

**REGIONAL DEMOCRACY PROMOTION –  
ROMANIA IN RELATION  
TO THE WESTERN BALKANS  
AND EASTERN PARTNERSHIP STATES**

Iordan Bărbulescu (coord.), Clara Volintiru, Miruna Troncotă, Nicolae Toderăș  
**Regional Democracy Promotion –**  
**Romania in Relation to the Western Balkans and Eastern Partnership States**

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Iordan Bărbulescu (coord.)  
Clara Volintiru, Miruna Troncotă, Nicolae Toderăş

# **REGIONAL DEMOCRACY PROMOTION – ROMANIA IN RELATION TO THE WESTERN BALKANS AND EASTERN PARTNERSHIP STATES**





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## List of Abbreviations

BESC	Black Sea Economic Cooperation
CIS	Commonwealth of Independent States
CoE	Council of Europe
DCFTA	Deep Comprehensive Free Trade Area
DG NEAR	Directorate-General for Neighborhood and Enlargement Negotiations
EaP	Eastern Partnership
EC	European Communities
ECHR	European Court of Human Rights
ECSC	European Coal and Steel Community
EEAS	European External Action Service
EFTA	European Free Trade Association
EIB	European Investment Bank
ENI	European Neighborhood Instrument
ENP	European Neighborhood Policy
ENPARD	European Neighborhood Programme for Agriculture and Rural Development
ENPI	European Neighborhood and Partnership Instrument
ERDF	European Regional Development Fund
EU	European Union
EUGS	European Union Global Strategy
EUSDR	European Union Strategy for the Danube Region

EUSR	European Union Special Representative
FDI	Foreign Direct Investments
FTA	Free Trade Agreement
GDP	Gross Domestic Product
IMF	International Monetary Fund
IPA	Instrument for Pre-Accession Assistance
IPA-CBC	Inter-Regional IPA Cross-Border Cooperation Programme
JOPs	Joint Operational Programs
MFA	Ministry of Foreign Affairs
MFF	Multiannual Financial Framework
MORE	General Guidelines on Monitoring, Reporting and Evaluation
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
ODA	Official Development Assistance
OECD	Organization for Economic Co-operation and Development
OSCE	Organization for Security and Co-operation in Europe
PECOS	Pays d'Europe Centrale et Orientale / Countries of Central and Eastern Europe
PESCO	European Union's Permanent Structured Cooperation
PHARE	Poland and Hungary: Assistance for Restructuring their Economies
RAI	Regional Anti-Corruption Initiative
RoAid	Romanian Development Cooperation Agency
SMART	Specific-Measurable-Achievable-Relevant-Time-Oriented
SME	Small and Medium Enterprise
TACIS	Technical Aid to the Commonwealth of Independent States
TAIEX	Technical Assistance and Information Exchange instrument of the European Commission
TEN-T	Trans-European Transport Networks in Europe
TEU	Treaty of the European Union
TFEU	Treaty on the Functioning of the European Union

TTIP	Transatlantic Trade and Investment Partnership
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	Office of the United Nations High Commissioner for Refugees
USA	United States of America
USAID	United States Agency for International Development
WB	Western Balkans
WTO	World Trade Organization



## Introduction

In 2017 Romania celebrated a decade of membership in the European Union. The year also had special symbolism for EU itself because on 25 March 2017, on the occasion of the 60th anniversary of the Treaties of Rome, President Jean-Claude Juncker launched the debate on the 'future of Europe'. Those events triggered the need for more critical reflections on the role of the new member states like Romania in shaping the 'future of Europe' inside the deepening and widening dilemma, but also on the role of EU in the international scene in the post-Brexit era, on the principle of resilience in EU Global Strategy, on the difficulties of European integration of the Western Balkans and on the security evolutions in the Black Sea area. In this context, we decided to focus on Romania's actions towards its sometimes called 'troubled neighborhood', caught between the conflict in Ukraine and the instability in the Western Balkans, in the context of the ever more pressing need for Bucharest's strategic recalibration and preparation for Romania's Presidency for the Council of the European Union in the first semester of 2019. This study aims to analyze how Romania contributes to the process of democratic transition of the Eastern Partnership and Western Balkans countries through the transfer of expertise and of their own lessons learned.

The main purpose of this study was to analyze the transfer of best practices in ODA projects carried out by Romania in the two regions in the last 10 years, on the basis of which we made a set of specific recommendations. These aim primarily at increasing the role of Romania as an EU Member State and ally within NATO. Secondly, we envisaged a set of recommendations in the view of a proper preparation and exercise under the best conditions by Romania of the Presidency of the EU Council in the first semester of 2019. Therefore, we focused on two regions belonging to the concentric circles of Romania's neighborhood, with an important geopolitical and geostrategic role, which are based in a volatile regional context that poses numerous challenges, as well as opportunities.

The specific objectives of the study are:

- To present the instruments through which Romania can disseminate and provide expertise (EU Neighborhood Policy, Eastern Partnership, Stabilization and Association Process, Official Development Assistance);
- To identify relevant examples of good practices/lessons learned in the democratic transition experience of Romania;
- To assess how Romania has provided expertise in its relations with the Eastern Partnership and Western Balkan states;
- To formulate recommendations aimed at increasing Romania's contribution to the democratic transition process by the Eastern Partnership and Western Balkan states.

In order to accomplish these goals, we organized the text according to the following structure:

**Chapter 1** represents a theoretical framing of the study, through the synthesis of academic debates on democratic transition models

that emerged after the end of the Cold War. It is first discussed the classical model of democratization theorized by Linz and Stepan. Then, there is one of the most influential structural models, developed by Levitsky and Way<sup>1</sup>, used as an analytical framework to deepen the case studies of this study. In short, the model asserts that the success of external actors in promoting democracy is conditioned by two factors: the *leverage*, determined by the vulnerability of states in need of external pressure, and *linkages*, which translates as the density of links between external actors and the state receiving external aid on six dimensions: economic, geopolitical, social, communicational of the transnational and technocratic civil society. To explain the effects of democratization in the two regions, this approach also suggests the focusing on the political economy that explains the issue of double or triple transition – the impact of market formation along with the impact of new public institutions. In general, this vision highlights the crucial importance of state capacity and social cohesion for the success of democratization through the influence of external actors. The model will, however, have to be adapted to the geostrategic situation specific to the two regions and in this sense a more in-depth contextualization of the changes at EU level as well as of the political evolution in the Eastern Partnership and Western Balkan states was needed.

**Chapter 2** presents the current EU context and post-Lisbon developments, with an emphasis on the greatest challenges and opportunities coming along with *Brexit*. The synthesis presents the conceptual and institutional transformations the EU has undergone in the last decade. This section also presents the EU Global Strategy launched in 2016 to synthesize the common vision of the EU in the post-*Brexit* era. This programmatic document provides

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<sup>1</sup> LEVITSKY, S. and LUCAN W., "International Linkage and Democratization", *Journal of Democracy*, Vol. 16, 2005, No. 3, pp 20-34.

the framework for an EU external engagement characterized by unity and responsibility, in partnership with third parties, to promote its values and interests in security, democracy, prosperity and a global order based on norms, not on force, promoting human rights and the rule of law. The study shows how the concept of "resilience" which lies at the heart of this strategy gives Member States the chance to look beyond national interests and re-launch the European project. The second part of this chapter, aimed at offering a better contextualization of key actors in the region, provides a synthesis of the most significant challenges to democracy in the Western Balkans and the Eastern Partnership states. In the case of the post-conflict situation in the Balkans, it is underlined that the fragile democratic institutions in ex-Yugoslav states are more exposed and more vulnerable to misinformation and discourses instigating ethnic hatred as well as tacit acceptance of human rights violations or mass-media, clear elements of the erosion of democracy. Additionally, it shows that at the level of the Eastern Partnership, a dynamic is emerging on several speeds, very similar to that of the European Union. Thus, we find the states in the immediate proximity – Georgia, the Republic of Moldova and Ukraine as more advanced in the process of integration and convergence towards the EU than the other three states – Azerbaijan, Armenia and Belarus. Finally, at the 5<sup>th</sup> Eastern Partnership Summit in November 2017, it was reaffirmed the commitment of all the Eastern Partnership countries to pursue the reforms they undertake in order to converge and deepen their cooperation with the European Union.

**Chapter 3** displays the analytical framework for providing expertise in democratic transition in the Eastern Partnership and Western Balkan countries. Both bilateral relations and concerted actions in a multilateral framework have been mapped out. Next, three types of instruments are laid out whereby Romania

disseminates and provides expertise to the reference countries. At the end of this chapter, some issues are briefly addressed on the current EU approach on determining the efficiency and effectiveness of delivering development-specific interventions and democratic transition. Also, we provide further insight on the current approaches of the EU and other international donors (UNDP, World Bank) utilized to determine the efficiency and effectiveness of specific interventions provided to boost democratic transition.

**Chapter 4** makes a description with an emphasis on Romania's economic and political factors as a provider of expertise in the democratic transition, giving an overview of the democratic variations in the strategic neighborhood. We argue that derails from democratic principles are widespread throughout the region. Even if joining the European Union was a good case for consolidating the internal fight against corruption and the strengthening of the rule of law in Romania, external pressure is not enough and ensuring the continuity of the process rests upon the citizens and their degree of involvement in public life. The rule of law is of fundamental importance to the EU. Strengthening institutional capacity at central and local level is a fundamental element amid the political conditionality criteria in order to become a Member State. Of the five priorities of the EU Global Strategy, Romania will be able to make a consistent contribution regarding the "investing in the resilience of states and societies located in the east and south", which is the subject of this analysis. It is argued that Romania has a strong tradition of participating in post-conflict reconstruction operations in the Western Balkans under the aegis of the United Nations and the European Union. Based on these contributions, Romania has accumulated national and international expertise in the field which adds to the EU, NATO and UN policies in this field. This section of the study also presents numerous quantitative data

of economic relations between the EU and the two regions, to better illustrate the potential economic role that Romania can play in this regional configuration.

In **Chapter 5**, the study provides relevant examples of good practice, the so-called "lessons learned" in Romania's democratic transition experience from the perspective of its development assistance projects. This section aims at exploring and assessing how Romania has provided expertise in its relations with the Eastern Partnership countries and the Western Balkans in the post-2007 period, according to the RoAid.ro website. Based on the evaluation of the past decade since Romania became a donor state for development assistance, once with the EU accession, we propose to draw a series of recommendations and lessons learned to support the Romanian Development Cooperation Agency – RoAid, based on two case studies that we have selected as having an illustrative role – the Republic of Moldova and Serbia – priority states for Romania's efforts in the two studied regions. In structuring the case studies analysis, we followed the analytical framework developed in Chapter 1 – the Levitsky and Way Model – on the mechanisms of external influence based on *leverage* type democratization and those in the form of *linkages* that we have tried to illustrate through examples.

We will briefly summarize a series of specific observations and contributions of this chapter. The study shows that Romania has an essential contribution to the democratization of the Republic of Moldova, including the deepening of its relations with the EU. Although the interventions of the 2000s were based on contagion mechanisms, rarely on diplomatic pressure, they were unable to ensure the efficiency of Moldova's structural modernization, democratization and general Europeanization processes. As a result, Romania's contribution to the democratization of the Republic of Moldova was a slow, diffuse and even elusive one.

Since 2010, the situation has changed significantly and the study analyzes this dynamic both through the EU instruments that Romania has access to (such as Twinning, TAIEX, Joint Operational Programmes etc.) and its own development-specific tools. Through complex structural development interventions, Romania is much more present in the processes of democratic transition and proximity to the EU. Thus, the interventions have contributed both to ensuring the institutional and procedural convergence in the main areas (justice and rule of law, competition, monetary and fiscal policies, etc.) with the EU, as well as to the strengthening of domestic democratic institutions. Consequently, Romania became the main donor for development in Moldova in 2013. And in 2016 Romania was placed first in the ranking of countries that support the democratic transition of the Republic of Moldova. At the same time, since 2014 Romania has become the main economic partner of the Republic of Moldova, and the trade balance over the past two years shows the trend of strengthening bilateral economic relations.

The progress made in the post-accession period (2007-2017), and even the lessons learned from failures, have enriched us with an expertise that currently places us in a privileged position – that of meeting some of the most pressing needs at the global level and, above all, regional: institutional consolidation and strengthening the rule of law principle, by transferring country-specific learned lessons and expertise. A concrete example of good practice in this respect is the Romania-Republic of Moldova Forum on Justice Reform and the Fight Against Corruption in a European Perspective organized in Chişinău (10-11 November 2016). It has been established as a relevant platform for communication in the field of Justice, leading to the development of bilateral cooperation in this field, removing the possible syncope, but also supporting the European path of the Republic of Moldova and its justice, by

continuing the reforms in the field of Justice and the fight against corruption.

With regards to the assistance provided to the Republic of Moldova, the set of recommendations refers to the need to move Romania's contribution to another level, namely to provide an effective resilience framework, identified through:

- Strengthening the presence in the internal economic life of the Republic of Moldova, a presence that can be materialized through participating in the privatization or acquisition of the majority stake of the main economic operators in the energy or the banking system (gas, electricity), as well as the persistence in entering and maintaining a presence on the local trade and services markets, the revitalization of the chambers of commerce and industry, etc.;
- Assuming a stronger role in coordinating interventions in the Republic of Moldova. Thus, RoAid must provide for the facilitation of the dialogue between the central public administration authorities (ministries, agencies, councils, etc.) of the two countries, as well as with the international donor organizations and the donor states' agencies present in the Republic of Moldova;
- Improving the effectiveness of assistance provided by changing the intervention paradigm (such as granting scholarships for young people in the Republic of Moldova) and strengthening the connection of interventions with EU approaches and instruments specific to the reference areas (eg. in the case of education, the Erasmus+ Programme is relevant);
- Substantiating evidence-based interventions. Thus, RoAid needs to place a stronger emphasis on the application of its own strategy of capturing, analyzing and presenting records of the initial state of affairs, the logic of the interventions

and the results obtained at the end of the implementation of the programmes or projects;

- Strengthening cooperation between civil society in both countries through permanent joint working groups;
- Ensuring greater visibility of implemented interventions.

In terms of shaping Romania's donor profile in the Western Balkans, a correct estimation of the effectiveness of ODA is needed through the impact of interventions supported in Serbia, the closest state in the region. We believe that relations between Romania and Serbia can provide a basis for increased cooperation throughout the Western Balkans region. Looking at the variations in Romania's development assistance in Serbia, we can see the existence of three distinct periods:

- **1<sup>st</sup> phase** – 2007-2011, in which the MFA provided development assistance to Serbia, supporting the transition to democracy, strengthening civil society and revitalizing rural areas through the United Nations Development Program (UNDP);
- **2<sup>nd</sup> phase** – 2012-2015 where Serbia was not one of the developing countries benefiting from development assistance through the budget of the Ministry of Foreign Affairs, with Eastern and Southern Partner countries being preferred. Assistance provided by other institutions to Serbia can be found in the annual reports on the RoAid.ro site. Although not part of development assistance to Serbia, the analysis has decided to consider them as appropriate elements of what the analytical model Levitsky and Way call "the ties" that lead to an increase in the influence of international actors on the democratization of some states.
- **3<sup>rd</sup> phase** – 2015-2017 in which Serbia resurfaces among Romania's priorities, which is noticeable at the level of

political speeches (Prime Minister and President), especially from an economic point of view and for security reasons.

After analyzing Romania's various assistance projects in Serbia, we can conclude that support for democratization in Serbia has been accomplished concurrently with the support of the Romanian community in Serbia, which presents the risk of ambivalence in the management of Romania's development funds and the risks of politicizing the process (as it was the case of the tense moment of 2012).

In the context in which economic linkages should be seen as being in symbiosis with (geo)political efforts, any effort to stabilize and bring closer the states in Romania's strategic proximity to the European project must use instruments for both levels effectively. As we have seen at the level of expert assessments and series of data on the quality of democracy in the world, Romania has a valuable expertise and experience in the democratic consolidation it can offer to neighboring countries. Moreover, experience exchanges between institutions in similar countries proved to be much better received and easier to apply than in the case of the transfer of expertise from Western Europe to the new European democracies. Romania's efforts in this respect must be doubled by economic incentives to approach the European Union either through European projects, development assistance or public and private investment and even commercial liberalization. A good example of this is emerging from the recent Deep Comprehensive Free Trade Areas (DCFTA) established jointly with the Eastern Partnership countries.

In the final part of the study, **the concluding chapter**, we make a series of recommendations in order to increase Romania's contribution in this sense, either bilaterally or through concert action, at European level. Romania's foreign policy is best described by the metaphor of the concentric circles. Thus, we can point out that the

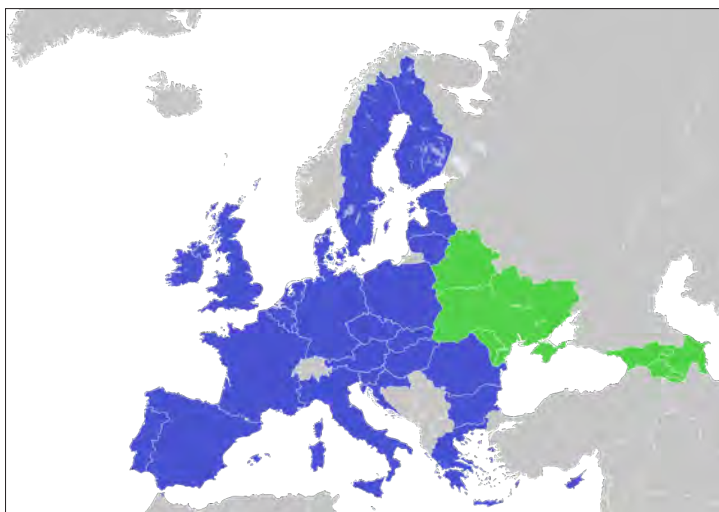
main priority for the 2019 Presidency must be the two Eastern and Southern neighbors of Romania, both in a situation of geostrategic instability and in an unfinished democratic transition process. This should be done through the operationalization of the concept of resilience, which guides the new EU Global Strategy. Additionally, we recommend that another priority that Romania should promote throughout the Balkan and Black Sea area states should be the stimulation of cooperation. Despite the assurances received from officials from the Balkan states and the Black Sea region about their openness, regional cooperation is limited. We propose that during the Romanian Presidency of the Council of the EU in 2019, the MFA organizes a conference in Bucharest, under the form of a reflection forum, focused on directly supporting the "Berlin Process" and the economic plans to increase competitiveness in the Balkan region to which it will invite all six states.

For the next period, benefiting from the new legislative and regulatory framework already in place, RoAid must be much more active in coordinating interventions in the Republic of Moldova. This coordination can be done both by facilitating the dialogue between the central public administration authorities (ministries, agencies, councils, etc.) of the two countries, as well as with the international donor organizations and the donor states' agencies present in the Republic of Moldova. For example, the organization of annual conferences or forums with the participation of interested governmental and non-governmental stakeholders can be considered as coordination tools.

In order to ensure the effectiveness and relevance of providing development assistance and democratic transition through joint national or regional common instruments, the Romanian management authorities should strengthen their analytical capacity and coordination of a mechanism for substantiating and context-adapting the types of expertise provided. The mechanism is also necessary

to ensure the convergence between the various complementary national instruments managed by other Romanian authorities (for example, ensuring the symbiosis with the Multinational Strategic Development Cooperation Programme). At the same time, we recommend that RoAid should adapt its formulation processes to the objectives of the interventions financed on the basis of sound analyzes and evidence in order to demonstrate, on the basis of sets of indicators, the initial and desired status. In this respect, RoAid needs to strengthen its information and analysis system so as to be able to provide evidence of the effectiveness, efficiency and the impact of interventions supported in the Western Balkan and Eastern Partnership countries. In this sense, we believe that Romania can fruitfully project in the EaP and Balkan countries all the lessons learnt in the last 10 years.

The Authors, March 2018



**Map nr 1. Romania, Western Balkans and Eastern Partnership countries**

## **Chapter 1 – Theoretical Framework**

### **The Theory of Transition and Democratic Consolidation. Conceptual Transformations and Regional Re-adaptations**

The themes of transition, democratic consolidation and, subsequently, the quality of democracy have remained topical in today's theoretical debates, especially if they are addressed in the process of democratization and Europeanization in the Western Balkan and Eastern Partnership countries. The post-communist transition, ie. the transition of the former socialist states from Central and Eastern Europe to liberal democracy and the Western-style market economy, is considered to be a process of profound radical transformation, with an impact on the identity of those societies. Hence, the many conceptual controversies developed over the past 25 years on the refinement of the right analytical models. The main purpose of the next section is to draw the theoretical directions of the analysis of democratization, which precedes the revision of the specialized literature in the case of the two main regions that we will apply our case study – Western Balkans and the Eastern Partnership states. There are three essential questions without which we cannot study the lessons learned from Romania's democratization experience that can be exported to its strategic neighborhood: what is democratization, how does it play and what

role do international actors play in this process? We will approach each one individually.

