

AD 79/1/26
REV 1

LIMITE

CONF-MD 18

ACCESSION DOCUMENT

Subject: EUROPEAN UNION COMMON POSITION
- Cluster 2: Internal Market

ACCESSION NEGOTIATIONS

Republic of Moldova

EU COMMON POSITION

(following the Republic of Moldova's Negotiating Position AD 29/26 CONF-MD 5)

Negotiating Cluster: 2

Internal Market

Including chapters 1 - Free movement of goods, 2 - Freedom of movement of workers, 3 - Right of establishment and freedom to provide services, 4 - Free movement of capital, 6 - Company law, 7 - Intellectual property law, 8 - Competition policy, 9 -Financial services, 28 - Consumer and health protection

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 29/26 CONF-MD 5 accepts the EU *acquis* under Cluster 2 as in force on 7 October 2026 and that it will be ready to implement it by the date of its accession to the European Union, except for those areas where it has requested a transition period, which are chapter 4, chapter 8, chapter 9, chapter 28.

As an overall response to Moldova's requests for transitional periods and derogations, the EU recalls its general negotiating position that transitional measures are exceptional, limited in time and scope, and accompanied by a plan with clearly defined stages for the application of the EU *acquis*. They must not involve amendments to the rules or policies of the EU, disrupt their proper functioning, or lead to significant distortion of competition.

1. Chapter 1 – Free movement of goods

The EU underlines that regarding **general principles** of the free movement of goods, Moldova needs to align with the requirements of Articles 34-36 TFEU and relevant CJEU case law, ensuring it covers both the harmonised and the non-harmonised areas before accession. The EU recalls Moldova needs to ensure and complete the introduction of mutual recognition clauses. The EU invites Moldova to identify the contact point for technical regulations and ensure sufficient capacity in the relevant institutions.

The EU notes that regarding **horizontal measures**, Moldova's legislation is partial alignment with the EU *acquis* on standardisation and accreditation and notes it needs to ensure full alignment. The EU welcomes the already established standardisation and accreditation bodies in Moldova. It also needs to ensure alignment with the EU *acquis* establishing a framework of measures for strengthening Europe's net-zero technology industries and prohibiting products made with forced labour on the Union market. The EU also notes Moldova's partial alignment of national legislation with the EU *acquis* on conformity assessment, on metrology, on market surveillance, notification and on product liability. The EU also notes Moldova needs to significantly reinforce human and financial resources regarding market surveillance. The EU underlines that Moldova needs to expand market surveillance coverage, capacity and competences to cover all sectors where it should be applied.

The EU further notes that Moldova has its own conformity mark. The EU encourages Moldova to transition fully to the CE mark where it is foreseen by the EU *acquis*, and to strengthen the capacities of its market surveillance to detect non-compliance on the application of the CE marking.

The EU recalls that negotiations on the European Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA) were initiated in 2023, focusing on to the EU *acquis* on low voltage equipment and on electromagnetic compatibility. This agreement would allow for the trade between the EU and Moldova in goods in the sectors covered to take place under the same conditions as those applying to trade in such goods between the Member States of the European Union and would give Moldova access to the EU single market for goods, and the EU access to the market of Moldova, in these areas prior to accession.

The EU welcomes that regarding the **“New and Global Approach”** the EU notes that Moldova’s legislation is designed to be fully aligned with the EU *acquis* on toy safety, on units of measurement, on bottles used as measuring containers, on electromagnetic compatibility (EMC), on low voltage equipment (LVD), on personal protective equipment (PPE), and on gas appliances. The EU recalls Moldova needs to complete the alignment of its legislation on radio equipment (RED), on lifts, on simple pressure vessels (SPVD), on pressure equipment, on protective systems intended for use in potentially explosive atmospheres (ATEX), on cableways, on construction products, on measuring units (MID), on non-automatic weighing instruments (NAWI), on recreational craft, on pyrotechnical articles, on pre-packaged products, on explosives for civil use, and on pyrotechnical articles, and ensure alignment on machinery, on outdoor equipment noise emissions (OND), and on eco-design. The EU underlines Moldova needs to introduce sufficient administrative and implementing capacities to meet the obligations under the ‘New and Global Approach’ EU *acquis*. The EU also underlines the necessity to ensure sufficient levels of market surveillance which should be fully applied in all relevant sectors and of conformity assessments.

The EU welcomes that regarding the **“Old Approach” Product Legislation EU *acquis*** the EU notes Moldova’s partial alignment with the EU *acquis* on REACH, classification, on labelling and packaging (CLP), on good laboratory practice (GLP), and on drug precursors. The EU also underlines that Moldova needs to align its legislation with the EU *acquis* on aerosol dispensers, on tractors (agricultural, forestry), on non-road mobile machinery emissions, on non-road mobile machinery road approval requirements, and on detergents, as well as on crystal glass, and on cultural goods unlawfully removed from the territory of an EU Member State. The EU also underlines Moldova needs to ensure sufficient administrative capacity in all relevant ministries and other responsible bodies with high levels of integrity. The EU further underlines Moldova needs to ensure sufficient levels of human and financial resources for sufficient market surveillance in all relevant sectors. The EU invites Moldova to ensure that the adequate provision of the correct quality of fuels will be available when full alignment to the EU *acquis* on vehicles and non-road mobile machinery emissions is reached. The EU also invites Moldova to examine if changes to roads and road “furniture” are needed to ensure the correct functioning of vehicle systems regulated in line with the EU *acquis*.

