was needed. There was of course a special communication effort before the public vote that took place on the 7-8 of June in 2003. Here, the smartest thing we did was to invite people to vote during a two-day referendum. lt brought a nearly 80% support for the accession.

My sixth point is about what you know well. You are aware that still a lot remains to be done on your side, but you also understand that the Union must get itself politically and institutionally prepared. It was also a relevant and legitimate issue back then in our case. I personally believe that EU Treaty change would facilitate the enlargement, like it was with the Niece Treaty in the context of 2004 enlargement. That is why for the last year the European Parliament has been pushing in this direction. We must look anew at decision making process in the Union. We must strengthen the EU rule of law competences and mechanisms of its enforcement. We must look at the budgetary system and the way we finance our expenditures A lot has happened in this field in recent years. The composition of the Commission must be put back on the table for discussion. The same refers to the veto power. Unfortunately Poland and Hungary reached far too often to abusing it raising awareness of the risks to the efficiency of decision making. The discussion on Treaty changes has always been and will be difficult. However, after the Conference on the future of Europe politicians cannot use any more the famous excuse that citizens do not want Treaty changes. They do want it when necessary. Such a moment is coming, and it is geo strategically important.

My seventh point refers to another fact which you know well. There are parts of the acquis cast in stone, in particular those related to values, democracy, rule of law. In principle, accession means you incorporate the entire legal framework of the EU. But it is worth mentioning that accession to the EU does normally imply transition periods, derogations or limited access to certain policy instruments. What you negotiate is basically the transition periods and your participation in the EU budget. Poland had transition periods in areas of competition, transport, employment, services, free

movement of capital, energy, environment, taxation. In total we had special solutions on 43 matters in 12 out of 31 negotiation chapters. Some were demanded on our side, some by the EU. Still, we became a fully-fledged member state, committed to implement the whole framework. But let me also say, that transition periods and exceptions reduce the benefits from memberships. As parliament you will be assessing how government negotiates, look at impact assessments, aiming at understanding well the choices made. But of course, accession is not only about closing negotiation chapters, crucial as it is. Implementation and enforcement are what matters most. Ensuring the political and institutional capability to enforce reforms commitments, being reliable, accountable, credible when it comes to preparation and membership is crucial. When you promise something - do it. It increases confidence. Trust matters strongly. It takes time to build trust. Once lost, it takes time to rebuild it. Preparing for accession is also a trust building process. Trust is built also through engagement of members of parliament, your contacts with EP, national parliaments.

As we are talking among parliamentarians, let me raise a point number eight - on the role the Parliament plays in the process of making accession successful. It is on many accounts crucial. I don't know how Moldavians perceive their Parliament. Is it a place where their elected representatives negotiate, find consensus and approve the law that provides a shared framework for the functioning of the state? A place where public goods are created. Or would people rather expect from those elected to defend their interests and do not look for a fair compromise? It is probably both. But I can imagine your voters need to feel you care about their interests. You need to achieve a good balance. Are you ready to convince your voters that accession is a superior public good? There will be a moment when you will need to face your voters and tell them that you didn't get everything for them. The important for the trust of people is also that there is a political agreement so that whoever wins the elections the travel to the European Union continues.

Few more words on cooperation between the executive and the legislative branch. This cooperation lies at the heart of your successful democracy and it plays a fundamental role during the accession process. Parliament is the best platform for building political compromises and protecting the sustainability of the process. Of course, in a modern political system the Constitution defines institutions and their

competences, but much is left to the political process. Successful accession requires not only an efficient political system, but also political will to deliver political stability and continuity of the process.

ln Poland we reached out to specific forms of cooperation between the Office of European Integration, and the Sejm, based on legal acts but initially it was based mostly on pragmatic solution. Pragmatism goes well when there is consolidated political will. You probably know that Lisbon Treaty strengthened the parliament's legitimacy at EU and national level. There are now more tools at the disposal of national parliaments. You should prepare for it. That implies as well a greater responsibility of Parliament now in the context of Moldova’s accession and its future role after accession.

ln Poland we have currently an Act (2010) on cooperation between the government, Sejm and Senate on matters related to membership. Since 1991 we had in the parliament a specialized committee which was the main platform for cooperation before the accession.