### Moving from transition to consolidating democracy. The Linz and Stepan Model

One of the most controversial debates of the 2000s was how to actually identify the crossing from transition to the consolidation of democracy. When can we recognize the start of the consolidation process? Is it a certain moment – which can be observed – or is it a complex, diffuse and insensible process without a temporal determination? The concepts of "transition" and "democratic consolidation" were built on the distinction between change and order in political life<sup>2</sup>. Democratization theories – understood from the perspective of the "transition-consolidation" conceptual binomial, are characterized by "multiple causality" (variables or combinations of different variables) and "equivalence" (although they go on different directions, they produce the same result – democratic consolidation). It should be noted that the discussion of the democratization process contains an obvious teleological principle: that the ultimate goal of this process is a stable, consolidated democracy. Critical approaches have later argued that democratization does not inevitably end with the consolidation of democracy, and that the latter does not necessarily represent the end point of democratization. They have subsequently shown that there is no "single recipe for democratization" and that by applying the same recipe, successes, failures, hybrid regimes can be achieved, as well as cases of countries that have not gone through the transition to democracy, but towards other forms of authoritarianism<sup>3</sup>.

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<sup>2</sup> LINZ Juan J. and STEPAN, A., *Problems of Democratic Transition and Consolidation*, Baltimore: The John Hopkins University Press, 1996.

<sup>3</sup> DIAMOND L. and MORLINO, L. "The Quality of Democracy. An Overview", *Journal of Democracy* Vol. 15, No. 4 October 2004, pp. 20-31.

Initially, in the analysis conducted during the second half of the 1990s, consolidation was defined as a certainty, compared to transition, which is marked by uncertainties. According to Linz and Stepan's model, democratization reaches the consolidation stage when democracy is "the only game in town". In detail, Linz and Stepan consider that the existence of a consolidated democracy can be analyzed on three dimensions: behavioral, attitudinal and constitutional. In this sense, it can be considered that, in other terms, a consolidated democratic regime depends on three factors<sup>4</sup>:

- the degree of political institutionalization, which, when high, determines political stability, meaning that there are no political (or politicized) groups that tend to turn democracy into non-democracy;
- the level of democratic political culture, on which depends the sharing of community values specific to democracy, thus implicitly of democratic rules and practices;
- the degree of political consensus which, if it is a high one, involves resolving political conflicts based on rules accepted by all political and social groups.

The sense given to the term of 'democratic consolidation' is thus one of organization of democracy – in the sense of establishing rules and organizations that are specific to liberal democracy. This phase follows the transition one, although the authors have not been able to establish a concrete crossing point that would constitute the conclusion of a process and the start of another, being an evolution that takes distinct forms in each case study (in this sense they have often mentioned the differences between conceptualizations applied to Latin American states and those applied to post-communist states in the East and Central Europe<sup>5</sup>. It should

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<sup>4</sup> LINZ and STEPAN, *ibidem*, pp. 87-89

<sup>5</sup> DIAMOND and MORLINO, *ibidem*.

be stressed that liberal democracy serves as both a starting point and an end point, often considered problematic in critical studies. One of the most influential authors who launched the concept in the early 1990s argues that this is a neutral approach in the normative sense, although it can lead to such goals<sup>6</sup>. Afterwards, the consolidation of democracy was defined as the prevention of the erosion of democracy, or the situation where a liberal democracy would regress to an electoral one<sup>7</sup>.

Terry Karl is another author who has argued the role of uncertainty that makes the difference between transition and consolidation of democracy as distinct stages of the same process<sup>8</sup>: "Consolidation of democracy is defined by the substantial reduction of uncertainty (...) the institutionalization of a certain degree of certainty raised through a common set of rules (both formal and informal), widely understood political roles and relatively well-defined political arenas". Dîrdală also argues that "by its nature, consolidation is much more predictable than transition"<sup>9</sup>. Karl also draws attention to the fact that "it is not surprising that as countries move from the high uncertainty of the transition to a more institutionalized and more secure post-transition, concerns arise over factors such as the nature of the state, the level

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<sup>6</sup> SCHEDLER, A. *Concepts of Democratic Consolidation*, Paper presented at a meeting of the Paper Latin American Studies Association (LASA) in 1997, Continental Plaza Hotel, Guadalajara, Mexico, 17-19 April 1997, p. 11; document available at: <http://lasa.international.pitt.edu/LASA97/schedler.pdf>.

<sup>7</sup> SCHEDLER, A. "Ce este consolidarea democratică?", in *Revista Română de Științe Politice*, Vol. 2, No. 1, April 2002, pp. 122-138.

<sup>8</sup> KARL, T.K. "From democracy to democratization and back: before *Transitions from Authoritarian Rule*", Working Paper 45, Center on Democracy, Development, and the Rule of Law, Stanford Institute on International Studies, 2005, p. 16.

<sup>9</sup> DÎRDALĂ, L. "Repere teoretice în studiul tranziției și consolidării democratice", Mihail Kogălniceanu University, Iași, available at: [http://www.umk.ro/images/documente/publicatii/Buletin17/17\\_repere\\_teoretice.pdf](http://www.umk.ro/images/documente/publicatii/Buletin17/17_repere_teoretice.pdf).

development, changes in the global economy, blending of identities, demographic change"<sup>10</sup>. These elements deserve more attention in our study.

But a number of studies on critical democratization have developed over the years which have argued that there are no patterns of democratization, as this is a difficult and non-linear process where progress is slow and often reversible – without the guarantee that at the end of it, it is inevitably a consolidated democracy<sup>11</sup>. However, democratization theorists have attempted to set a series of minimal indicators to differentiate between different patterns of democratization, then to reach the concept of "consolidation of democracy". The first stage is the development of democracy: the evolution from electoral democracy to liberal democracy. The other stage concerns the foundation of democracy – the evolution from electoral democracy or liberal democracy to advanced democracy (consolidation of democracy). This sequencing has sparked numerous theoretical debates.

In order to better understand the process of democratic consolidation, it is necessary to analyze the factors that interfere with it. Collier argues that this issue must be addressed from three perspectives: intervening actors, successive events and, last but not least, institutionalization<sup>12</sup>. Przeworski has launched another perspective on the consolidation process and has drawn a clear line between transition and consolidation, stating that there are two distinct processes, he criticizes the negotiated transitions because

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<sup>10</sup> KARL, *ibidem*.

<sup>11</sup> KURKI, M. *Democratic Futures: Re-visioning Democracy Promotion*,. Abingdon: Routledge, 2012; Jean Grugel, *Democratizarea. O introducere critică*, translated by Ramona-Elena Lupu, Iași, Polirom, 2008.

<sup>12</sup> COLLIER, D. "The comparative method: Two decades of change" in D. Rustow & K. Erikson (Eds.), *Comparative political dynamics*, New York, NY: Harper Collins, pp. 7-31.

this kind of transition is vitiating democracy<sup>13</sup>. Discussing each coordinate separately, Schedler concludes that the meaning of the democratic consolidation should be restricted to the "negative" aspects, ie those concerning the development of those institutional mechanisms and arrangements that will not allow a return from democracy to authoritarianism in the case of a certain society that has begun the process of democratization<sup>14</sup>: "I think we should go back to the initial preoccupation of the concept of the survival of democracy. We should give it a classic sense, which is to secure the levels of democratic governance against the return to authoritarianism. This means that we should restrict the use of the concept to the two «negative» senses (...): avoiding the collapse of democracy and avoiding democratic erosion. The term «democratic consolidation» should refer to the prospects of continuity, and nothing more".

In the model launched by them, which became canonical for the democratization studies, Linz and Stepan operate with three main arguments:

- "From a behavioral standpoint, a democratic regime is consolidated to the extent that any significant player in the national, social, economic, political and institutional area does not use his resources in order to attempt to achieve his goals by creating a non-democratic regime, calling for violence or by the secession from the state to which it is part of through foreign intervention.
- In terms of attitude, we can speak of democratic consolidation when the majority of public opinion must be based on

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<sup>13</sup> PRZEWORSKI, A. *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America*, Cambridge: Cambridge University Press, 1991.

<sup>14</sup> SCHEDLER, *Ibidem*, p. 122.

democratic procedures and institutions as arguments that guarantee collective life and when support for the nondemocratic alternatives is extremely small or isolated by the pro-democratic forces.

- From the constitutional point of view, a democracy is strengthened when government or non-government forces, through state territory, are subjective and accustomed to conflict resolution using specific laws, procedures and institutions sanctioned by the new democratic process"<sup>15</sup>:

Many of the countries that initiated democratization processes in the later phases of the fourth wave (such as the two analyzed regions) did not have sufficiently stable and efficient structures, which would lead to additional pressures in the process of democratization. Also, the state's issue would occupy an important place in the context of the need to analyze transition processes marked by identity conflicts or even war. The typology of transition has multiplied the dilemmas of democratization. Thus, the concept of "completed democratic transition" appears. However, the authors warn that the notions of "consolidated democracy" and "complete / accomplished democratic transition" should be seen in an interdependent way: the success of a strengthened democracy is guaranteed by a prior democratic transition<sup>16</sup>. Certainly, no current study on the democratization process can ignore these variables developed by Linz and Stepan. But they are not complete, as we will see in the next section.

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<sup>15</sup> Translated from OLIMID, A.P. "Tranziție și consolidare democratică în Sud-Estul Europei: strategii, modele, teorii și concepte", *Revista de Științe Politice*, No. 18-19, 2008, p. 67.

<sup>16</sup> LINZ and STEPAN, *Ibidem*, p. 3.

The influence of external actors on democratization. The Levitsky and Way Model

Transition researchers converge to emphasize the decisive role of actors, manifested through specific strategies developed in conditions of uncertainty and incomplete information. Subsequently, the consolidation of democracy implies a supposition of democratic progress, reaching a certain higher stage in the normative sense as compared to the beginning of the process. The actors involved in this ample process, both local and international, are in a constant effort to define the role they play. These conceptual approaches are directly related to the evolution of international development policies and therefore we consider them important in explaining our own analytical model applied in this study. Further research highlights the importance of international factors in the process of democratization, identifying external mechanisms that stimulate this process through what they have called<sup>17</sup>:

- "contagion" (when geographical proximity to functional democracies or democratization processes at regional level influences political developments in a country);
- "control" (through the explicit peace enforcement forces that impose a democratic constitutional reform),
- "consent or conditioning" (when, in exchange for international recognition and obtaining technical and financial assistance, political elites adopt a democratic behavior).

These theoretical elements will also be taken into account in the outline of the analytical model chosen by this study.

The dynamics of the democratization process in Central and Eastern Europe has led to the emergence of a series of questions about the nature and type of emerging democracies, when and how democratic consolidation will be achieved, but also about the

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<sup>17</sup> WHITEHEAD, L. and SCHMITTER Ph., *The International Dimensions of Democratization*, Oxford: Oxford University Press, 2001.

forces behind this process of democratization. The "inheritances" of the past, together with the new elites involved in the control and guidance of democratic transition, have been the main agents in the architecture of democratic institutions and values, but the role played by the influence and pressure exerted by external "forces" should not be discredited in post-communist societies. The situation of the Central and Eastern European states is distinct, because their democratization processes were based from the very beginning on the acquisition of Western models. They expressed their desire to join the Euro-Atlantic structures and so their transitions were guided by the conditions and obligations imposed by these organizations. To a certain extent, the situation of former Soviet states and of former Yugoslavia in the European Union neighborhood is similar, although geopolitical conditions and relations are very different nowadays, compared to two decades ago.

Several authors in the field of democratization focused on explaining the pressure exerted by the external environment in the form of "diffusion of democracy" processes<sup>18</sup>. In European studies, research focused on the influence of the EU in the process of democratization of the candidate countries<sup>19</sup>. The term "political

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<sup>18</sup> HUNTIGTON, S. *The Third Wave. Democratization in the Late Twentieth Century*, University of Oklahoma Press: NORMAN, 1991; BUNCE Valerie J. și Sharon L. Wolchik, International diffusion and post-communist electoral revolutions, *Communist and Post-Communist Studies* 39 (2006), pp. 283-304.

<sup>19</sup> PRIDHAM, G. "International Influences and Democratic Transition: Problems of Theory and Practice in Linkage Politics", in PRIDHAM, G. ed., *Encouraging Democracy: The International Context of Regime Transition in Southern Europe* (Leicester, UK: Leicester University Press, 1991); PRIDHAM, G. *Designing Democracy: EU Enlargement and Regime Change in Postcommunist Europe*. Houndmills, Basingstoke, Hampshire; New York, Palgrave MacMillan, 2005; YOUNGS, R. *The European Union and the promotion of democracy*, Oxford, Oxford University Press, 2010; SCHIMMELFENNIG, F. Stefan ENGERT and Heiko KNOBEL, "Costs, Commitment and Compliance: The Impact of EU

leverage" refers to the ability of actor to influence, among other phenomena, both policies and their implementation, and has been widely used in the literature of the field. These authors put together alongside the premise of rational choice theory and the dimension of social relations patterns that develop through interaction (the socialization of actors being subjected to the pressure of the structures)<sup>20</sup>.

Several models have been developed over the years to support the process of democratization through international cooperation and development assistance, both bilaterally and multilaterally. Particularly with the phenomenon of decolonization, international structures that can be considered as "agents of democratization" of some states have emerged. According to Richard Rose, the European Union can be seen as such a factor, one that can also raise the standards of democratic governance in the Member States<sup>21</sup>. Pevehouse also analyzes widely those mechanisms by which international structures influence the change of the regime in a state. He argues that the mechanism of conditionality derives "from the rationalist paradigm according to which an international actor promises some possible benefits depending on certain conditions"<sup>22</sup>. This

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Democratic Conditionality on Latvia, Slovakia and Turkey", JCMS 2003 Vol. 41. No. 3. pp. 495–518; SCHIMMELFENNIG, F. "Europeanization beyond Europe", Living Rev. Euro. Gov., Vol. 2, (2007), No. 1.

<sup>20</sup> SCHIMMELFENNIG, F. and SEDELMEIER, U., *the Europeanization of Central and Eastern Europe*. Ithaca: Cornell University Press, 2005; VACHUDOVA, M. A. 2005. *Europe Undivided: Democracy, Leverage and Integration after Communism*. Oxford: Oxford University Press; LEVITSKY, S. and WAY L., *Competitive Authoritarianism: Hybrid Regimes After the Cold War*. New York: Cambridge University Press, 2010.

<sup>21</sup> ROSE, R. "Understanding post-communist transformation: A bottom up approach", New York: Routledge, 2009.

<sup>22</sup> PEVEHOUSE, Jon C. "Democracy from the Outside-In? International Organization and Democratization", *International Organization*, Vol. 56, 3 (Summer, 2002): 515-549, p. 6.

can be done either through diplomatic and economic action or by joining that international body. Of course, in all this equation, internal forces play a significant role on the road to change and the Europeanization of post-communist states. McFaul supports a similar idea, centered on international structures from a systemic perspective (uni- versus bipolarism)<sup>23</sup>. He argues that the causative role of the international system in encouraging democracy is the "missing variable" in most studies on post-communist transition.

The most influential structural model is the one developed by Levitsky and Way, and we intend to deepen the knowledge regarding it in order to use it as a model in analyzing case studies<sup>24</sup>. They argued that the success of foreign actors in promoting democracy is conditioned by two factors: the "leverage", determined by the vulnerability to external pressure of states in need of assistance, and "linkages", which represent the density of the links between external actors and the concerned state. In essence, this model assumes that external actors can exert great pressure on democratizing states only in the case of an asymmetric power relationship and a high degree of interdependence. Using the terms of Levitsky and Way, the effectiveness of external influence (from a state, a group of states, or an organization) occurs when "leverage is high, and linkages are dense"<sup>25</sup>. The explanatory model developed by Levitsky and Way in 2005 and revised in 2010 provides a structural explanation that assumes that individual decisions are influenced by elements of the whole and conjuncture. This is the most cited theory on the structural influence

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<sup>23</sup> MCFAUL, M. "The Missing Variable: The 'International System' as a Link between Third and Fourth Wave Models of Democratization" in Bunce, Valerie et. al (eds.) *Democracy & Authoritarianism in the Postcommunist World*; New York: Cambridge University Press, 2010, pp. 3-30.

<sup>24</sup> LEVITSKY, S. and WAY L., "International Linkage and Democratization", *Journal of Democracy*, Vol. 16, 2005, No. 3, pp. 20-34.

<sup>25</sup> LEVITSKY and WAY, *Ibidem*, p. 12.

of external actors on democratization. On the one hand, the metaphor of 'linkages' refers to how the external influence of an actor is constrained by the degree of relative power it has over the state it influences, depending on geographic proximity and density of ties with the target state. On the other hand, the 'leverage' metaphor argues that the processes of diffusion of principles and laws circulates best between regions which are geographically closer to another but also more connected at a cultural level, which makes the influence of these levers more effective between neighborhoods (between states or regions closer when it comes to physical distance and mentality).

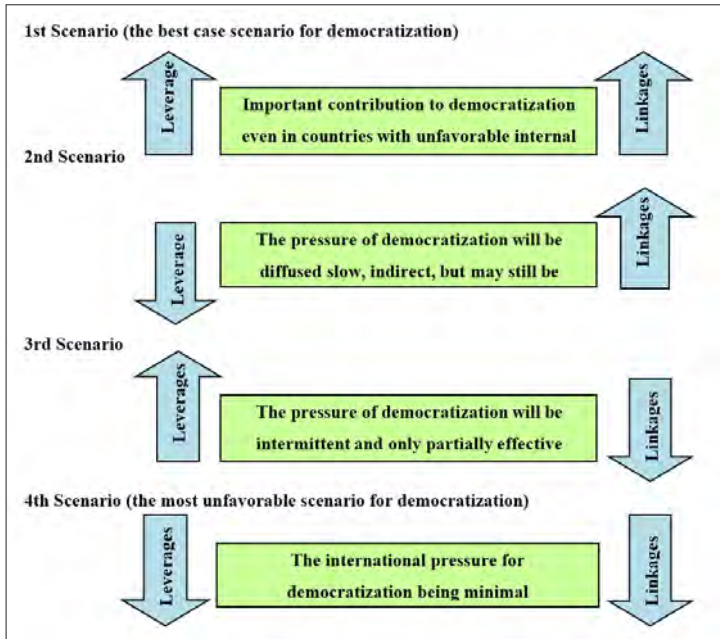
The leverage and linkage theory developed by Levitsky and Way to better explain the "international dimension of democratization", shows that the differences in intensity of the "linkages and leverage" shape the results of the democratization processes. From the perspective of variations at the two levels, the model defines four possible situations:

- If the linkages are intense and the leverage is strong and consistent, then we can witness important contributions to democratization even in countries with unfavorable internal conditions;
- When the linkages are strong, but the leverage is relatively weak, the pressure of democratization will be diffused, slow, indirect, but may still be substantial;
- When the leverage is strong and the linkages are weak, the pressure of democratization will be intermittent and only partially effective;
- The worst case occurs when both the leverage and the linkages are weak, the international pressure for democratization being minimal.

The authors also believe that both linkages and leverages have increased the cost of authoritarianism in the post-Cold War period,

which favored democratization. But "leverage" mechanisms such as diplomatic pressure, political conditionality, or even military intervention were alone insufficient to democratize the autocracies of the 1990s. Rather, they say, these elements have contributed more consistently to the democratization, and to more subtle and diffuse effects of "linkages" at different levels with the West (a consistent example of this may be the Erasmus study mobility program opened by the European Commission to students from Eastern Europe).

**Diagram 1. The 4 scenarios of international aid to democratization, edited by authors, based on Lewisky and Way model.**



The authors justify the creation of this explanatory model with the need to explain why the evolution of post-communist states differs so much. They identified a possible key to the very different

experiences these states in transition have undergone in two key factors: 1. Western leverage understood as the vulnerability of governments to Western external pressure; and 2. "linkage to the West" understood as the density of economic, political, organizational, social and communication relations of a state with the West (EU or US). Their model states that a high level of linkages and leverage in Central and Southeast Europe has generated intense pressures for democratization, which ultimately contributed to the consolidation of democracies under unfavorable conditions. By contrast, they argue that a low level of ties and levers in the former Soviet space, and a more permissive level of the international environment, resulted in the weak democratization of the region in the absence of greater external influence as it was the case in the Central and South East Europe. The levers thus gain real efficiency over the states concerned in the presence of links rather than in their absence.

