

AD 51/26

LIMITE

CONF-MD 12

ACCESSION DOCUMENT

Subject: EUROPEAN UNION COMMON POSITION
- Cluster 6: External relations

ACCESSION NEGOTIATIONS

Republic of Moldova

EU COMMON POSITION

(following Republic of Moldova's Negotiating Position AD 39/26 CONF-MD 10)

Negotiating Cluster: 6

External Relations

Including chapters 30 – External relations, 31 – Foreign, security and defence policy

EUROPEAN UNION COMMON POSITION

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, 12, 42, 49, 50, 51 and 52 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 39/26 CONF-MD 10 accepts the EU *acquis* under Cluster 6 as in force on 8 July 2026 and that it will be ready to implement it by the date of its accession to the European Union.

1. Chapter 30 – External relations

The EU notes Moldova's partial alignment with the EU *acquis* in the field of the **common commercial policy**. The EU expects Moldova to enhance its administrative capacity to ensure that its international agreements are brought in conformity with the EU *acquis* and that all directly applicable EU legislation in the field of EU common commercial policy is effectively applied by the date of accession. The EU notes Moldova's commitment to be compatible in multilateral and bilateral contexts with the EU stances under the common commercial policy by the date of accession. The EU invites Moldova to continue to closely cooperate with the European Commission on all changes to trade policy in the pre-accession period and to align itself with the policies and positions of the EU towards third countries and within international organizations, including in all negotiations in the World Trade Organization.

The EU underlines that it is the responsibility of Moldova to ensure that upon accession all its **international agreements**, and in particular all trade related agreements or bilateral investment treaties between Moldova and third countries, are in conformity with the *acquis*. The EU recalls that Moldova will be required to terminate all existing bilateral agreements between Moldova and third countries, and all other international agreements concluded by Moldova which are incompatible with the obligations of EU membership and in particular the exclusive competence of the EU for Common Commercial Policy. The EU will closely monitor Moldova's efforts in this regard.

The EU underlines the importance for Moldova to denounce all its free trade agreements in their entirety by the date of accession and to ensure that all agreements on trade, investment and economic cooperation and other relevant agreements are brought into conformity with the *acquis*. Moldova is invited to keep the EU informed about the content of any negotiations in this regard with third countries and to closely coordinate any such negotiations with the Commission. The EU stresses the importance for Moldova to ensure that any new trade-related agreement which Moldova may conclude with a third country between now and the date of accession, should include a provision which enables Moldova to terminate the agreement, before accession, without need for compensation of any kind by the EU. The EU notes that Moldova must apply the EU common custom tariff for all products and the EU trade liberalisation in services, from the day of accession.

The EU notes Moldova's alignment with the EU *acquis* on the **export control of dual-use items**. The EU expects Moldova to enhance its administrative capacity and staff preparation to effectively apply the EU rules in this field at the time of accession. The EU also stresses the importance for Moldova to continue the regular update of the National Control List of dual-use items in line with the latest list set out in Annex I of Regulation (EU) 2021/821 as amended. The EU takes note of Moldova's ongoing efforts to join the **Wassenaar Arrangement**, which can facilitate preparations to implement the *acquis* for dual-use items, and invites Moldova to complete its accession without delay. The EU also invites Moldova to ensure its early accession to the Nuclear Supplier Group (NSG) and the Missile Technology Control Regime (MTCR). Additionally, Moldova is invited to consider the possibility of becoming an adherent to the Australia Group (AG), as a positive step towards alignment with EU *acquis* and towards AG membership.

Moldova also needs to apply the EU rules for official export credit support and ensure effective enforcement of EU trade defence measures upon accession.

The EU notes that there is a national legislation governing the **screening of foreign direct investments (FDI)** in Moldova and welcomes Moldova's commitment to continue to align its legislation with the EU rules in this field by the end of 2025. The EU underlines the importance for Moldova to align with the provisions of Regulation (EU) 2019/452 on FDI screening including the ones of the revised Regulation, once adopted.

The EU notes that in the area of **foreign policy instruments**, Moldova is not party to the **Kimberley Process**. The EU further notes that Moldova will automatically become party to the Kimberley Process from the date of accession to the EU. Therefore, the EU invites Moldova to continue its preparations, including legislative alignment, in order to ensure, from the date of accession, to apply the rules governing the Kimberley Process. The EU takes note that Moldova is not aligned with the EU *acquis* on **anti-torture**. The EU underlines the importance for Moldova to fully align with the provisions of Regulation (EU) 2019/125 on anti-torture and recalls the need for efficient enforcement of the rules to be ensured upon accession.