The EU welcomes that regarding **procedural measures**, the EU notes that Moldova’s legislation is designed to be fully aligned with the EU *acquis*, on footwear, and on textile labelling. The EU notes Moldova’s partial alignment with the EU *acquis* on transparency in relation to pricing and reimbursement of medicinal products, on firearms, and on the transfer of defence related products, and notes it needs to ensure full alignment in these areas as well. The EU also underlines that Moldova needs to align its legislation with the EU *acquis* on crystal glass, on cultural goods unlawfully removed from the territory of an EU Member State. The EU invites Moldova to improve the levels of human and financial resources to ensure sufficient levels of market surveillance. The EU also invites Moldova to establish the necessary registers for the export, import and trade of cultural goods.

The EU calls on Moldova to ensure measures are adequately in place and are fully implemented to ensure the **fight corruption** to all institutions involved in the free movement of goods.

2. Chapter 2 – Freedom of movement of workers

The EU notes Moldova's low level of alignment with EU *acquis* in the area of **general principles of access to labour market**, specifically on the freedom of movement for workers concerning the right to enter, reside, work and access to employment. The EU invites Moldova to ensure that by the time of accession, EU citizens can access its labour market without any restrictions and enjoy equal treatment with Moldovan citizens. The EU notes Moldova also needs to ensure that, by the time of accession, EU citizens will need to enjoy the same working conditions and social and tax advantages as Moldovan citizens. The EU also recalls that Moldova needs to designate a national body responsible for supporting EU mobile workers. It will need to guarantee adequate rights for EU citizens' family members, be they EU or non-EU nationals. The EU also invites Moldova to ensure that, by the time of accession, the restrictions of access to the public sector are in line with the CJEU case law.

The EU considers that transitional measures will be required to allow current Member States to apply measures restricting access to their labour markets for workers from Moldova as well as in relation to the freedom to provide services involving temporary movement of workers. Under EU *acquis* the rights of nationals of a State which has acceded, who are already legally resident and employed in another Member State, are protected. Moldovan nationals and their family members shall not be treated any less favourably than third country nationals when the latter are exercising their rights under the *acquis*. The EU will return to this issue at a later stage of the negotiations. The Commission will provide an impact assessment.

The EU notes Moldova's low level of alignment to the EU *acquis* on **acquisition and preservation of supplementary occupational pensions in case of EU cross-border labour mobility**. The EU notes that Moldova needs to raise awareness and capacity with respect to the material and personal scope of EU Directives on supplementary occupational pensions schemes. The EU invites Moldova to fully align with the EU *acquis* on acquisition and preservation of supplementary occupational pensions in case of EU cross-border labour mobility.

The EU notes Moldova's low level of alignment with the EU *acquis* on **EURES**. The EU invites Moldova to continue the preparatory work, including reinforcing its IT preparation and ensuring that the National Coordination Office has appropriate competences and resources to perform its functions. The EU notes that Moldova will also need to complete the alignment with the ESCO skills competences system.

The EU notes that Moldova has a low level of alignment with the EU *acquis* establishing the **European Labour Authority**. The EU welcomes that Moldova signed in May 2025 cooperation arrangements with the European Labour Authority to further strengthen the cooperation. The EU invites Moldova to plan capacity building, both as regards IT and human capacities and invites Moldova to continue fighting against undeclared work.

The EU notes Moldova's low level of alignment with the EU *acquis* on **the coordination of social security systems**. The EU notes that Moldova benefits from experience of the basic mechanisms involved in social security coordination. The EU invites Moldova to develop sufficient administrative capacity as well as deeper knowledge and further digitalisation to apply the EU *acquis* in this field. The EU also encourages further conclusions of social security agreements, specifically with the EU Member States.

The EU notes that Moldova has put in place a general anti-corruption framework with specific measures relevant to the free movement of workers. The EU encourages Moldova to ensure Identification of risks and effective anti-corruption measures in the area of the free movement of workers as well as sufficient capacity of anti-corruption bodies.

3. Chapter 3 – Right of establishment and freedom to provide services

The EU welcomes Moldova's partial alignment with the EU *acquis* concerning the mutual recognition of professional qualifications. The EU recalls that further efforts are needed for Moldova to align with the Directive on the recognition of professional qualifications, especially with the provisions on the minimum training requirements, as well as with the Lawyers Directive and the Proportionality Test Directive. The EU invites Moldova to increase its administrative capacity due to the complexity of the EU *acquis* in this area, which requires preparations well before accession.

The EU welcomes Moldova's partial alignment with the EU *acquis* in the area of **right of establishment and freedom to provide services**. The EU invites Moldova to complete the identification and removal of all potential barriers for service providers. Furthermore, Moldova needs to fully align its legal framework with the Services Directive to eliminate any barriers to market access.

The EU welcomes Moldova's high level of alignment with the EU *acquis* in the area of **postal services** as regards the Postal Services Directive¹ and the Regulation on cross-border parcel delivery services². The EU invites Moldova to ensure full compliance with EU postal rules, and sufficient institutional capacity to continue monitoring developments and enforcing the rules in the postal market.