To explain the effects of democratization, the holistic / structuralist approach also proposes focusing on the political economy that explains the issue of the double or triple transition – the impact of market formation alongside the impact of new public institutions. In general, this vision highlights the crucial importance of state capacity and social cohesion for the success of democratization through the influence of external actors. Both analyzes that start from the influence of international structures, such as the model proposed by Levitsky and Way, and the approaches to Europeanization, focus on patterns of interaction between states and / or international organizations and regional structures, resulting in a change of identities and behaviors both at the level of the states / structures and at the individual level of the actors. The model generated by Levitsky and Way will be adapted and applied in this study in order to make a radiography of the role

of leverages and external linkages in promoting democratization in societies that are in transition from the Western Balkans and the Eastern Partnership states. We will also take into account what Nalaeva and Semenov call "the competition of linkages and leverages" resulting from the interactions between several large global powers with interests in the two regions, such as Russia, Turkey, the USA, and the EU<sup>26</sup>. They show, using the illustrative case study of Serbia, that the influence of these actors (especially the opposition of Russian and EU influences, especially after the crisis in Ukraine), began to be felt in the two regions as pulling in opposite directions, which puts additional pressure on these states. In this sense, there has been more and more talk in the literature on the emergence of a new speech focused on a bipolar approach and the Cold War mentality<sup>27</sup>.

The linkages that make a significant contribution to the democratization of a state in relation to external influence are categorized by Levitsky and Way on six dimensions as follows:

- **Economic linkages** that include credit, investment and financial assistance;
- **Geopolitical linkages** involving relations with Western governments and Euro-Atlantic alliances and organizations;
- **Social linkages** including tourism, migration, Diaspora communities and elite education;
- **Technocratic linkages** referring to elites educated abroad and adopting values of the West in their work ethic;

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<sup>26</sup> NELAIEVA, G. A. and SEMENOV A. V., "EU-Russia Rivalry in the Balkans: Linkage, Leverage and Competition (The Case of Serbia)", *Romanian Journal of European Affairs*, Vol. 16, No. 3, 2016, pp. 56-71.

<sup>27</sup> CIOLAN, I. M., "The Role of the 'New Cold War' Concept in Constructing Russia's Great Power Narrative", *CES Working Papers* – Vol. VIII, No. 4, 2016, pp. 625-647, available at: [http://www.ceswp.uaic.ro/articles/CESWP2016\\_VIII4\\_CIO.pdf](http://www.ceswp.uaic.ro/articles/CESWP2016_VIII4_CIO.pdf).

- **Communication linkages**, including cross-border telecommunication, internet connections, infrastructure, and Western media penetration;
- **Linkages between transnational civil society**, including links with NGOs, churches, party organizations, or other networks.

In addition, Gwendolyn Sasse signals the usefulness of the conceptualization of a seventh category of international levers in the form of development aid – aid linkages<sup>28</sup>. These can include three types of development assistance: economic assistance, democracy assistance and military assistance<sup>29</sup>. This study focuses mainly on the democracy assistance that Romania has provided in the past and can offer it further to non-EU states in the region. However, it is important to understand the intertwined nature of different levers through development assistance. More than the other dimensions outlined by Levitsky and Way, development assistance is a leverage strategically applied by donor states, and therefore the economic and military dimension is in support of democracy assistance. These stratified and diffuse types of "ties" with the West are also considered a form of soft power. They also point out that a high degree of connections has the following consequences:

- Faster punishment of abuse of power;
- High probability of an international response (debates in the international media, NGO actions, etc.);
- Creating domestic advocates of democratization;
- Changing the balance of power at home by changing individual preferences in a direction favorable to reform.

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<sup>28</sup> SASSE, G. (2013). "Linkages and the promotion of democracy: the EU's eastern neighbourhood". *Democratization*, 20(4), pp. 553-591.

<sup>29</sup> *Ibidem*.

In contrast to the promoters of West-democratic reform, Levitsky and Way point out the potential existence of "dark knights" whose role is also to use international leverage in order to counter the vision of development and consolidation of democratic systems<sup>30</sup>. The analysis of the stability of autarchic regimes over the last decades reveals greater stability of those regimes that benefit from the support of such "dark knights" or anti-democratic ties with a strong donor outside the country. Thus, even if these interferences are not decisive for the conversion of a democratic system, they can favor the survival of an undemocratic regime even in the presence of public opposition and protest demonstrations.

We observe that in this structuralist view, the scale of international influence on the regime and the implementation of democratization is crucial (whether it is manifested in terms of structures or the international system) to support a particular model of democracy in developing countries. The international dimension exerts a decisive influence on the behavior of the actors. As a consequence, this perspective invalidates the view of the rational choice theory, arguing that any research on democratic democratization and consolidation cannot begin with national actors and the study of their voluntary choices in implementing reforms, rather than by analyzing the systemic impact on elites. We are thus opting for the structural model analysis developed by Levitsky and Way and use it to highlight Romania's role as a regional actor in the democratization of the Western Balkans and the Eastern Partner States.

In conclusion, the classical literature on democratization focused mainly on the initial manifestations of democracy – namely the liberalization of public life and electoral competition. As a result of this vision, from the very first stages of the outside-assisted

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<sup>30</sup> LEVITSKY, S. and WAY, L. *Competitive Authoritarianism: Hybrid Regimes After the Cold War*. Cambridge University Press, New York, USA, 2010.

process of democratization, supporting democratic institutions and processes becomes a priority (especially in post-conflict states). Substantial amounts of money and efforts are therefore invested in organizing elections and supporting democratic institutions and civil society. So the question of taxpayers in the Western states often put – "how do we measure the effectiveness of these investments in the democratization of other states?" required more and more elaborate responses.

A complete understanding of the democratization process of the last decade requires both elements of the individualist and structural approach of the Levitsky and Way model. The two approaches analyze democratization from different angles, emphasizing certain units and levels of analysis (micro and macro) at the expense of others, but we may consider them complementary rather than contradictory. In an effort to better understand the type of support received from outside for democratization of states and to measure their effects, a number of other researchers<sup>31</sup> attempted to put together rationalist (individualist) and holistic (structuralist) approaches to the same analytical model. Europeanization scholars have taken on many elements of democratization studies to explain the type of influence of external actors in the process of normative transfer between the EU as a democratization agent and candidate countries, on which the EU has a great influence. The result of this multilevel influence is the Europeanization process<sup>32</sup>. And in this study we have chosen this combined explanatory model to analyze Romania's influence in

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<sup>31</sup> SCHIMMELFENNIG and SEDELMEIER, *ibidem*, VACHUDOVA, *ibidem*, and BUNCE AND WOLCHIK, *ibidem*.

<sup>32</sup> See more in ION, O. A.(coord), *Studying Europeanization. Different Theoretical Lenses and New Methodological Approaches*, Tritonic Publishing, Bucharest, 2016.

the democratization processes in the Western Balkans and the Eastern Partnership states.

## **Chapter 2 – The European Union, Between the British "Divorce" and the "Engagement" with the Southeast European Countries**

### **2.1. The European Union, a "synthesis idea" that responds to a common, global and coherent conception of the simultaneous process of progressive integration of the peoples and states into a supranational entity, of the unification by accession, but also of the explicit federalization and constitutionalization**

After centuries during which the European idea was at the forefront of the European theoretical debates, paradoxically, after the Second World War, the academic interest for the new defense of the European Community was not as important as it should. Moreover, the new aspect of the European Community was not seen as a confirmation of the truth contained in those debates, but rather as an "empirical laboratory" used to test the viability of the theories issued over time, without claiming a distinct theoretical effort. This is where the emphasis is directed on the studying of the traditional aspects of the International Relations Theory (ensuring peace in the new international order, the viability of the Westphalic nation-state to achieve this goal, the emergence of other forms of state organization, etc.) than on the newly-emerged international

reality called the European Coal and Steel Community (ECSC). The existence, however, obliges the same Europe, somewhat autistic in relation to the new "child policy", to formulate some research and provide scientifically grounded answers, as it did before the 1950s. On the other hand, the theories used came from both international relations and political science. There was something between inter-governmentalism and federalism, but there was also functionalism as a step-by-step method of building new supranational economic and political realities, i.e. the ECSC, of which we are already talking, but also a successor, i.e. the European Economic Community and the European Community Atomic Energy, adding to them, much later, the European Union (EU), which brings together all three communities since 1993. And all this is possible by finding, once again and beyond the wars and quasi-continuous struggles among European states before the 1950s, the existence of common traditions and histories and of values and ideals that have "gone" all the time in the "same direction", finally forming what is, from ancient times, understood as being Europe.

The concept of integration, which is fundamental to our undertaking, "breaks" the traditional coexistence of states, attributing their ordinary, "horizontal" relationships, a new dimension, the "vertical" one. The traditional understanding that the sovereignty of states was inviolable and indivisible was losing its consistency in front of the belief that the imperfections of peaceful coexistence, the inefficiencies of the nation-state system, and the power abuses of states over others (hegemony) could only be overcome by the "merging" of national sovereignties into a common one, situated above the states, at the level of a supranational community. The result of such an operation was the emergence of European supranational organizations, the Communities and the European Union, where the supranational authorities / institutions are the ones who,

in keeping with the national identities and peculiarities of states and peoples clustered in such organizations, lead the destiny of the citizens of the Member States.

It is the progressive creation of a federation, a special one that encompasses nation-states through which the latter are not required to give up on sovereignty, but only on the doctrine of absolute sovereignty. In other words, it is the establishment of a "list" containing the sectors in which these states are willing to voluntarily delegate an attribute of national sovereignty to a supranational community.

Therefore, the Communities and their institutions are not given the general right to dictate the measures necessary to achieve EC / EU objectives, but only the form and extent of the "limited authorization"<sup>33</sup> which states confer on to the Communities and the European Union to act in pursuit of the objectives of the Treaties. We are talking about a partial and voluntary renunciation of some prerogatives, the states continuing to maintain their prerogatives in decisions regarding the integration process and its configuration.

It is more a joint exercise of sovereignty at Community level rather than a loss of it, because "integrated Europe" was understood to be strong and viable only insofar as it preserves the pluralism of its countries, regions and cultures. In this respect, the Treaty of Lisbon states that "the Union shall respect the equality of Member States before the Treaties as well as their national identities, inherent in their fundamental structures, political and constitutional, inclusive of regional and local self-government. It shall respect their essential State functions, including ensuring the territorial integrity of the State, maintaining law and order and safeguarding

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<sup>33</sup> BURKCHARD, K-D., *La Unificacion Europea*, Bruxelles: Euro-Info, 1995.

national security. In particular, national security remains the sole responsibility of each Member State"<sup>34</sup>.

The values that the Communities and the EU inspire and share are, and continue to be, the same from the point of view of international relations, namely the establishment of fair relations of peace and fair policies at continental and international level. There is, of course, also a political cost of the European solution paid by the states that joined this project, namely the partial "sacrifice" of national sovereignty, transferred – for the sectors governed by the Treaties – to the joint institutions, especially the European Commission.

Even so, we have to make a few points: on the one hand, Member States are not "disconnected" at any time from the process of taking and implementation of EU decisions, they are permanently represented in its institutions. Also, they are the ones that implement, through national institutions, European legislative and non-legislative decisions; this sentence is also valid for areas reserved exclusively for Community competences<sup>35</sup>; on the other hand, the EU is also not "disconnected" in case of the areas that are the responsibility of the Member States, and it cannot prevail itself from the lack of competence because beyond the specific competencies, there is a general EU competence deriving from the first chapters of the TEU, which are linked to the general principles and values of the Union<sup>36</sup>.

Going forward, let us recall some of the important achievements of this New Europe built over the last 60 years:

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<sup>34</sup> European Union. Consolidated Version Of The Treaties. Charter of Fundamental Rights of the European Union, Luxembourg, 2010, Treaty on European Union (TEU), art. 4.2

<sup>35</sup> *Ibidem*, Treaty on the Functioning of the European Union (TFEU), art. 3.

<sup>36</sup> *Ibidem*, TEU, art. 2.

- The European Communities, the European Union are, above all, the symbol of the safeguarding of European peace and, for that very reason, an achievement sometimes difficult to quantify for the nearly 500 million people living in the Union and for whom – fortunately – war is just a topic of study, not a fact of everyday life. Not by accident, the treaties have always reiterated the idea of peace and its importance to the EU. The proof of the importance of the "thesis of peace", even now, more than 60 years after the end of the Second World War, is its reiteration in the Treaty of Lisbon, according to which "the Union seeks to promote peace"<sup>37</sup>;
- Economic unification was the first step of the European process, without having lost importance over time and remained a fundamental dimension of the community construct;
- Cyclical crises specific to the market economy, a more volatile economy in the conditions of globalization, tend to fade from time to time the great political achievements of the Union of which we become aware of only in times of political crisis such as those experienced lately: the crisis in Ukraine and the deteriorated relationship with Russia, the immigration crisis, terrorism, the North Korean crisis, the tense relationship with the Trump Administration and, obviously, the withdrawal of the UK from the EU, expected to become effective in 2019.

The European Union, the European Communities have started, as we know, as explicit actions of economic unification, duplicated by other implicit actions of political coordination / unification. It needs to be said that the development of the two dimensions has not been done successively, as is sometimes affirmed, but rather,

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<sup>37</sup> *Ibidem*, TEU, art 3.1.

simultaneously, going "hand in hand" with the democratization of the Communities and the Union. The democratization of the EU, the development of the political dimension, the incomplete political unification were achieved by attributing the status of European law to values such as human dignity, freedom, democracy, equality, the rule of law, non-discrimination, pluralism, tolerance, justice equity, solidarity. But it was of particular importance the mentioning, in the Constitutional Treaty and then in the Lisbon Treaty of general EU objectives, beyond the specific ones to be achieved by different sectoral policies, as was the case with the constitutive treaties. The assumption of general objectives justified the existence of the Union as a whole and not just of some sectors or policies, as it was until that time, and established a genuine resemblance of the EU with political organizations. Not by accident, the founders of the Union thought about it using political terms: "the intention was not to unite states but people"<sup>38</sup> And the Treaty of Lisbon confirms this idea when it says that it is "creating an ever closer union among the peoples of Europe"<sup>39</sup>.

Therefore the European Union remains, as I said in the subtitle, a "synthesis idea" that responds to a common, global and coherent concept regarding the process of progressive integration of peoples and states, unification and integration, federalization and constitutionalization "as part of the EU enlargement-consolidation-deepening dialectics"<sup>40</sup>.

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<sup>38</sup> MONNET, J., *Les Etats Unis d'Europe ont commencé*, Paris, Robert Laffont, 1955; Cittadino d'Europa, Milano, Rusconi, 1978; Memorias, Madrid, Siglo XXI, 1986.

<sup>39</sup> European Union. Consolidated Version Of The Treaties. Charter of Fundamental Rights of the European Union, Luxembourg, 2010, Treaty on European Union (TEU), art. 1.

<sup>40</sup> BĂRBULESCU, I. Gh., *Uniunea Europeană. Extindere si aprofundare*, Bucharest: Trei, 2001.

EU's nature has been, and continues to be, a political one, even if this has not been explicitly recognized for a long time, as the Constitutional Treaty has radically changed things by explaining the EU's political objective<sup>41</sup>. In our view, even if the Treaty of Lisbon did not maintain, until the end, the constitutional form of the Constitution for Europe (amid the failure of the referendums in France and the Netherlands in 2005) returning to the classic treaty structure, the new treaty did not give up the explicit assumption of the political nature of the EU. Thus, beyond the references to economic issues, we have countless others about democracy, fundamental rights, non-discrimination, equality, human dignity, freedom, security and justice, citizens and citizenship, minorities, social protection, solidarity, cohesion, etc<sup>42</sup>, which obviously does not explicitly characterize economic organizations. Not to mention the need for the EU and the Member States to respect the Charter of Fundamental Rights of the European Union and, last but not least, the EU's need to join the Council of Europe, the guarantor of the respect for fundamental human rights. In fact, against the obsessive idea of the absolution of national identity and sovereignty, the European Community launches the idea of a common identity, capable of guaranteeing the peace and well-being of all. We can therefore conclude that, on the one hand, integration through Europeanization and unification through enlargement is the solution overcome the division of Europe into sovereign states and to achieve their association into a federal union; on the other hand, that very solution can only be a political one; ultimately, the

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<sup>41</sup> BĂRBULESCU, I. Gh., *Uniunea Europeană. De la național la federal*, Bucharest: Tritonic, 2006.

<sup>42</sup> European Union. Consolidated Version Of The Treaties. Charter of Fundamental Rights of the European Union, Luxembourg, 2010, Treaty on European Union (TEU), Title 1, art. 1-3.

model is a mixed federal-intergovernmental, as Professor Aldecoa remarks<sup>43</sup> – a federal model when it comes to common policies and intergovernmental or confederal model when it comes to foreign and defense policy and other non-communitarised policies. It is, as I have already said, about the political model imagined by Quermonne and Croisat, "the inventors" of the federalist-intergovernmental phrase<sup>44</sup>.

In the case of the EC / EU, it has been shown that sovereignty and independence are not a barrier to building supranational associative structures. On the contrary, the sovereignty and independence of the Member States have enabled them to enjoy membership of international organizations such as the EC or the EU because, by virtue of their sovereign rights, they have decided to join the EU. The assignment of the exercise of sovereign rights in favor of the European Community or the European Union does not undermine the essential features of the States nor does it diminish their general membership of the international community, ie it does not abolish their status of subjects of international law.

The European Communities and the European Union have the vocation to be a "community of peoples", but formally for the time being remain a "community of states" or, to be rigorous, an "association or union of states" as defined by the German Constitutional Court. In real life, a more and more dual alterity is manifested – a community of peoples and states, especially now that the representative democracy has been doubled by the participatory one, and when the social media makes it allows citizens to express in a direct and unlimited manner the myriad of ideas regarding the construction and future of Europe.

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<sup>43</sup> LUZARRAGA, F.A., *Europa viitorului. Tratatul de la Lisabona*, Iași: Polirom, 2011.

<sup>44</sup> QUERMONNE, J. L., "L'Europe, peut-elle invente un federalism specifique?", *La Revue Internationale et Strategique*, nr. 42, 2001.

If we approached integration, enlargement must be seen from the outset that it is part of a much wider political process of European unification, a goal that is always present in Europe. Therefore, if NATO was created to cope with the Soviet threat, and thus was not opened for access to the Eastern communist states, the European Communities have always remained open to these states, proof that in the 1970s they were formally invited to cooperate, and why not, someday join the EC.

In other words, enlargement and the EU accession went "hand in hand" with European unification, those from 2005 and 2007 and 2013, respectively, to the former communist states of Central and Eastern Europe, with a special symbolism coming from the additional idea of "recovering" them from the totalitarian communist system in which they had been forced to live for more than 50 years<sup>45</sup>.

In this respect, one of the authors of this study stated a while ago that: "The core of this reunification is the European Union, but a strengthened and expanded Union (...). The incorporation of the PECOS into the European Union is part of a wider process of European unification around this enlarged and consolidated Union (...). In the long run, only unification will be able to guarantee Europe's peace, freedom and well-being"<sup>46</sup>.

For us these are paradigmatic truths, and the drama in the former Yugoslavia has demonstrated that only a unified Europe under the values of the EC / EU can guarantee peace by making war

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<sup>45</sup> We believe that even now, almost 30 years after the fall of communism, this symbolism is maintained for the Balkan states which, only after joining the EU and NATO, will be able to say that they have finally escaped the reminiscences of communism and totalitarianism.

<sup>46</sup> BĂRBULESCU, I. Gh, *La preadhesión de los países de Europa Central a la Unión Europea, elemento clave de la unificación europea. Con especial referencia al caso de Rumania*, 1996, UPV/EHB, Biblioteca Nacional de España, Madrid.

impossible and that membership of the new members continues to have the same primary purpose, before something else, namely peacekeeping in the region and on the continent. Talking about European unification, Peter Landelius said that "(...) the European unification has finally become part of the agenda of history and is an ideal that boosts it"<sup>47</sup>.

What we want to emphasize is that with the EU's enlargement to the East and Central Europe and the accession of the states in these areas, the Union is becoming more and more identifiable with Europe; in other words, through accession, the European unification is gradually and progressively achieved. Enlargement was a political necessity and a historic opportunity for Europe.

If there was no doubt that the EU constituted a pole of attraction for all European states outside it, in the case of the Central and Eastern European states, the prospect of EU membership was, and continues to be, a political objective and a guarantee of stability. That is why the benefits of accession were perceived to be both political and economic for both the old and the new member states. Similarly, this happens now that, especially after the UK's likely abandonment of the EU, the "direction" of enlargement, ie of European unification, is to the South-East, ie the Balkans (Montenegro, Serbia, Albania – perhaps first – but also Macedonia, Bosnia-Herzegovina and, maybe, at a certain moment, Kosovo) and, but later on and depending heavily on domestic political developments, and also on the regional and international context, the Republic of Moldova, Ukraine and Georgia.

The New Europe makes it possible to assert itself as a real power in an increasingly globalized world, and the process of deepening (the Area of Freedom, Security and Justice with or without Schengen, the Economic and Monetary Union, the strengthening

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<sup>47</sup> LANDELIUS, P., *Europa y el toro*, Madrid: Tecnos, 1991.

of the Common Foreign and Security Policy with the new Common Security and Defense Policy, the newly adopted Social Pillar of the Union) and the continuation of its expansion strengthens this New Union.

