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ACCESSION DOCUMENT

Subject: EUROPEAN UNION COMMON POSITION
- Cluster 1: Fundamentals

ACCESSION NEGOTIATIONS

Republic of Moldova

EU COMMON POSITION

(following Moldova's Negotiating Position AD 17/26 CONF-MD 1)

Negotiating cluster: 1

Fundamentals

Including the Functioning of democratic institutions, Public administration reform, chapters 23 - Judiciary and fundamental rights, 24 – Justice, freedom and security, Economic criteria, chapters 5 - Public procurement, 18 - Statistics, 32 - Financial control

This position of the European Union is based on its general position for the Accession conference with Moldova (AD 11/24 CONF-MD 2), and is subject to the negotiating principles endorsed therein, in particular:

- any view expressed by either Moldova or the EU on a specific chapter of the negotiations will in no way prejudice the position which may be taken on other chapters;
- agreements reached in the course of negotiations on specific chapters, even partial ones, may not be considered as final until an overall agreement has been reached for all chapters;
- as well as to the requirements set out in points 5, 11, 12, 32, 37, 38, 39, 40, 41, 42, 43, 44, 45, 49 and 51 of the Negotiating Framework.

The EU encourages Moldova to continue the process of alignment with the EU *acquis* and its effective implementation and enforcement, and in general to develop already before accession, policies and instruments as close as possible to those of the EU.

The EU notes that Moldova, in its position (AD 17/26 CONF-MD 1) accepts the EU *acquis* under cluster 1 as in force on 3 June 2026 and that it will be ready to implement it by the date of its accession to the European Union.

1. Functioning of democratic institutions

The EU notes that Moldova has laid down in its constitutional order, practice the foundations of a **democratic state** and pursues the consolidation of its democratic institutions. The EU considers that the legal and institutional framework is conducive to the organisation of democratic elections. The EU invites Moldova to address outstanding OSCE/ODIHR recommendations, and further align with EU legislation, international and European standards. Key areas for improvement include legislation on political advertising and media during election campaigns, particularly the legal framework and oversight mechanisms for online media, and protection of journalists against intimidation and attacks. The EU takes note that recent improvements in political party and campaign financing enhanced overall transparency. Further efforts are needed, including strengthening the capacity and resources of the Central Electoral Committee. The EU notes Moldova's plans to strengthen the resilience of its elections against foreign interference with a focus on fighting money laundering and regulating campaign financing.

The EU notes that the role of Moldova's **parliament** has been strengthened. The EU underlines that further efforts are needed to increase transparency, accountability, integrity, and overall effectiveness. This includes enhancing the track record of parliamentary oversight of independent institutions and ensuring the timely and comprehensive publication of parliamentary activities and decisions, as well as draft laws and accompanying documents. The adoption of the Code on the organisation and operation of Parliament as well as regulations on ethics will further improve the effective functioning of the Parliament and integrity of its members.

The EU underlines that overall, the legal, regulatory and institutional framework for **civil society organisations** is in place. The EU notes Moldova's plans to ensure the effective protection of civil society organisations and human rights defenders, including through the alignment with the EU *acquis* on strategic lawsuits against public participation (SLAPP). The EU underlines the importance of continuous efforts to further improve the quality and transparency of public consultation processes, to make them more systematic and meaningful.

2. Public administration reform

The EU notes that Moldova is partially aligned with EU standards as regards the **strategic framework** for public administration reform. The EU invites Moldova to strengthen the framework in place in terms of monitoring, reporting and review mechanisms, as well as financial sustainability. The EU also invites Moldova to update its strategy in light of the latest assessment of PAR by the OECD/SIGMA and the adoption of the Growth Plan for Moldova, well in advance of the currently foreseen midterm review.

The EU notes that Moldova is partially aligned with EU standards in **policy development and coordination**. The EU further notes that the key challenges concern mainstreaming the EU accession related policy making into general government planning, clear division of tasks thereon between the Centre of Government and the Ministries and building the capacity of the Ministries to systemically oversee implementation of policies and apply regular consultations and an evidence-based approach in the decision-making procedures. To mitigate the risks associated with the widespread fast-tracking of transposition of EU law, the EU invites Moldova to make efforts to systematically monitor the implementation of the recently adopted legislation and ensure that the quality of law-making and stakeholder confidence is not undermined.

The EU notes that Moldova is partially aligned with EU standards in the area **human resource management in the public service**. The EU underlines that the overall architecture for merit-based, transparent and competitive recruitment and career progression needs to be strengthened. The EU further underlines that the key regulatory reform needs to focus on a robust classification of posts in the civil service, and reduced fragmentation of the legal framework applicable to public agencies and bodies. The responsibilities of highest ranking senior civil servants in the human resources management processes need to be clearly defined and consolidated, ensuring that recruitments, promotions, transfers, and dismissals are carried out in a transparent, objective and merit-based manner, and that a stable, consolidated and transparent salary scale structure is in place to support these processes.

The EU notes that Moldova has a low level of alignment with EU standards in the area of **organisation and accountability**. The EU invites Moldova to consolidate implementation to ensure the accountability of public institutions vis-à-vis the independent oversight institutions, as well as individual complainants. The EU notes that Moldova is currently not aligned with the EU legislation addressing interoperability of governance systems and cross-border provision of digital services and is partially aligned with EU standards in the area of **service delivery**. The EU underlines that the overall effectiveness of eGovernment needs improvement, notably due to the low share of active users in the population. The EU further underlines that it is important to build further on the initial good progress with user-oriented delivery of public services through the system of “one-stop-shops” in Moldova, notably through a sound quality management to ensure high quality of service delivery across the whole country. The EU notes that the European Interoperability Framework is partially aligned with the EU standards on public financial management system, with a well-established legal and institutional framework in place.