The EU also acknowledges Moldova's implementation of specific measures to combat corruption, particularly in the context of the right of establishment and freedom to provide services.

¹ Directive 97/67/EC amended by Directive 2002/39/EC and Directive 2008/6/EC.

² Regulation (EU) 2018/644

4. Chapter 4 – Free movement of capital

The EU notes Moldova's partial alignment with the EU *acquis* on **free movement of capital**. The EU also underlines that it is the responsibility of Moldova to ensure that upon accession all its bilateral investment treaties between Moldova and third countries are in conformity with the *acquis*. The EU underlines Moldova needs to terminate its bilateral investment treaties with EU Member States, including the legal effects of sunset clauses, upon accession. The EU invites Moldova to ensure sufficient administrative capacity and coordination to implement the EU *acquis* on free movement of capital.

The EU stresses that discriminatory restrictions on the acquisition for agricultural land by EU citizens currently in force under the law of Moldova are not in line with the *acquis*. Moldova's legislation must be reformed to remove those restrictions. The EU takes note of Moldova's request for a transitional period of 30 years from the date of accession with regards to the liberalisation of the acquisition of agricultural and forestry land by non-residents. In its negotiation position, Moldova proposes a phased transition plan starting on the 25th year after accession.

The EU notes the information submitted in support of its request. The EU nevertheless considers that more detailed information will be required before the EU can take a position on this request. The EU invites Moldova to provide more information, in particular on:

- a. the state of play and planned measures to improve legal certainty as regards the ownership structure of agricultural land,
- b. the size and distribution of agricultural undertakings,
- c. the current ownership structure of agricultural land, specifying if any is owned by or leased to foreigners and information about the national land registry;
- d. plans for the privatisation of state-owned agricultural land;
- e. current and planned restrictions after accession in the acquisition of land for EU nationals.

The EU notes Moldova's partial alignment with some of the EU *acquis* on **payment services**. The EU underlines Moldova needs to continue aligning with the EU regulatory framework in this area, including finalising alignment with the *acquis* on payment services, e-money and Single Euro Payments Area. The EU recalls Moldova needs to align with the *acquis* on cross border payments, instant payments and interchange fees.

The EU notes that Moldova is partially aligned with the EU *acquis* on **anti-money laundering and countering the financing of terrorism**. The EU underlines Moldova needs to continue aligning with the EU regulatory framework in this area, including transfer of funds. The EU recalls Moldova needs to reach complete alignment with the EU *acquis* in this area. The EU underlines that strengthening the institutional capacity of the Financial Intelligence Unit is also a priority.

The EU notes that regarding **fight against corruption in the area of free movement of capital** Moldova has a range of anti-corruption measures in place. The EU underlines that the effectiveness of these measures need to be enhanced.

5. Chapter 6 – Company law

The EU welcomes Moldova's partial alignment with the EU *acquis* in the area of **company law and corporate governance**. The EU notes Moldova's high level of alignment with domestic mergers and divisions and formation, capital requirements as well as the full alignment in the area of single-member private liability companies, while the EU underlines that Moldova needs to finalise alignment with the EU *acquis* on company formation, capital requirements, and domestic mergers and divisions of public limited liability companies.

The EU notes that Moldova needs to finalise alignment with the *acquis* also on **disclosure requirements** and digital tools and processes applying to both private and public limited liability companies, including the requirements for the interconnection of business registers (BRIS).

The EU invites Moldova to align with EU *acquis* provisions **on cross-border operations** (conversions, mergers and divisions) and to proceed to all the administrative changes which are necessary to comply with the Regulations concerning the European legal forms (Societas Europaea (SE), European Economic Interest Grouping (EEIG) and the Statute for a European Cooperative Society (ECS)).

The EU notes Moldova's partial alignment with the EU *acquis* on **statutory audit and company** reporting. The EU invites Moldova to continue strengthening capacities of the public audit oversight body. The EU underlines that Moldova needs to further align with the EU *acquis* in the areas of accounting and transparency requirements for listed companies, country-by-country reporting, and the size-criteria. The EU invites Moldova to monitor developments in the *acquis* as part of its alignment plans with the *acquis* on corporate sustainability reporting.

The EU also recalls Moldova needs to finalise alignment with the *acquis* on **shareholder rights**, take-over bids and sustainability due diligence (corporate governance).

The EU calls on Moldova to further pursue **anti-corruption measures** in the area of company law and corporate governance and to continue efforts in terms implementation, digitalisation, promoting integrity in the public and private sector as well as in building track record in terms of private sector anti-corruption investigations.

6. Chapter 7 – Intellectual property law

The EU welcomes Moldova's high level of alignment with the EU *acquis* in the area of intellectual property law and encourages the country to maintain its current momentum. Moldova has established the basic administrative structures necessary for the management and enforcement of intellectual property rights (IPR). The EU encourages Moldova to ensure the effective functioning and sufficient capacity of these administrative structures to support the transposition and implementation of remaining legislative requirements.

