KUMMISSJONI TAL-KOMUNITAJIET EWROPEJ

Brussel 9.12.2004
KUMM(2004) 787 finali

Proposta ghal

DECIŻJONI TAL-KUNSILL

dwar il-pożizzjoni li trid tiġi adottata mill-Komunitajiet Ewropej u l-Istati Membri tagħhom fi ħdan il-Kunsill għall-Kooperazzjoni stabbilit permezz tal-Ftehim ta' Partenarjat u Kooperazzjoni li jistabbilixxi partenarjat bejn il-Komunitajiet Ewropej u l-Istati Membri tagħhom, fuq naħa waħda, u r-Repubblika tal-Moldova, fuq in-naħa l-oħra, fir-rigward ta' l-adozzjoni ta' Rakkomandazzjoni dwar l-implimentazzjoni tal-Pjan ta' Azzjoni UE-Moldova

(preżentata mill-Kummissjoni)

MEMORANDUM TA' SPJEGAZZJONI

Il-Kunsill Ewropew ta' Kopenħagen ta' l-2002, li għalaq in-negozjati ta' adeżjoni ma' għaxar Stati ġodda, għaraf li t-tkabbir ippreżenta opportunità importanti biex jitmexxew 'il quddiem ir-relazzjonijiet ma' pajjiżi ġirien ibbażati fuq valuri komuni, u ddikjara li l-Unjoni tibqa' ddeterminata li tevita linji ġodda ta' diviżjoni fl-Ewropa u li tippromwovi l-istabbiltà u l-prosperità 'l ġewwa mill-fruntieri l-ġodda ta' l-Unjoni u lil hinn minnhom.

Il-Komunikazzjoni tal-Kummissjoni "Ewropa Usa' – Prossimità: Qafas Ġdid għal Relazzjonijiet mal-Ġirien tagħna tal-Lvant u tan-Nofsinhar" ta' Marzu 2003[1] ipproponiet l-istabbiliment ta' Pjanijiet ta' Azzjoni ma' pajjiżi sħab. Fis-16 ta' Ġunju 2003, il-Kunsill laqa' din il-Komunikazzjoni u stieden lill-Kummissjoni, bil-kontribut, fejn jixraq, tar-Rappreżentant Għoli, biex tippreżenta proposti għal Pjanijiet ta' Azzjoni kif jixraq għall-Pajjiżi kollha in kwistjoni, billi tibda bl-Ukraina, il-Moldova u s-sħab tan-Nofsinhar tal-Mediterran li għandhom Ftehim ta' Assoċjazzjoni.

Fl-14 ta' Ġunju 2004, il-Kunsill laqa' l-Kommunikazzjoni tal-Kummissjoni "Il-Politika Ewropea ta' Prossimità – Karta ta' Strateġija"[2]. Il-Kunsill laqa' wkoll il-proposta tal-Kummissjoni li ssegwi l-Politika Ewropea ta' Prossimità (ENP) permezz ta' Pjanijiet ta' Azzjoni li jridu jiġu miftiehma b'mod konġunt mal-pajjiżi ġirien in kwistjoni u stieden lill-Kummissjoni biex tipproponi t-tali Pjanijiet ta' Azzjoni. Il-Pjanijiet ta' Azzjoni għandhom ikunu għal perjodu minimu ta' tliet snin u jkunu suġġetti għal tiġdid b'kunsens reċiproku. Huma għandhom ikunu bbażati fuq prinċipji komuni iżda jkunu ddifferenzjati, kif jixraq, b'konsiderazzjoni ta' l-ispeċifitajiet ta' kull ġar, il-proċessi ta' riformi nazzjonali tiegħu u r-relazzjonijiet tiegħu ma' l-UE. Il-Pjanijiet ta' Azzjoni għandhom ikunu komprensivi iżda fl-istess waqt jidentifikaw b'mod ċar numru limitat ta' prijoritajiet ewlenin u joffru inċentivi reali għal riforma. Il-Pjanijiet ta' Azzjoni għandhom jikkontribwixxu wkoll, fejn possibbli, għall-kooperazzjoni reġjonali. Il-Kunsill fisser ukoll kif tiġi avvanzata u mmonitorjata l-implimentazzjoni tal-pjanijiet ta' azzjoni.

Il-Kummissjoni, b'kooperazzjoni mill-qrib mal-Presidenza u r-Rappreżentant Għoli fuq kwistjonijiet marbuta mal-kooperazzjoni politika u s-CFSP, kellha taħditiet esploratorji mal-Moldova li rriżultaw fi ftehim dwar abbozz ta' Pjan ta' Azzjoni. Dan ikopri qafas ta' żmien ta' tliet snin. L-implimentazzjoni tiegħu se tgħin fl-issodisfar tad-disposizzjonijiet fil-Ftehim ta' Partenarjat u Kooperazzjoni u se jikkontribwixxi lejn relazzjoni mill-qrib li kull ma jmur dejjem tikber mal-Moldova, li tinvolvi livell sinifikanti ta' integrazzjoni ekonomika u approfondiment tal-kooperazzjoni politika. L-implimentazzjoni tal-Pjan ta' Azzjoni se javvanza b'mod sinifikanti l-approssimazzjoni tal-leġislazzjoni, in-normi u l-istandards tal-Moldova lejn dawk ta' l-Unjoni Ewropea.

Il-Pjan ta' Azzjoni huwa għodda estensiva għall-kooperazzjoni ekonomika u politika, li jmexxi għal stadju aktar 'il quddiem l-impenji u l-miri inklużi fil-Ftehim ta' Partenarjat u Kooperazzjoni.

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1 KUMM(2003) 104.
2 KUMM(2004) 373.

Skond il-Konklużjonijiet tal-Kunsill ta' l-14 ta' Ġunju 2004, li jistipulaw li l-Pjanijiet ta' Azzjoni jridu jiġu approvati mill-Kunsill u sussegwentement maqbula mill-Kunsilli ta' Assoċjazzjoni jew Kooperazzjoni rispettivi, il-Kummissjoni tehmeż it-test ta' proposta għal Deċiżjoni tal-Kunsill dwar il-pożizzjoni li trid tittieħed mill-Komunitajiet Ewropej u l-Istati Membri tagħhom fi ħdan il-Kunsill ta' Kooperazzjoni UE-Moldova fir-rigward ta' l-adozzjoni ta' Rakkomandazzjoni dwar l-implimentazzjoni tal-Pjan ta' Azzjoni fl-anness.

Il-Kummissjoni għalhekk titlob lill-Kunsill biex jadotta l-proposta mehmuża għal Deċiżjoni tal-Kunsill.

Proposta ghal

DECIŻJONI TAL-KUNSILL

dwar il-pożizzjoni li trid tiġi adottata mill-Komunitajiet Ewropej u l-Istati Membri tagħhom fi ħdan il-Kunsill għall-Kooperazzjoni stabbilit permezz tal-Ftehim ta' Partenarjat u Kooperazzjoni li jistabbilixxi partenarjat bejn il-Komunitajiet Ewropej u l-Istati Membri tagħhom, fuq naħa waħda, u r-Repubblika tal-Moldova, fuq in-naħa l-oħra, fir-rigward ta' l-adozzjoni ta' Rakkomandazzjoni dwar l-implimentazzjoni tal-Pjan ta' Azzjoni UE-Moldova

IL-KUNSILL TA' L-UNJONI EWROPEA,

Wara li kkunsidra l-Artikolu 2 (1) tad-Deċiżjoni tal-Kunsill u tal-Kummissjoni 98/401/KE, KEFA u Euroatom tat-28 ta' Mejju 1998 dwar il-konklużjonijiet ta' Ftehim ta' Partenarjat u Kooperazzjoni,

Wara li kkunsidra t-Trattat dwar l-Unjoni Ewropea, b'mod partikolari l-Artikolu 15 tiegħu;

Wara li kkunsidra l-proposta mill-Kummissjoni[3];

Billi:

(1) Il-Ftehim ta' Partenarjat u Kooperazzjoni li jistabbilixxi partenarjat bejn il-Komunitajiet Ewropej u l-Istati Membri tagħhom, fuq naħa waħda, u r-Repubblika tal-Moldova, fuq in-naħa l-oħra, ġie ffirmat nhar it-28 ta' Novembru 1994 u daħal fis-seħħ nhar l-1 ta' Lulju 1998,

(2) Il-Partijiet għandhom l-intenzjoni li jaqblu dwar Pjan ta' Azzjoni UE-Moldova, li se jsostni l-implimentazzjoni tal-Ftehim ta' Partenarjat u Kooperazzjoni permezz ta' l-elaborazzjoni u l-ftehim ta' passi konkreti lejn il-kisba tal-miri tiegħu.