The EU notes that Moldova is partially aligned with the EU standards in **public finance management** and Moldova has in place a well-established legal and institutional framework for public finance management. The EU invites Moldova to ensure the implementation of its legislation in practice and strengthen its capacities in order to ensure transparent and effective use of public funds. The EU underlines the importance for Moldova to reinforce its medium-term budgetary framework with a credible financial forecast and increase the institutional capacities for the effective monitoring of fiscal risks. The EU invites Moldova to enhance its public investment management in line with the single project pipeline approach. The EU invites Moldova to strengthen the human resources capacity of its public finance management administration to ensure the efficiency of EU funding's disbursement and to increase Moldova's fiscal revenues. The EU encourages Moldova to strengthen the transparency and oversight of the budget process, notably by ensuring the timely and regular public availability of fiscal data for all sub-sectors of general government in line with ESA 2010 requirements. The EU encourages Moldova to establish an independent fiscal institution in order to ensure and monitor the compliance of fiscal policies in the country.

3. Chapter 23 - Judiciary and fundamental rights

The EU underlines that Moldova's legislative and institutional framework is partially aligned with the EU *acquis* and relevant European standards concerning the **functioning of the judiciary**. The EU welcomes the ongoing ambitious vetting processes for top judges and prosecutors' positions, aimed at strengthening the **independence**, impartiality, accountability, efficiency and professionalism of the justice system. Moldova should continue making significant progress in this regard with continued funding by the EU.

The EU notes that Moldova has a legal and institutional framework that ensures a robust regulation of **accountability**, while further improvements are needed to harmonise disciplinary provisions across the judiciary and ensure their implementation. The EU underlines that Moldova should continue making progress and demonstrate a solid track record of sustained accountability and integrity in the judicial system at all levels. The EU invites Moldova to further strengthen the capacity, quality, transparency and efficiency of the self-governing bodies, the Superior Council of Magistracy (SCM) and the Superior Council of Prosecutors (SCP) and their specialised boards. The consistent transparent, independent, competitive and merit-based process for the appointment of vetted members of key judicial and prosecutorial bodies must be ensured. The EU underlines the need for Moldova to enhance the procedural autonomy of prosecutors including by ensuring an efficient appeal mechanism against hierarchical instructions and reassignments, and to strengthen the random case allocation system of judges and prosecutors in line with European standards. The EU positively notes Moldova's recent update to the legal framework of the constitutional procedures and invites Moldova to ensure its implementation in line with European standards.

Changes to the legal and institutional framework have reinforced the **quality** of the judicial system and underlines that accessibility, quality and efficient delivery of justice need to be consistently ensured. The EU invites Moldova to fill in vacancies and develop human resources strategies for the judiciary that include a comprehensive salary reform. The implementation of the judicial and prosecutorial maps, progresses on digitalisation and improvement in the functioning of the National Institute of Justice, in line with TAIEX peer review recommendations are expected. On **efficiency**, Moldova should reduce the length of judicial proceedings, improve clearance rates, reduce the backlog of cases and promote the use of alternative dispute resolution mechanisms.

The EU notes that Moldova's legislative and institutional framework on **anti-corruption** is partially aligned with the EU *acquis*. Moldova should ensure sufficient institutional capacities of the specialised anti-corruption institutions and other relevant institutions responsible for the fight against corruption, reinforce their independence and their inter-institutional cooperation. The EU notes Moldova's plans to further strengthen the anti-corruption judiciary and prosecution systems in line with EU standards, including by setting up anti-corruption specialised panels. The EU underlines that Moldova needs to make further progress towards establishing a solid track-record of investigations, prosecutions and final convictions against corruption, in particular in high level corruption cases. Furthermore, Moldova should demonstrate a credible and consistent practice of launching parallel financial investigations, including seizure and final confiscation of assets. Regarding implementation, Moldova needs to make further progress towards tackling impunity and on de-oligarchisation. The EU invites Moldova to continue strengthening the coordination and efficiency of the corruption prevention framework, including by addressing systematically and effectively the recommendations of Council of Europe's Group of States against Corruption (GRECO), OSCE/ODIHR and OECD, ensuring further alignment with the EU *acquis* in the areas of whistleblower protection and strengthening the asset declaration system. The EU further invites Moldova to continuously implement the anti-corruption policy framework, encompassing anti-corruption mainstreaming, dedicated assessments and context-specific tangible measures aimed at tackling corruption in the most vulnerable sectors such as public procurement, state-owned enterprises, customs and taxation, justice and law enforcement, infrastructures.

The EU notes that Moldova's legal and institutional framework is partially aligned with EU *acquis* and European standards on **fundamental rights** and underlines that implementation needs to be strengthened to guarantee the enjoyment of fundamental rights in practice by all including increasing the implementation of judgements of the European Court of Human Rights and strengthening the capacities of the independent fundamental rights institutions, including to ensure implementation of the human rights action plan.