In the field of **copyright and related rights**, the EU notes Moldova's high alignment with the EU *acquis*, including the EU Copyright Directive³, and welcomes its progress under the 2024–2027 National Action Plan (NPA). The EU underlines that further legislative alignment is still required, particularly concerning the Digital Single Market Directive⁴, broadcasting and retransmission rules (SatCab I and II), collective management of rights, orphan works, rental and lending rights, resale rights, the Marrakesh Treaty, and cross-border portability of online content encouraging the country to fully align by 2026. The EU welcomes Moldova's intention to access the EUIPO Orphan Works Database.

The EU positively notes Moldova's high level of alignment with the EU *acquis* on **industrial property rights**. Moldova is progressing toward alignment with SPC regulations for both plant protection and medicinal products. The EU invites Moldova to further align on the *acquis* related to patents, trademarks, industrial designs, and geographical indications for craft and industrial products.

³ Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society.

⁴ Directive (EU) 2019/790

The EU recalls that EU/EEA exhaustion of rights is a fundamental principle that underpins the single market, and that must be complied with by all Member States upon accession. Seeing as this system of exhaustion is tied to the single market, it cannot apply to Moldova at the present moment. Amendments made to the relevant IP laws should therefore include provisions that will ensure EU/EEA exhaustion of rights from the date of accession.

The EU also invites Moldova to complete the legislative alignment with the EU *acquis* on SPCs for medicinal products. The EU underlines that the planned amendments shall *inter alia* provide that, as from the date of Moldova's accession, it shall be considered that the first authorisation to place a medicine or a plant protection product on the market shall be the date of issuing such authorisation in the first Member State of the EU. The EU recalls that under the *acquis*, the relevant date is the date of issuing such authorisation in the EU/European Economic Area (EEA). The EU also underlines the importance that products protected by a valid basic patent in the EU at the date of Moldova's accession – including pharmaceutical and plant protection products – are eligible for SPCs. Lastly, the EU underlines that Moldova needs to fully align with the SPC waiver Regulation (EU) 2019/933 and that full transposition is still required for compulsory licensing.

The EU recalls the unitary character of EU trademarks and designs and highlights that upon accession, EU trade marks and designs shall be extended to Moldova, as per the relevant regulations.

The EU recalls that pursuant to the EU Trademark Regulation, from the date of accession of a new Member State, an EU trademark registered or applied for pursuant to this Regulation before the date of accession shall be extended to the territory of the new Member State.

On the **enforcement** of intellectual property rights, the EU notes Moldova's partial alignment with the Enforcement Directive⁵. The EU stresses the need for closer alignment with the general principles and enforcement mechanisms, including interlocutory injunctions. The EU invites Moldova to further improve enforcement of intellectual property rights particularly through an increased number of court cases, inspections, and sanctions. The EU encourages Moldova to continue awareness-raising initiatives and training programmes to reinforce enforcement capacity. In particular, training for staff, judges, and prosecutors should be provided and human resources reinforced.

The EU notes that regarding **fight against corruption in the area of intellectual property rights**, Moldova has put in place specific anti-corruption measures. The EU underlines that implementation of these measures remains crucial to ensure integrity and transparency in the IPR domain.

7. Chapter 8 – Competition policy

The EU notes that, regarding the **legal framework for competition policy**, antitrust has a high level of alignment with the primary EU *acquis* but there are certain acts with which Moldovan legislation is not yet aligned. In particular, the EU notes that full alignment with provisions of the ECN+ Directive⁶ (except the cross-border aspects) and the EU Antitrust Damages Directive⁷ remains to be implemented into national legislation. Within the context of the possibility for Member States to have national rules on merger control, the EU also notes Moldova's partial level of alignment on merger control, whilst certain elements of procedural rules and EU soft law remain to be further aligned. The EU further notes that Moldova's definition of State aid is broadly in line with the EU *acquis* and remains to be fully aligned. The EU underlines that Moldova's State aid rules are partially aligned with the EU *acquis*, including the procedural rules, horizontal and sectoral aid instruments as well as specific aid instruments. The EU further notes that Moldova is partially aligned with the EU *acquis* in the area of liberalisation, relating to services of general economic interest, and the applicable transparency rules. The EU recalls that Moldova needs to complete legislative alignment with the EU *acquis* in the legal framework for competition policy including through primary and secondary legislation.

⁵ Directive 2004/48/EC (IPRED)

⁶ Directive 2019/1

⁷ Directive 2014/104

Regarding the **institutional framework and implementing capacity**, the EU welcomes, the existence, in terms of organisational structure, of a well-established and operationally independent and functioning Competition Authority responsible for antitrust, mergers and State aid control. The EU underlines the importance of both full legislative alignment and guarantees for the independence, adequate resources, fully-fledged powers and procedures of Moldova's Competition Council to ensure effective enforcement. The EU notes that Moldova's administrative capacity in the areas of antitrust, mergers and State aid needs to be strengthened given the number of unfilled vacancies. The staff of Moldova's Competition Council should benefit from continuous training. The EU recalls Moldova needs to continue building a strong enforcement record in the area of competition.

Moldova formally requests a five-year general transitional period following accession, applicable to all existing State aid measures in force prior to the date of accession. This includes schemes such as the Moldova IT Park (MITP), the preferential tax regime for small and medium-sized enterprises (SMEs), and support mechanisms for Industrial Parks.