3 ĠU C, , p.

IDDEĊIEDA KIF ĠEJ:

Artikolu Uniku

Il-pożizzjoni li trid tiġi adottata mill-Komunitajiet Ewropej u l-Istati Membri tagħhom fi ħdan il-Kunsill ta' Kooperazzjoni stabbilit permezz tal-Ftehim ta' Partenarjat u Kooperazzjoni li jistabbilixxi partenarjat bejn il-Komunitajiet Ewropej u l-Istati Membri tagħhom, fuq naħa waħda, u r-Repubblika tal-Moldova, fuq in-naħa l-oħra, fir-rigward ta' l-implimentazzjoni tal-Pjan ta' Azzjoni UE-Moldova għandu jkun ibbażat fuq l-abbozz ta' Rakkomandazzjoni tal-Kunsill ta' Kooperazzjoni anness ma' din id-Deċiżjoni.

Magħmula fi Brussel,

Għall-Kunsill
Il-President

ANNESS

abbozz

RAKKOMANDAZZJONI

dwar l-implimentazzjoni tal-Pjan ta' Azzjoni UE-Moldova

Il-Kunsill ta' Kooperazzjoni UE/Moldova,

Wara li kkunsidra l-Ftehim ta' Partenarjat u Kooperazzjoni li jistabbilixxi partenarjat bejn il-Komunitajiet Ewropej u l-Istati Membri tagħhom, fuq naħa waħda, u r-Repubblika tal-Moldova, fuq in-naħa l-oħra, u b'mod partikolari l-Artikolu 82 tiegħu,

Billi:

(1) L-Artikolu 82 tal-Ftehim ta' Partenarjat u Kooperazzjoni jagħti lill-Kunsill ta' Kooperazzjoni s-setgħa li jagħmel rakkomandazzjonijiet xierqa, għall-għanijiet li jinkisbu l-miri tal-Ftehim.

(2) F'dak li hu l-Artikolu 99 tal-Ftehim ta' Partenarjat u Kooperazzjoni, il-Partijiet għandhom jieħdu kull miżura ġenerali u speċifika li hemm bżonn sabiex jissodisfaw l-obbligi tagħhom taħt il-Ftehim u għandhom jieħdu ħsieb li l-miri stabbiliti fil-Ftehim jinkisbu.

(3) Il-Partijiet fil-Ftehim ta' Partenarjat u Kooperazzjoni qablu dwar it-test tal-Pjan ta' Azzjoni UE-Moldova.

(4) Il-Pjan ta' Azzjoni UE-Moldova se jsostni l-implimentazzjoni tal-Ftehim ta' Partenarjat u Kooperazzjoni permezz ta' l-elaborazzjoni u l-ftehim bejn il-Partijiet ta' passi konkreti li se jipprovdu gwida prattika għal tali implimentazzjoni.

(5) Il-Pjan ta' Azzjoni jservi l-għan dupliċi li jistabbilixxi passi konkreti li jwasslu għall-issodisfar ta' l-obbligi tal-Partijiet li huma stabbiliti fil-Ftehim ta' Partenarjat u Kooperazzjoni, u li jipprovdi qafas usa' għal aktar tisħiħ tar-relazzjonijiet UE-Moldova biex jinvolvu grad sinifikanti ta' integrazzjoni ekonomika u approfondiment tal-kooperazzjoni politika, skond il-miri globali tal-Ftehim ta' Partenarjat u Kooperazzjoni.

ADOTTA IR-RAKKOMANDAZZJONI LI ĠEJJA:

Artikolu Uniku

Il-Kunsill ta' Kooperazzjoni jirrakkomanda li l-Partijiet jimplimentaw il-Pjan ta' Azzjoni UE-Moldova fl-anness, sakemm it-tali implimentazzjoni hija diretta lejn il-kisba tal-miri tal-Ftehim ta' Partenarjat u Kooperazzjoni.

Magħmula fi [...]

Għall-Kunsill ta' Kooperazzjoni

Il-President

ANNEX

EU/MOLDOVA ACTION PLAN

1. Introduction

The enlargement of the European Union on 1 May 2004 has brought a historical shift for the Union in political, geographic and economic terms, further reinforcing the political and economic interdependence between the EU and Moldova. Enlargement offers the opportunity for the EU and Moldova to develop an increasingly close relationship, going beyond co-operation, to involve a significant measure of economic integration and a deepening of political co-operation. The European Union and Moldova are determined to make use of this occasion to enhance their relations and to promote stability, security and well-being. The approach is founded on partnership, joint ownership and differentiation. It will contribute to the further development of our strategic partnership.

The European Neighbourhood Policy of the European Union sets ambitious objectives based on commitments to shared values and effective implementation of political, economic and institutional reforms.

Moldova is invited to enter into intensified political, security, economic and cultural relations with the EU, enhanced cross border co-operation and shared responsibility in conflict prevention and conflict resolution. One of the key objectives of this action plan will be to further support a viable solution to the Transnistria conflict.

The level of ambition of the relationship will depend on the degree of Moldova's commitment to common values as well as its capacity to implement jointly agreed priorities. The pace of progress of the relationship will acknowledge fully Moldova's efforts and concrete achievements in meeting those commitments.

This Action Plan is a first step in this process. The EU Moldova Action Plan is a political document laying out the strategic objectives of the cooperation between Moldova and the EU. It covers a timeframe of three years. Its implementation will help fulfil the provisions in the Partnership and Cooperation Agreement (PCA) and will encourage and support Moldova's objective of further integration into European economic and social structures. Implementation of the Action Plan will significantly advance the approximation of Moldovan legislation, norms and standards to those of the European Union. In this context, it will build solid foundations for further economic integration based on the adoption and implementation of economic and trade-related rules and regulations with the potential to enhance trade, investment and growth. It will furthermore help to devise and implement policies and measures to promote economic growth and social cohesion, to reduce poverty and to protect the environment, thereby contributing to the long-term objective of sustainable development.

Moldova and the EU will cooperate closely in implementing this Action Plan.

The European Union acknowledges Moldova's European aspirations and Moldova's "Concept for the Integration of the republic of Moldova into the EU". For the near future the PCA remains a valid basis for EU-Moldovan cooperation.

New partnership perspectives

The European Neighbourhood Policy opens new partnership perspectives:

- The perspective of moving beyond cooperation to a significant degree of integration, including through a stake in the EU's Internal Market, and the possibility for Moldova to participate progressively in key aspects of EU policies and programmes.

- An upgrade in the scope and intensity of political cooperation, through further development of mechanisms for political dialogue.

- Continuing strong EU commitment to support the settlement of the Transnistria conflict, drawing on the instruments at the EU's disposal, and in close consultation with the OSCE. The EU is ready to consider ways to strengthen further its engagement.

- The opportunity for convergence of economic legislation, the opening of economies to each other, and the continued reduction of trade barriers which will stimulate investment and growth;

- Increased financial support: EU financial assistance for Moldova will be available to support the actions identified in the present document. The Commission is furthermore proposing a new European Neighbourhood and Partnership Instrument (ENPI) for this purpose, also covering the very important aspects of cross-border and trans-national cooperation between Moldova and the (future) Member States.

- Possibilities of gradual opening of or reinforced participation in certain Community programmes, promoting cultural, educational, environmental, technical and scientific links;

- Support including technical assistance and twinning to meet EU norms and standards, and targeted advice and support for legislative approximation through a mechanism such as TAIEX;

- Deepening trade and economic relations;

- establishing a constructive dialogue on visa co-operation between the EU and Moldova, including an exchange of views on possibilities of visa facilitation in compliance with the acquis;

- Opening as soon as possible a Commission Delegation in Moldova.

In light of the fulfilment of the objectives of this Action Plan and of the overall evolution of EU – Moldova relations, consideration will be given to the possibility of a new contractual relationship. The Republic of Moldova and the Commission put forward a number of suggestions in this regard. The advisability of any new contractual arrangements will be considered in due time.