The EU notes that regarding prevention of torture and inhuman or degrading treatment and the **prison system**, the legal and institutional framework is generally in place, but certain aspects do not comply with European standards in this field. The EU notes Moldova's commitment to continue improving detention conditions. The EU underlines that efforts are needed to implement judgements of the European Court of Human Rights in this field and to address recommendations of the European Committee for the Prevention of Torture by tackling overcrowding, inadequate medical services, precarious living conditions, inter-prisoner violence, and the informal hierarchic system among inmates.

The EU notes that regarding **protection of personal data**, Moldova's legal framework is largely aligned with the General Data Protection Regulation. Efforts remain to fully align the legal framework with the Law Enforcement Directive and to strengthen the capacities of the National Centre for Data Protection.

The EU notes that regarding **freedom of expression**, Moldova's legal and institutional framework is ensured, but the legal and institutional framework on media requires further alignment with the EU *acquis* and European standards. The EU notes Moldova's plans to align its legislation with the EU Directive and Recommendation on combatting the use of strategic lawsuits against public participation (SLAPPs) and to continue efforts to align with the Audiovisual Media Services Directive 2018 and the alignment with the European Media Freedom Act and the Digital Services Act. The EU underlines that transparency of the mechanism for suspending media licences established under amendments to the Strategic Investment Law should be improved and brought in line with EU and international standards. The EU further underlines that Moldova should continue its efforts to strengthen the capacity of the Audiovisual Council and the economic and financial sustainability and independence of the public service broadcaster, as well as increase transparency of media ownership and the operational effectiveness of the Centre for Strategic Communication and Combating Disinformation. The EU underlines that Moldova should ensure protection of journalists against all forms of intimidation and provide for efficient and effective law enforcement and judicial follow up of cases of violence, intimidation and harassment against journalists. The EU invites Moldova to continue enhancing the rights to freedom of association and assembly in line with EU and European standards.

Regarding **gender equality and non-discrimination** where Moldova has achieved partial alignment with the EU *acquis*, the EU notes Moldova's plans to align with the EU Directives on minimum standards for equality bodies. The EU stresses the importance to ensure full alignment with the EU *acquis* on gender equality and on combating violence against women and domestic violence. The EU further recommends improving interinstitutional coordination on gender equality, including with regard to gender mainstreaming. The EU notes Moldova's plans to expand and improve specialised support services for victims of violence, while stressing the importance to ensure their consistent availability and sustainability. The EU underlines the need to align national law with EU legislation in the area of equality and non-discrimination. The EU also underlines the need to improve implementation of the anti-discrimination law and the enforcement capacity of the Equality Council. Moldova is encouraged to ensure data collection on discrimination disaggregated by bias and type of offence, including covering sexual orientation and gender identity. The EU notes Moldova's plans to implement a standardised system for collecting and analysing data on preventing and combating violence against women, in line with the EU methodology. The EU invites Moldova to address gaps in alignment with the Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law.

On the rights of **persons with disabilities**, the EU notes Moldova's plans to align with the EU *acquis*, including on accessibility. The EU underlines that efforts are needed to implement European and international standards in this field, including the UN Convention on the Rights of Persons with Disabilities, in particular to address discrimination, foster the rights of persons with disabilities, the availability of public and community-based services, step up de-institutionalisation, promote access to education and employment and transition to a human-rights based disability assessment system.

The EU invites Moldova to uphold and enhance the protection of the **rights of the child** by further aligning with EU *acquis* and relevant European standards on child-friendly justice, and ensuring an integrated child protection system. The EU notes the importance for Moldova to make decisive progress on the de-institutionalisation of children outside parental care and children with disabilities, on the improvement of community-based and family-based services for children in vulnerable situations, and to ensure the availability of quality, reliable, disaggregated, and updated data on children in contact with the law, and children in institutions. The EU notes Moldova's plans to increase the number of local child protection specialists across the country and to provide specialised training for staff in contact with children.

The EU notes that further efforts are needed to align with the EU *acquis* on procedural rights for suspects and accused persons in criminal proceedings and rights of victims of crime, including rights for children. In particular, Moldova should strengthen the concept of protection from secondary and repeat victimisation beyond victims of certain types of crime. The EU takes note of Moldova's plans to establish minimum standards on the rights, support, protection of crime victims and compensation to crime victims.

The EU notes that Moldova's legislative framework safeguards the **rights of persons belonging to minorities** and underlines the need for continued attention to the rights of persons belonging to minorities. The EU notes Moldova's plans to continue its efforts to improve the availability and quality of teaching in and of Romanian in public education and promoting the languages of national minority.

The EU underlines that Moldova needs to ensure full alignment of its legislative framework with the EU *acquis* to ensure full enjoyment of **EU citizenship rights** upon accession.