Moldova argues that premature termination of the MITP regime would undermine legal certainty, disrupt long-term business planning, and erode investor confidence. Given its sector-specific scope and the high degree of innovation-driven competition within the digital economy, the measure has a limited distortive effect on competition across the broader market. Moldova further argues that the premature termination of the preferential tax regime for SMEs would risk destabilising Moldova's SME sector and hindering fiscal equity efforts. The requested transitional period would allow Moldova to finalise its tax expenditure review, strengthen state aid institutions, and align support schemes with EU law while maintaining the competitiveness and resilience of its SMEs. Regarding Industrial Parks, Moldova argues that these are critical drivers of regional development, job creation, and investment in Moldova, hosting over 100 enterprises and attracting approximately 210 million EUR in investments by 2024. Moldova argues that premature dismantling of the existing framework, particularly the land-use and leasing facilities essential for park operations, would disrupt ongoing investment projects, damage regional cohesion efforts, and undermine the resilience of Moldova's industrial sector.

Moldova argues a five-year transitional period for all existing State aid measures in force prior to the date of accession is necessary to allow Moldova to adapt to the EU *acquis* on State aid and competition, complete institutional strengthening, and ensure that its policies align progressively with EU objectives, including the green and digital transitions.

The EU notes the information that Moldova has submitted in support of its request and stresses the importance of ensuring a level playing field in the Single Market. The EU nevertheless considers that more detailed information will be required before the EU can take a position on this request. The EU invites Moldova to provide more information regarding the scope of the requests, the details of the regimes concerned and the amounts of the State aid in question.

The EU notes that the Competition Council plays an important role in the Anti-Corruption Program for the years 2024-2028 with a specific objective of enhancing the transparency mechanism for granting State aid by 2028.

8. Chapter 9 – Financial services

The EU notes that Moldova is partially aligned to the EU *acquis* on **banks and financial conglomerates**. The EU notes Moldova's partial alignment on the prudential requirements for credit institutions and recalls Moldova needs to align with the latest version of the Capital Requirements Directive and the Capital Requirements Regulation. The EU underlines that Moldova needs to align with the EU *acquis* on the prudential requirements for investment firms and financial conglomerates, as well as on covered bonds. The EU also underlines that Moldova needs to align with the EU *acquis* on the area of deposit guarantee schemes particularly on the size and types of depositors covered. The EU also notes that on recovery and resolution framework Moldova is partially aligned with the first Banking Resolution and Recovery Directive and recalls Moldova needs to align with the second Banking Resolution and Recovery Directive⁸. The EU further underlines that Moldova needs to further strengthen its supervisory capacities to account for the expanding responsibilities that the EU *acquis* entails.

⁸ Directive (EU) 2019/879

The EU notes Moldova's request for a **transitional period for the banking sector** of five years or until 2035, structured around: the phased introduction of the European financial passport, a gradual increase in the deposit guarantee ceiling, and the staged implementation of Minimum Requirement for Own Funds and Eligible Liabilities (MREL) under the Bank Recovery and Resolution Directive (BRRD).

The EU notes the information submitted in support of these requests. The EU nevertheless considers that more detailed information will be required before the EU can take a position on these requests and invites Moldova to provide more information on:

- a. the size and structure of the sector, including the presence of subsidiaries of EU banks and their market share;
- b. an estimate of the amount of additional contributions that need to be raised to allow the DGS to meet its potential obligations if the coverage level were increased to EUR 100 000, as well as the time necessary for the DGS to build the financial means that would allow it to meet potential claims if the coverage level were increased to EUR 100 000;
- c. the expected deposits growth;
- d. the number and structure of depositors, as well as the average size of deposits per type of depositor;
- e. a proposed phase in schedule to reach EU ceilings;
- f. envisaged measures to foster the development of the market for MREL instruments;
- g. a plan for phased implementation of the MREL under the BRRD;
- h. planned measures to strengthen supervisory capacity and ensure safe market access;

- i. planned measures to avoid volatility linked to capital flow liberalisation;
- j. assessment of the prudential risk profile of Credit Unions.

The EU notes Moldova's requests for a **transitional period for the capital market** of five years or until 2035, covering two interlinked actions: a phased increase of the investor compensation ceiling to EUR 20,000, and the gradual implementation of IFR/IFD prudential requirements.

The EU notes the information submitted in support of these requests. The EU nevertheless considers that more detailed information will be required before the EU can take a position on these requests and invites Moldova to provide more information on:

- a) a proposed phase-in scheme for the investor compensation ceiling;
- b) the expected impact on existing firms of the increase in the compensation limit;
- c) the type and number of investors impacted;
- d) the average portfolio of investors, per type of investor;
- e) a proposed phase-in capital scheme for investment firms towards the EU levels of capital requirements, as well as an analysis of the feasibility of the foreseen scheme, detailing information by type of investment firm according to their authorised activities and whether they belong to banking groups;
- f) the current structure and content of the capital requirements for investment firms, by the type of risk covered, and an overview of the supervisory tools available to ensure the continuous compliance of investment firms;
- g) the current own funds composition and capital requirement levels for investment firms, detailing the information by type of investment firm according to their authorised activities and whether they belong to banking groups;

The EU notes Moldova requests a five-year transitional period for implementing the Single premium and the minimum amounts covered by compulsory **insurance**, as per the Motor Third Party Liability (MTPL) Directive, and the Solvency Capital Requirement (SCR) under the Solvency II Directive.