Priorities for Action

The Action Plan sets out a comprehensive set of priorities in areas within the scope of the Partnership and Cooperation Agreement. Among these priorities, all of which are important, particular attention should be given to:

- sustained efforts towards a viable solution to the Transnistria conflict;
- further strengthening the stability and effectiveness of institutions guaranteeing democracy and the rule of law; ensuring the democratic conduct of parliamentary elections (February 2005) in Moldova in accordance with European standards;
- ensuring respect for the freedom of the media and the freedom of expression;
- further reinforcing administrative and judicial capacity;
- resuming cooperation with IFIs; implementing actions aimed at poverty reduction, to strengthen private sector led growth and for fiscal sustainability;
- improving the investment climate through appropriate structural reforms aimed at ensuring non-discriminatory, transparent and predictable business conditions and by the fight against corruption;
- progress towards a system of efficient, comprehensive state border management on all sectors of the Moldovan border including the Transnistrian sector;
- working towards the EU granting Autonomous Trade Preferences, by ensuring effective control of the origin of goods from Moldova;
- stepping up the fight against organised crime, including trafficking in human beings;
- ensuring the efficient management of migratory flows, including initiating the process towards conclusion of a readmission agreement between the European Community and Moldova.

Progress in meeting these priorities will be monitored in the bodies established by the Partnership and Cooperation Agreement and the European Commission will issue a mid-term report on progress accomplished. On the basis of this evaluation, the EU, together with Moldova, will review the content of the Action Plan and decide on its adaptation and renewal. The Commission will issue a second report after three years and on this basis, decisions may be taken on the next step in the development of bilateral relations, including the possibility of new contractual links.

2.1 Political dialogue and reform

Democracy and the Rule of law

(1) Strengthen the stability and effectiveness of institutions guaranteeing democracy and the rule of law.

– In the context of the efforts for a settlement of the Transnistria issue, ensure constitutional and legislative reform in line with European standards, continuing to draw on the expert cooperation and advice of the Venice Commission and the EU, and ensuring a democratic and stable constitutional framework both for citizen and state institutions in (a re-united) Moldova;

– Ensure correct functioning of Parliament, including the reform of parliamentary immunity in line with proposals made by the Council of Europe. Ensure the democratic conduct of Parliamentary Elections in 2005 in accordance with European standards and addressing remaining shortcomings as identified by the OSCE / ODIHR recommendations;

– Continue administrative reform and strengthening of local self government in line with European standards, notably those contained in the European Charter on Local Self government and drawing in particular on the expertise and recommendations of the Congress of Local and Regional Authorities in Europe, including with regard to management of local budgets by local administrations and attribution of budgetary competence (resources to match responsibilities).Strengthen law enforcement by increasing the efficiency of judiciary and the law protection bodies, respect the relevant judgments of the Constitutional Court.

(2) *Review existing legislation, so as to ensure the independence and impartiality of the judiciary, including the impartiality and effectiveness of the prosecution, and to strengthen the capacity of the judiciary;*

– Continue and implement legislative work further to reform the judiciary in line with European standards; Re-examine and amend the law on the organisation of the judiciary with a view to ensuring its independence, impartiality and efficiency, including clarification of the procedure for appointment and promotion, statutory rights and obligations of judges;

– Ensure implementation of the new legislation on the public prosecution in line with European standards;

– Improve training, in particular on Human Rights issues and on judicial co-operation, of judges, prosecutors and officials in the judiciary, Ministry of Justice administration, police and prisons

– Develop alternative means of dispute settlement, including mediation and arbitration

(3) *Ensure the effectiveness of the fight against corruption.*

– Ensure progress in implementing the recommendations of the Council of Europe Group of States against Corruption (GRECO).

– Complete the adoption of the necessary measures identified in the Stability Pact Anti-corruption Initiative self evaluation and peer review report by the Republic of Moldova of April 2002.

– Continue collaboration with International Organisations and Civil Society on the issue.

– Implementation of National Strategy on prevention and combating corruption.

Human rights and fundamental freedoms

(4) *Ensure respect of human rights and fundamental freedoms, including the rights of persons belonging to national minorities, in line with international and European standards*

- Implement actions foreseen in Moldova's National Human Rights Action Plan (NHRAP) for 2004-2008 (legislative revisions, strengthening of institutional framework and raising of human rights awareness).

- Ensure adherence to and effective implementation of core UN Conventions and related optional protocols.[4]

- Ensure effective protection of rights of persons belonging to national minorities;

- Appropriate response to conclusions and recommendations of relevant Council of Europe structures and experts on state of compliance by Moldova with the Framework Convention for the protection of national minorities; Put in place and implement legislation on anti-discrimination and legislation guaranteeing the rights of minorities, in line with European standards;

- Amend the law on religious denominations to bring it in line with the requirements of the European Convention on Human Rights and with relevant Council of Europe recommendations;

- Effective execution of the judgements of the European Court of Human Rights;

- Introduce effective pre- and non-judicial mechanisms for both dispute settlement and the protection of human rights; Guarantee access to information on citizens' rights and adequate legal remedies.

(5) *Develop and implement an appropriate legal framework for the prevention of, and the fight against, the trafficking in human beings, and for addressing the problems faced by victims of trafficking*

- Revision of anti-trafficking law, including the relevant elements of the new criminal and criminal procedure codes, to bring it fully in line with international human rights standards;

- Enhance cooperation in the framework of relevant international organisations (OSCE, UN) on this issue; Ratify relevant international instruments, such as the UN convention against transnational organised crime ("Palermo convention") and its Protocol to prevent, suppress and punish trafficking in persons, especially women and children;

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[4] Including signature and ratification of: CCPR-OP1, CCPR-OP2-DP, CEDAW-OP, CAT Declar.Art.21, Declar.Art.22 ,CAT-OP, MWC; and ratification of: CRC-OP-AC, CRC-OP-SC.

(6) *Eradication of ill-treatment and torture*

- Address effectively issue of reported ill-treatment of detainees by law enforcement officials, in particular in pre-trial detention, including through adoption of relevant legal basis and provision of training. Implementation of the recommendations of the Council of Europe's Committee for the prevention of torture;

- Enhance the human rights training of staff in police and penitentiary institutions;

(7) *Ensure respect of children's rights.*

- Continue efforts with a view to protecting the rights of the child by ensuring the implementation of the Declaration and Plan of Action agreed at the UN Special Session on Children in May 2002, including the implementation of a national action plan;

- Implement the relevant section in (Moldova's) National Human Rights Action Plan (NHRAP) for 2004-2008;

(8) *Ensure equal treatment*

- Continue efforts to ensure the equality of men and women in society and economic life, based on non-discrimination

(9) *Ensure respect for the freedom of expression.*

- Ensure transparent relationship between the authorities and media institutions in line with Council of Europe recommendations; State financial assistance for media to abide by strict and objective criteria equally applicable to all media;

- Put in place and implement appropriate legal framework guaranteeing the freedom of expression and of the media, in line with European standards and on the basis of the recommendations of the Council of Europe.

(10) *Ensure respect for the freedom of association and foster the development of civil society*

- Amend law on assemblies to bring it in line with the requirements of the European Convention on Human Rights;

- Effective dialogue between the different political forces of the country, following recommendations by the Council of Europe and making full use of the opportunities offered under their auspices;

- Facilitate and support civil society development, enhanced dialogue and co-operation.

(11) *Ensure respect for Trade Unions' rights and core labour standards*

- Continue efforts to ensure Trade Unions' rights and core labour standards in accordance with European Standards and ILO conventions.

(12) *Ensure international Justice through the International Criminal Court*

- Ratify the Rome Statute of the International Criminal Court and make provisions for the necessary constitutional amendments foreseen thereto in the new draft constitution that is being elaborated by the Joint Constitutional Commission. Ensure its unhindered implementation.

Co-operation on foreign and security policy, conflict prevention and crisis management

(13) *Strengthen political dialogue and co-operation on foreign and security policy issues*

- Continue and develop political dialogue and cooperation with the EU on Transnistria, regional and international issues, including within the framework of Council of Europe and OSCE;

- Work with the EU to make multilateral institutions and conventions more effective, so as to reinforce global governance, strengthen coordination in combating security threats and address related development issues;

- Develop co-operation on sanctions issued by the EU.

- Conduct an active dialogue between Moldova and the EU on the implementation of the European Security Strategy.

- Develop possibilities for Moldova to align with EU CFSP declarations, on a case-by-case basis.