4. Chapter 24 - Justice, freedom and security

The EU underlines that Moldova's legal framework concerning the **fight against serious and organised crime and law enforcement cooperation** is partially aligned with the EU *acquis* and takes note of the steps taken by Moldova to further align with the EU *acquis* in this area. The EU notes that Moldova's strategic framework aligns with the EU's strategic priorities and that Moldova regularly conducts threat analyses and risk assessments to support evidence-based policymaking. The EU invites Moldova to strengthen coordination and monitoring efforts in the implementation of these strategic frameworks. The EU encourages strengthening cooperation between Moldova's law enforcement and judicial authorities and EU Member States, CEPOL, Europol and Eurojust, as well as continuing with its increasing involvement in EMPACT. The EU also underlines that further efforts are needed to consolidate the demonstration of a solid track record of investigations, prosecutions and final convictions in all fields of serious and organised crime, including money laundering, and of seizure and confiscation of assets in this context. The EU notes that law enforcement authorities' response to organised crime, notably the investigation of high-risk criminal networks, needs to be more proactive and systematic. The EU stresses that Moldova should strengthen its operational and analytical capacities, including with regard to forensic expertise and intelligence-led policing, in particular by developing efficient intelligence data collection, analysis, and dissemination at the highest standards. The EU also underlines that Moldova should demonstrate a credible and systematic practice of launching financial investigations when dealing with organised crime and money laundering, leading to an increase of asset seizures and confiscations and takes note of Moldova's commitment in this regard. The EU invites Moldova to not only increase the use of financial investigations but also to develop its capacity to tackle complex financial cases. Moldova should also strengthen its asset recovery system, including relevant national authorities such as the national asset recovery and asset management office. The EU notes that Moldova should provide the institutions fighting against organised crime with adequate resources and improve interinstitutional coordination on detecting and fighting crime.

The EU notes that the prosecution of standalone money laundering and self-laundering is included in Moldova's legislation, but practical implementation remains a challenge. The track record on convictions should be improved significantly. Moldova should ensure that the relevant legislation on investigation and criminalisation of money-laundering and on terrorist financing is in alignment with the EU *acquis* and international standards, such as those of the Financial Action Task Force and Moneyval.

The EU invites Moldova to adopt all necessary legislation and implementing measures to fully align with the EU *acquis* in the area of **cybercrime**, and to accede to the second additional protocol to the Budapest Convention to effectively fight cybercrime. Moldova should also demonstrate a solid track record with regard to the prevention and repression of cybercrime, notably by reinforcing its tools and equipment for the investigation of cybercrime, including on forensics. Moldova should also institutionalise the cooperation between the Cyber Security Agency and the Centre for Combatting Cybercrime.

The EU notes Moldova's plan to strengthen its capacities to investigate and prosecute **child sexual abuse, including online**, and to fully align its regulatory framework with the EU *acquis* in this area and to strengthen child protection measures. The EU invites Moldova to place particular attention to protection and prevention (including prevention of re-victimisation) of child sexual abuse online and offline, as well as to addressing this issue.

The EU notes that Moldova has been very active within EMPACT firearms, which has yielded positive results with regard to combatting the **trafficking of firearms**. The EU also notes that Moldova has carried out positive institutional reforms with the designation of a national commission on small arms and light weapons and the establishment of National Firearms Focal Points and invites Moldova to work towards their operationalisation. The EU also notes Moldova's plan to adopt a dedicated strategic framework, to strengthen the capacities of law enforcement authorities to respond to firearms threats, to improve forensic analysis capabilities for firearm-related investigations and to improve stockpile security and safety.

The EU underlines that Moldova is a country of origin, transit and destination of **trafficking in human beings** and needs to strengthen its anti-trafficking measures with a focus on the early identification of potential victims and the protection of victims, including by strengthening assistance, sheltering and social protection measures. The EU takes note of Moldova's commitment to enhance institutional capacities for victim protection in this regard. The EU underlines that Moldova still has to demonstrate a solid track record of proactive investigations, prosecution and final convictions in this area.

The EU notes that Moldova's legal framework is partially aligned with the EU *acquis* in the field of drugs and invites Moldova to ensure full alignment. The EU underlines that Moldova's law enforcement authorities have reached a good level of **cooperation in the field of drugs** with their counterparts in EU Member States, with Europol and with the EU Drugs Agency (EUDA). The EU notes that Moldova should further develop data collection in close cooperation with EUDA on all drug-related indicators and intensify operational cooperation to fight against drug trafficking, including within EMPACT and in cooperation with Europol. The EU invites Moldova to adopt a comprehensive strategic framework in the area of drugs, addressing prevention and both supply and demand reduction, as well as drug-related harms. The EU further notes Moldova's plan to operationalise its institutional framework, in particular by strengthening the National Drugs Observatory and establishing an operational national early warning system on the information exchange about new psychoactive substances. The EU underlines that beyond alignment of the legislative and strategic framework with the EU *acquis*, it will be crucial that Moldova demonstrates a solid track record of drug seizures, prosecutions and convictions in drug-related cases, as well as systematic confiscation of criminal assets and swift destruction of confiscated drugs. The EU also invites Moldova to increase its capacity on forensics and to further develop its capacities on the drug-demand related side.

The EU notes that Moldova has a strategic, legal and institutional framework to **fight against terrorism**, which requires amendments in order to be fully aligned with the EU *acquis*. The EU notes that regional cooperation and the exchange of sensitive information with Europol and the Member States needs to be increased. The EU invites Moldova to adopt a strategic framework dedicated to the fight against terrorism, as well as a strategy on the prevention and countering of radicalisation and violent extremism. The EU further notes Moldova's plan to address terrorist content online by aligning its legal framework with the EU *acquis* as well as Moldova's commitment to regulate the marketing and use of explosive precursors. The EU underlines that further work is needed to address terrorism financing and money laundering, including the strengthening of law enforcement capabilities in financial investigations and money laundering. The EU notes that Moldova commits to **protecting critical infrastructure and enhance the resilience of its critical entities** through e.g. adopting a resilience strategy, identifying its critical entities, and establishing the institutional framework. Moldova should also carry out risk assessments in the sectors covered by this *acquis*.