The EU notes the information submitted in support of its request. The EU invites Moldova to reconsider this request.

The EU notes that Moldova has a low level of alignment to the EU *acquis* on **insurance and occupational pensions**. The EU underlines that Moldova needs to align with the Solvency II regime. The EU underlines Moldova needs to finalise alignment with the motor insurance *acquis*⁹. The EU recalls Moldova needs to align its legislation on insurance distribution with the *acquis*. The EU also notes that Moldova needs to ensure that there is sufficient administrative and institutional capacity in view of increasing responsibilities and future obligations deriving from the application of the evolving EU *acquis*.

The EU notes that Moldova is partially aligned to the EU *acquis* on **financial market infrastructure**. The EU underlines Moldova needs to align with the EU *acquis* on settlement finality and financial collateral. The EU underlines that Moldova needs to meet, at the latest by the time of accession, the requirements laid down in the latest version of European Market Infrastructure Regulation ("EMIR")¹⁰, the latest version of the Securities Financing Transactions Regulation, and the latest version of the central securities depositories regulation (CSDR)¹¹.

The EU notes that Moldova has a low level of alignment with the EU *acquis* on **securities markets and investment services**. The EU also notes Moldova's low level of alignment with prospectuses and MiFID II.¹² The EU recalls Moldova needs to align with the EU *acquis* on prospectuses, MiFID II, MiFIR¹³, UCITS and AIFMD. The EU further notes Moldova needs to align with the mortgage credit *acquis*¹⁴.

⁹ Directive 2009/103/EC

¹⁰ Regulation (EU) No 648/2012

¹¹ Regulation (EU) No 909/2014

¹² Directive 2014/65/EU

¹³ Regulation (EU) No 600/2014

¹⁴ Directive 2014/17/EU

The EU notes that Moldova is not yet aligned with the EU *acquis* on **sustainable and digital finance**. The EU invites Moldova to align with the EU *acquis* on operational resilience and crypto-assets and to monitor developments in the *acquis* as part of its alignment plans with the *acquis* on sustainable finance.

The EU positively notes that Moldova has specific measures in place to **fight against corruption** in the main bodies dealing with financial services and its related legislative enforcement. The EU underlines the importance of the continued fight against corruption in the financial services area.

9. Chapter 28 – Consumer and health protection

The EU notes that in the field of **consumer protection**, Moldova has a high level of alignment to the EU *acquis* on certain aspects of the sale of goods. The EU invites Moldova to complete its alignment with the EU *acquis* on EU Safety Gate and product liability. The EU also notes Moldova's partial alignment to the EU *acquis* on general product safety and on market surveillance, on the EU Safety Gate and on product liability. It is also partially aligned with the EU *acquis* on the better enforcement and modernisation of Union consumer protection rules, on consumer rights, on distance marketing of consumer financial services, on unfair terms in consumer contracts, on the indication of the prices of products offered to consumers, on unfair business-to-consumer commercial practices, on certain aspects concerning contracts for the supply of digital content and digital services, on timeshare, long-term holiday product, resale and exchange contracts, on package travel and linked travel arrangements, on credit agreements, and on alternative dispute resolution for consumer disputes. Alignment with the EU *acquis* on empowering consumers for the green transition, which comes into force in the EU in September 2026, will also be necessary.

The EU underlines Moldova needs to align with the EU *acquis* on representative actions for the protection of the collective interests of consumers, and on comparability of fees relating to payment accounts, payment account switching and access to payments accounts and access to payment accounts with basis features. Moldova needs to reinforce its enforcement capacity and ensure capacity building in order to ensure the necessary capacities to enforce the EU *acquis* relevant to consumers. Moldova should also address the potential risk to the effective implementation and use of its minimum powers by Moldovan CPC authorities (arising from its current law on state control), so that it is aligned with the requirements of the EU *acquis*. Moldova has already set up a European Consumer Centre to inform consumers on their rights in the single market and to assist them in cross-border disputes; with the intention to kick-start cooperation with the European Consumer Centres Network (ECC-Net) when the negotiations with Moldova are at a more advanced stage.

The EU notes that regarding **public health**, Moldova's legislation is designed to be fully aligned with the EU *acquis* on advertising of tobacco products, on the prevention of smoking and on initiatives to improve tobacco control, and on the provisions of audio-visual media services (regarding tobacco and related products), on cosmetic products, on blood, on health information, on mental health, on harmful use of alcohol and drug abuse prevention, and health inequalities. The EU invites Moldova to align to EU interoperability standards and data protection standards regarding health data. The EU also notes Moldova's partial alignment to the EU *acquis* on the manufacture, presentation and sale of tobacco and related products, on roll-your own tobacco and on health warning, on electronic cigarettes, on making information available on tobacco products, on smoke and aerosol-free environments, on medicinal products for human use, on medicines for veterinary use, on tissues, cells, and organs, on rare diseases, on cancer, on eHealth, on Health Technology Assessment, and on communicable diseases and on cross-border health threats. The EU underlines that Moldova needs to complete its alignment in all these areas and also align with the EU *acquis* on tobacco and related products, on medical devices, and on orphan medicines, and on contact point for technical regulations. The EU underlines that authorisations for medicinal products for human and veterinary use granted before accession have to be upgraded to comply with the relevant EU *acquis*. The EU further invites Moldova to improve the health of vulnerable population groups, ensuring equal access to quality health services for such populations, including ensuring adequate coverage of the Roma population by the mandatory health insurance system. Moldova needs to establish a national contact point for cross-border healthcare and fully enforce smoking bans in line with the EU *acquis*. The EU also invites Moldova to strengthen its medical staffing and its administrative and technical capacities in the area of public health, including in the areas of cosmetics, blood, tissues, cells and organs, communicable diseases, health security, oncology, of monitoring of population exposure to electromagnetic fields.