(14) *Further develop co-operation in the area of combating terrorism,non-proliferation of weapons of mass destruction and illegal arms exports*

- Cooperate to reinforce the role of the UN in the multilateral fight against terrorism, including through implementation of UNSC Resolutions 1373/01 and 1267/01, through implementation and enforcement of the UN Convention for the Suppression of the Financing of Terrorism; work towards the establishment of an information exchange system between relevant judicial bodies and law enforcement agencies of the EU Member States and Moldova;

- Implement the standards laid down in the FATF's recommendations on terrorist financing;

- Ensure respect for human rights in the fight against terrorism;

- Further develop co-operation in the fight against trafficking of arms and the destruction of stockpiles, including with a view to the situation in Transnistria;

- Cooperate on non-proliferation of weapons of mass destruction, including on aspects related to accession to and implementation of relevant international instruments and export control regimes, in the light of the EU WMD Strategy adopted by the European Council in December 2003 and the GAERC conclusions of 17 November 2003; Establish an effective system of national export control controlling export and transit of WMD related goods, including WMD end use control on dual use technologies;

– Develop EU – Moldova co-operation with regard to risk-based customs control ensuring safety and security of goods imported, exported or in transit.

Regional cooperation

(15) *Continue Moldova's targeted cooperation under activities of the Stability Pact (SP) for South-East Europe, complementary to the implementation of the present EU – Moldova ENP Action Plan*

– Further draw on the exchange of experience with other South Eastern European countries through Moldova's participation in SP working tables activities;

– Concentrate on those SP initiatives that can bring added value and contribute to Moldova's domestic agenda of reforms;

– Use existing flexibility to participate in SP activities;

– Further progress in the implementation by Moldova of regional projects within the SP, paying particular attention to the implementation of the bilateral Free Trade Agreements signed by Moldova with SP beneficiaries countries;

– EU support for the participation of Moldova to the South-East European Co-operation Process.

2.2 Co-operation for the settlement of the Transnistria conflict

(16) *Sustained efforts towards a settlement of the Transnistria conflict, respecting the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognised borders, and guaranteeing respect for democracy, the rule of law and human rights.*

– Constructive participation of Moldova, together with the other party and mediators in the OSCE-led negotiation process aimed at reaching a settlement of the Transnistria conflict;

– Effective co-operation between the EU and Moldova towards a settlement of the Transnistria conflict within agreed formats, including consultation on post-settlement arrangements and guarantees as appropriate.

– EU to further step up its involvement in supporting the OSCE and mediators in this process, assist the efforts of the Joint Constitutional Commission, and to prepare engagement in post-settlement scenario;

– EU to continue its efforts to ensure the fulfilment by Russia of the Istanbul commitments with regard to Moldova.

– Reinforce political dialogue between the EU and Moldova on the Transnistria conflict.

– Significant further progress with Ukraine on pending border questions along the Transnistrian border section; strengthen cooperation with Ukrainian administration including effective exchange of information about flow of goods

and people across the common border. Active engagement in the trilateral talks Moldova - Ukraine - European Commission concerning measures to ensure proper management and control of Moldova's entire border with Ukraine, in particular the Transnistria section.

– Support the active involvement of civil society and the promotion of democratic values and respect for human rights.

2.3 Economic and social reform and development

Improve Welfare

(17) *Take significant steps to address poverty, notably by improving targeting and effectiveness of social assistance*

– Adopt and progress in implementation of the Economic Growth and Poverty Reduction Strategy Paper (EGPRSP), identifying short term and long term priorities, endorsed by international donors based on the three pillars of poverty reduction identified in the I-PRSP of 2002; in particular implement relevant conditionalities on Poverty Alleviation and on Social safety net agreed within the framework of the EU Food Security Programme.

(18) *Redirect public expenditure to significantly address child poverty and to increase primary school enrolment.*

– Implement relevant conditionalities on Poverty Alleviation and on Social safety net agreed within the framework of the EU Food Security Programme.

– Develop community based child protection measures in particular in the countryside in collaboration with local governments

– Rationalise child benefits and improve effectiveness of assistance to families in need

– Remove factors limiting access to education for poor families' children and improve their access to primary and secondary education, in particular in the country side

Sustain growth, consolidate public finance, and address the issue of public debt

(19) *Strengthen economic growth and make it sustainable over the medium term.*

– As a vital step toward sustained economic growth, enhance macroeconomic stability through a sound monetary policy aimed, i.a., at containing inflation and a fiscal policy aimed, i.a., at achieving debt sustainability. In this context, an early agreement on a new programme of reforms with the IFIs is key to securing policy credibility and to open access to concessional external assistance, including by the EU.

– Achieve a long-term solution to the external debt problem through a combination of a rigorous and credible fiscal policy and debt rescheduling/restructuring in agreement with creditors.

– Adopt a comprehensive MTFF, covering the 2004-2006 period, integrating the central government budget, the local government budgets, the public social insurance budget, extra-budgetary funds as well as external financial assistance. The MTFF will be based on sound macro-economic projections, and will be consistent with the EGPRSP and the programmes to be agreed with the IFIs. In addition contingent liabilities should be carefully monitored.

– Make progress in reducing the burden of excessive public debt, in particular foreign debt.

– Take concrete steps to improve public expenditure effectiveness, transparency and accountability in consultation with IFIs/EU experts. In particular, enhance the incidence on poverty of social spending. Take steps to improve revenue collection and broaden the tax base, particularly by gradually eliminating tax exemptions.

– Establishment of procedures for the detection, treatment and follow-up of cases of (suspected) fraud and other irregularities affecting national and international funds

– Ensure full compatibility of EG PRSP with Medium Term Fiscal Framework which guarantee fiscal sustainability

Functioning Market Economy

(20) *Improve functioning market economy and business climate through appropriate structural reforms aimed also at achieving transparency and predictability of business conditions*

Further advance implementation of legislative and regulatory framework as envisaged in Art.50 of the PCA.

– Take measures to improve convergence in key areas of Moldovan legislation to EU legislation, notably in the areas identified in this Action Plan. Draw up a work programme for regulatory reform, based on (1) a list of actions to be taken and legislation to be targeted by order of priority, and (2) definition of responsible bodies with realistic dead-lines for implementation of such actions, backed up by appropriate financial and human resources and training as well as structures to ensure co-ordination between various administrative bodies.

– Ensure that basic regulatory bodies are fully operational. Draw up a programme for 'flanking' measures, including improved standards of drafting of legal norms and regulations, ensuring appropriately functioning of regulatory bodies and accompanying implementation measures.

– Streamline administrative requirements for companies (approval of relevant legislation; implementation; simplification of reporting schemes and administrative obligations, limit to essentials licensing and issuing of permits necessary to conduct economic activity)

– Examine and implement best practice on consultation and notification of economic operators on new regulatory measures (transparency) and ensure sufficient time for adaptation to these new regulations (predictability) of business.

Develop dialogue with investors and entrepreneurs on how to improve business climate.

– Establish a suitable environment for companies, e.g. adopt and implement effectively competition and bankruptcy legislation.

(21) *Implementation of privatisation programme, covering in particular outstanding large-scale privatisation as a priority and the energy sector.*

– Continue to improve the interface between Public and Private sector in line with WB recommendation

– Accelerate and increase transparency of privatisation programme, covering in particular large scale privatisation in key sectors.

Regional and rural development

(22) *Promote balanced regional development; reduce economic and social disparities across the country*

– Implement measures on regional and rural development, taking as a basis the approach envisaged in the EG-PRSP and using an integrated approach that builds on results of donors' past activity in the country, as well as on EU best practice.

– Develop plan and undertake specific actions to promote growth of SMEs in regions and in rural areas (see also SMEs below).

Employment and social policy

(23) *Strengthen dialogue and co-operation on social matters. Ensure a closer approximation of the country to EU standards and practices in the area of employment and social policy*

– Engage in a dialogue on employment and social policy with a view to develop an analysis and assessment of the situation and to identify key challenges and policy responses (social and civil dialogue, health and safety at work, gender equality, labour law, employment policy, social protection and inclusion) gradually moving towards EU standards in this field.

Sustainable development

(24) *Promotion of sustainable development*

– Take first steps to implement the national long-term strategy on sustainable development.

– Complete the establishment of administrative structures and procedures to ensure strategic planning of sustainable development and co-ordination between relevant actors

– Take steps to further improve integration of environmental considerations into other policy sectors, particularly industry, energy, transport, regional development and agriculture.

Longer term objective

– Implement the national long-term strategy on sustainable development.

2.4 Trade-related issues, market and regulatory reform

2.4.1 Movement of Goods

Trade Relations

– Full implementation of PCA commitments in title III, and fulfilment of all obligations linked to WTO membership

– Successful implementation of the WTO obligations (including the TRIPs agreement) and PCA obligations

– Gradual removal of licensing requirements which are not in conformity with Moldova's WTO and PCA obligations and transparent management thereof

– Efforts to increase transparency of application of regulatory measures

(25) *Promote Moldova's exports capacity and diversification of export products*

– Promotion of Sectoral groups of producers for joint action for promotion of Exports on foreign markets, as foreseen in MEPO's programme

– Ensure effective control of the origin of goods in order to be able to fully benefit from the Generalised System of Preferences

– Improve institutional framework and procedures on control of origin by reinforcing customs and reviewing the division of responsibilities for the issuing and verification of both preferential and non-preferential certificates of origin with the Chamber of Commerce in order to build a solid basis for possible Autonomous Trade Preferences.