The EU notes that Moldova has the basic principles of **judicial cooperation in criminal, civil and commercial matters** enshrined in its legislation and that it has acceded to many relevant international conventions, but that further alignment with the EU *acquis* is needed in particular regarding service of documents and taking of evidence, mediation, family matters and successions, insolvency and legal aid. The EU notes Moldova's plan to ratify several remaining relevant international conventions in the field of judicial cooperation. The EU also invites Moldova to step up its administrative capacity to meet EU requirements on judicial cooperation in criminal, civil and commercial matters and, as regards the former, to ensure effective cooperation with Eurojust, and the European Public Prosecutor's Office (EPPO). Moldova is invited to post on a full-time basis a Liaison Prosecutor to Eurojust and to the EPPO's headquarters.

The EU notes that on **migration** Moldova is increasingly becoming a transit and destination country. The EU underlines the need to ensure that proper coordination mechanisms are in place between authorities involved. The EU notes Moldova's plan to update its contingency plan for the management of large migratory flows and invites Moldova to allocate appropriate resources. The EU also notes Moldova's plan to adopt the necessary amendments in the field of legal migration to align with the EU *acquis* in force, e.g. the single permit for work and residence for third-country nationals (including seasonal workers), with certain provisions on family reunification and long-term residents, with rules on conditions for entry and residence for highly qualified workers through the EU BlueCard and for students and researchers, and with rules on intra-corporate transferees. The EU further notes Moldova's plan to align with relevant EU *acquis* in the field of irregular migration. The EU underlines that Moldova's cooperation with Frontex is good and invites Moldova to deepen this cooperation. The EU also takes note of the ongoing negotiations to conclude a new working arrangement with Frontex covering its new mandate. The EU also notes Moldova's substantial efforts to build operational partnerships with Member States in countering irregular migration. The EU stresses the need to increase financial, human and technical resources across the board in the field of migration, in particular to better prevent and handle irregular migration. The EU also invites Moldova to strengthen its capacities to apply return procedures in line with the EU *acquis*.

The EU notes that on **asylum**, measures under the contingency plan have been activated to address the massive influx of asylum seekers arriving in Moldova within the context of Russia's war of aggression against Ukraine. The EU however notes that human, financial, technical and logistical capacities need to be stepped up in the event of an increase in asylum seekers, including by ensuring sufficient reception conditions. The EU also invites Moldova to pay particular attention to persons with special needs, notably by revising its national system for the referral of asylum seekers with special needs and by providing them with adequate assistance and accommodation. The EU takes notes of Moldova's plan to conduct a comprehensive overhaul of its asylum system and to enhance asylum seekers' access to services and integration programmes.

The EU notes that Moldova's **visa policy** is not yet fully aligned with that of the EU. The EU recalls that full harmonisation with EU visa policy is required for accession and invites Moldova to take steps towards a gradual alignment. The EU invites Moldova, pending full alignment with the visa policy, to conduct a more rigorous screening of visa-free arrivals of third-country nationals, particularly those from countries presenting security or irregular migration risks. The EU notes that Moldova's information system will require additional technical adaptations to comply with the Visa Information System and takes notes of Moldova's plan to develop a National Visa Information System interoperable with it, which can be done at the relevant stage after accession. The EU also invites Moldova to develop the relevant rules, procedures and capacities to collect fingerprints for the purpose of issuing biometric travel and residence documents and for the exchange of information with Member States.

The EU takes note, regarding **Schengen and external borders** of the good and continued operational cooperation with Frontex on border surveillance including through Moldova's hosting of a joint operation and cooperation on trainings. The EU invites Moldova to continue developing this cooperation and underlines the need to address the high turnover of border police officers as well as the need to strengthen infrastructure and equipment. The EU recalls that substantial parts of the Schengen *acquis*, including the absence of checks at the internal borders, will be subject to the fulfilment of additional objective requirements by Moldova to be verified under the Schengen evaluation mechanism. The EU takes notes of Moldova's commitment to adopt a Schengen Action Plan to prepare for joining the Schengen area.

Regarding the **counterfeiting of the euro**, the EU underlines the need to set up a National Central Office on currency counterfeiting and to further align with the EU *acquis*. The EU welcomes the fact that Moldova finalised its accession to the Geneva Convention for the Suppression of Counterfeiting Currency in December 2024.

5. Economic criteria

The EU notes that Moldova is committed to becoming a **functioning market economy**. The EU underlines Moldova's commitment to pursuing macroeconomic stability and economic reforms as well as sustainable public finances. The EU notes that public debt levels are sustainable, while Moldova ran large fiscal deficits amidst recent crises. The EU invites Moldova to ensure fiscal sustainability while balancing public investments, including by applying the new single project pipeline framework, broadening the tax base, and improving spending efficiency through spending reviews. The EU underlines that despite important efforts and progress in recent years, main structural weaknesses persist and continue to limit the effective functioning of the market economy and deter local and foreign investors. This includes: i) weak business environment which is additionally severely affected by Russia's war of aggression against neighbouring Ukraine, ii) low levels of labour market participation, iii) a high level of informal economy, iv) dominance of state-owned enterprises in some sectors while important steps of the ongoing SOE reform are still pending and v) limited development of the financial sector with persistent barriers to access to finance.