From our experience I can say that a kind of sectoral Commission for European Affairs is not the best solution. A better solution for the Parliament is the Scandinavian model of Grand Committee - for it involves all the aspects of the process and treats it as a whole, and not as a collection of separate parts, where sectoral interests can get their particular advantages to the detriment of the whole. But in my home country there was no appetite for a Scandinavian style grand committee and our choice implied more coordination effort on the government side.

lt seems fully justified to ask why this cooperation between the government and Parliament is needed during accession process. First of all, because on these issues there is a potential for inter institutional conflict due to competition for power, different interests and representation roles and the need of coherent outcome in joint policy making. Through the good inter institutional cooperation we can avoid the danger of a gridlock between the government and the parliament. ln this context in Poland, it was important that the parliamentarians were not left in the dark and that they were not treated as just a "voting machine'. For harmonization of laws, it is key. Therefore we had an extensive policy of sharing the knowledge, we organized briefings also for the sectoral Committees. Cooperation between government and the parliament

allowed to ensure continuity of the policy and establishing a feeling of joint ownership, and awareness of common responsibility. We needed a „modernized check and balances system", not based only on stiff rules, but also on the desire to reach common goal.

And my point number nine is about how vested political interests can interfere in both preparation and negotiations. ln Poland, as I mentioned to you, we had anti-European opposition. But we also had a firewall of mainstream political parties that were able to stand together against the demagogues in critical moments. Thus, you must be very vigilant in order to avoid intra-Moldovan arguments that would lead to nowhere. Final goal will be what matters, what must not be lost. And it would be necessary to remember that any such dispute can be instigated from outside, from Russia - but I think you know it very well.

The last point I find worth mentioning is that we all know that the challenge is not only about alignment with European legal framework, important as it is. lt is also about capability to implement and to enforce the law. You can have the best law in your statute book, but the problems with implementation and enforcement can still occur, for various reasons. Ensuring the political and institutional capability to enforce reforms, commitments, being reliable, accountable, credible when it comes to preparation and membership is crucial. For this cooperation between government and Parliament will be necessary.

You cannot take it for granted that this pragmatic mechanism, you have in place, would lead automatically to an efficient decision making process and coherent and effective outcome. There must be a continuous strong political effort behind it, interventions of the President, her role of bringing political party leaders together to build consensus. You know it very well that jointly developed rules on cooperation can ensure that those involved are more willing to proceed according to those rules. You have to figure out how to avoid its potentially damaging effect. When they become shared rules, citizens can only benefit. That is why it is important to develop such rules. Ministers and members of parliament will differ in their preferences and representative roles. So certain centralization of the system is needed.

Moldova has the support of around 60% citizens for the membership in the EU. I hope the level of support will continue to rise, but it will require a lot of effort from

those who should guarantee the access to information and provide the understanding of what is happening. You have to be very vigilant as to the possible undermining of your efforts from inside or outside but also from the very fact that people may simple be tired and overwhelmed by coping with new challenges. This could make them more susceptible to some anti-European sentiment. Thus, there would be a need for a constant monitoring of the ,,pulse of the nation", so to speak.

During her last speech President Maia Sandu said that Moldova belongs in the European Union. That it is a European country with a European language, a European history, and a European political system. That the EU's values are Moldavian values. I think the biggest testament to that is your hospitality towards Ukrainian refugees and a clear stance you took against Putin day after they attacked your neighbor.

Many things will have to be done, and there is a lot of work to be done, but in the deepest, moral sense, Moldova is already in Europe. European values we all care for have also their pragmatic dimension. Accession process is a self-standing public good policy, that cannot become a victim of factional or sectoral disputes. lt should be taken out from the area of interparty competition. lt should be treated as a Moldovan common good.