The EU notes that Moldova is requesting a transitional period of five years following its accession to the European Union to adhere to the requirements of Article 8 (2) of Directive 2001/83/EC relating to medicinal products for human use and Article 2 of Regulation (EC) No 726/2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency.

The EU recalls that compliance with the EU *acquis* on, and the availability of, medicinal products are important to ensure the safety of human health in the EU. The EU further notes that the request of Moldova does not relate only to authorisation requirements, but also to other aspects regulated by EU law on medicinal products, including pharmacovigilance. The EU also recalls that any transitional period should be as short and limited in scope as possible in order not to compromise the safety of medicinal products available in other EU member states and that proper guarantees, such as exclusion of incompliant medicines from mutual recognition in other EU Member States or parallel trade, would need to be considered. Before the EU can take a position on this request, in order to fully assess this request and to review its duration and scope, the EU invites Moldova to provide additional information on:

- a. the estimated impact on the Moldovan pharmaceutical industry.
- b. the number of medicinal products for human use which are:
 - i. Registered in Moldova but not authorised in the EU;
 - ii. Registered in Moldova and authorised in the EU under the centralised authorisation procedure;
 - iii. Registered in Moldova and authorised in one of the national authorisation procedures of Member States (also dynamic scenario numbers – expected numbers at the moment of accession, if possible).

- c. As regards the adjustment of national registration of medicines with requirements for the EU marketing authorisations, provide information on how varying level of complexity of different authorisation routes under the EU *acquis* has been taken into account in assessing the impact on the Moldovan industry and national administration.
- d. the provision of critical medicines to patients in Moldova and the current EU.
- e. the extent the composition of domestic and non-EU sourced medicines currently authorised to be placed on the Moldovan market are identical to that in human medicines authorised by the Commission under the centralised authorisation procedure.

The EU positively notes that Moldova has an institutional framework in place to **fight corruption** in the area of consumer and health protection and expects Moldova to ensure good levels of integrity in these areas.

* * *

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 1 – Free movement of goods

- Moldova has an advanced level of alignment with the introduction of mutual recognition clauses, and the necessary amendments to domestic legislation and administrative practices, complying with the obligations stemming from Articles 34-36 of the TFEU.
- Moldova has aligned with the EU *acquis* on horizontal product legislation and demonstrates an advanced level of alignment with the EU product *acquis* of this chapter, particularly in those sectors where alignment is so far insufficient or limited.
- Moldova demonstrates that it has sufficient administrative capacity with high standards of integrity to properly implement and enforce, by the time of accession, the legislation in all horizontal areas affecting the free movement of goods (including standardisation, accreditation, metrology, conformity assessment and market surveillance) as well as the EU product *acquis* in this chapter.

Chapter 2 – Freedom of movement of workers

- Moldova demonstrates that it has sufficient structures and enforcement capacity to fully implement the *acquis* on freedom of movement for workers by the time of accession.

Chapter 3 – Right of establishment and freedom to provide services

- Moldova has adopted and presented to the European Commission a list of regulated professions within the meaning of the relevant EU *acquis*, specifying the activities covered by each profession and the justifications on the regulations.
- Moldova has aligned with the provisions covering the minimum training requirements of Directive 2005/36/EC, as amended, and aligned the study programmes, under which qualifications for regulated professions are acquired, with these requirements.

- Moldova has aligned the horizontal regulation on services with the EU *acquis* by incorporating the Services Directive and demonstrates advanced level of alignment of sectoral legislation and on the related administrative capacity.
- Moldova has aligned with the EU *acquis* through repealing any nationality requirements for access and exercise of service activities, except for nationality requirements justified and proportionate according to Article 51 TFEU. These amendments need to be applicable at the latest by the date of accession.

Chapter 4 – Free movement of capital

- Moldova has aligned with the *acquis* with respect to capital movements and demonstrates it will be able to fully implement it by accession, ensuring that all remaining restrictions are removed.
- Moldova has aligned with the EU *acquis* in the field of payments notably as regards payment services in the internal market (Payment Service Directive as amended), cross border payments and Single Euro Payments Area *acquis* and demonstrates it will be able to fully implement it by accession.
- Moldova has fully aligned with the EU *acquis* in the area of prevention of money laundering and terrorist financing (notably Anti Money Laundering Directive, Anti Money Laundering Regulation and Transfer of Funds Regulation, as amended). Moldova demonstrates sufficient administrative capacity to properly implement and enforce the relevant Anti Money Laundering / Countering the Financing of Terrorism legislation and obligations, and makes tangible progress towards a solid track record. Moldova demonstrates that it will be ready to fully implement the *acquis* from the day of accession.