Customs

(26) *Implementation of customs legislation aligned with international and EU standards*

– Implement provisions of the Customs Code as well as provisions on customs control of precursors, counterfeit and pirated goods, dual use goods, and cultural goods.

– Moldova to adopt and keep up to date the HS in use, with a view to adopting the CN

– Implement the principle of risk based customs control and set the necessary organisational framework

(27) *Improve functioning of customs service; simplify and modernise customs procedures at borders and inland*

- Strengthen the overall administrative capacity, in particular to ensure effective control of the origin of goods and the correct implementation of customs valuation rules, and provide the customs administration with sufficient internal or external laboratory expertise as well as sufficient operational capacity in the IT area

- Develop a single window approach for all international trade related documentation and control starting by increased co-operation between customs services and other agencies working at the border (e.g., State Border Guards, Police, and Veterinary Service).

- Set up a mechanism to ensure regular consultation/ information of the trade community on import and export regulations and procedures.

- Adopt and implement a Customs Ethics Policy based on internationally recognised standards (Arusha Declaration).

- Develop EU-Moldova co-operation with regard to risk based customs control, including safety and security of goods imported, exported or in transit.

Standards, technical regulations and conformity assessment procedures (EU harmonised areas)

(28) *Move toward EU and international legislative and administrative practices for standards, technical regulations and conformity assessment*

- Jointly identify priority industrial sectors for legislative approximation (with the possibility to be included in an Agreement on Conformity Assessment and the Acceptance of Industrial Products, ACAA, provided that all the required conditions are accepted and fulfilled) including through consultations with producers and exporters. Continue the revision of existing Moldovan standards, removing the mandatory elements and harmonising them with international and European standards.

- Reinforce institutional capacity on standardisation, accreditation, conformity assessment, metrology and market surveillance, integrating the Moldovan institutions, to the extent possible, in the European structures, namely the European Cooperation for Accreditation (EA), CEN, CENELEC and ETSI. Full membership of the International Standards Organisations ISO, IEC and ITU. Revise the institutional arrangements in this area to avoid the concentration of functions within a single institution.

- Approximate legislation on liability for defective products and general product safety.

- Simplify procedures to avoid compulsory certification of non-risk products and multiple testing of products.

- Develop market surveillance capacities based on best practice of EU Member States.

Elimination of restrictions and streamlined administration (EU non-harmonised areas)

(29) *Facilitate the movement of goods and improve administrative co-operation.*

- Prevent discriminatory measures and ensure interested parties have the opportunity to identify problems and comment on draft legislation.

- Ensure there is a contact point dealing with implementation of the movement of goods, which could also be used to improve information flows between the EU and Moldova and to exchange information with operators.

- Analyse legislation and procedures to identify and progressively remove any discrimination against imported products. Analysis could initially focus on national measures covering the weight, composition, labelling, manufacture and description of products.

Sanitary and phytosanitary issues

(30) *Increase food safety for Moldovan consumers and facilitate trade through reforms and modernisation of the sanitary and phytosanitary sectors.*

- Fully implement the requirements of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) and the Agreement on Technical Barriers to Trade (TBT).

- Accede to the European and Mediterranean Plant Protection Organisation and increase its active participation in the World Organisation for Animal Health (OIE), International Plant Protection Convention and Codex Alimentarius.

- Assess the sanitary and phytosanitary control systems, in particular, at the state border, to compare with EU and international requirements.

- On the basis of the reply by the Commission on Trade in Animal Products, draw up a comprehensive list of measures for gradual convergence towards EU principles of hygiene in food processing, accompanied by timetables for the transposition of EU legislation and a financing plan. Start approximation to EU legislation on the hygiene in food processing.

- Increase convergence of food law with EU food safety principles (Regulation (EC) No 178/2002) and EU general foodstuff labelling requirements (Directive 2000/13/EC); and progressive abolition of pre-market approval systems for food products.

- Prepare first steps for setting up of an animal identification and traceability system (in particular for cattle)

- Fulfilment of EU requirements on animal health and for the processing of animal products (c.f.: "General Guidance for third country authorities on the procedures to be followed when importing live animals and animal products into the European Union", DG SANCO/FVO October 2003)

– Identify national reference laboratories in the sanitary and phytosanitary sectors, with a special attention given to the necessary equipment and appropriate methods of analysis (residues of pesticides/contaminants) and their accreditation.

2.4.2 Right of establishment and Company Law

(31) *Full implementation of PCA commitments in title IV, Chapter II (Conditions affecting establishment and operation of companies)*

– Complete screening to be made by Moldova of national legislation so as to identify barriers to establishment with the aim of progressively abolishing them.

– Abolish discriminatory measures affecting foreign investment

– Ensure full application of the best endeavour standstill clause so that the conditions for establishment of companies are not more restrictive than when the PCA was concluded.

– Ensure effective functioning of adequate administrative structures, inter alia, a central co-ordinating body facilitating establishment

Company law:

– Converge with and ensure effective implementation of key principles on company law, accounting and auditing in relevant international and EU rules and standards.

– Improve consistency and predictability in the administrative and judicial authorities responsible for oversight of company law and related investment conditions

– Ensure effective functioning of the public register of undertakings and the publication of certain information such as the company's organisation and financial details in the 'national official gazette'.

– Consolidate and ensure effective functioning of an administrative or judicial authority which ensures the control of the incorporation of a company or the legality of certain acts.

– Adopt and ensure effective implementation of a code on corporate governance (can be done by the private sector).

Services

(32) *Gradual abolition of restrictions to progressively allow the supply of services between the EU and Moldova in certain sectors, in line with WTO and PCA commitments in Title IV, Chapter III (Cross-border supply of services).*

– Complete a review of national legislation by Moldova so as to identify barriers to the provision of services with the aim of abolishing them.

– Establish and ensure effective implementation of appropriate administrative structures including a central co-ordinating body with the aim of facilitating the supply of services.

– Consolidate and ensure effective implementation of adequate legislation setting out basic principles such as non-discrimination and where necessary, introduce more detailed secondary legislation, or sector specific legislation.

Financial services:

– Ensure implementation of recommendations of the IMF FSAP (Financial Sector Assessment Program).

– Enhancement of a prudential regulatory framework for financial markets and supervision equivalent to that existing in the EU.

– Set up and train supervisory authorities in the financial sector.

– Development of the insurance market.

– Put into place and ensure effective implementation of independent supervisory authorities in accordance with internationally recognised standards (e.g. G10, IAIS, IOSCO, IASB).

2.4.3 Movement of capital and current payments

(33) *Ensure full application of PCA commitments under Title V (Current Payments and capital)*

– Ensure the free movement of capital relating to direct investment made in companies and other investments made in accordance with the provisions on Establishment (Chapter II of Title IV).

– Ensure the protection of such foreign investments and the liquidation and repatriation of profits and capital.

2.4.4 Movement of persons, including movement of workers and co-ordination of social security

(34) *Full implementation of commitments under Article 23 of PCA (Labour conditions)*

– Ensure full application of the best endeavour clause by abolishing all discriminatory measures based on nationality which affect migrant workers, as regards working conditions, remuneration or dismissal.

(35) *Full implementation of commitments under Article 24 of PCA (Coordination of Social Security)*

– Continue process of concluding Agreements with Member States on the full application of provisions on coordination of social security as contained in Article 24 of PCA

Other key areas

Taxation

(36) *Development and implementation of a tax system and its institutions based on international and European standards.*

- Ensure that national tax legislation is fully compatible with WTO norms, including provisions for the determination of the place of supply of services in order to prevent double taxation, for fully non-discriminatory VAT and excise taxes, and for refund of VAT to non-established foreign taxable persons.

- Develop and begin implementing a comprehensive Strategy for the Tax Administration, with particular attention to strengthening the tax collection and control systems.

- As Moldova comes closer to the internal market, adoption of and compliance with the principles of the EU Code of Conduct for Business Taxation.

- Complete, where appropriate, the network of bilateral agreements between Moldova and EU Member States on avoidance of double taxation.