By enlargement, Europe is also uniting "on the ground", not only in the Treaties, becoming a continent without internal border controls, but with strengthened controls of the external ones, a continent that goes beyond its historical division via a *de jure* and a *de facto* unification of the East and South-East with the West in their joint decision to cooperate and collaborate in order to achieve common peace and well-being.

In other words:

- Expansion to Central and Eastern Europe hastened the deepening of Old Europe;
- The process of deepening it has made it possible to continue EU's expansion to the South-East;
- Both processes strengthen the Union, especially after Brexit, and have allowed it to play a more important role in the world.

The European political process is a federal one and its federalizing nature has been accelerated through the participation in the process of other actors than the "classical" member states, of which the citizens, ie the peoples of Europe, are the most important. It is a unitary political model with a unique institutional framework, but operating in two different ways so that the same institutions can develop distinct functions on a case by case basis. We are talking about a five-dimension model, the first four of which express the "vertical" evolution EU while the last, the "horizontal" one.

Thus, the first four are:

- **Economic**, as described in the Single European Act and improved by subsequent treaties;

- **Politics** described in the Maastricht Treaty and further developed;
- **Social**, introduced by the Treaty of Amsterdam;
- **Constitutional**, elaborated by the "Convention on the Future of Europe" and perfected by the Constitutional Treaty. This dimension, though it has lost its constitutional format through the Treaty of Lisbon, remains valid in its effects, given that the Constitutional Treaty has been taken up almost entirely by the Treaty of Lisbon.

And the last one is:

- EU enlargement, "reinvented" and institutionally possible through institutional reforms in Nice and subsequent decisions

It should be noted that throughout the process, the political dimension (Maastricht) and the social dimension (Amsterdam), respectively, have been added to the original economic dimension envisaging what we now call the "European model". And finally, through Lisbon we witness the emergence of a constitutional dimension that brings with it the existence of a material Constitution and an explicit federalism.

The deepening and the expansion are the two processes by which Europe is redefined and the New Europe is being built, a Europe that is both a federal-inspired political organization and an international, classical international organization that also wants to export its development model to most of the continent.

It is no coincidence that the two dimensions – deepening and expansion – are simultaneously part of the European Agenda, because enlargement is not possible without "more Europe", ie without deepening it. Enlargement calls for a deepening of the model not only because of the large number of new states, which makes the institutional system and procedures created for six states no

longer effective for 28 states, but also because of the heterogeneity that enlargement brings with it.

## **2.2. The European Union, in the face of the great challenges of the next period: the accession of the Western Balkan states, thus the continuation of the enlargement, but also Brexit, therefore, the abandonment of the EU by one of its Member States**

These two major processes that will define the European Union in the coming years come in a period of turbulence for the EU which, following the economic crisis from 2008-2011, the refugee crisis of the 2015/2016, or foreign policy crisis linked, first of all to Russia (Ukraine, the Crimean Peninsula, etc.) and Turkey, from the same period, faces other internal political crises, this time, such as those in Poland (illiberal democracy, etc.), Hungary (isolationist policy) or the Netherlands (strong right-wing influences), not to forget the terrorist threat that shakes the continent from time to time. Hence the frequent change of the EU Agenda, which makes us witness many changes to the long-term established form and initial objectives of the EU.

Thus, neither the creation of new jobs, especially for young people, nor the improvement of the functioning of EU institutions and policies are among first-tier priorities; instead terrorism, the crisis of refugees, the relationship with Russia and Turkey, the place and role of the new Central European Member States, the management of the EU's external borders and conflicts at its borders are among the top priorities. Another negative state of the Union comes from maintaining the existing contradiction between the European model – the social market economy – and the majority right-wing governments in recent years, which has often led us to witness, in

the daily EU actions, increased intergovernmentalization, in full contradiction with the spirit of the Treaty of Lisbon and the Union, which is that of a social market economy with a special emphasis on the citizen. Consolidating economic growth, progressively resolving the integration of over 1.5 million immigrants entering the EU over the last two years (and, as a result, strengthening the Union's external borders), re-entering normality after the elections in Germany, France, the Netherlands and the Czech Republic, *Brexit*-related negotiations with the United Kingdom, the relationship with Turkey and Russia, but also with the US, and why not, the start of accession negotiations between Montenegro, Serbia and maybe Albania to the European Union, could be the central themes of 2018.

There are also some partially resolved issues, such as the drastic decrease in the number of immigrants arriving on the Aegean route by more than 70% both due to the real collaboration of the Greek authorities and the agreement with Turkey<sup>48</sup>. These have been complemented by measures adopted by the EU for the creation of a European Police for the Protection of Borders and Shared Sea Coasts. The year 2018 should bring about the resolution of internal democracy issues in certain EU countries (in December 2017 the European Commission launched the procedure to activate Article 7 of the EU Treaty against Poland, which provides for cases where a Member State may be deprived of the right to vote in the Council), but also a certain clarification and predictability in EU's relations with the US, with Donald Trump coming to the White House. The Transatlantic Trade and Investment Partnership (TTIP), negotiated for a long time between the two Atlantic shores, was annulled by the US president, after which he announced the US

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<sup>48</sup> An agreement which now finds itself in a dead-end after a new deterioration of the bilateral relationship between the European Union and Turkey.

withdrawal from the Paris Climate Change Agreement. In terms of security, Donald Trump did not send positive messages, which forced Europe to continue the effort to progressively create a joint army capable of defending the Union with or without US support. Of course, the ideal situation remains that this joint army, the fruit of the recent decision to create the Common Security and Defense Policy, is complementary to a NATO of which the Americans continue to be part and which is strengthening its position in Europe, as it seems to have happened in recent months. But let's not forget the Trump Administration's repeated reminders of the need to respect the commitment to contribute with 2% of GDP to defense – mandatory to all Allies in order to keep the American commitment as solid as it has been so far.

Despite these realities, the European institutions sent a positive message on the occasion of the 60th anniversary of the signing of the Treaty of Rome, the main ideas being those of unity on the road to a more powerful and democratic Europe. There has been much talk of crises and their transformation into opportunities, one of these being Britain's departure from the EU, which, beyond its losses, seems to be rapidly hastening the process of political integration, delayed by the British over time. The rush to resume the idea of a European defense abandoned for 60 years or the European Social Pillar is obvious, but so is a certain strain in the relationship with some Visegrad member states that now no longer feel "protected" from a Great Britain for which, any progress on the political dimension of the EU was viewed with skepticism. We mainly refer to Hungary and Poland, who have questioned several times the EU's common position on issues related to the political pillar of the community, knowing that they will be protected by the British position.

### **2.2.1. The concept of resilience and the the European Union Global Strategy**

A peculiarity of the last period is the reactivation of the concept of 'resilience' from the perspective of developing / re-developing a European global strategy in security and foreign policy. We can say that the first manifestation of the EU as a global actor has materialized in 2003 when it issued its own security strategy entitled "A Secure Europe in a Better World", formulated and adopted during the mandate of the EU's first High Representative for Common Foreign and Security Policy Javier Solana. The document sought to capture the interests of the 15 Member States at that time in a common strategic vision. Then, in 2008, there was a Security Strategy Implementation Report that managed to be more concrete, but without new directions. After 12 years, the EU faced new challenges, both internally and externally, and the Union's institutional and legally redefined Lisbon Treaty had to adapt to the reality of its enlarged version – with 28 Member States. Over the past decade, the EU's security environment has changed substantially, being marked by: a rejected constitutional treaty (2005), a new consolidated treaty (2009), the economic crisis that has proved to be a catalyst for populism (2008- 2009), the antagonism of relations with Russia that peaked after the crisis in Ukraine (2013-2014), the deepening of cooperation with NATO, the impetus for a new type of transatlantic partnership, a crisis of migration and refugees (2015) and an exit referendum of an important member state (through its membership of structures such as the G7, G20 or its permanent membership of the UN Security Council, nuclear power, and its Western European actor status having the highest defense spending). In 2015, Federica Mogherini, the High Representative of the EU for Foreign Affairs and Security Policy

and Vice-President of the European Commission, was mandated by the European Council to develop a new Global Strategy for EU's Foreign and Security Policy (EUGS hereby) reflecting new international realities and the strategic repositioning of the EU. The process of drafting the EUGS ended in June 2016 when it was released to the public.

The document presented to the European Council in June 2016 reflected a substantially different vision and a distinct approach in contrast with the European Security Strategy of 2003. The new programmatic text starts from the realistic finding that the security environment at EU borders is volatile. A particular emphasis is placed on the southern and eastern borders where Europe faces a so-called "arch of instability" as a result of the many crises that have developed in recent years – the economic and financial crisis, the migrants' crisis, the threats of terrorist attacks, the crisis of relations with Russia following the conflict with Ukraine and the rise in the level of Euro-skepticism. The strategy is based on the premise that the EU is currently experiencing a series of major crises, both inside and outside. The circle of friends that aspired to the EU a decade ago became more of a "circle of fire". Threats to the Union have different origins, some come from the neighborhood, but others are global. In the vision of High Representative Mogherini (detailed in the preamble to the Strategy), in times of challenge, a strong Union is a Union that thinks strategically, shares a common vision and acts together. Based on these considerations, the structure of the Global Strategy is made up of five major priorities: the security of the Union; resilience of states and societies from the east and south of the Union; an integrated conflict approach; cooperation based regional orders; global governance for the 21st century.

The EUGS represents the common vision of the EU in the post-Brexit era and provides the framework for external engagement,

characterized by unity and responsibility, in partnership with third parties, to promote its values and interests in security, democracy, prosperity and a global order based on rules, not on force, including human rights and the rule of law<sup>49</sup>. It is foreseen that this strategy will guide the EU's external action in the years to come, and therefore we believe that Romania's foreign policy and development assistance policy must subscribe to it. Member States are firmly committed to implementing it effectively and promptly, working with the High Representative, the EEAS and the Commission. The Council underlines the Member States' control position and their involvement throughout the implementation process.

In June 2017, the first EUGS report was presented, encompassing the assessment of relations with strategic partners. Among the main objectives of the first year of implementation were resilience, an integrated approach to conflict, security and defense, central issues regarding terrorism, extremism or cyber-security, issues that can only be solved through external partnerships<sup>50</sup>. Emphasizing its ambition of strategic autonomy towards in relation to the US (notably following President Donald Trump's rather ambivalent statements on the transatlantic relationship), and on the main, pragmatic approach of the European environment, the EU Global Strategy denotes an important change in the paradigm. In this respect, the EU Strategy aims at improving the ability of vulnerable states to adapt to social and demographic pressures in order to sustain their progress, their ability to build up in the face of adversity and despite pressures, to re-establish their core institutions' to

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<sup>49</sup> EU Council, Communication from the EU Council 13202/16, available at: <http://data.consilium.europa.eu/doc/document/ST-13202-2016-INIT/ro/pdf>.

<sup>50</sup> European Commission, *From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1*, available at: [http://europa.eu/globalstrategy/sites/globalstrategy/files/full\\_brochure\\_year\\_1/pdf](http://europa.eu/globalstrategy/sites/globalstrategy/files/full_brochure_year_1/pdf).

ensure respect for democracy, human rights, independent justice and long-term progress. Last but not least, in this order, it is very important that once society has learned to go through turbulence, it learns to exploit opportunities and minimize risks in a peaceful and stable manner, to build, maintain or repair the standard of living, in the face of any adversity. This report reconfirms the fact that the EU is committed to promoting a peaceful society that can assure a sustainable development with strong justice and transparent, democratic and accountable institutions, but especially with the participation and involvement of civil society. The perception of EU institutions on resilience is transformative, with the aim of protecting citizens' rights, promoting their political participation, and promoting sustainable development and security. According to the document, the explicit purpose of strengthening resilience, which we consider in the present study to be an advanced stage of democratization to which Romania has to rally its efforts of cooperation with neighboring states, is to help states and societies to resist, adapt, to recover as well as to respond to shocks and crises if and when they occur. The EU's resilience approach is a multi-level one and has so far been applied to the case of Ukraine. The EU's financial support to Ukraine's reform process, including the fight against corruption, the development of the administration and the judiciary, the support of civil society – all contribute to strengthening the country's resilience to the external threats and systemic vulnerabilities it faces.

In conclusion, the EUGS denotes an important change in philosophy compared to the European Security Strategy of 2003. More concretely, in our view, the Global Strategy gives Member States the chance to look beyond national interests and re-launch the European project.

### 2.2.2. The current context in the Western Balkans. The regress of Europeanization and the crisis of democracy in the Western Balkans

Almost 15 years after the European Council from Thessaloniki, in which the EU expressed its firm commitment to open the prospect of joining the EU for six ex-Yugoslav states and Albania (the region called the Western Balkans), the evolution towards democratization and Europeanization is marked by some form of stagnation. The enthusiasm of 2003 has been replaced by signs of concern about the degeneration of political regimes in the region, where the integration process and European values do not seem to be a priority. Although initially there was great openness to implement reforms by local elites, the region is now marked by the regress of Europeanization and the crisis of democracy<sup>51</sup>. These elements were most recently expressed by the High Representative of the Union for Foreign Affairs and Security Policy Federico Mogherini in her visit to the Western Balkans in March 2017, when the official called the region "a chessboard in the geopolitical disputes between Russia and the West"<sup>52</sup>. Numerous studies have been dedicated to the specificity of the Western Balkans integration process. Most have highlighted at a comparative level the growing discrepancy between the

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<sup>51</sup> Balkans in Europe Policy Advisory Group, *The Crisis of Democracy in the Western Balkans. Authoritarianism and EU Stabilitocracy*, march 2017, available at: <http://www.biepag.eu/wp-content/uploads/2017/03/BIEPAG-The-Crisis-of-Democracy-in-the-Western-Balkans.-Authoritarianism-and-EU-Stabilitocracy-web.pdf>.

<sup>52</sup> Mediafax, "Federica Mogherini, șefa diplomației Uniunii Europene: Balcanii de Vest, «tablă de șah» în disputele geopolitice dintre Rusia și Occident" (Federica Mogherini, head of European Union diplomacy: Western Balkans, the "chessboard" in the geopolitical disputes between Russia and the West), March 7, 2017, available at: <https://www.mediafax.ro/externe/federica-mogherini-sefa-diplomatiei-uniunii-europene-balkanii-de-vest-tabla-de-sah-in-disputele-geopolitice-dintre-rusia-si-occident-16186207>.

processes of democratization of the Central and Eastern European countries, on the one hand, and the Western Balkan states, on the other hand. These major differences have become increasingly prominent since 2001-2002. The establishment of stable governments, the organization of several free electoral cycles without major irregularities, as well as some favorable economic developments have not yet succeeded in dispersing the ethnic tension left over from the war started after Yugoslavia's breakup and producing sustainable stability in the region. Trust in democratic institutions has remained at alarmingly low levels throughout the last decade, also sustained by corruption scandals or stagnation in the European integration process. An atmosphere of generalized pessimism has spread throughout this period among the citizens of the region, reflected in the large number of young people who choose to leave the country to seek employment in the West and augmented by increasing youth unemployment rates.

Another specific element of the Balkan states is the fragility that comes from the post-conflict nature of the region, resulting from the war of dissolution of the former Yugoslavia. As a consequence, in states such as Bosnia-Herzegovina, the state was built by the international community, a metaphor that encompasses an extensive set of international organizations under UN coordination. Among them, the EU has become the most important actor who has committed to providing a sustainable solution to post-conflict reconstruction, proposing not only individualized solutions for each state but also a vision of regional cooperation in order to rebuild the links between the former Yugoslav states. The Enlargement Policy has therefore been ingeniously used and applied for purposes other than those of consolidating democracy as has been

the case for Central and Eastern European states<sup>53</sup>. It is also worth mentioning the symbolic importance that the Balkan region has for the EU, with its main foreign policy stakes being the stabilization and consolidation of democratic regimes, capable of managing post-conflict reconciliation. In this context, the EU's ambition to achieve favorable results in this neighboring region needs to be well understood, derived from the desire to affirm EU's identity as a global and regional actor and to redesign its foreign policy after the US withdrawal from the Balkan conflict settlement process.

It was also underlined that throughout this period, but especially after the 2007 accession of Romania and Bulgaria, the EU has fundamentally revised its regulatory transfer mechanisms as well as the logic of costs and benefits in the accession process. Emphasis was placed on adjusting the conditionality mechanism to the post-conflict specificity of the region, focused on economic rehabilitation, regional cooperation and above all respecting the principles of the rule of law. This has led the EU to experiment with a number of new tools that would directly contribute to a more effective regulatory shift and to the initiation of the process of Europeanization in states that were slowly recovering after the devastating conflicts of the 1990s. Many analysts on the subject already cast the verdict of failure in this post-conflict Europeanization process that required consistent financial support from the international community, but ultimately led to the perpetuation of instability and dependency on external assistance, features incompatible with the European integration process. In some countries efforts to build a

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<sup>53</sup> TRONCOTĂ, M., "Europenizarea post-conflict și «politica excepțiilor de la regulă» în reconstrucția Balcanilor de Vest", in Șerban Cioculescu, Octavian Manea and Silviu Petre, *Fața întunecată a globalizării. Războaie civile, state eșuate și radicalizare religioasă în lumea contemporană*, Bucharest: Rao Publishing, 2016, p. 124.

rule of law and to guarantee a functioning democratic system have been almost abandoned following major political crises (especially in Bosnia-Herzegovina in 2014 and Macedonia in 2015-2016). At a reassessment conducted after 15 years, the enthusiasm of the "Thessaloniki Agenda" proved to be unjustified. The relationship with the Western Balkan states and the safeguarding of regional stability are still important for the EU, but it has not yet been considered a foreign policy victory through which the EU could legitimize its post-Lisbon institutional reconfiguration.

Recent analyzes have shown that in the Western Balkans, reforms to strengthen the rule of law are captive between the lack of interest of local elites in changing autocratic practices and the inability of the EU to effectively encourage and support this process<sup>54</sup>. Comparative studies in the region show that progress on democracy and the rule of law (the priority area also for EU's integration process) is very slow. Even in cases where a certain progress has become visible, this was registered on more technical issues rather than on more sensitive political issues.

The annual report of the American NGO Freedom House called "Nations in Transit" highlighted the fact that in 2016 we witnessed a significant decline in democracy in 29 states (including Central & Eastern European, and Balkan countries)<sup>55</sup>. In the 2017 Report, the findings are also alarming<sup>56</sup>. This is a warning that requires more analytical attention. The Balkans have begun for many

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<sup>54</sup> European Western Balkans, MAROVIC, J. "Are the autocrats in the Western Balkans interested in the rule of law?", April 24th 2017, available at: <https://europeanwesternbalkans.com/2017/04/26/are-the-autocrats-in-the-western-balkans-interested-in-the-rule-of-law/>.

<sup>55</sup> "Nations in Transit" 2016 Report, Freedom House, available at: [https://freedomhouse.org/sites/default/files/FH\\_NIT2016\\_Final\\_Fweb.pdf](https://freedomhouse.org/sites/default/files/FH_NIT2016_Final_Fweb.pdf).

<sup>56</sup> "Nations in Transit – The False Promise of Populism" 2017 Report, Freedom House, available at: <https://freedomhouse.org/report/nations-transit/nations-transit-2017>.

years to show the symptoms of the crisis that is threatening democracy in many European countries. In their annual report, Freedom House analysts give state scores in order to rank democratic transitions using seven categories: national democratic governance, local democratic governance; media independence; electoral process; civil society; the independence of justice; corruption. The lowest result was registered in Hungary and Poland, and a positive score and a minimal increase in populism were registered in Romania and Ukraine.

One of the most recent studies on the poor quality of democracy in the Western Balkans shows that assessments of the quality of democracy focus mainly on deviations from the respect for the rule of law and low levels of political participation, but do not take into account the concrete mechanisms by which the quality of democracy is decreasing<sup>57</sup>. It argues that populism is one of these mechanisms, used by populist leaders to increase their prerogatives as soon as they get to power. The problem of the Balkans is the combination of populism, clientelism and corruption as means of political domination, illustrative examples being the governments of Aleksandar Vucic in Serbia, Nikola Gruevski in FYR Macedonia, and Milo Djukanovic in Montenegro. In the study's view, populism and corruption are thus associated with the deterioration of the quality of democracy.

These elements tend to get worse amidst the latest international developments – the election of Donald Trump in the US and the Brexit process. In March 2017, the European Commission

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<sup>57</sup> SOTIROPOULOS, D. A. "How the quality of democracy deteriorates: Populism and the backsliding of democracy in three West Balkan countries", Science Po Spire, June 14th 2017, available at: <https://spire.sciencespo.fr/hdl/2441/ic3rd8jsp9pkq4r5lbu8kqm1k/resources/2017-wp67-sotiropoulos-how-the-quality-of-democracy-deteriorates.pdf>.