The EU notes that Moldova is progressing in its **capacity to cope with competitive pressure and market forces** within the Union. The EU note that the Moldovan economy remains heavily reliant on a low-productivity agricultural sector despite a gradual shift toward services exposing its economy to high risks related to climate change. The EU invites Moldova to further diversify its economy and strengthen its resilience against climate change. The EU takes note of Moldova's growing integration into the EU market both in terms of trade and foreign direct investment and recommends Moldova to further support the integration of local firms into global value chains, notably through higher value-added and diversified exports. The EU underlines that Moldova's energy resilience has significantly improved in recent years, largely due to major investments in energy infrastructure and EU market integration. Despite significant gaps remaining, the EU notes that transport infrastructure, the digitalisation of the economy and education quality have slowly improved. The EU also underlines that investments into all areas of physical infrastructure need to increase, leveraging resources of the Moldova Growth Plan and supported by improved public investment management and governance reforms. The EU invites Moldova to enhance its productivity and technological progress, currently hindered by a lack of entrepreneurial and technological know-how, low levels of foreign direct investment (FDI), skills mismatch, and persistently low spending on R&D and innovation, through higher quality and levels of educational outcomes tailored to labour market needs, efforts to support investment into research and support technology transfer supported by FDI.

The EU invites Moldova to systematically and thoroughly address both the EU's policy recommendations set out in the Commission's enlargement package reports and the jointly agreed policy guidance in the context of the Joint Conclusions of the Economic and Financial Dialogue between the EU and the candidate countries as well as of commitments under the Growth Plan, which will support Moldova in meeting the economic criteria.

6. Chapter 5 - Public procurement

The EU notes that Moldova's public procurement system is partially aligned with the EU *acquis*. While there is good level of alignment in the area of **classic and utilities sectors**, the EU invites Moldova to review its legislation in these sectors regarding exclusion from its scope, exclusion grounds, award criteria, qualification and selection criteria of economic operators, and low-value procurement to fully align with the EU public procurement directives. The EU also notes that in the area of **concessions and public-private partnerships (PPPs)**, Moldova is partially aligned with the EU *acquis* and underlines the efforts in further aligning its legislation. Furthermore, the EU invites Moldova to continue its efforts in establishing a coherent legislation in this area, and particularly in adopting an enhanced legal framework for PPPs. The EU notes Moldova's plan to introduce a comprehensive legislation covering the field of **defence and security procurement**.

The EU notes Moldova's moderate preparation in terms of **implementation and enforcement capacity** in public procurement. The EU underlines the importance of transparency and integrity in procurement operations as well as efficiency and thorough implementation. In particular, the EU notes Moldova's plan to implement a new electronic procurement system to strengthen transparency, efficiency, effective data collection and monitoring. The EU invites Moldova to reinforce the capacities of the contracting authorities at both central and local level through the Public Procurement Agency to further improve the functioning of the public procurement system in parallel with the reform process of its legislative framework, and to tackle corruption risks given the high vulnerability in this sector.

The EU notes Moldova's high level of alignment with the *acquis* regarding the **remedy system**. The EU invites Moldova to revise its legislation addressing inconsistencies regarding time limits for submitting complaints and align its legislation with the *acquis* regarding review system concerning the utilities sector. Furthermore, the EU notes Moldova's implementation of its transparent electronic complaint system through the platform of the National Agency for Solving Complaints. The EU underlines that Moldova needs to ensure the interoperability of its digitalised review system in parallel with the modernisation of its electronic procurement system. The EU notes Moldova's remedy system maintaining stable level of performance and quality decisions on the submitted complaints.

7. Chapter 18 - Statistics

The EU notes that Moldova's **statistical infrastructure** is partially aligned with the EU *acquis*. The EU notes Moldova's commitment to continue to allocate adequate financial and human resources to the statistics sector in order to achieve full alignment with the EU *acquis*.

The EU notes Moldova's plan to implement the 2023-2030 Development Strategy for the National Statistical System (NSS) and the 2023-2026 Program for the Development of NSS.

The EU notes Moldova's commitment to establish an interinstitutional working group and Memoranda of understandings between institutions to better delineate the responsibilities of relevant institutions for the production of certain new statistics.

The EU notes that Moldova has implemented the main **EU classifications** with varying degrees of compliance with the *acquis*. The EU notes Moldova's commitment to ensure the further necessary work on statistical registers to ensure full compliance with the EU *acquis*.

The EU underlines Moldova's partial alignment with the EU *acquis* on **statistics**, with substantial work ahead in all domains. The EU invites Moldova to make further progress in all statistical areas in order to reach full alignment.

8. Chapter 32 - Financial control

The EU notes that Moldova is partially aligned with the EU *acquis* on **public financial internal control** and that Moldova's legislative framework is broadly aligned with EU standards. The EU underlines that the effective implementation of internal control should be improved, notably regarding delegated managerial accountability and risk management. The EU further underlines that the human resources capacities of internal audit function should be significantly strengthened, and the internal audit planning processes need to be improved to meet the internal audit function requirements.

The EU invites Moldova to strengthen the impact of internal and external **audit functions** to fully comply with EU professional standards and principles.

The EU invites Moldova to adequately change its legislative framework to address **the independence and status of the Court of Account**, in line with international standards.

The EU invites Moldova to fully align its national legislation with the EU directive on the fight against fraud to the **EU's financial interests** by means of criminal law.

The EU invites Moldova to establish formally and reinforce cooperation between the national competent authorities on the **protection of the euro against counterfeiting**.