Competition policy

(37) *Implement commitments on State aid under Article 48/2.2 of the Partnership and Co-operation Agreement, by developing full transparency in the field of state aid.*

- Establish a binding, uniform definition of State aid which is compatible with that of the EU (either by legislation or autonomous government act);

- Establish full transparency as regards State aid granted in Moldova, in particular by (i) drawing up a complete list of aid grantors, (ii) creating a national mechanism for centralising all information on state aid granted in Moldova, with a view to drawing up annual reports on the amounts, types and recipients of aid;

(38) *Implement, and build upon, commitments on anti-trust under Article 48.2.1. of the Partnership and Co-operation Agreement by ensuring adequacy and compatibility with the EU of the domestic anti-trust legislation and control regime.*

- Assess the effectiveness of the current legislative framework (competition law of 2000), including respect of the principles of non-discrimination, transparency and procedural fairness;

- Ensure enforcement of the competition law, in particular by:

- Establishing the National Agency for the Protection of Competition provided for in the law of 2000, as a politically independent institution,

- Ensuring adequate legal powers for the competition agency, including decision-making powers; the right of own initiative investigations, enforcement orders and effective sanctions (e.g. fines)

– Ensuring adequate human and financial resources, as well as training of staff in the competition administration.

Intellectual and industrial property rights

(39) *Ensure a level of protection similar to that in the EU, including effective means of enforcement, in line with provisions in Articles 49 & 50 of the PCA.*

– Apply international standards in this area, including in particular the TRIPS agreement.

– Ensure proper functioning of the judicial system to guarantee access to justice for right-holders and availability and effective implementation of sanctions.

– Consolidation of the relevant institutional structures, as well as of the offices for industrial rights, copyrights protection and collective societies. Extend co-operation with third country authorities and industry associations.

– Increase resources dedicated to enforcement, in particular for the customs authorities and the judicial system and increase seizures and actions against counterfeit/pirated goods in specifically targeted sectors

– Improve enforcement of the relevant conventions provided for by PCA Article 49(2) Conduct a study on piracy and counterfeiting in Moldova and ensure effective dialogue with rights holders.

Public procurement

(40) *Develop conditions for open and competitive award of contracts between the parties, in particular through calls for tenders, in line with Article 54 of the PCA*

– Improve the functioning of the current system through increased transparency, information provision, training and the strictly limited use of exceptions.

– Convergence with and effective implementation of key principles in the EU legislation on public procurement (e.g. transparency, non-discrimination, competition and access to legal recourse).

Statistics

(41) *Adoption of statistical methods fully compatible with European standards in relevant statistical areas and advance the institution building of the Department for Statistics and Sociology of the Republic of Moldova (DSSMR)*

– Ensure that the forthcoming population census is carried out according to schedule following recommendations of Eurostat/UN-ECE 2000 census;

– Elaborate a short and medium term development strategy for harmonisation with European standards in the relevant statistical areas, including foreign trade statistics and statistical classifications;

– Ensure that legislation on official statistics is based on the fundamental UN principles;

Financial Control and related matters

(42) *Sound management and control of public finances*

– Promote the development of appropriate administrative capacity to prevent and fight effectively against fraud and other irregularities affecting national and international funds, including the establishment of well-functioning co-operation structures involving all relevant national entities;

– Ensure effective cooperation with the relevant EU Institutions and bodies in the case of on-the-spot checks and inspections related to the management and control of EU funds.

– Improve public finance management and transparency, through upgrading of the existing Treasury Accounts Systems, appropriate audit of budget revenue and expenditures, in line with suggestions World Bank's Public economic management review. Extension of the Treasury system by including in the state budget the social insurance budget, compulsory medical insurance funds, special resources, extra-budgetary funds. Creation and implementation of an integrated informational system for public finance management.

Public Internal Financial Control

– Development of a strategy and policy paper for the public internal financial control system (managerial accountability and internal audit).

– Establish legislative framework for public internal financial control.

– Gradual harmonization with the internationally agreed standards (IFAC, IIA, INTOSAI) and methodologies, as well as with EU best practices for the control and audit of public income, expenditure, assets and liabilities.

External Audit

– Ensure the establishment and adequate functioning of an independent Supreme Audit Institution in line with the internationally accepted and EU best practice external audit standards (INTOSAI standards – International Organisation of Supreme Audit Institutions).

Enterprise policy

(43) *Develop a dialogue on enterprise policy aiming at the improvement of the administrative and regulatory environment for companies, at promoting industrial co-operation and tackling the impact of industrial restructuring, and develop the Moldovan legislative and administrative framework for SME promotion - in line with articles 52, 69 and 70 of the PCA*

– Develop a legislative framework and appropriate infrastructure for SMEs, as provided for in Article 70(2) of the PCA

– Endorse and implement the European Charter for Small Enterprises and participate in the monitoring cycles from 2004 (includes participation in co-ordination meetings, writing an annual national report and organising an annual bilateral meeting with the European Commission and Moldovan enterprise policy stakeholders).

– Preparation of companies for progressive opening of internal market elements to Moldovan participation, focusing on information and training. The opening of one Euro-Info-Correspondence Centre (EICC) is envisaged.

– In accordance with articles 52 and 69 of the PCA, promote dialogue on industrial policy and associate Moldova to EU initiatives to stimulate competitiveness, including in the tourism sector (e.g. exchange of information, participation in networks and studies, training).

2.5 Cooperation in Justice and Home Affairs

Migration issues (legal and illegal migration, readmission, visa, asylum)

(44) *Assess the scale of illegal migration to, via and from Moldova and monitor migratory movements.*

– Exchange information concerning, and assess the scale of, illegal migration in the EU and Moldova, including the establishment of an electronic database for the monitoring of migration flows to, via and from Moldova;

– Further alignment of domestic legislation with EU standards in order to criminalise illegal migration**.**

(45) *Supporting the efficient management of migration flows, also by rendering consultative, financial and expert assistance to the government of Moldova and promotion of its activities, in particular to increase professional level of relevant staff through study of foreign experience and internship in relevant services of EU countries dealing with migration policy.*

– Adoption and implementation of Moldova's National Action Programme on Migration and Asylum Issues (migration issues).

(46) *Approximation of Moldovan legislation to the EU norms and standards, implementation of the 1951 UN Convention relating to the status of refugees and the 1967 Protocol relating to the status of refugees, including the right to seek asylum and respect for the principle of non-refoulement. Approximation of the system of state authorities responsible for implementation and realisation of legislation on asylum and refugees to EU norms and standards.*

– Implementation of the obligations of the Geneva Convention and its Protocols, in particular through the development of an asylum system.

– Develop a system for electronic information exchange between all relevant authorities (border guard, police, Migration Department).

– Advice on Eurodac Regulation and functioning of the Eurodac system.

– Adoption and implementation of Moldova's National Action Programme on Migration and Asylum Issues (asylum issues).

(47) *Improve cooperation regarding the efficient management of migration flows and on readmission of own nationals, persons without nationality and third country nationals*

– Initiate a dialogue on readmission in the perspective of concluding a readmission agreement between Moldova and EU, taking into account the human dimension and the socio-economic aspects

– Encourage Moldova to conclude readmission agreements with the main countries of origin and transit

– Setting up, within the existing structures, a mixed expert group to discuss legal migration to the EU, current situations in Member States, management structures for legal migration, including to explore ways to facilitate legalisation, legal migration of the labour force and social protection of migrant workers as well as programmes for voluntary return and re-integration**.**

– Explore the possibility of inviting Moldova to participate in or observe the activities organised in the framework of the EU programmes on migration (ARGO, AENEAS)

(48) *Pursue a dialogue concerning cooperation on visa policy*

– Exchange of views on Schengen procedures and initiate a dialogue on the possibilities of visa facilitation in compliance with the acquis

– Dialogue and exchange of views on visa co-operation (criteria and the procedure for the issue of visas)

– Dialogue on document security

Border management

(49) *Development of a system of efficient, comprehensive state border management on all sectors of the Moldovan border, including the Transniestrian sector*

– Implement the Concept on Border Control adopted on 4 December 2003, in particular the transformation of the Border Guards into a law enforcement agency, and make necessary amendments to national legislation.

– Enhance inter-agency co-operation (among authorities involved in state border management) as well as co-operation with neighbouring countries, including border demarcation and the conclusion of co-operation agreements.

– Start developing a comprehensive education and training strategy on state border management, including improved understanding of Schengen rules and standards.

– Enhance equipment and develop infrastructure for efficient state border management.