President Jean-Claude Juncker made an explicit warning on this issue during a February meeting in Brussels with US Vice-President Mike Pence, the EU official declaring: "Do not urge others to leave, because if the European Union collapses, a new war will erupt in the Western Balkans"<sup>58</sup>. Juncker also said that it is important to give the countries of the region the prospect of EU membership. "If we leave them alone, these countries – Bosnia-Herzegovina, Republika Srpska, Macedonia, and Albania – will go back to war"<sup>59</sup>, the EC President explained.

### **2.2.3. What follows after reconstruction and post-conflict stabilization? Strengthening resilience in the Balkans**

In the view of one of the best known professors specialized on the Balkans, Florian Bieber of the University of Graz, the idea of a "liberal democratic consensus" no longer exists because of a negative process that took over the continent<sup>60</sup>. In the Western Balkans there is a great deal of mistrust in public institutions and in parliaments, which erodes even more the already fragile democratic regimes. In the region marked by two decades of post-conflict reconstruction and instability and multiple political crises, in recent years we can witness what can be called a real "crisis of democracy" that includes a crisis of future projections on the rule of law, all of this multiplying the uncertainty. The great danger is that in such volatile contexts, populist speeches that support simple and

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<sup>58</sup> Cotidianul, "Avertisment: Un nou război în Balcanii de Vest" (Warning: A new war in the Western Balkans), March 24, 2017, available at: <https://www.cotidianul.ro/avertisment-un-nou-razboi-in-balcanii-de-vest/>.

<sup>59</sup> *Ibidem*.

<sup>60</sup> BIEBER, F., "Authoritarian turn: The Western Balkans' move towards EU membership and away from democracy", South East European Studies at Oxford, available at: <http://seesoxblog.blogspot.com/2017/02/authoritarian-turn-western-balkans-move.html>.

universal solutions are easily propagated, arguing the need for energetic "iron arm" personalities, capable of "defending" the nation more firmly. Bieber, as well as other researchers, warns that nationalism and populism in the Balkans are trying to develop, using democratic levers, the rise of autocratic leaders who combine nationalist arguments with the support of the European integration model and the neoliberal market economy, promising to get the state out of the "disorientation" which took over the region. The fragile democratic institutions in the former Yugoslav states are thus more exposed and more vulnerable to disinformation and ethnic hate discourse and tacit acceptance of human rights violations or media control, clear elements of the erosion of democracy. It should be stressed in this context that the balance between too much and too little external aid is the great challenge on which the stabilization and the engagement of this region on a firm Euro-Atlantic track will depend<sup>61</sup>.

In the Balkans, the weak administrative capacity to implement reforms, which is a type of technical explanation for the stagnation of the process of Europeanization, is seconded by a symbolic process that cannot be missed, namely that the state has a limited authority over its own territory, being often disputed between several parties<sup>62</sup>. Serbia faces the issue of the challenging of territorial sovereignty in Kosovo, which unilaterally declared its independence in 2008 and is now recognized as a distinct entity by over 100 states, including the majority of EU member states. At the same time, Kosovo faces this problem in Northern Mitrovica, where

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<sup>61</sup> TRONCOTĂ, M., "Europenizarea Balcanilor de Vest. Experimente politice și lecții încă neînvățate", in George Anglițoiu (ed)., *Europenizarea: studii de guvernare și de securitate*, Bucharest: C.H.Beck Publishing, 2015, pp. 169-198.

<sup>62</sup> TRONCOTĂ, M., "Europenizarea post-conflict și «politica excepțiilor de la regulă» în reconstrucția Balcanilor de Vest". p. 121.

Serbian authorities have continued to fund parallel institutional structures that do not recognize the authority of the Pristina government. But Bosnia's highly decentralized system, characterized by poor co-operation between Republika Srpska and the Croat-Muslim Federation of Bosnia and Herzegovina, the two entities of which Bosnia is composed, and which practically have two systems of governance and two very different types of government, faces the same problems of statehood and sovereignty.

The central position of nationalism in Balkan politics results partly from its suppression during Tito's period. It has become a new way for local elites to create new bases of post-communist legitimacy and to secure access to state resources<sup>63</sup>. Gallagher argued that the appeal to ethnic nationalism was possible because the terms of transition did not stimulate elites to resort to compromises<sup>64</sup>. But Bieber shows that this is also the result of the faulty way of building the state in the post-conflict period through the problematic involvement of the international community<sup>65</sup>.

As shown by researchers at the Belgrade Center for Security Policy, the discrepancy between formal commitments, declarations of defense of the rule of law and the real situation on the field is a common aspect linking all Western Balkan states in the European integration process<sup>66</sup>. Stojanovic-Gajic stressed that the Balkan

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<sup>63</sup> GRUGEL, J., *Democratizarea. O introducere critică*, translated by Ramona-Elena Lupu, Iași: Polirom, 2008.

<sup>64</sup> GALLAGHER, T., *Balkanii în noul mileniu*, Bucharest: Humanitas Publishing, 2006.

<sup>65</sup> BIEBER, F., "Building Impossible States? State-Building Strategies and EU Membership in the Western Balkans", *Europe Asia Studies*, Vol, 63, 2011, pp. 1783-1802.

<sup>66</sup> Belgrade Center For Security Policy, "Monitoring and Evaluation of the Rule of Law in the Republic of Serbia", Policy Paper, November 2016, available at: [http://www.bezbednost.org/upload/document/merlin\\_-\\_monitoring\\_serbia.pdf](http://www.bezbednost.org/upload/document/merlin_-_monitoring_serbia.pdf).

states are characterized by a solid legal framework, but the practice is completely opposite. Corruption, media control, political control over security forces have been identified as the main symptoms of the collapse of the rule of law. Thus, in a recent comparative study, there have been identified social forces that endanger democratic processes and hinder progress in the field of rule of law. A tendency of stagnation or even regression of the protection of fundamental rights has been observed, this being particularly reflected in the deterioration of press freedom and human rights violations by police or official representatives<sup>67</sup>. To this description we should also add the very high level of youth unemployment that becomes a very strong motivation for young people to emigrate. The recently discussed figures show that thousands of young people in the Western Balkans have decided to leave their home country on the background of rising unemployment, mostly in the 16-24 age category, figures reaching an alarmingly high 55% of the population in Kosovo, the highest percentage in the region<sup>68</sup>.

In conclusion, the current political picture of the Balkans is complicated – democratization faces political resistance from a certain segment of the elites, which feel their position threatened<sup>69</sup>. The many street protests of recent years have exposed the regions to extremist movements that oppose democratic reforms. Despite the success of Croatia, which in 2013 became the second ex-Yugoslav state to join the EU, after Slovenia in 2004, the status of other

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<sup>67</sup> *Ibidem*.

<sup>68</sup> SEE Regular Economic Report, World Bank, Youth Unemployment Rate in the Western Balkans, 2016, available at: <https://epthinktank.eu/2017/09/13/youth-challenges-and-opportunities-in-the-western-balkans/youth-unemployment-rate-in-the-western-balkans-2016/>.

<sup>69</sup> MUJANOVIĆ, J. (ed.), "The democratic potential of emerging social movements in Southeastern Europe", Sarajevo: Friedrich-Ebert-Stiftung, Dialogue Southeast Europe, 2017, available at: <http://library.fes.de/pdf-files/bueros/sarajevo/13781-20171201.pdf>.

candidate or potential candidate countries is not as it would have been wished some years before. A possible regional evolution that brings about positive change has recently taken place – on June 5<sup>th</sup>, 2017, Montenegro officially became the 29th NATO member state, after the decision taken by NATO leaders ten years ago, in April 2008 at the 2008 Bucharest NATO summit, to initiate an Intensified Dialogue with Montenegro on the basis of the country's integration aspirations and as a result of internal reforms; in July of the same year the representatives of this country signed the Individual Partnership Action Plan with NATO, which contained certain provisions on political, military, financial and security issues. With Montenegro joining, NATO now controls the entire Adriatic seaside (Albania, Croatia, Slovenia and Italy are already members of the Alliance). The experience of the Western Balkan states over the last five years shows that democratization is a reversible phenomenon. The solution to this threat is to promote the concept of resilience in EU's and NATO's neighborhood, where Romania (through its geo-strategic position) can be an important player over the next decade. This may constitute a strong geopolitical link between the Balkan region and the Euro-Atlantic area in the coming years, which will prove relevant to the process of democratization. In this context, after post-conflict reconstruction, promoting resilience is necessary in order to strengthen the internal capacity of the fragile democracies in the Balkans to cope with the multiple crises they face.

#### **2.2.4. The Stake of Europeanization in the Eastern Partnership and the Roadmap**

Most studies on the process of democratization of states situated at the periphery of the EU take into account the aggregated national situation and overall progress. However, a number of important

studies reveal the significance of the processes of public policy adoption at sub-national level and their disparity<sup>70</sup>. Moreover, recent analyzes of local governments and administrations in the Eastern Partnership countries show the great differences in the progress made by different regions from the same country<sup>71</sup>.

On a special edition of the *Journal of Common Market Studies*, Heather Grabbe has developed an important overall discussion on the effectiveness of external mechanisms to promote democratic quality and the internal application of the rule of law in non-EU states<sup>72</sup>. Although it adopts a pessimistic view of the EU's potential to exert a transformative power in the periphery, it also notes the significant progress made by countries such as Croatia becoming a full member of the European Union in 2013 as well as other Eastern Neighborhood states which develop and deepen their strategic partnership with the EU. However, the assimilation of the prospects of democratic consolidation with those of economic development proves to be a more resilient lever than the simple procedural conditionality of the accession process.

The cost of compliance is primarily supported by the political elites, while the benefits of membership are mainly felt at national level, by the entire population. Often, this relatively asymmetric relationship of distribution of costs and benefits in the process of implementation of reforms, derived from the EU's external conditionality, makes politicians feel less motivated. The lack of personal motivation makes it even more difficult for the profound

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<sup>70</sup> See, for example, HUGHES et al 2004 and HUGHES 2005.

<sup>71</sup> VOLINTIRU, C. et al (2017), *Preventing Corruption and Promoting Public Ethics at the Local and Regional Level in Eastern Partnership Countries*. European Committee of the Regions.

<sup>72</sup> GRABBE, H., "Six lessons of enlargement ten years on: the EU's transformative power in retrospect and prospect". JCMS: Journal of Common Market Studies, 52 (S1), 2014, pp. 40-56.

reform process to occur in most situations. Taking in these agents of democracy-enhancing reforms is the keystone of the external conditionality procedures. Democratization and consolidation as a whole are inexorably mediated by the domestic ecosystem.

Similar to the process of distillation of external conditionality, the linkages are in turn reflected in the approaches initiated by national elites. As the authors in international consensus warn, when these international linkages relate to a robust political ecosystem, the prospects for democratic plurality are strengthened, but when the domestic political system is rather monolithic, external ties serve to strengthen its position and reduce the prospects of strong political competition<sup>73</sup>. Strengthening the power of a political cartel at home can have corrosive consequences not only on the quality of the democracy in that state, assessed both electorally and deliberative, but also on the quality of the administration. Recent assessments on post-communist countries in Central and Eastern Europe<sup>74</sup> and the Balkan states<sup>75</sup> show the prevalence of state capture, clientelism and discretionary management of public resources by political elites who do not face a dynamic opposition at national

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<sup>73</sup> SASSE, G., "Linkages and the promotion of democracy: the EU's eastern neighbourhood". *Democratization*, 20 (4), 2013, pp. 553-591; RICHTER, S., "Two at one blow? The EU and its quest for security and democracy by political conditionality in the Western Balkans", *Democratization*, 19 (3), 2012, pp. 507-534.

<sup>74</sup> GRZYMALA-BUSSE, A., *Rebuilding Leviathan: Party competition and state exploitation in post-communist democracies*, New York: Cambridge University Press, 2007; GRZYMALA-BUSSE, A., "Beyond clientelism: Incumbent state capture and state formation. *Comparative Political Studies*, 41(4-5), 2008, pp. 638-673; INNES, A., "The political economy of state capture in Central Europe". *JCMS: Journal of Common Market Studies*, 52(1), 2014, pp. 88-104.

<sup>75</sup> RICHTER, S., "Two at one blow? The EU and its quest for security and democracy by political conditionality in the Western Balkans", *Democratization*, 19(3), 2012, pp. 507-534.

level. In short, external ties are an indeterminate tool in the absence of will or motivation for reform at national level.

At the level of the Eastern Partnership, a certain dynamic is emerging, one situated on more than one speed, very similar to that in the EU. Thus, we find the states in the immediate proximity – Georgia, the Republic of Moldova and Ukraine – much more advanced in the process of integration and convergence towards the EU than the other three states – Azerbaijan, Armenia and Belarus.

In relation to Georgia, the Republic of Moldova and Ukraine, the EU has signed Association Agreements that are currently being implemented. These cover important policy areas, from issues related to international trade to aspects of their citizens' visas and the right to move within the EU. Reflecting the concerns of the Juncker Agenda, the Association Agreements also target areas such as digital economy, infrastructure investment (transport, energy, digital), Erasmus +, and also support for SMEs in neighboring countries and their contribution to the European space.

These are, in fact, reflected in the four working platforms or priority areas: Strengthening Institutions and Good Governance (Platform 1), Economic Development and Market Opportunities (Platform 2), Connectivity, Energy Efficiency, Environment and Climate Change (Platform 3) and Mobility and Human Contacts (Platform 4). What transversely connects all these common development lines is the commitment of civil society to the integration process of the Eastern Partnership states. At both the level of funding programs and that of official statements, no previous integration process recognized the equality between the significance and positive contribution of civil society efforts. In this frame of reference, in 2017, the Eastern Partnership assumes 20 deliverables for 2020, in order to generate tangible results for citizens:

**Table 1 – Priority Areas for the Eastern Partnership**

Platform / Priority Area	General Objective	Deliverable
Economic Development and Market Opportunities	Stronger economy	Improving investment and business environment and boosting SME growth potential Address gaps in the access to finance and financial infrastructure Create new job opportunities at local and regional level Harmonization of digital markets Supporting intra-regional trade between partner countries and the EU
Strengthening Institutions and Good Governance	Stronger governance	Strengthen the rule of law and anti-corruption mechanisms Support the implementation of key judicial reforms Supporting the implementation of public administration reform Stronger security cooperation
Connectivity, Energy Efficiency, Environment and Climate Change	Enhanced connectivity	Extension of the main TEN-T transport networks Enhance security of energy supply Improving energy efficiency and the use of renewable energy; reducing greenhouse gas emissions Supporting the environment and adapting to climate change
Mobility and Human Contacts	Stronger society	Progress in dialogue on visa liberalization and mobility partners Strengthening investment in young people's skills, entrepreneurship and employability Creating a European School for the Eastern Partnership Integrating Eastern Partnership research & innovation systems and programs
(Intersectoral deliverables)		Greater involvement of civil society organizations Enhancing gender equality and non-discrimination Strengthen strategic communities and support pluralism and independence of mass media

Source: [https://eeas.europa.eu/sites/eeas/files/md.ro\\_.1.pdf](https://eeas.europa.eu/sites/eeas/files/md.ro_.1.pdf)

These countries also have in place Deep and Comprehensive Free Trade Agreement (DCFTA). Since 2010, Russia has launched a concurrent project in the form of the Customs Union, a project that would have blocked the bilateral agenda of the eastern partners with the EU and questioned the membership of some of them

at the World Trade Organization – Armenia, Georgia, the Republic of Moldova and Ukraine. Since the launch of the Neighborhood Policy, the EU's position as a vector of integration into the wider region of the former Soviet space has generated a competitive hostility to impose its own integration projects between Brussels and Moscow<sup>76</sup>. The progress made in the process of trade liberalization between the EU and a part of the Eastern Partnership states is one of the prerequisites for their anchoring on a path towards the West.

Ukraine has benefited from the highest level of financial support from the EU, given the internal crisis it has experienced during the negotiations and the signing of the Association Agreement. The EU directed a total amount of around €12 billion to Ukraine over the 2014-2017 period. The non-reimbursable grants totaling €879.2 million concerned the following areas of intervention: state capacity (€355 million), strengthening civil society (€10 million), technical assistance for economic development (€110 million), decentralization and technical assistance for local authorities (€90 million) and the fight against corruption (€15 million). In addition, as of 2017, a total of €200 million was directed to energy efficiency projects, public finance management and post-conflict assistance for eastern Ukraine.

As a result of the signing of the Association Agreement, the Republic of Moldova had a financing program of €335-410 million for the 2014-2017 period. Part of these allocations went to support DCFTA – €30 million, the ENPARD – €64 million and a program to support reform in the public administration – €37 million.

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<sup>76</sup> DELCOUR, L., & WOLCZUK, K. (2016). *Between the Eastern Partnership and the Eurasian Economic Union* in GSTÖHL, S., SCHUNZ, S., (Eds.), *Theorizing the European Neighbourhood Policy*, Routledge, pp. 187-206; HAUKKALA, H., "From Cooperative to Contested Europe? The Conflict in Ukraine as a Culmination of a Long-Term Crisis in EU-Russia Relations", *Journal of Contemporary European Studies*, 23(1), 2015, p. 27.

Similarly, Georgia benefited under the Association Agreement from the same indicative allocation for 2014-2017, the funded projects being aimed at developing the diversification and the resilience of Georgian economic agents as well as rural development, strengthening administrative capacity, supporting the reform of the judiciary and strengthening the civil society's capacity.

Regarding the funds obtained from the European Investment Bank (EIB), the total allocation for 2014-2020 is €4.8 billion for projects of strategic interest to both the EU and the Eastern Partnership countries. Their distribution according to the most recent investment sectors was 35% – SME financing, 34% – transport projects, 19% – energy projects, 7% – water and urban infrastructure projects and 5% – projects in industry and agriculture. With large grants given both through grants that support the objectives of the Association Agreements, as well as through loans and investments, some experts consider that it would be appropriate to monitor more closely the way in which finances are managed under the Eastern Partnership<sup>77</sup> as well as the objectives pursued by them.

It is important, however, to note that even where there is a much slower pace of platform and institutional approach, there are notable elements of progress. In the case of Belarus, the Committee of the Regions, as an institution of the EU, has taken steps to participate as an observer in the next local elections. In the case of Azerbaijan, great progress can be seen in the transparency of the administrative process and access to public services through the new e-government platforms. Also in Azerbaijan, the EU has funded the setting

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<sup>77</sup> Radio Free Europe, Interview with Igor Munteanu: "Parteneriatul Estic ajută și la o regândire strategică a Uniunii Europene în sine" (The Eastern Partnership also helps in a strategic rethinking of the European Union itself), November 20, 2017, available at: <https://www.europalibera.org/a/interviu-igor-munteanu-moldova-summit-parteneriat-estic/28863784.html>.

up of local information bodies to increase citizens' participation in decision-making and the accountability of elected representatives.

In the case of Armenia, a number of investment projects initiated by the EIB in the infrastructure area could be observed to strengthen the country's connections with the neighboring Georgian state, thus basically reflecting the decision to extend the TEN-T to the Eastern Partnership. This investment program complements the generous EU investment program set up during the Riga Summit. The indicative allocation for 2014-2020 is €252-308 million: Institution Building and Good Governance – Platform 1 (15%), Private Sector Development – Platform 2 (35%), Connectivity, Energy Efficiency, Environment and Climate Change – Platform 3 (15%) and Mobility of People – Platform 4 (15%). In addition, the financial allocation plan under the partnership agreement with Armenia dedicated amounts of money for public administration and justice reform (15%), as well as civil society capacity building (5%).

Armenia also signed a new Comprehensive and Enhanced Partnership Agreement, which brings this state even closer to the progress made by Georgia, the Republic of Moldova and Ukraine in relation to the EU. However, to this point, Armenia's journey was tortuous. Although Yerevan had advanced in negotiations to sign an Association Agreement with the EU in 2013, Armenian authorities gave up on it, following a comprehensive trade agreement signed with Russia and Azerbaijan. Armenia subsequently expressed its desire to sign an Association Agreement with the EU instead of joining the Customs Union, namely the Eurasian Economic Union, but without assuming the economic integration aspects, but only the political ones.

The 2013 Vilnius Agreement has deeply enhanced the EU's relationship with the Eastern Neighborhood. But, as the case of Armenia has shown, it was not the starting point for a linear and

progressively predictable adhesion path. On the contrary, there have been many stages of deep balancing, especially through elements of internal or external conflict, in relation to neighboring states.

Internal problems range from corruption and government incapacity (e.g. Republic of Moldova, Armenia) to deficiencies in the political system and the quality of democracy (Azerbaijan, Belarus). According to Freedom House reports, Azerbaijan, Belarus and the Republic of Moldova recorded deterioration of the democratic quality scores. In contrast, according to the same "Nations in Transit" (NIT) reports, Armenia, Georgia and Ukraine have made positive assessments of progress in anti-corruption or local democracy. In addition, for some states, internal conflicts include violent manifestations and social and political instability.