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In view of the present state of Moldova's preparations, the EU notes that on the understanding that Moldova has to continue to make progress in the alignment with and implementation of the EU *acquis* and relevant European standards covered by cluster 1, the following *interim benchmarks* would need to be met:

- *on a horizontal level for cluster 1* Moldova ensures a close and permanent monitoring of the sustained implementation of the roadmaps on rule of law, public administration reform and functioning of democratic institutions through a robust and multi-disciplinary oversight mechanism, paying particular attention to the adequacy of human and financial resources, institutional capacity, the respect of set deadlines, and an active and meaningful dialogue with civil society.

Chapter 23 - Judiciary and fundamental rights

Moldova further implements its comprehensive justice reform, delivering improvements in impartiality, independence, accountability, quality and efficiency of the judicial system in line with EU *acquis* and European standards. In particular, Moldova will meet this interim benchmark once it has:

- Strengthened further the capacity, quality, transparency, effectiveness and structural *independence* of the judicial and prosecutorial self-governance bodies of the judiciary, the Superior Council of Magistracy and the Superior Council of Prosecutors and their specialised colleges, including by allocating sufficient resources; made tangible progress in the implementation of the judicial and the prosecutorial maps;

- Strengthened structural independence and sustained accountability of the judiciary and prosecutorial services, notably by significantly advancing towards completion of the vetting *process* and a sustained accountability and integrity in the judicial system at all levels post-vetting, in line with European standards, including through an improved disciplinary process, and increased operational autonomy and structural integrity in the prosecution service;
- Improved the quality of justice, including by ensuring sufficient financial and human resources for the judiciary and prosecutorial services, significantly reducing the vacancies in the justice sector, implementing the Supreme Court of Justice reform, and strengthening the functioning of the National Institute of Justice;
- Enhanced efficiency of the judiciary, including through improving clearance rates and *disposition* time leading to a sustained reduction of the backlog of cases, improved Constitutional Court procedure, increased use of alternative dispute resolution mechanisms, enhanced legal aid, higher enforcement rates, and improving the digitalisation of the justice system.

Moldova makes significant further progress in tackling and preventing corruption. In particular, Moldova will meet this interim benchmark once it has:

- Implemented consistently the legal and strategic anti-corruption framework in line with European and international standards, including relevant GRECO, OSCE-ODIHR *and* OECD recommendations, with effective co-ordination, budgeting, monitoring and evaluation;
- Enhanced significantly the independence, effectiveness, coordination and operational capacity of the specialised anti-corruption institutions as well as other relevant institutions responsible for the fight against corruption;

- Strengthened *the* efficiency of the corruption prevention framework, including gradual alignment with the EU *acquis*, such as whistleblower protection, and strengthening asset declaration verification.
- Made tangible progress towards demonstrating a solid track record of investigations, *prosecutions*, and convictions in corruption cases, in particular final convictions at high level, and increased the number and overall value of seized, frozen and confiscated assets;
- Improved the mainstreaming of tangible anti-corruption measures through risk *assessments* and systemic integrity measures in the sectors most vulnerable to corruption.

Moldova further strengthens the protection of fundamental rights in practice. In particular, Moldova will meet this interim benchmark once it has:

- Strengthened implementation of the legal and policy framework for fundamental rights and *their* enforcement in practice, notably through the increased implementation of judgements of the European Court of Human Rights and strengthened capacity of independent fundamental rights institutions, including the Equality Council and the People’s Advocate Office;
- Continued prison and detention reform, including improved conditions as well as follow-up to instances of ill-treatment;
- Enhanced freedom of association and expression, including media freedom and pluralism through reinforcing the independence and institutional capacity of public service media and a framework to monitor their activity, as well as ensuring transparency of ownership of media in line with international and EU standards;

- Ensured further progress towards legislative alignment of national legislation with the EU *acquis* on equality and non-discrimination, hate crime and hate speech, rights of persons with disabilities, gender equality and combating gender-based violence, *procedural* rights of suspects and accused persons in criminal proceedings and victim's rights, improved data collection, and ensured specialised support services for victims of crime, and ensured strengthened capacities of the National Centre for Data Protection;
- Made progress towards establishing an integrated child protection system and towards *aligning* with the EU *acquis* on the rights of the child, progressed towards deinstitutionalisation of children outside parental care and of person with disabilities;

Chapter 24 - Justice, freedom and security

Moldova makes tangible progress in the fight against serious and organised crime. In particular, Moldova will meet this interim benchmark once it has:

- Further aligned with the EU *acquis* on the fight against organised crime, including on the investigation and criminalisation of money laundering, as well as asset recovery and confiscation.
- Made *tangible* progress towards demonstrating a solid track record of investigations, prosecutions, and final convictions in all fields of serious and organised crime (including trafficking in human beings and child sexual abuse, cybercrime, trafficking of firearms, drugs production, trafficking and money laundering, and fight against terrorism).

- Demonstrated a credible and consistent practice of launching systematic financial investigations when dealing with serious and organised crime including money *laundering*.
- Made *tangible* progress towards demonstrating a solid track record in seizure and final confiscation of assets and enhanced its asset recovery system;
- Made substantial progress in dismantling networks of trafficking in human beings and *trafficking* in firearms, including by operationalising the National Focal Point on Small Arms and Light Weapons.
- Strengthened its institutional framework, in particular by more clearly defining the powers *and* functions of law enforcement agencies, enhancing their independence and integrity, operational, analytical and IT capacities and inter-agency cooperation.
- *Strengthened* administrative capacity to meet EU requirements on judicial cooperation in criminal, civil and commercial matters and to ensure effective cooperation with Eurojust, and the EPPO.