The EU notes that in the field of **external action policy**, Moldova is committed to the EU policy and principles guiding its international partnerships. The EU encourages Moldova to establish a legal framework covering international cooperation and development policy in line with EU policies and principles, including strengthening administrative capacities.

The EU notes that in the field of **humanitarian aid policy**, Moldova is committed to the EU policy and principles guiding the provision of humanitarian aid. The EU welcomes Moldova recently establishing a legal framework covering humanitarian aid policy to third countries in line with EU policies and principles.

The EU notes that regarding **fight against corruption in external relations**, Moldova has a legal framework and a national strategy in place for fighting corruption. The EU expects Moldova to step up the fight against corruption through effective and sustained enforcement of the anti-corruption measures, including preventive measures and awareness-raising.

2. Chapter 31 – Foreign, security and defence policy

The EU welcomes that Moldova's foreign, security and defence policies are guided by and reflect Moldova's strategic choice towards EU membership.

The EU notes that regarding **institutions and decision-making process**, Moldova is on track to prepare for the efficient and timely implementation of EU's CFSP. The EU encourages Moldova to upgrade its institutional capacity in this area.

The EU underlines its far-reaching **political dialogue** with Moldova, reflecting the breadth and depth of our cooperation with Moldova in the CFSP and CSDP areas. The EU takes note of Moldova's firm commitment to advancing its EU membership through a strategic and proactive foreign policy. The EU takes note of Moldova's regular political dialogue with and outreach to a number of third partners ~~and~~ as well as its active role in the region and in regional initiatives/formats, taking positions aligned with the EU values and foreign policy interests. Moldova has stated its strong support for Ukraine's sovereignty, independence and territorial integrity in response to Russia's war of aggression against Ukraine.

Regarding the **Common Foreign and Security Policy (CFSP)**, the EU notes that, in 2024, Moldova has reached a 91% rate of alignment with statements by the High Representative on behalf of the EU and Council Decisions on restrictive measures. The EU strongly encourages Moldova to take further concrete steps towards full alignment with statements by the High Representative on behalf of the EU and Council decisions on restrictive measures, in line with the principles of sovereignty and territorial integrity of all states, with a view to reaching 100% of alignment by the date of accession.

The EU notes that Moldova is partially aligned with the EU *acquis* on **restrictive measures**. The EU expects Moldova to fully align with all EU sanctions regimes by the date of accession. The EU takes note of efforts by the authorities to align legislation and mechanisms on the implementation of restrictive measures with the EU *acquis*. The EU invites Moldova to continue strengthening its sanctions implementation framework in line with EU *acquis*.

The EU takes note of Moldova's commitment to support and participate in the measures and actions implemented by the EU with the aim of **conflict prevention**, including by establishing a national early warning mechanism. The EU invites Moldova to further align its legislative and technical framework on conflict prevention with the EU *acquis*, further bridge the gap between early warning and early action, ensuring that analysis guides conflict prevention actions in an integrated manner. As regards **non-proliferation**, the EU notes that Moldova supports the EU objectives on disarmament, arms control and non-proliferation and is ready to adopt and implement the related *acquis*. The EU takes note that Moldova is state party to all major international agreements concerning non-proliferation of weapons of mass destruction, as well as in the area of conventional weapons. The EU underlines the importance of alignment with EU positions in various international non-proliferation and arms control fora, an important EU priority.

The EU takes note that Moldova is working on a dedicated national policy document on **Small Arms and Light Weapons (SALW)** and on an implementing structure and encourages Moldova to persist in its efforts and to adopt a national policy document, as soon as possible, and taking advantage of available EU funded support. The EU encourages Moldova to adopt a national policy document on Small Arms and Light Weapons, based on the principles outlined in the EU Strategy Against Illicit Firearms, Small Arms, and Light Weapons and Their Ammunition.

Regarding **co-operation with international organisations** the EU notes, that Moldova is an active member of more than 90 international organisations, including key institutions such as the United Nations, the Council of Europe, and the Organisation for Security and Co-operation in Europe. The EU also notes that Moldova is a State Party to the Rome Statute which entered into force on 1 January 2011. The EU notes Moldova's consistent alignment with EU positions in international fora, including in the context of Russia's war of aggression against Ukraine, showing its commitment to the rules-based international order. The EU encourages Moldova to continue its efforts to fulfil its obligations and implement recommendations from various international bodies.