The most visible effect of the internal conflict was in the case of Ukraine, where we witnessed a multifaceted and prolonged conflict with Russia, starting in 2013 with the launch of popular protests entitled *Euromaidan* and continuing with the illegal annexation of the Crimean Peninsula in March 2014. In essence, at the level of the whole region, elements of geopolitical tension in the relationship with Russia are reflected in the same type of frozen conflicts (e.g. South Ossetia, Transnistria, Nagorno-Karabakh). The EU remains firmly in solidarity with the Eastern Partnership states and their right to territorial sovereignty, as mentioned in the Association Agreements or Joint Declarations of the most recent Eastern Partnership Summits (the fourth in Riga and the fifth in Brussels). However, the internal dynamics of separatist territories (e.g. elections, administrative architecture) may affect the long-term reforms of the Eastern Partnership<sup>78</sup>.

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<sup>78</sup> DEMBINSKA, M. and CAMPANA, A., "Frozen Conflicts and Internal Dynamics of De Facto States: Perspectives and Directions for Research", *International Studies Review*, Vol. 19, No. 2, June 2017, pp. 254-278.

In this context of regional instability based on internal factors (e.g. institutional capacity, democratic quality), but also on external geopolitical factors, the proximity to the EU implied acceptance of the negative synergies between the geopolitical relations and the internal problems of the Eastern Partnership states. In this regard, the Riga Summit, considered by many as a summit meeting to reshape the Eastern Partnership, has strengthened the EU's bilateral approach with each state. Moreover, the relative positioning of the EU has become clear to the use of the Eastern Partnership as an instrument of rapprochement with an increasingly heterogeneous group of states, and with a final destination-style approach<sup>79</sup>, as were the negotiations for the pre-accession of countries from Central and Eastern Europe.

At the 5<sup>th</sup> Eastern Partnership Summit in November 2017, there was a commitment of all the Eastern Partnership states to pursue the reforms they undertake in order to converge and deepen their cooperation with the EU. The joint statement also details the 20 deliverables established in August as milestones on the Roadmap for the integration of these countries into the European project. What is revealed, however, is the uneven progress made in this respect, and the way some of the Eastern Partnership countries come to function much closer to the single market than others. In essence, the Eastern Partnership remains an instrument and a vehicle for institutional, economic reform and consolidation that can bring stability to both the Member States and those in the strategic neighborhood.

### 2.3. Brexit

Following the June 26, 2016 referendum, the UK decided to leave the EU, although the outcome of the popular consultation

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<sup>79</sup> KERIKMÄE, T., and CHOCHIA, A. (Eds.), *Political and legal perspectives of the EU Eastern Partnership policy*. Springer International Publishing, 2016.

revealed the polarization of the British society on the issue. Theresa May then announced the activation of Article 50 of TEU, which allowed a Member State to leave the EU and on March 29, 2017, the EU-UK negotiations began. But here comes the main problem and question of the accession negotiations: what will happen to the four EU fundamental freedoms (free movement of goods, services, capital and, especially, people) after the departure of the UK from the EU? Will the citizens of the Community have the guaranties of the maintenance of these rights after the UK is no longer a member, especially if those rights have been hardly maintained by the British when they were members of the EU? And if this does not happen, will there be an agreement with the EU? And what kind of agreement will this be? Let us not forget that the EU has agreements within the framework of the European Free Trade Association (EFTA), to whose parallel existence to the EU, Great Britain (alongside other signatories) contributed greatly to the maintenance of the four freedoms; then there is also the bilateral agreement with Switzerland, which also maintains the four freedoms<sup>80</sup> in force in the common territory of the two signatories.

Beyond the opportunity to develop the EU's political dimension that we have already mentioned, there will, of course, be a negative impact of Britain's abandonment of the Union. Firstly, it is a negative impact on the EU's annual budgets for 2019 and 2020 and on the Multiannual Financial Framework after 2020. The UK is one of the Union's key contributors (after Germany and alongside France, Italy etc.), the EU budget being largely based on the contribution of the Member States and not on EU direct revenues. The UK's withdrawal from the EU will lead to a reduction of the EU budget,

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<sup>80</sup> Hence the existence of the European Economic Area, which brings together the EU Member States and the three EFTA States (Iceland, Liechtenstein and Norway).

which will be forced to find other resources, either by the accession of the Balkan countries or by capitalizing on its own resources such as European taxes (eg. environmental taxes). On the other hand, the importance of the moment also comes from the fact that, starting in 2021, the EU enters another seven-year cycle of budget planning, and this needs to be known how it is being built. Especially as the Member States and the EU institutions are already in the process of multi-annual budgeting, a process that should normally be completed in no more than two years from now, ie during the same time as the conclusion of the Brexit negotiations.

Besides the negotiations on Brexit and the future post-2020 Multiannual Financial Framework, 2019 will be marked by the elections for the European Parliament and the formation of the new European Commission, being the year of two EU Council Presidencies, including a Romanian one starting January 1. The main question could concern the replacement of the British contribution – how will the British contribution be replaced? It is not very difficult to imagine this because there are not too many scenarios to work with: 1) an increase in the contribution of the Member States; 2) a reduction of the expenditures; 3) a combination of the two; 4) structural reform of budgeting. Of course, the budget contribution of the new EU members made by through the accession of the Balkan states can also be taken into account here, but this will not happen so quickly, the experience showing that accession negotiations take between four and nine years and then it takes two to three more for the ratification of the accession treaties. Of course, the impact of Britain's exit from the EU can also be mitigated by achieving a good deal in order to ensure the presence of the UK in the single market, as it is the case of Norway and Switzerland, which we have already mentioned, this providing the funding for the United Kingdom, similar to the one nowadays in place for the respective policy segment.

It is true that the UK is the second net contributor to the EU budget, but equally true is that it gets an annual 30% reduction of this contribution under an arrangement called the "British rebate". In other words, Britain does not receive money from the EU for agriculture and rural development and therefore does not have to fund a policy that it does not participate in. Based on some calculations, it is about €5.5 billion a year, all deducted from the contribution to the UK budget. The problem is that the money the United Kingdom does not put in the Common Agricultural Policy are being put by other states in line with the importance of agriculture for each of them. It is easy to understand that Romania is directly interested in this aspect, being one of the EU countries that, although it makes an essential contribution to European agriculture, does not benefit, like Germany, the Netherlands, Sweden or Austria, from an up to 75% reduction of the national contribution to the completion of the "British rebate". Even so, we should not have the impression that the UK has not received money from the EU, even if not for agriculture or rural development. The United Kingdom has instead received money for cohesion policy, especially for Scotland, Northern Ireland and Wales, but also for England (albeit less).

On the other hand, let us not underestimate what remains of the EU budget after the "British rebate" drops, because, after Germany with 33%, the UK contributed with an average of 26% of the EU budget, ie around €8.5 billion on average, but there were years when this contribution reached €11-12 billion annually. By the year 2020, Britain will participate in the EU budget with the foreseen amounts, even though Brexit has led to a strong depreciation of the pound that has almost reached the euro in value, which has deprived the EU budget of significant sums, estimated at €1.5 billion annually. It is likely that the UK will remain in programs such as "Horizon 2020" or others like "Erasmus +", which will mean

the continuation of its contribution, but also the continuation of the accession to the money dedicated to this fields. There are already some scenarios relating to the EU's budgetary policy, in the case of a Union without the United Kingdom. There is also an EU Official Report (Monti Group) that speaks of several scenarios and there are studies in this respect<sup>81</sup>:

- States benefiting from a reduction in their contribution to the "British rebate" for different reasons<sup>82</sup>, ie Germany, the Netherlands, Sweden and Austria, should no longer benefit from this advantage, which would increase EU revenue by 16% in the case of The Netherlands, for example.
- The UK has always advocated for a reduction in the budget, which has thus reached just over 1% of the EU's gross domestic product, although (as stipulated in the Treaties) it can reach 1.29%. It is equally true that other Member States (Germany, Austria, Finland, France, Italy, the Netherlands, Sweden) went along the same line, but now such a policy would lead to a drastic decrease of the EU budget in net worth, which could cause them to reposition. Taking into account the provisions of Article 312.4 from TFEU, if no agreement is reached one year before the new Multiannual Financial Framework comes into force (in this case, by the end of 2020), it will automatically go to the maximum limits

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<sup>81</sup> We quote here two of these studies: RUBIO, E., HAAS, J., "Brexit and the EU budget: threat or opportunity?", Berlin: Jacques Delors Institut, 2017 or CHOMICZ, E., "EU budget post-Brexit – Confronting reality, exploring viable solutions", Discussion Paper, no. 7, 2017.

<sup>82</sup> Germany because it has a significant national contribution to reducing the gap existing at the time of unification in agriculture and rural development between West Germany and the former Democratic Republic of Germany and the other because it they not benefit too much from the money allocated to these policies.

stipulated in the Treaties, which would come to the advantage of net beneficiary states such as Romania.

- Another way to compensate for the approximately €10 billion that will be missing annually, apart from what the Monti Group suggests, may be the introduction of European taxes on coal, financial transactions, or companies.
- Of course, the easiest solution would be to increase the contribution of states from 1% to something close to the maximum limit, ie 1.29%.
- The post-Brexit budget situation may also mean a reduction in EU spending and we have countries that promote this idea, generally these are net contributors, but also states that generally refuse net beneficiaries, where Romania is located. This is the case when it comes to Cohesion Policy, the Common Agricultural Policy or Infrastructure. There are scenarios in this respect, so our country should be careful especially that during the Romanian Presidency at the EU Council there will be much and serious discussion about post-2020 budgetary construction.
- Many of the themes presented are not new, but the withdrawal of the United Kingdom from the EU has brought them into question:
  - raising or reducing the net contribution of the Member States, is an old topic that exists in the European debate even since the pre-accession period of the PECOS with reference to the need for the growth of the EU budget when it will not have 15 members but 25 or even 27;
  - limiting Member States' contribution to 1.29% of the Member States' combined GDP or even reducing it to 1%;
  - reducing the quota for economic, social and territorial cohesion as EU regions reduce their disparities.

- Always, the groups of states were the same: net contributors, on the one hand, and net beneficiaries, on the other. Net contributors used to find Britain as a scapegoat, arguing that it wanted to reduce contributions when, in reality, this were the general politics and desideratum. And this is now obvious when countries like Denmark, Germany, the Netherlands or Sweden would like to cut common spending, although the UK is no longer taking part in decisions. But the list is longer.

We end this review of the main regional challenges by reiterating the metaphor of the title of this sub-chapter – the British "divorce" puts a new "engagement" light on the Western Balkan states in the EU enlargement process.

## **Chapter 3 – The Analytical Framework on Providing Expertise for Democratic Transition in the Eastern Partnership and the Western Balkan Countries**

The purpose of this chapter is to analyze how Romania has managed in the last decade to use the tools provided by the EU to disseminate and provide expertise in democratic transition in the Eastern Partnership and Western Balkan countries. Thus, the analysis initially aims at briefly presenting the EU regulatory framework for providing assistance for the democratization of Western Balkan and Eastern Partnership countries. Then there are three types of instruments through which Romania disseminates and provides expertise to the reference countries. At the end of this chapter, some issues are briefly addressed on the current EU regarding the determination of the efficiency and effectiveness of delivering specific development assistance and democratic transition interventions.

### **3.1. The EU regulatory framework on providing assistance for the democratization of Eastern Partnership and Western Balkan countries**

From the perspective of the EU report, our study refers to two distinct categories of countries: "candidate" and "potential

candidate" countries for the Western Balkans region as well as "partner countries" for the Eastern Partnership. That is why the regulatory framework for providing assistance for democratization is differentiated. However, certain aspects (such as horizontal objectives, performance framework, cross-border cooperation) are being commonly addressed and, in relation to the previous Multiannual Financial Framework, greater synergy and complementarity are currently being granted in order to achieve the expected results.

Being based on the principles of consolidation, conditionality and communication, the EU's enlargement strategy towards the Western Balkan countries must provide a stimulating framework for deepening their integration within the EU. In contrast, in the case of the Eastern Partnership countries, the application of the principles of inclusion, differentiation and contribution to change also requires the creation of a framework for customizing assistance so that it is more attractive and differentiated from classical development assistance interventions. Since 2007, the EU has succeeded in establishing such a motivating framework, which is maintained through financial instruments aimed at ensuring the implementation of interventions on the strengthening the rule of law, combating corruption and organized crime, governance and the reform of the public administration. The major instruments (EU funds) allocated for this specific financial period for the two reference areas refer to:

- For the Western Balkans, the Instrument for Pre-Accession Assistance (IPA-II), governed by Regulation (EU) No. 231/2014 of the European Parliament and of the Council of March 11, 2014;
- For the countries covered by the European Neighborhood Policy, we have the European Neighborhood Instrument

(ENI), which is regulated by Regulation (EU) No. 232/2014 of the European Parliament and of the Council of March 11, 2014. The ENI is the successor to the European Neighborhood and Partnership Instrument (ENPI) of the previous financial period.

The two regulations establish the framework for the application of financial instruments, general and specific objectives of cooperation, types of programs and programming. In essence, the two regulations continue the logic of cooperation established for the previous financial period. Thus, for the countries in the ENP area, cooperation aims at bilateral, multilateral and cross-border cooperation<sup>83</sup>. For countries covered by IPA-II, support is provided through direct assistance based on country or multi-country strategy papers<sup>84</sup> as well as through cross-border cooperation. In addition to the specific objectives set out in the two Regulations, the following horizontal themes of the interventions financed by the two financial instruments can be distinguished: enhanced and sustainable democracy, human rights, gender equality, combating corruption and environmental protection.

Compared to the previous financial period, financial allocations increased for ENI, remaining at approximately the same level in the case of IPA-II (€11.7 billion for the 2014-2020 period compared to €11.4 billion for the 2007-2013 period). For the ENP countries, a financial amount of €11.2 billion has been allocated for the ENPI for the previous financial period, and for the specific ENI for the current financial period, the allocated financial amount is €15.4

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<sup>83</sup> See Art. 6 of Regulation (EU) No. 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighborhood Instrument.

<sup>84</sup> See Art. 6 of Regulation (EU) No. 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-Accession Assistance

billion. Taking into account that both the financial instrument specific to the previous financial period and the one for the current period are addressed to the Southern Neighborhood countries as well as to the Eastern Neighborhood, both areas of reference benefit from the increased allocation. However, in line with EU's specific strategic objectives for the Eastern Partnership countries, their financial allocations are subject to complex conditionality packages. Applying conditionality is one of the issues that differentiate the EU's relationship with the Eastern Partnership countries to those in the Southern Neighborhood. Differentiation is justified by the fact that some Eastern Partnership countries (such as the Republic of Moldova, Ukraine or Georgia) have increased their efforts to implement association agendas. At the same time, the application of the new type of partnership agenda for the rest of the Eastern Partnership countries<sup>85</sup> will require the use of more and more consistent resources in order to ensure an adequate resilience framework in the context of the EU's external action for Eastern European neighbors, which cannot yet advance to the associated country status.

Moreover, both the ENP and the Western Balkans countries benefit from an indicative allocation of €1.68 billion dedicated to funding actions on learning mobility to or from partner countries as well as supporting cooperation and politically dialogue with the authorities, institutions and organizations in those countries<sup>86</sup>. This allocation is a multiannual shared exercise on two implementation

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<sup>85</sup> In the case of Armenia, the signing on November 24, 2017 of the Comprehensive and Deep Partnership Agreement between the EU and Armenia.

<sup>86</sup> Art. 15 of Regulation (EU) No. 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-Accession Assistance, and Art. 17 of Regulation (EU) No. 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighborhood Instrument.

exercises, the first being specific for the 2014-2017 period and the second one for the 2018-2020 period<sup>87</sup>.

As with structural and investment European funds, these tools provide for the application of the principle of performance reward, which is an innovative principle for this programming period. For example, a 10% quota for ENI is foreseen for partner countries that are progressing in the field of democratic consolidation. This can be considered as an incentive for the properly fulfillment of the commitments made. For Western Balkan countries, performance reward applies to progress registered in the fulfillment of the accession criteria and / or effective implementation of pre-accession assistance<sup>88</sup>.

At present, the focus is on delivering results. This requires both categories of beneficiary countries to undertake actions demonstrating the efficiency and effectiveness of using assigned resources in accordance with the specific targets set out in country strategy papers. However, the impact of EU external action must be differentiated and tailored according to the specificity of the beneficiary country, but also according to the regional context or the political situation on the ground.

### **3.2. Analysis of the EU instruments through which Romania can disseminate and provide expertise**

The IPA and ENI are implemented through several types of instruments that help strengthen institutional, legislative alignment

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<sup>87</sup> For the first multiannual exercise, see the European External Action Service, the Strategic Priorities 2014-2020 and the Multiannual Indicative Program (MIP) 2014-2017 European Neighborhood-wide measures, available at: [http://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/enp\\_wide\\_strategic\\_priorities\\_2014\\_2020\\_and\\_multi\\_annual\\_indicative\\_programme\\_2014\\_2017\\_en.pdf](http://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/enp_wide_strategic_priorities_2014_2020_and_multi_annual_indicative_programme_2014_2017_en.pdf).

<sup>88</sup> Art. 14 of Regulation (EU) No. 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-Accession Assistance.

and regulation alignment. Some of these tools represent direct technical assistance, being offered either through the involvement of their own body of experts or through grants awarded through public auctions. Instead, other instruments are based on involving Member States in providing adequate expertise to support democratic transition processes in the Eastern Partnership and Western Balkan countries. Thus, in the second category we can identify:

- Supranational instruments – these are managed directly by the European Commission and are based on brokerage mechanisms of demand and supply of expertise. Third countries are encouraged to identify their punctual needs for the expertise they need, and EU Member States are encouraged to share their experience on the basis of context, availability and affinity or legislative / procedural congruence.
- Common regional instruments – these are managed on behalf of the EU by two or more EU Member States together with several third countries. The specificity of these instruments is to jointly identify medium- and long-term priorities on a range of issues or needs that affect all states or regions in the area of cooperation. Thus, the actions undertaken within these instruments are of a cross-border or transnational nature and aim at carrying out bilateral or multilateral joint interventions in order to solve or diminish the identified issues.
- Common national instruments – these are managed on behalf of the EU Member States jointly with a neighboring third country and are specific to cross-border cooperation. Through their objectives, they contribute directly or indirectly to democratic consolidation, the strengthening of the rule of law and the market economy as well as the modernization of the public administration and the capacity of civil society.

In the following subsections, each category of instruments is synthetically analyzed. In addition to their description, we will approach the issues related to the use of these instruments by Romania for the dissemination and the provision of expertise to the Western Balkan and the Eastern Partnership countries.

### **3.2.1 Supranational Instruments**

Supranational instruments are mechanisms managed directly by the European Commission which help to increase competition at Member State level in providing expertise and technical assistance to beneficiary third countries. This category of instruments is come under the level of brokerage, a mean by which recipient states are looking for the best and most suitable practices of institutional and normative performance in the EU Member States and convince the latter to become donor states of expertise. The process can also be approached backwards, as the set of instruments in this category stimulates Member States to be more active in generating and maintaining the transfer of approaches, practices and lessons learned by them to third countries. The specificity of this category of instruments is that they are based on the request of beneficiary countries on the basis of the concrete identified needs. That is why it is essential for Member States to share to the best their available expertise and quality practices that have demonstrated their efficiency, effectiveness and sustainability over time. Each instrument in this category can be considered as a stand-alone platform for promoting owned expertise so that it is relevant to candidate, potential candidate or partner countries.

Within this sub-chapter two instruments managed by the European Commission will be briefly analyzed, these being the ones that provide technical assistance and expertise to the Eastern Partnership and Western Balkan countries:

- The *Technical Assistance and Information Exchange instrument of the European Commission* (TAIEX);
- The *Twinning* tool.

There will be no discussion of comprehensive analysis and expertise tools, such as the OECD Joint Support Program for Governance and Management (SIGMA), jointly implemented with the EU, since this type of instrument is based on top-down assistance from a body of high-level experts to overall administrative systems. The expertise provided through this category of instruments does not promote or capitalize on the experience gained by a Member State, but diffuses practices and experiences from several Member States that are convergent with some approaches regarding public management reform. However, the topic deserves to be discussed in another study because the presence of Romanian experts in these expert networks can help to improve the image of the country, as is the case with the Missions of the High Councilors of the European Union.