Chapter 6 – Company law

- Moldova has aligned its legislation with the general provisions of the EU *acquis* on company law, on company formation and capital requirement and on the establishment and functioning of limited liability companies.
- Moldova has aligned its legislation with the *acquis* on disclosure requirements in respect of companies and branches and the use of digital tools and processes in company law, including the requirements for the system of interconnection of business registers (BRIS).
- Moldova has aligned its legislation with the EU *acquis* in the field of domestic mergers and divisions and on the area of formation and capital requirements, and it has also aligned its legislation on cross-border operations (conversions, mergers and divisions), and on the establishment and functioning of limited liability companies.
- Moldova has aligned its laws on capital markets, and relevant implementing legislation, with the EU *acquis* including the latest version of the Transparency Directive. Moldova has also aligned its financial reporting regime, including implementing legislation, with the EU *acquis* including the Accounting Directive as amended.
- Moldova has aligned its legislation with Shareholder Rights Directive as amended, Takeover Bids Directive, and ensures it will be able to implement the Corporate Sustainability Due Diligence Directive from the date of accession.
- Moldova has aligned its statutory audit legislation, including implementing legislation, with the latest version of the Audit Directive, and has demonstrated the robustness and sufficient administrative capacity of the public audit oversight system for the implementation and enforcement of the EU *acquis*.

Chapter 7 – Intellectual property law

- Moldova undertakes all necessary legislative amendments to ensure EU/EEA exhaustion of rights in all areas from the date of accession.
- Moldova has aligned its legislation with the EU *acquis* on copyright and related rights, industrial property rights, and intellectual property enforcement.
- Moldova ensures sufficient administrative capacity, including AGEPI, to register intellectual property rights and will provide a track record of effective enforcement by the relevant administrative authorities, and through civil and, where appropriate, criminal justice.

Chapter 8 – Competition policy

- Moldova has aligned with the EU *acquis* covered by the chapter on competition policy.
- Moldova has built up sufficient administrative and judicial capacity in the area of antitrust, mergers and State aid control.
- Moldova has demonstrated a solid enforcement record in the area of antitrust and mergers, including a track record of effective and efficient administrative and judicial pursuit of infringements, including through the imposition of deterrent sanctions, where appropriate.
- Moldova has demonstrated a solid enforcement record in the area of State aid control, including a track record of ex-ante notification of aid, thorough assessment and effective alignment of aid measures and schemes with the *acquis*, as well as effective and efficient administrative and judicial monitoring, including through recovery of illegal and incompatible aid where applicable.

Chapter 9 – Financial services

- Moldova has an advanced level of alignment with the *acquis* in the field of banking and financial conglomerates, notably in relation to capital requirements, supervision of financial conglomerates, deposit protection and reorganisation and winding up of credit institutions and has demonstrated that the capacity to fully align with the *acquis* before accession and to implement and enforce it from the day of accession.
- Moldova has an advanced level of alignment with the *acquis* in the field of insurance (including Solvency II) and occupational pensions, notably as regards life insurance, reinsurance, insurance distribution, and motor vehicle liability insurance, and has demonstrated that it will be ready to implement the *acquis* from the day of accession.
- Moldova has an advanced level of alignment with the *acquis* in the field of financial market infrastructure, including clearing and settlement, notably as regards settlement finality and financial collateral arrangements, and has demonstrated that it will be ready to implement the *acquis* from the day of accession.
- Moldova has an advanced level of alignment with the *EU acquis* in the field of securities markets, investment services, and investment management, notably as regards Markets in Financial Instruments framework, prospectus, transparency, and market abuse, and regarding investment management, and has demonstrated that it will be ready to implement the *acquis* from the day of accession.
- Moldova has an advanced level of alignment with the *acquis* in the field of digital finance, notably as regards operational resilience and crypto assets and has demonstrated that it will be ready to implement the *acquis* on digital finance and sustainable finance from the day of accession.

- Moldova has demonstrated the robustness and independence of regulatory and supervisory institutions with high standards of integrity - in line with the requirements of the various sectoral legislations - with sufficient administrative capacity for the implementation and enforcement of the *acquis* in the field of financial services.

Chapter 28 – Consumer and health protection

- Moldova has an advanced level of alignment with the EU general product safety and consumer protection *acquis* (including EU *acquis* on private enforcement on guarantees and on digital content), ensuring the protection of consumer interests of consumers, their safety, capacity building for their consumer organisations, effective enforcement and the right to redress. Moldova demonstrates sufficient administrative structures with high standards of integrity and enforcement capacity, including necessary levels of independence, will be in place to implement them correctly by the time of accession.
- Moldova has an advanced level of alignment with the EU legislation and international obligations on tobacco control as well as its full and due implementation and enforcement.
- Moldova has aligned with the EU *acquis* on patients' rights in cross-border healthcare, blood, tissues, cells, and organs, medicinal products for human and veterinary use, and medical devices, has an advanced level of alignment with all other EU *acquis* on public health, and demonstrates that it has the necessary levels of administrative capacity and integrity, including a sustainable supervision system/authority, to properly implement and enforce the EU public health *acquis* in all these fields with a view to full alignment by the time of accession.

* * *

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 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 7 October 2026 and the conclusion of the negotiations.