The EU takes positive note of Moldova's proactive engagement in **international human rights fora**, particularly of the systematic support for and alignment with the EU's priorities and actions within the United Nations, the Council of Europe, the Organisation for Security and Co-operation in Europe. The EU welcomes Moldova's commitment to continue aligning its priorities in the field of human rights with the EU's Action Plan on Human Rights and Democracy and the Gender Action Plan III (GAP III).

The EU notes that a Security of Information Agreement (SIA) between the EU and Moldova has been in force since 2018. The EU also notes that the SIA was followed by an Implementing Arrangement effective since 26 January 2021. The EU notes that Moldova has expressed its willingness to further align with the EU security measures and is in process of strengthening its institutional capacities and developing further legislative, physical and technical measures. The EU underlines that Moldova will need to align itself to these rules until accession to be in a position to ensure a secure electronic exchange of classified information.

The EU notes Moldova's new National Security Strategy and National Defence Strategy that take into account both the current threat context and relevant conceptual approaches to countering **hybrid threats**, with a stronger focus on an integrated and whole of government approach. The EU invites Moldova to implement actions and undertake further efforts to structurally coordinate efforts across government authorities and domains. The EU encourages Moldova to continue its determination to effectively address **foreign information manipulation and interference (FIMI)**, including disinformation, and take actions towards building societal resilience against FIMI and other forms of hybrid threats. Given the intensity of Russia's interference, the EU encourages Moldova to constantly adapt tools to counter FIMI, including through the EU's FIMI Toolbox implementation and eventual adoption of DSA-aligned legislation.

The EU notes Moldova's efforts to reform and modernise its defence sector with further emphasis on integration into the security and defence architecture of the European Union. In this respect Moldova **is strengthening its military defence capacities** through the European Peace Facility,

The EU welcomes the increased cooperation with Moldova in **security and defence** related matters, including the signing of the EU-Moldova Security and Defence Partnership (Non Binding Instrument) in May 2024, establishing a platform for enhanced dialogue and cooperation and thereby strengthening capabilities in the area of security and defence, reflecting the growing dialogue and cooperation between both sides.

The EU takes note of Moldova's contribution to EU crisis management missions and operations under the **Common Security and Defence Policy (CSDP)**, notably to EUFOR Althea in Bosnia and Herzegovina and EUTM Somalia. The EU also notes Moldova's previous contributions to EUTM Mali and EUTM in Central African Republic.

The EU takes note of Moldova's interest to participate in **Permanent Structured Cooperation** (PESCO) projects. The EU invites Moldova to continue its efforts to participate in relevant PESCO projects in the future. As a Member States' driven framework, such requests are first evaluated by participants of the respective projects.

The EU notes that regarding **fight against corruption in foreign, security and defence policy**, Moldova has a legal framework in place for fighting corruption in these fields. The EU expects Moldova to step up the fight against corruption through effective and sustained enforcement of the anti-corruption measures, including preventive measures and awareness-raising and by enhancing inter-institutional coordination between relevant anti-corruption bodies.

* * *

In view of the present state of 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* covered by the following chapters, these may only be provisionally closed once it is agreed by the EU that the following benchmarks are met:

Chapter 30 – External relations

- Moldova continues to align its legal framework with the provisions of Regulation (EU) 2021/821 on the export control of dual-use items, as amended and with the provisions of Regulation (EU) 2019/452 on FDI screening, as amended, and aligns its legal framework with the provisions of Regulations (EU) 2019/125 on anti-torture.
- Moldova submits to the Commission an action plan with a comprehensive inventory of its international agreements with a view to bringing these agreements into conformity with the *acquis* from the day of accession.

Chapter 31 – Foreign, security and defence policy

- Moldova adopts a national policy document on Small Arms and Light Weapons 2025, based on the principles outlined in the EU Strategy Against Illicit Firearms, Small Arms, and Light Weapons and Their Ammunition, outlining the scope of responsibilities of national authorities, actions to be taken and makes concrete progress in its implementation.

Monitoring of progress in the alignment with and implementation of the EU *acquis* 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 chapters of the present cluster and other negotiation chapters. A final assessment of the conformity of Moldova's legislation with the EU *acquis* as well as of its implementation capacity can only be made at a later stage of the negotiations.

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 8 July 2026 and the conclusion of the negotiations.