#### The Technical Assistance and Information Exchange instrument of the European Commission (TAIEX)

Launched in 1996, TAIEX aims to support public administration systems from beneficiary countries in order to determine how they are applied, but also to strengthen the process of harmonization with EU legislation; the instrument also aims to facilitate the transfer of EU Member States' quality practices to beneficiary countries<sup>89</sup>. Based on the principle of relevance to context, TAIEX is implemented through workshops, technical expertise missions and study visits. By 2015, TAIEX also supported the deployment of

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<sup>89</sup> Information retrieved and adapted from the European Commission website. For more information see: [https://ec.europa.eu/neighbourhood-enlargement/tenders/taix\\_en](https://ec.europa.eu/neighbourhood-enlargement/tenders/taix_en).

screening mechanisms, for example in 2014, Serbia benefited from 49 such missions<sup>90</sup>. Initially TAIEX operations benefited EU candidate and potential candidate countries. However, starting with 2006, the instrument has been extended to the southern and eastern neighborhood of the EU, and since 2015 the instrument is also accessible to countries covered by the Partnership Instrument<sup>91</sup>. Thus, the main beneficiaries of the instrument are:

- Candidate and potential candidate countries for EU membership such as: Turkey, the Former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia-Herzegovina, Kosovo;
- ENP countries: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Republic of Moldova, Morocco, Palestine, Syria, Tunisia and Ukraine;
- All countries covered by the Partnership Instrument;
- EU Member States in administrative cooperation with DG Regio, DG Environment and the Structural Reform Support Service.

TAIEX mainly addresses civil servants from central governments and legislative or parliamentary apparatus, judicial authorities as well as representatives of social partners, employers' organizations and trade unions. Initially, the instrument focused on pre-accession issues, but over time the scope of intervention has considerably widened across different areas of the EU *acquis*: from strengthening democratic institutions and modernizing public administration to the issues of harmonization of standards for the production of various goods or provision of services. The topics of interest vary greatly depending on the category of beneficiary

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<sup>90</sup> European Commission, (2015), TAIEX and Twinning Activity Report 2014, p. 2.

<sup>91</sup> European Commission, (2016), ABC Guide to TAIEX Assistance, p. 4.

countries in relation to the EU, but also on their institutional and democratic stability or the structure and dynamics of their economies. In each TAIEX beneficiary country as well as in the EU Member States there are national contact points. In the case of Romania, the national contact point for the TAIEX Office of the European Commission functions within the Ministry of Foreign Affairs, in the structure coordinated by the Minister-Delegate for European Affairs.

Operations undertaken through this tool do not have the capacity to support complex processes of adjustment or harmonization of institutions and practices in beneficiary countries. TAIEX's activities should be seen as complementary to other EU financial or technical support instruments, implemented in candidate or partner countries<sup>92</sup>. Nevertheless, the operations under the instrument have a significant role to play in initiating or fostering institutional change processes, adapting to EU legislation, and contributing to stability and institutional capacity building. The goals of TAIEX operations can be materialized through new twinning projects or cross-border cooperation projects, and so on. Therefore, the 2015 comprehensive assessment of the instrument highlights the fact that TAIEX's impact needs to be analyzed from the perspective of the effects of better lawmaking processes and adequate substantiation of implementation strategies, a much more effective institutional framework and a modernized public administration<sup>93</sup>.

Being easy to manage, TAIEX is used by beneficiary countries to transfer practices and experiences, particularly from Member States that joined the EU in 2004 and 2007. Accession negotiations in the past decade have been an excellent context for capturing and

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<sup>92</sup> European Commission, Evaluation of TAIEX Instrument, Final Evaluation Report, 2015, p. 34.

<sup>93</sup> *Idem*, p. 37.

taking on practices from the other Member States that joined the EU in previous waves (such as Spain, Greece, Portugal, Austria or Finland). Once they have gone through this process of identifying the right sources of transfer and learning from the experience of others, the states that joined in 2004/2007 also have a solid capacity to share experience to other potential candidate/partner countries. This is why, compared to the original Member States, the new Member States now have a higher degree of availability and capacity to share experience gained during the negotiation and post-accession period with candidate and potential candidate countries or with those included in the ENP. However, the dynamics of the provision of expertise largely depends on how polarized the networks of experts and public authorities are (these being created and strengthened over time). That is why it is important for national experts to join the TAIEX experts' database and to advocate for the promotion of quality practices in their countries, as well as to facilitate the hosting of study visit participants from candidate countries and partner countries.

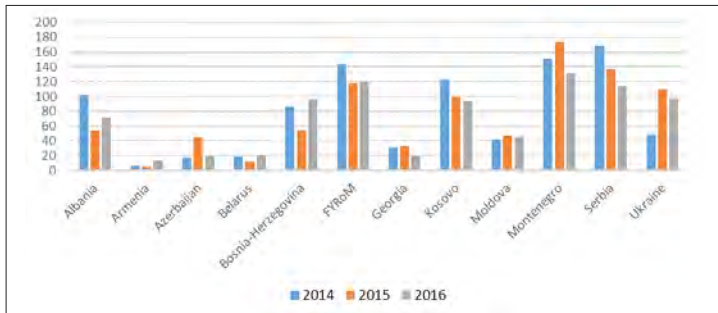
Analyzing the activity reports for the last three years of TAIEX implementation, the following findings can be made:

- The Western Balkan countries, taken as a group, are preeminent in undertaking operations supported by this instrument. Thus, in 2014, 46% of all TAIEX activities were implemented in Western Balkan states, while in 2015 the share rose to 51% and in 2016 it fell to 44%.
- Eastern Partnership countries benefit from far less actions supported by TAIEX, even though their number has increased in recent years. For example, in 2014, 10% of the TAIEX supported actions were implemented in the Eastern Partnership countries, in 2015 the share doubled to 20% and in 2016 it fell to 15%.

- The most active states in the Western Balkans region for carrying out TAIEX activities are Montenegro (456), Serbia (420) and the Former Yugoslav Republic of Macedonia (381), while in Eastern Partnership these countries are Ukraine (256), Republic of Moldova (137) and Georgia (83).

The activities carried out with the support of TAIEX focused in particular on the following three areas of intervention: justice and home affairs; the convergence of the institutions and internal rules of the supported countries with those of the EU internal market; agriculture and food safety. Within these areas the themes vary quite a bit and are adjusted to the internal priorities of the beneficiary states.

**Figure 1 – Dynamics of the TAIEX operations of the Western Balkan and Eastern Partnership countries**



Source: TAIEX Annual Implementation Reports, data processed by the authors

In recent years<sup>94</sup>, Romania contributed to approximately 290 operations carried out under TAIEX (either exclusive operations for a single or shared operations, directed to several beneficiary states), which would account for approximately 7% of the total implemented operations<sup>95</sup>. Compared to other states in the region it can be

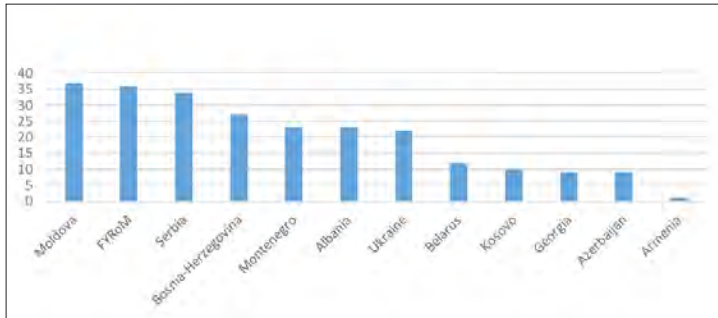
<sup>94</sup> The reference period is January 1, 2014 to October 2nd, 2017.

<sup>95</sup> The data has been extracted from the TAIEX database, which can be

said that Romania is moderately involved within this instrument. For example, during the same period, Poland provided expertise in 305 operations, Hungary in 208 operations, while Bulgaria in 185. Of the approximately 290 operations where Romania provided expertise to the beneficiary countries, 243 targeted the Western Balkan countries and Eastern Partnership.

The main recipient state was the Republic of Moldova. Over the reference period, it benefited from 39 operations. The next ones are the Former Yugoslav Republic of Macedonia with 36 operations and Serbia with 34 operations. As can be seen in the chart below, the Western Balkan countries have benefited from nearly two-thirds of TAIEX operations in which Romania has been a provider of expertise. This indicates that the countries of the Western Balkans have turned more to the expertise offered by Romania due to their advancement in the processes of deepening relations with the EU in the context of negotiation of opened chapters (Serbia and Montenegro) or of obtaining candidate status (Albania and the former Yugoslav Republic and Macedonia). It can also be noted that Romania practically did not provide expertise to Armenia through this tool. Armenia has benefited from a single joint operation with the other Eastern Partnership countries. In comparison, during the reference period, Poland provided Armenia with expertise in 20 operations, of which 10 were exclusive, while Bulgaria contributed in 10 operations, 6 being exclusive. Therefore, there is a need to further analyze the cause of the limited presence of the Romanian authorities' expertise for the Armenian authorities.

**Figure 2 – Countries benefiting from TAIEX operations in which Romania was a provider of expertise**



Source: TAIEX operations database, data processed by authors

The operations to which Romania has been a provider of expertise focused mainly on justice and home affairs issues (including actions to reduce corruption and consolidate the rule of law), public administration reform, as well as topics regarding the fields of education, environmental preservation, research. It is worth noting that the incidence of migration, border security issues and economic and fiscal governance issues has increased over the past two years. Workshops were the predominant type of technical assistance provided by Romania to the beneficiary countries through this instrument, with about 200 such events taking place. During the reference period, only 28 study visits were organized in Romania, compared with 55 study visits in Poland, 39 study visits organized by Hungary and 28 study visits by Bulgaria. The limited appeal to this type of sharing of experience shows that the Romanian authorities are not yet willing to fully share the experience gained in recent years.

Perhaps the fear of not sharing the experience of failed practices with other potential beneficiaries still persists. Although in certain contexts, this should be the message that will help potential

beneficiaries to understand why, in the case of Romania, certain processes of institutional change and effective adaptation to the provisions of the EU legislation have not worked and how can they to avoid such situations in their case. It is true that study visits are more expensive than other types of activities, but their impact is much greater. From the point of view of mutual learning, it is more effective to go in the field, to see and observe, discuss and interact with the actors involved in the benchmarking process than listening to a sometimes boring presentation, conducted by an expert on the subject of a workshop. The TAIEX evaluation of 2015 strengthens this opinion<sup>96</sup>, an aspect which also derives from the opinions of respondents questioned in evaluation process of this instrument.

### The Twinning tool

Launched in 1998, the twinning instrument is a complex and in-depth framework to provide expertise from EU Member States to potential candidate or candidate countries<sup>97</sup>. It aims to strengthen cooperation between public administration systems in Member States with beneficiary or partner countries through peer-learning and peer-guidance mechanisms. The thematic area covers a wide range of topics, as is the case with TAIEX. However, the specific operations of this instrument are mainly intended to cover those subjects that are directly related to the conditionality of EU accession, candidate status or those resulting from the Association Agreements. Thus, the thematic priorities for candidate or potential candidate countries are mainly focused on justice and home affairs, agriculture and fisheries, and for the Eastern Partnership

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<sup>96</sup> European Commission, (2015), Evaluation of TAIEX Instrument, Final Evaluation Report, pp. 24-27.

<sup>97</sup> For the synthetic presentation of the twinning instrument, the Twinning Manual of the European Commission, July 2017, was used.

countries trade and industry, finance, employment and social affairs and health. At the same time, the topics of interest of the requested countries vary from year to year, depending on the extent of negotiations or degree of contagion from one country to another.

Based on the principle of experience sharing through learning by doing, twinning is implemented over a longer period of time, from one to three years, through consecutive activities aimed at delivering the results of the request. Thus, a twinning project must include activities such as workshops, training sessions, expert missions, study visits, internships and counseling sessions.

Initially, the twinning instrument was intended for candidate and potential candidate countries for EU membership. Since 2004, the instrument has also become accessible to ENP countries. However, implementation vision remains differentiated for the two categories of beneficiary countries. For example, candidate and potential candidate countries twinning aims to facilitate transposition, implementation and enforcement of EU law in order to prepare countries to become member states. In this sense, assistance is much more focused on achieving concrete, measurable and sustainable results in the process of harmonization or compliance with EU legislation. In contrast, for the second category of beneficiary countries, twinning operations are rather aimed at improving the administrative capacity of the public administration through staff training and structural reorganization of the authorities and of various supported agencies. By their goal, the projects implemented through this instrument contribute to the harmonization of national legislative and procedural frameworks with those of the EU and, in accordance with the provisions of the Association Agreements, the convergence of quality standards with those of the EU.

By their nature, twinning is directed towards identifying mature, performing approaches and practices that have demonstrated

stability over time and institutional strength. Thus, project applications are based on clear and feasible intervention logic and involve the mandatory assuming of specific output and outcome indicators. The expected results of the intervention are negotiated by mutual agreement between the beneficiary states and the authorities of the Member States with the European Commission so that they have a direct impact on the quality of the negotiation process (such as closure of the negotiation chapters) or the achievement of the indicators mentioned in the action plans for the implementation of the Association Agreements.

Operations are coordinated through a dual mechanism: by the authority in the beneficiary country, but also by the Member State's source authority, which involves an adjustment mechanism. The transfer process is not prescriptive but interactive, based on negotiation and iterative, especially if some actions do not succeed from the beginning (for example, the parliament does not adopt a legislative draft resulting from a twinning project). Unlike classic projects, twinning interventions are somewhat more difficult to implement due to factors such as reluctance to change, limited knowledge, alternation in governance, high levels of corruption, and so on. Thus, during the implementation of a twinning project, we can experience both progressive paths that can be accompanied by context and adaptation contexts, as well as regressive paths leading to a failed transfer. Therefore, the authorities of the Member States participating in such instruments must be prepared for a wide range of unforeseen situations and be willing to progressively resolve potential jams. Moreover, in order to embark on the transfer of experience, Member State authorities must be willing to cooperate and fully assist all the actions included in this process.

In order to appeal to this instrument, beneficiary countries must formulate an explicit request for assistance and support, as

set out in the Twinning Project Implementation Manual. The application may be designed with the support of a similar authority in a Member State or refer to a potential reference system or a possible association of Member States to provide the required expertise. In this context, several factors that may facilitate or, on the contrary, make the transfer process more difficult should be taken into consideration. For example, historical or linguistic affinity issues will count on the choice of Member States that will provide the required expertise, and in the implementation process there are more chances for the transfer to be successful. Instead, distinct legal traditions can create sometimes irreparable jams, resulting in the interruption of the transfer. In this context, twinning can be a challenge both for countries seeking assistance through this instrument and for states that can provide expertise.

The twinning instrument is attractive to Member States because it offers the possibility of recognizing and asserting within the EU administrative space the institutional performance and stability of their administrative systems. At the same time, the tool offers the possibility to extend public management approaches that lead in time to the prevalence of institutional arrangements for the implementation of EU policies<sup>98</sup>. For example, in the first decade of implementation of this tool, the United Kingdom has been very active in promoting the New Public Management approach. Thus, this state was particularly interested in twinning projects in the field of public administration reform that were to be implemented in

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<sup>98</sup> Throughout EU history there have been situations in which Member States have rivaled for imposing institutional models and regulatory arrangements for certain policies. For example, there is a well-known rivalry between France and Germany in establishing the institutional and procedural system of the Eurosystem. Since the construction of the Eurosystem, rivalries have been channeled into externalities, such as fiscal and budgetary systems governance, employment regulations, and so on. See: Paul Degrauwe, *Economics of the Monetary Union*, Oxford: Oxford University Press, Eleventh Edition 2016.

the membership negotiating countries. Through this process, the UK and other northern flank member countries have been able to accustom the candidate countries with the precepts of this approach. By changing their roles after accession, the former beneficiary countries have cascaded this approach in other candidate or partner countries. For example, Latvia has intensively promoted its approach in Romania and later in the Republic of Moldova in the framework of institutional twinning projects in the field of strengthening the capacity of governments in the two states to manage and coordinate policies.

During its pre-accession period, Romania benefited from the most institutional twinning projects<sup>99</sup> among the candidate states of that period. They have a decisive role in the negotiation process, but also in the quality of public administration as a whole. After Romania's accession, Romania, like all the states from 2004 and 2007 wave gradually changed its role from beneficiary country to provider. However, analyzing the instrument's implementation reports, it can be noticed that Romania's participation as a provider is quite limited compared to the other states in the region. For example, in 2017 Romania was awarded four twinning projects, of which three were implemented in Moldova and one in Turkey<sup>100</sup>. In 2016, no project was assigned to the country, while in 2015 only one project was rewarded as a leader and one as a junior. The Republic of

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<sup>99</sup> Ana-Raluca Alecu, "Is there a dominant European model of governance in Romania? An analysis of the public administration reform in Romania on the basis of twinning projects realized through PHARE funds", in PĂUNESCU, Mihai (coord.), *Management Public în România*, Iași: Polirom Publishing, 2008, p. 157.

<sup>100</sup> According to a report issued by Romania's Ministry of Regional Development and Public Administration, available at: [http://www.fonduri-ue.ro/images/files/programe/ALTE/Twinning\\_2017/Proiecte\\_TW\\_castigate\\_in\\_2017.pdf](http://www.fonduri-ue.ro/images/files/programe/ALTE/Twinning_2017/Proiecte_TW_castigate_in_2017.pdf).

Moldova is the main beneficiary country of the expertise provided by the Romanian authorities through this instrument.

From the 2007-2016 implementation reports, we find that Germany, France, Austria and Italy have the leading position on the number of projects awarded as the leading state for the countries of the Western Balkans. At the same time, Germany, Austria, Spain and Denmark have the most projects implemented as leaders in the Eastern Partnership countries. It should be noted that, although compared to Romania, several projects have been awarded as leaders or junior, neither Poland nor Hungary have implemented too many such projects. Figure 4 demonstrates this situation in the case of the Republic of Moldova, a partner country that has benefited from the most money per capita over the last decade through expertise projects or other EU financial support mechanisms. One possible explanation is that the change from the role of beneficiary to that of provider of expertise of countries that joined the EU in the last decade has been relatively late because they did not yet provide the guarantee of full, solid and irreversible institutional stability, on topics such as the rule of law and the reform of the judiciary, regional development, etc. At the same time, after the enlargement of the EU to the East, the institutional and normative convergence priorities focused on the area of the Western Balkan countries, which inevitably led to a polarization of the area and a thematic concern. In this context, although they had a high degree of willingness to share their expertise, Poland, Hungary and later Romania could not fully support twinning as a project leader. However, DG NEAR records show that over the past three years, the Member States that joined the EU in 2004-2007 are increasingly receiving the role of leaders in twinning projects that are to be implemented. This, in addition to a better understanding of the issues, shows the increase in the capacity to implement

such projects, the institutional stability and the maturity of the examples, experiences and good practices that they can share with partner countries.

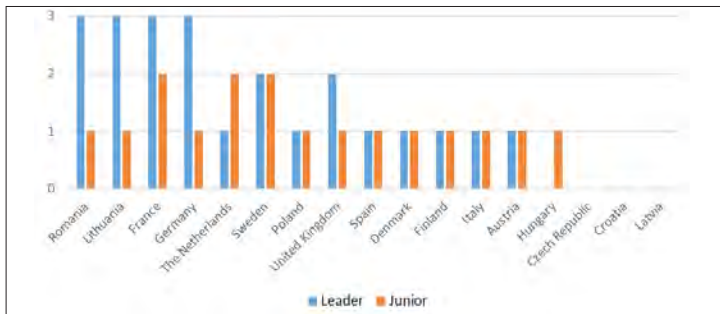
Compared to the Western Balkan countries, the Eastern Partnership countries are still demanding twinning projects. Since it has also become accessible to partner countries, the European Commission has not necessarily encouraged the use of this instrument. In order to initiate an intervention in a third country, the latter was first and foremost obliged ensure the feasibility of the intervention, but especially the certainty that it could implement the project according to the agreed terms. Political instability, high levels of corruption, increased institutional instability, and a poor culture of designing and implementing complex and far-reaching projects have provided the European Commission with sufficient arguments to manage the twinning tool. In this context, by 2015, the European Commission preferred to use direct technical assistance in relation to this category of partner countries, a mechanism that does not involve the intensification of bi- or multilateral cooperation between Member States and partner countries. On the other hand, the partner countries did not have the capacity to develop assistance requests in line with the requirements of the Twinning Project Manual. For example, one of the weakest components of the grant applications proves to be the analysis of the needs from which the logic of intervention derives, a component that leads to misconceived project objectives<sup>101</sup>. This is dealt with more broadly in subchapter 2.4, context in which we will also present the categories of indicators established for interventions involving transfer of expertise and institutional assistance.

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<sup>101</sup> This issue is further discussed by auditors of the European Court of Auditors in Special Report no. 21, Risk Analysis of a Result-Based Approach for EU Development and Cooperation Actions, 2015.

Even though in recent years the success rate, representing the rate of projects actually executed from the number of projects being designed, is increasing, it is still relatively small compared to the amounts of money that can actually be attracted by the states in this region. For example, in the case of the Republic of Moldova, the success rate has increased significantly (from 5% in 2008 to 20% in 2010)<sup>102</sup>; this is still not high enough to allow Moldova's central government to use the financial envelope allocated to it since 2010 as much as possible.