(50) *Intensify and facilitate cross-border cooperation between Moldova, the EU Member States and neighbouring countries.*

- Continuation of the "Söderköping process"

- Develop regional co-operation between relevant law enforcement bodies (police, border guards, migration and asylum services, customs)

Fight against organised crime (including trafficking in human beings)

(51) *Ratification and full implementation of international instruments which are of particular importance in combating organised crime*

- Ratify UN Convention against Trans-national Organised Crime and its protocols on smuggling of migrants and trafficking in persons and adopt and implement national legislation (including human right aspects) accordingly

- Sign and ratify protocol to the UN Convention (see above) on illicit manufacturing and trafficking of firearms.

- Enhance the Moldovan law enforcement authorities (police, border guards, customs) through the provision of modern equipment, facilities and training in order to increase in particular the effectiveness of border crossing checkpoints; Prevent and fight sexual exploitation of women, children and child pornography.

(52) *Reinforce the fight against trafficking in human beings, especially of women and children, and smuggling of illegal migrants, as well as activities to prevent trafficking in human beings and to reintegrate victims of this traffic (see also above under Human rights).*

- Implement actions recommended at national levels by OSCE action plan to combat trafficking in Human Beings (approved in Maastricht December 2003), Chapters III, IV and V and enhance co-operation in the framework of relevant international organisations (OSCE, UN).

- Implement provisions on the fight against trafficking in human beings contained in the National Human Rights Action Plan of the Republic of Moldova for 2004-2008 (chapter 7b).

- Promote regional co-operation between relevant law enforcement bodies (police, border guards, customs and judiciary).

- Develop legal and psychological support to victims aiming at their reintegration

Drugs

(53) *Further strengthen the fight against drug trafficking, including the trafficking of essential chemicals and precursors, and against drug abuse in particular through prevention and rehabilitation, in accordance with art.76 of the PCA*

- Continue to implement the 1988 UN Convention on Illicit Traffic of Narcotic and Psychotropic Substances.

– Develop a national drug strategy.

– Develop and implement prevention programmes and programmes for treatment of drug addicts.

Money laundering financial and economic crime

(54) *Strengthen efforts and co-operation in the fight against money laundering, in accordance with art.66 of the PCA; convincing progress in efforts to establish and implement a comprehensive anti money laundering regime.*

– Develop the necessary legislative framework, including concerning the scope and mandatory nature of reporting suspicious transactions.

– Strengthen co-operation between the Central Bank, financial institutions, other relevant entities, the FIU and law enforcement agencies (police, customs, prosecutors, judges) in order to make the financial institutions and other relevant entities aware of the obligations and responsibilities arising from envisaged legislation.

– Exchange information on the existing European system (Financial Intelligence Unit (FIU)) and the existing system in Moldova as regards money laundering.

– Enhancing the inter-institutional data-base on suspicious transactions.

– Promote application of effective sanctions against money laundering.

– Develop a training programme for the staff of the FIU, judges, prosecutors, and all other relevant personnel.

– Intensify co-operation and promote exchange of information among law enforcement agencies and co-operation between Moldova and international organisations, such as OECD-FATF and Council of Europe, as well as with corresponding services of EU Member states and specialised bodies at European level.

Police and judicial co-operation

(55) *Adoption and efficient implementation of legislation and measures for the development of arrangements under which judicial cooperation can be offered and obtained from other states.*

– Ratify relevant international conventions on co-operation in criminal and civil law and, where already ratified, encourage and support their implementation.

– Explore the possibilities for co-operation between Moldova agencies, Europol and Eurojust in accordance with the Europol Convention and the relevant Council decisions.

– Improve inter-agency co-operation and co-operation with other states in the framework of relevant international conventions.

– Develop methods of risk analysis in Moldova comparable to those in the EU, to guide law enforcement and crime prevention actions.

(56) *Further develop co-operation between Moldova and EU Member State judicial and law enforcement authorities*

– Elaborate a manual on judicial co-operation between EU Member States and Moldova and a statement of good practice in relation to such co-operation.

– Establish a network of contact points with EU Member States law enforcement authorities to exchange information

– Introduction of modern investigative techniques.

– Develop anti-corruption measures within the law enforcement agencies (police, border police and judiciary), including the development of Code of Ethics for prosecutors and judges and implementation of the Police Code of Ethics.

2.6 Transport, energy, telecommunications, environment, and Research, development and innovation

Transport

(57) *Elaborate and start implementing a national transport strategy, including transport infrastructure development*

– Start to develop a national sustainable transport policy, with a focus, where appropriate on further approximation of legislative and regulatory frameworks with European and international standards, in particular for safety and security (all transport modes).

– Develop an infrastructure policy (identifying capacity constraints, lack of inter-modal equipment and missing link infrastructure) in order to identify the priority infrastructure projects in various sectors.

– Creation of a long-term and transparent system of road financing in order to ensure continued maintenance of the existent public road network.

– Address issues of infrastructure financing (e.g. Public/Private Partnerships, tolls, shadow-tolling, user charges etc.) Possibly, EIB mandate extension.

– Continue active participation in the development of the Pan-European Corridors and Areas as well as in the TRACECA programme. Possibly, extension of EIB lending.

(58) *Implement selected measures and reforms in the road transport sector*

– Adoption of transparent regulatory processes regarding the award of licenses and introduction of mandatory driving times and rest periods complying with international standards.

– Develop a road safety action plan (including dangerous goods transport and roadworthiness) for improving road safety.

(59) *Implement selected measures and reforms in the railway transport sector*

– Improve the average running time of freight trains on selected corridors by an in-depth corridor analysis, identifying bottlenecks and proposing solutions.

– Improve safety, speed and efficiency (interoperability) of rail transport services.

(60) *Implement selected measures and reforms in the aviation sector*

– Pursuit of a national aviation policy for the development of the sector (including a vision on the reform of the market structure).

– Revision of bilateral service agreements with Member states with a view to include Community standard clauses.

– Solution of pending issues with Member States regarding the implementation of bilateral agreements.

– Enhance administrative and technical capacity to become full JAA member. Explore possibilities to participate in EASA and for involvement in the Single European Sky.

– Co-operate on aviation security matters (common rules to combat international terrorism).

(61) *Implement selected measures and reforms in the maritime and inland waterway sectors*

– Implement relevant international maritime conventions (including IMO).

– Pursue effective enforcement in the areas of Port State Control and Flag State Control implementation as well as resolutions of the IMO's Maritime Environment Protection Committee on Tanker Safety.

– Pursuit of a national inland waterway transport policy for the development of the sector (including a vision on the upgrading of the national fleet) and the establishment of effective administrative capacity.

– Co-operate with the EU with a view to aligning maritime safety policies based on measures agreed with the framework of the relevant International Organisations.

Energy

(62) *Preparation of an updated energy policy converging towards EU energy policy objectives.*

– Prepare an updated energy policy document with an indication of financing sources and a timetable for implementation.

– Strengthen capacities for monitoring and forecasting energy developments.

(63) *Gradual convergence towards the principles of the EU internal electricity and gas markets.*

– Establish - on the basis of Moldova's experience in the Regional Energy Market in South East Europe initiative ("Athens Memorandum") - a list of measures for gradual convergence towards the principles of the EU internal electricity and gas markets, accompanied by time schedules and a financing plan. Reciprocity issues to be addressed appropriately (market opening, environmental norms).

– Energy price developments and tariff reforms towards the elimination of distortions; improvement of bill collection rates.

– Further develop the National Energy Regulatory Agency towards an independent body.

– Further restructure the electricity, gas and heat sectors and address payment arrears.

– Participation in EU related energy events.

(64) *Progress regarding energy networks.*

– Substantial reduction of network losses (electricity, heat notably).

(65) *Improve transparency, reliability and safety of the gas transit network.*

– Further rehabilitate and upgrade the network.

– Identify and start to implement reform options for the gas (transit) network.

– Install additional gas metering devices on pipelines at border crossings points.

(66) *Progress on energy efficiency and the use of renewable energy sources.*

– Prepare an Action Plan for improving energy efficiency and enhancing the use of renewable energy sources, reinforcing the relevant institutions, accompanied by a financing plan, quantitative targets and timetables for implementation.

– Implement a set of low cost measures in this area.

Information Society

(67) *Accelerate progress in electronic communications policy and regulation*

– Adopt a national policy on the development of the sector.

– Adopt a comprehensive regulatory framework including licensing, access and interconnection, numbering, cost-orientation of tariffs, Universal Service and users rights, privacy protection and data security.

– Effective implementation of the market liberalisation launched on 1 January 2004 including support of a fully competitive environment.