Moldova enhances its efforts in the co-operation in the field of drugs. In particular, Moldova will meet this interim benchmark once it has:

- Established a functioning and sufficiently resourced National Early Warning System, *strengthened* the National Drug Observatory and aligned its legislation with the EU acquis on drugs and drug precursors.
- Made tangible progress towards demonstrating a solid track record of drugs seizures, *destruction* and confiscation of corresponding assets.

Moldova delivers results in the fields of legal and irregular migration, asylum, and on issues related to the Schengen acquis and external borders and visa policy. In particular, Moldova will meet this interim benchmark once it has:

- Improved alignment with the EU acquis regarding migration, asylum, visa policy and border management, including further alignment with the European IBM methodology.
- Enhanced its institutional capacities, cooperation and coordination mechanisms among *authorities* involved in the management of migration, borders and asylum, updated its plan to manage increased mixed migration flows, and reinforced the fight against irregular migration and migrant smuggling.
- *Improved* its asylum system, including with the state offering the necessary services to asylum seekers.

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In view of the present state of Moldova's preparations, and subject to Moldova meeting the interim benchmarks, horizontally and on the rule of law chapters, the EU notes that, on the understanding that Moldova has to continue to make progress in the alignment with and implementation of the EU *acquis* covered by the following chapters, and without prejudice to any additional conditions established in the further benchmarks defined for Cluster 1, these chapters may only be provisionally closed once it is agreed by the EU that the following benchmarks are met:

Chapter 5 - Public procurement

Moldova fully aligns its national legal framework with the EU *acquis* with regard to all areas of public procurement, including also concessions, public-private partnerships, and defence procurement, and international agreements exempting certain procurement from public procurement rules in line with the EU *acquis*;

Moldova puts in place adequate administrative and institutional capacity at all levels and takes appropriate measures to ensure the proper implementation and enforcement of national legislation in this area, as well as implementing and monitoring tools, in good time before accession. This includes, in particular:

- strengthening control and auditing mechanisms and enhancing transparency for the execution phase of public contracts based on systematic risk assessments with prioritisation of controls in vulnerable sectors and procedures;
- effective functioning of the remedies system, including in the area of concessions, public-private partnerships and defence procurement;
- measures/actions related to the prevention of and fight against corruption and conflict of interest in the area of public procurement at both central and local level.

Moldova demonstrates a solid track record of a fair and transparent public procurement system, which provides efficient, effective and economically beneficial use of public resources, competition and strong safeguards and action against corruption.

Chapter 18 - Statistics

Moldova submits key macroeconomics data (national accounts and GFS /EDP) in accordance with the methodology of the European System of Accounts (ESA) in force, as well as the related ESA transmission programme, GNI and EDP notification requirements and other relevant requirements together with the required detailed description of the methodology used and that Eurostat will have already verified the data and the descriptions presented and will have already confirmed appropriate alignment with the EU rules as regards timeliness, completeness, coherence, transparency, and accuracy;

Moldova adopts a roadmap for: (i) closing remaining gaps in all ESA tables, (ii) the transmission of remaining tables from the ESA Transmission Programme, (iii), closing remaining gaps in information to be provided alongside the EDP tables, and (iv) implementation of any remaining methodological issues. Eurostat confirms the relevance of the roadmap.

Chapter 32 - Financial control

Moldova ensures the proper implementation of national public internal financial control legislation, most notably regarding delegated managerial accountability and risk management. The administrative capacities of internal audit function are strengthened. The internal audit planning processes meet the international standards related to the audit function.

The Court of Accounts of Moldova complies with the standards of the International Organisation of Supreme Audit Institutions (INTOSAI). In particular, Moldova's legal framework adequately addresses the independence and status of the Court of Account.

Moldova has aligned its legislation with the EU *acquis* on the fight against fraud and any other illegal activities affecting the financial interests of the Union. Moldova has in place a functional and efficient Anti-Fraud Coordination Service (AFCOS) and corresponding network. Moldova implements an efficient National Anti-Fraud Strategy for the protection of the EU's financial interests. Moldova has a solid track-record on cooperation with the Commission, OLAF and the European Public Prosecutor's Office (EPPO), on reported irregularities and investigation cases involving EU funds.

Moldova has aligned its legislation with the EU *acquis* on authentication of euro coins and has established the appropriate structures and reinforced cooperation between the national competent authorities.

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Monitoring of progress in the alignment with and implementation of the EU *acquis* and relevant European standards will continue throughout the negotiations. The EU underlines that it will devote particular attention to monitoring all specific issues mentioned above with a view to ensuring Moldova's administrative capacity, its capacity to complete legal alignment in all sectors under this cluster, as well as further progress in implementation and enforcement. Particular consideration needs to be given to the links between the present cluster and other negotiation clusters. A final assessment of the conformity of Moldova's legislation with the EU *acquis* and relevant European standards as well as of its implementation capacity can only be made at a later stage of the negotiations. In addition to all the information the EU may require for the negotiations in this cluster, and which is to be provided to the Conference, the EU invites Moldova to provide regularly detailed written information to the Association Council on progress in the implementation of the EU *acquis*.

In view of all the above considerations, the Conference will have to return to this cluster at an appropriate moment.

Furthermore, the EU recalls that there may be new EU *acquis* between 3 June 2026 and the conclusion of the negotiations.