– Ensure the independence, increase the powers and improve the efficiency of the National Agency for Regulation in Telecommunications and Informatics (NARTI) by providing additional human and financial resources and increasing the enforcement powers.

– Reinforce the commercial capabilities of MoldTelecom in the future competitive environment.

(68) *Accelerate progress in the development of Information Society services and in the integration of Moldova into the IST research programme.*

– Further implement the national policy and strategy for the Information Society and provide sufficient funds for its implementation.

– Promote the widespread use of the new technologies by business and administration, in particular in the health ad the education sectors (e-commerce, e-government, e-health, e-learning), via the provision of advanced infrastructures, the development of content and the introduction of pilot projects.

– Improve the use of Internet and online services by the citizens via public computer training programmes.

– Adopt a specific plan to promote the participation of Moldova in the IST part of the 6th Framework Programme.

Environment

(69) *Take steps to ensure that conditions for good environmental governance are set and start implementing them*

– Strengthen administrative structures and procedures to ensure strategic planning of environmental issues, including financing strategies, and co-ordination between relevant actors

– Establish procedures regarding access to environmental information and public participation, including implementation of the Aarhus Convention, particularly by establishing structures and procedures for ensuring an acceptable level of service to those wishing to have access to information.

– Prepare regular reports on the state-of-the-environment

– Strengthen structures and procedures necessary to carry out environmental impact assessments, including in relation to transboundary issues; complete relevant legislation.

– Further improve communication strategies on the benefits of environmental policy and environmental education, support civil society actors and local authorities

(70) *Take active action for prevention of deterioration of the environment, protection of human health, and achievement of rational use of natural resources, in line with the commitments of the Johannesburg Summit*

- Continue with the adoption of legislation for key environmental sectors (water quality, waste management, air quality, industrial pollution), including the adoption of the legislation on wild flora and ecological networks.

- Enhance administrative capacities, including for the issuing of permits as well as for enforcement and inspection

- Develop sector-specific programmes and plans (water, waste, air, industrial pollution), notably by completing the plan on liquid waste and the plan on persistent organic pollutants.

(71) *Enhance co-operation on environmental issues*

- Implement provisions under the Kyoto Protocol and the UN Framework Convention on Climate Change

- Participate actively in the Danube – Black Sea Task Force to implement a trans-boundary approach to water management; ensure active participation in the Eastern European, Caucasus and Central Asia component of the EU Water Initiative

- Identify possibilities with neighbouring countries for enhanced regional co-operation in particular as regards trans-boundary issues

- Possible participation in selected European Environment Agency activities

- Strengthen administrative capacities for the implementation of regional and international agreements

Research, development and innovation

(72) *Prepare Moldova's integration into the European Research Area and into the Community R&D Framework Programmes on the basis of scientific excellence*

- Implement appropriate information strategy to facilitate adequate participation of Moldovan scientists in the Community R&D Framework Programmes.

- Undertake an assessment of the capacity of research structures in Moldova with a view to their integration in the European Research Area.

(73) *Develop Moldova's capacity in technological R&D to support the economy and society*

- Reinforce human, material and institutional resources in order to improve the capacities in technological R&D and innovation including through INTAS, EUREKA and COST actions.

(74) *Support Moldova's integration in high level scientific exchanges.*

- Reinforce Moldavian participation in international Marie Curie fellowships including support of the appropriate return mechanisms.

- Promote participation of Moldavian scientists in international debates and fora

2.7 People-to-people contacts

Education, training and youth

(75) *Bring education and training systems closer to EU Member state standards and the Bologna process*

- Implement legislative reform and other measures that will prepare Moldova's adherence to the Bologna process (promote greater autonomy of Universities, modernise curricula, introduction of a credit system).

- Use participation in the programme Tempus III to explore the possibility of fostering the development of human resources and human capital.

- Involve civil society stakeholders and social partners in higher education and VET reform.

- Further implementation of a national programme to introduce IT in education.

(76) *Enhance co-operation in the field of education, training and youth*

- Support exchange and study opportunities for Moldovans, in particular through their participation in the Erasmus Mundus programme

- Enhance Moldovan participation in the Tempus III programme

- Prepare for possible extension of the Tempus programme to the areas of vocational training as well as adult education

- Enhance youth exchanges and cooperation in the field of non-formal education for young people

- Increase promotion of intercultural dialogue, youth exchanges and co-operation in the field of non-formal education through the YOUTH programme

Culture and audio-visual issues

(77) *Enhance cultural co-operation*

- Intensify cultural exchanges giving priority to mobility of young Moldovans, particularly through the Youth programme.

- Approximate relevant audiovisual legislation in full compliance with European standards (with a view to a possible future participation in the Media programme if prerequisites are fulfilled.)

– Develop a dialogue on cultural diversity, including in the context of the relevant negotiations in UNESCO

Civil society co-operation

(78) *Promote civil society co-operation*

– Further develop and build on experience of existing Institution Building Partnership Programs (IBPP)

– Encourage the empowerment of consumers and the protection of their legitimate economic interests

Cross-border and regional level co-operation

(79) *Enhance contacts and capacity for cooperation at the cross-border and regional level by taking up the opportunities and challenges arising from EU enlargement.*

– Encourage local and regional own-initiative approach to establish and develop cross-border co-operation.

– Implement activities based on local and regional priorities, developed in co-operation with the areas concerned

– Pay special attention to and support the development and implementation of the new Neighbourhood Programmes through the active involvement of the local and regional levels.

– Provide support to development of human resources and other capacities in local and regional authorities to ensure efficient implementation of cross-border co-operation actions.

Public health

(80) *Increase the level of health security and epidemiological safety in Moldova in line with EU legislation and in cooperation and with the support of the WHO. Relate the information system of Moldova to the health indicators process underway in the EU.*

Health information and knowledge:

– Organise collection of information on health indicators

Communicable Disease Surveillance and Health Security:

– Exchange information and technical expertise in order to facilitate participation in EU Network for the Prevention and Control of Communicable Diseases

– Participation in dedicated surveillance networks, in particular those collecting data and information on HIV/AIDS, sexually transmitted infections, and hepatitis C and B.

– Reform of health system:

- Improve the primary health care system and the prevention of diseases, such as the HIV/AIDS epidemic, notably in rural and deprived communities and within vulnerable groups

- Modernisation of emergency services

- Health services autonomy, especially for hospitals

- Monitoring of the mandatory health insurance implementation Improve the training standards in general practice for health professionals with graduate and undergraduate education

3. Monitoring

The Action Plan will be submitted for formal adoption to the Co-operation Council between the EU and Moldova. The Action Plan will guide the work between the EU and Moldova. Should the need arise, on the EU side, for specific measures necessitating legally binding decisions, the Commission will recommend to the Council the adoption of the necessary negotiating directives.

The joint bodies established under the Partnership and Co-operation Agreement will advance and monitor the implementation of the Action Plan. The structures under the relevant agreements, where appropriate, should be reviewed, to ensure that all priorities under the ENP are duly reflected.

The Commission will produce reports on the Action Plan's implementation at regular intervals. It will invite Moldova to provide information for these reports. The Commission will also work closely with other organisations such as the Council of Europe, the OSCE, relevant UN bodies, and International Financial Institutions.

A first review of the implementation of the Action Plan will be undertaken within two years of its adoption.

The Action Plan can be regularly amended and/or updated to reflect progress in addressing the priorities.

Glossaire

CEN	European Committee for Standardization
CENELEC	European Committee for Electrotechnical Standardisation
EASA	European Aviation Safety Agency
EGPRSP	Economic Growth and Poverty Reduction Strategy Paper
ETSI	European Telecommunications Standards Institute
FATF	Financial Action Plan Task Force for Money Laundering
FIU	Financial Intelligence Unit
IAIS	International Association of Insurance Supervisors
IASB	International Accounting Standards Board
IEC	International Electrotechnical Commission
IFAC:	International Federation of Accountants
IIA:	Institute of Internal Audit
ILO:	International Labour Organisation
IMO	International Maritime Organisation
INTOSAI:	International Organisation of Supreme Audit Institutions
IOSCO:	International Organisation of Securities Commissions
ISO	International Organisation for Standardisation
IST	Information Society Technologies
ITU	International Telecommunication Union
JAA	Joint Aviation Authorities
MEPO	Moldovan Export Promotion Organisation
MTFF:	Medium Term Fiscal Framework
TAIEX:	Technical Assistance Information Exchange
TRACECA:	Transport Corridor Europe Caucasus Asia
TRIPS:	WTO Agreement on Intellectual Property
WMD:	Weapons of Mass Destruction