**Figure 3 – Distribution of Twinning Projects Granted to the Republic of Moldova (Implemented or in Course of Implementation by Member States)**



Source: State Chancellery of the Republic of Moldova, data processed by the authors

According to data published by the State Chancellery of the Republic of Moldova<sup>103</sup>, as of September 2017, Moldova has benefited from a total of 18 completed twinning projects and four

<sup>102</sup> European Court of Auditors, Special Report no. 13 "EU Assistance to Strengthen Public Administration in the Republic of Moldova", 2016, p. 24.

<sup>103</sup> See Press release: "Uniunea Europeană va implementa în Republica Moldova 7 proiecte Twinning în valoare de 7 milioane de Euro" (The European Union will implement in the Republic of Moldova 7 Twinning projects worth 7 million Euro), available at: <https://cancelaria.gov.md/ro/content/uniunea-europeana-va-implementa-republica-moldova-7-proiecte-twinning-valoare-de-7-milioane>.

projects are that under implementation. At the same time, seven projects of this type will be launched in 2017, and there are two other projects in preparation. Analyzing the data published by the State Chancellery of the Republic of Moldova regarding the 22 projects concluded or in the course of implementation, the following ranking is to be observed: Romania (3 as leader and 1 as junior) on a par with Lithuania (3 as leader and 1 as junior); France (3 as leader); Germany (3 as leader); Sweden (2 as leader and 1 as junior), Netherlands (1 as leader and 2 as junior), Poland (1 as leader and 2 as junior), UK (2 as leader) and Spain 2 (as junior). The graph above illustrates this ranking, but also shows how Member States prefer to disseminate the required expertise. Thus, it can be observed that France, Germany and the UK in particular prefer not to associate with other Member States to provide the required expertise, although the program's instructions encourage Member States to associate as long as there is institutional and normative convergence. To some extent, the same behavior is illustrated in Romania and Lithuania as well, but they were, however, much more active in associating themselves in the past years with project proposals, but those requests were not selected. Interestingly, in the case of Lithuania, partnerships are developed especially with the Nordic countries (Poland, Latvia or Sweden). In the case of Romania, however, it is noticed that in the association process the regional affinity aspect is not maintained because it prefers to associate itself with the Netherlands, Germany or other countries in the EU's core, which adds value to the process of expertise providing.

The analysis carried out in the case of the Republic of Moldova can be extended to the other countries of the Eastern Partnership, but also to the Western Balkans. In-depth analysis will highlight how Romania can focus and streamline its effort to provide

expertise to partner, candidate or potential candidate countries for EU membership.

### 3.2.2. Joint regional instruments

Among the most representative and relevant regional instruments for Western Balkan countries is the EU Strategy for the Danube Region (EUSDR), while for the Eastern Partnership countries there is the Black Sea Synergy<sup>104</sup>. It should be noted that macro-regional strategies add value to the extent of co-operation within the cohesion policy. They provide a platform for multisectoral, multinational and multi-level governance, also open to non-EU countries. They can also play an important role in helping these countries to strengthen ties with the EU and soften possible negative effects on the EU's external borders. Our focus is on EUSDR, because this form of cooperation proves to be very dynamic and of great prospect.

The EUSDR is an instrument of a macro-regional framework of joint transnational cooperation actions based on the voluntary association and capitalization of funds already programmed to solve common problems in the Danube basin area. Given that the strategy does not benefit from new funds, does not operate within new organizations that are strictly created for its implementation and is not applied on the basis of distinct regulations, it should rather be seen as a platform for multilateral cooperation focused on common themes. Thus, based on the example provided by the EU Baltic Sea Strategy (adopted in 2009), EUSDR brings together various European, national or Western European investment funds,

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<sup>104</sup> For the implementation of which, in the current financial period, approx. €49 million under the "Black Sea Basin" Joint Operational Program 2014-2020. See: <http://www.fonduri-ue.ro/ro-bmn>.

potential lending from international funding institutions (such as the EIB) or public-private partnerships funds. EUSDR is operated through the Danube Transnational Program, which has an aggregate budget of €263 million, of which €202 million comes from the ERDF; €19.8 from the IPA and the rest represents the co-financing ensured by the participating states<sup>105</sup>.

The strategy's goal is to support the development of the Danube basin as a prosperous, democratic and secure area in which conflicts, marginalization and crimes are properly addressed. Thus, in order to help strengthen the implementation of EU policies and legislation in the region, the EUSDR objectives aim at investing in the following four specific action areas<sup>106</sup>:

- The interconnectivity of infrastructure (navigation, road, rail and air, energy networks) and the promotion of culture, tourism and direct contacts between people;
- Protecting the environment by restoring and maintaining water quality, managing environmental risks and preserving biodiversity, landscapes and air and soil quality;
- Increasing prosperity by contributing to the development of knowledge-based society through research, education and information technologies, supporting enterprise competitiveness, including cluster development and investment in people and capabilities;
- Strengthening the region by improving institutional capacity and cooperation to promote security and to address the problems posed by organized crime and serious crime.

These four areas of action are broken down into 11 operational objectives. Depending on their interest and the potential and

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<sup>105</sup> See the Presentation Sheet of the Danube Transnational Program, available at: [www.mdrap.ro/userfiles/PO\\_DUNAREA.pdf](http://www.mdrap.ro/userfiles/PO_DUNAREA.pdf).

<sup>106</sup> European Commission, European Union Strategy for the Danube Region, COM (2010) 715/4, 2010, pp. 6-7.

experience, each EU Member State is coordinating some of the 11 operational objectives. For example, Romania coordinates the following three objectives: a) inland waterways; b) culture and tourism and c) environmental risk management.

In order for this strategy to be used as a viable tool for the transfer of lessons learned and expertise acquired by the Romanian institutions, initiatives should be presented in the form of concrete projects that contribute to the process of democratic transition of the Eastern Partnership countries (the Republic Moldova and Ukraine) and the Western Balkans (Serbia, Bosnia and Herzegovina, Montenegro). In the case of Romania, the initiated projects and those under implementation are mainly focused on topics related to the fulfillment of the first two objectives. Focusing on these two objectives strengthens the economic dimension of cooperation.

Although the EUSDR topics covered by these objectives do not directly address the provision of expertise in democratic transition, this form of multilateral cooperation may nevertheless facilitate the implementation of specific actions in order to transfer expertise and skills to local and regional government, this leading to the strengthening of democratic institutions. Over time, investment in infrastructure and environmental protection can have an effect on the democratic stabilization of the beneficiary regions. Enhancing economic cooperation generates more prosperity and welfare, which contributes to increased social cohesion and political stability in recipient regions.

Another important area in which EUSDR has made a real contribution concerns the EU's Neighborhood and Enlargement policy agendas. It also contributed to stepping up the thematic cooperation with the five non-EU participating states and ensuring stability in the area through sustainable networks and partnerships. Relevant initiatives include the creation of the first European

Grouping of Territorial Cooperation with a non-EU country (Hungary-Ukraine) and the establishment of a new coordination system in 2015, in order to enable Moldova to participate in the strategy. Serbia has also taken an active position in coordinating two of the priority areas of the strategy<sup>107</sup>.

In order to encourage the design of interventions and in view of the medium and long-term effects in terms of regional and national democratic consolidation of EU third countries participating in the EUSDR, the Romanian authorities need to better promote their experience in this respect. Thus, according to the provisions of Regulation (EU) no. 232/2014 and in conjunction with the provisions of Regulation (EU) No. 231/2014 in the case of EU third countries participating in EUSDR, the issue of democratic consolidation is considered a horizontal objective of the interventions. That is why this aspect needs to be supported by the following elements concerning the implementation of interventions:

- describing how to ensure the participatory and deliberative framework of conception of interventions;
- justifying how these interventions can contribute, both in the implementation and sustainability phases, to strengthening sectoral or administrative governance in recipient regions, which would include an analysis of the resilience of EU actions in those regions;
- ensuring the possibility of gaining additional points in the evaluation and selection process of those projects that prove to bring a contribution to democratic consolidation in recipient regions;

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<sup>107</sup> European Commission, Report on the Implementation of EU Macro-Regional Strategies, 2016, p. 7, available at: [http://ec.europa.eu/regional\\_policy/sources/cooperate/macro\\_region\\_strategy/pdf/report\\_implem\\_macro\\_region\\_strategy\\_en.pdf](http://ec.europa.eu/regional_policy/sources/cooperate/macro_region_strategy/pdf/report_implem_macro_region_strategy_en.pdf).

- carrying out an impact assessment on the contribution of EUSDR to democratic consolidation in the case of the EU third countries that are part of the cooperation platform.

In order to strengthen this way of thinking and action, the Ministry of Foreign Affairs has, over the past years, carried out several relevant actions to help stimulate project design actions in the area of governance strengthening through EUSDR specific actions<sup>108</sup>. At the same time, Romania's experience within EUSDR was presented at international events organized by EU third countries<sup>109</sup>, events in which Romanian representatives encouraged the capitalization of this type of multilateral cooperation opportunities.

Although the communication platform for the implementation of the EUSDR at national level (PICSUERD)<sup>110</sup> has been developed, the visibility of the projects implemented by the Romanian

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<sup>108</sup> For example, on April 25, 2014, a meeting on transnational cooperation between Romania and the Republic of Moldova was held in Iași in the context of EUSDR. The event facilitated the presentation of the project called "Consolidarea guvernantei la nivel național și transfrontalier în cadrul SUERD: scop și mecanisme" (Strengthening Governance at National and Cross-Border Level within SUERD: Purpose and Mechanisms). As mentioned in the press release of the MFA "Reuniune pe tema cooperării transnaționale între România și Republica Moldova, în cadrul Strategiei UE pentru regiunea Dunării" (Meeting on Transnational Co-operation between Romania and the Republic of Moldova in the framework of the EU Strategy for the Danube Region), published on 24.04.2014, available at: <http://www.mae.ro/node/26213>.

<sup>109</sup> For example, on December 15-16, 2016, in Kiev, at the International Conference on Opportunities and Challenges for Ukraine in the context of EUSDR, the national coordinator of EUSDR presented the types of projects relevant to Ukraine in the three Priority Areas of EUSDR coordinated by Romania, as well as the challenges of this macro-regional strategy. As mentioned in the Romania's MFA press release "Participarea Coordonatorului Național al SUERD la conferința internațională privind oportunitățile și provocările Ucrainei în contextul SUERD" (Participation of the EUUSDR National Coordinator at the International Conference on Opportunities and Challenges of Ukraine in the Context of EUSDR), published on 16.12.2016, available at: <http://www.mae.ro/node/39708>.

<sup>110</sup> For more details see: <http://suerd.mdrap.ro/web/>.

authorities within this cooperation platform is still quite limited. Moreover, it is clear from the information and documentation process that Romania's contribution is not at all visible in EU third countries such as Serbia, Montenegro, Bosnia-Herzegovina, Moldova and Ukraine. In this context, it is necessary that the MFA and the other coordinating authorities increase their focus on a more intense promotion of Romania's contribution to EUSDR in the countries listed above.

The EUSDR provides a good example for a possible widening of cooperation in the Eastern Partnership countries as well. In this regard, building on the experience gained within the EUSDR, Romania can more easily promote the relaunch of the Black Sea Synergy in the context of the EU's next Multiannual Financial Framework, thus emphasizing priorities regarding democratic consolidation and strengthening the rule of law within a future program.

### **3.2.3. Joint national instruments**

This category of instruments is mainly represented by the three bilateral Joint Operational Programs (JOPs) between Romania and neighboring countries (Republic of Moldova, Ukraine and Serbia), financed both by ENI and IPA respectively. With a specific cross-border cooperation, and except Moldova, this category of instruments does not concern interventions at national level. Interventions are addressed rather at local level for near-border regions in order to contribute to a balanced and sustainable socio-economic development of border regions. In this financial period, in the case of the cooperation between Romania and the Republic of Moldova, and Romania and Ukraine respectively, there was a shift from a multilateral joint management approach (specific to

the previous financial periods) to a bilateral joint management approach<sup>111</sup>.

For the current financial period, the budget allocated to these JOPs increased compared to the allocation for the previous financial period. In the case of Romania-Serbia JOP, this increased by 29% (from €62.5 million to €88 million), and for Romania-Republic of Moldova JOP and Romania- Ukraine JOP respectively, the increase is much lower, 11%. This variation in the budget allocations derives first of all from the EU's 2020 priorities for candidate and associated countries.

Giving that the provisions of Regulation (EU) No. 231/2014 and no. 232/2014, EU's support ensured through cross-border cooperation programs mainly addresses economic and social development, the environment, public health, safety and security as well as mobility of people, goods and capitals, all three JOPs focusing on operations that aim at joint investment in education, employment and social inclusion, health, economic development, culture, tourism, infrastructure, environmental protection and risk management. As in the case of EUSDR, in the case of the three JOPs, the issues of democratic consolidation, increased participation and improved respect for human rights are considered to be horizontal issues. Thus, all operations financed under these financial instruments must contribute to strengthening the governance framework at the level of recipient communities, improving deliberative and participatory processes in the process of implementing local and regional public policies through bottom-up mechanisms, and so on. Thus,

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<sup>111</sup> The reasons for moving from multilateral to bilateral cooperation in the context of this type of instrument are presented and analyzed in: Iordan BĂRBULESCU (coord.), Mircea BRIE, Nicolae TODERAȘ, *Cooperarea transfrontalieră între România și Ucraina, respectiv între România și Republica Moldova. Oportunități și provocări în perioada 2014-2020*, Bucharest: Tritonic Publishing, 2016.

each JOP encourages cross-border cooperation operations that aim at both the transfer of best practices and lessons learned from failed practices as well as the experimentation or practice of innovative practices that can help strengthen various forms of local and regional governance, and a better respect for human rights, issues which, through their purpose, lead to democratic consolidation.

In this context, as in the previous financial period, the current three JOPs are viable instruments through which Romania can disseminate and provide expertise in democratic transition in near-border areas and throughout the Republic of Moldova. From the information and documentation process, it is revealed that this type of instruments ensures a much greater visibility of the projects as well as the obtained results. However, it is important to specify that taking into account the specificity of this type of instrument, the promoted expertise comes mainly from the subsidiary (local and county) level of the cooperation area. In addition to the many positive aspects of this kind of cooperation, there are still a number of risks that can jeopardize effective transfer of expertise and of good practice through this type of instruments. Here are three risks:

- the existence of a relatively weak and variable level of democratic culture, especially in terms of respect for the rule of law, strengthening institutional stability, complete implementation of regionalization and decentralization, etc.;
- the lack of a unitary approach in the transfer of expertise with regard to the democratic consolidation of the cooperation area;
- the lack of a national context for the promotion of case studies so as to ensure the application of the principles of differentiation, relevance and suitability to the context according to the specificity of the recipient communities.

To soften these risks, Managing Authorities need to strengthen their analytical capacity and coordination of a mechanism to substantiate and adequately contextualize the types of expertise they offer. The mechanism is also needed to ensure the convergence between the various complementary national instruments managed by other Romanian authorities (for example, ensuring the symbiosis with the Multiannual Strategic Development Cooperation Program, managed by Romania's MFA).

### **3.3. Current approaches of the EU and other international donors (UNDP, World Bank) regarding the determination of the efficiency and effectiveness of delivering specific democratic transition interventions**

In order to ensure the plausibility and effectiveness of interventions that contribute to the democratic transition process of the Eastern Partnership and Western Balkan countries, it is important for the EU to demonstrate that the results achieved are of impact and that they are contributing to institutional and normative convergence. To demonstrate the impact and effects of EU interventions in the two categories of countries, the European Commission Services have developed a comprehensive set of indicators. In the context of the 2014-2020 Multiannual Financial Framework, the European Commission Services have proposed a unitary and integrative approach to the design / definition of indicators for all EU programs. The framework of indicators for this financial period is set out in the General Guidelines on Monitoring, Reporting and Evaluation (MORE)<sup>112</sup>. Complementary to the com-

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<sup>112</sup> See: European Commission, Commission Staff Working Document: Overview of the Monitoring, Reporting and Evaluation Frameworks for the MFF 2014-2020 Programmes, SWD(2014) 200 final, June 24, 2014, available at: [http://ec.europa.eu/smart-regulation/evaluation/docs/swd1\\_2013\\_en.pdf](http://ec.europa.eu/smart-regulation/evaluation/docs/swd1_2013_en.pdf).

mon output and outcome indicators, the approach set out by the European Commission in the General Guidelines for the current Multiannual Financial Framework aims to place greater emphasis on performance indicators.

For example, in the case of ENI, Regulation (EU) No. 232/2014 specifies that indicators need to be predefined, clear, transparent, measurable and specific to each country supported in order to achieve the specific objectives of the cooperation. Thus, they aim at: proper monitoring of democratic elections, respect for human rights and fundamental freedoms, existence of an independent judiciary, cooperation in the fields of justice, freedom and security, corruption, trade flows, gender equality, internal economic disparities<sup>113</sup>. The Regulation specifies that both the relevant EU regular periodic reports on the implementation of the ENI and the relevant indicators established and monitored by the relevant international organizations are used to measure these indicators. Thus, in the ENP, through this approach, the EU is trying to act in concert with other international actors. That is why, in order to ensure leverage, Member States that are demonstrating their interest in implementing the ENP through their own national programs are encouraged to align their own support practices with this approach regarding the determination of efficiency and effectiveness.

In the case of IPA, Regulation (EU) No. 231/2014 sets a much more complex and rigorous approach to defining indicators for monitoring, analyzing and reviewing the performance of pre-accession assistance recipient countries. This approach derives both from the status that the candidate states have obtained in relation to the EU, but also from the experience of the last wave of EU enlargement

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<sup>113</sup> See: Art. 2 par. 3 of Regulation (EU) No. 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighborhood Instrument.

to the countries of Central and Eastern Europe. Thus, for the countries benefiting from the pre-accession assistance, a number of 12 indicators are grouped in the following five areas<sup>114</sup>: democratic consolidation; socio-economic reforms; the transposition of the EU *acquis* into national law; strengthening internal administrative capacity and enhancing regional and territorial cooperation.

At the same time, the performance reward approach was introduced to stimulate deep and irreversible reforms. This approach is applied on the basis of established indicators for each thematic priority for assistance, and the assessment is carried out in two waves, the first in 2017 and the next one in 2020.

In line with the international donors' vision, in December 2013, the European Commission Services published the working document "Preparing the ground for an EU framework on development cooperation results"<sup>115</sup>. Through this working document, the Commission has proposed moving towards an integrated approach that captures the results obtained through performance indicators. This paper discusses the need to strengthen the capacity to monitor, evaluate and report operational results obtained through the implementation of EU-funded projects and programs for development and cooperation. To this end, the document highlights the fact that in the 2014-2020 financial period, a set of indicators grouped on the following four levels is needed for development assistance interventions: (1) global progress on development; (2) outcomes and effects at country or recipient level; (3) organizational effectiveness and (4)

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<sup>114</sup> See: Art. 2 par. 2 of Regulation (EU) No. 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-Accession Assistance (IPA II).

<sup>115</sup> European Commission, (2013), Commission Staff Working Document: Paving the way for an EU Development and Cooperation Results Framework, SWD (2013) 530 final, from 10.12.2013, accessible at: <https://europa.eu/capacity4dev/file/20948/download?token=-VsSvHds>.

organizational efficiency. This approach allows convergence indicators to be used in EU interventions with those of other external donors, especially for the first level, where indicators are internationally agreed. The document puts into question the need for stronger cooperation between Member States and key international donors in clarifying the issues related to attributing changes to EU-funded projects, setting the core values and targets, defining cross-cutting issues and timing monitoring as well as progress and impact assessments.

The approach proposed by the European Commission Services in the field of development cooperation derives from the *MORE* general guidelines. This ensures consistency and complementarity in determining the efficiency, effectiveness, impact and sustainability of interventions implemented through all EU programs. For each policy area, general and specific objectives, main indicators for each objective, monitoring mechanisms, as well as timing and content of the evaluations and reports of each area of intervention are set. Moreover, in April 2014, the European Parliament called for specific, measurable, achievable, relevant and time-bound reference criteria for all the specific programs of the "Europe in the World" objective<sup>116</sup>. These criteria imply both the setting of all categories of development and cooperation interventions objectives in a SMART-specific manner, as well as the obligation to monitor and assess the achievement of objectives with predefined, clear, transparent, measurable and, as the case may be, specific to supported each country indicators<sup>117</sup>. This obligation stems from the fact that

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<sup>116</sup> See: European Parliament decision of 3 April 2014 on discharge in respect of the implementation of the general budget of the European Union for the financial year 2012, Section III – Commission and executive agencies (COM(2013)0570 – C7-0273/2013 – 2013/2195(DEC)).

<sup>117</sup> European Court of Auditors, (2015), Special Report no. 21, Analysis of Risks to a Result-Based Approach for EU Development and Cooperation Actions, pp. 16-17.

the assessments made during the previous financial years found that the European Court of Auditors found inconsistencies between the documents defining the objectives and those defining the associated indicators. Moreover, the European Court of Auditors identified a set of nine risks for a result-oriented approach to EU development and cooperation actions and outlined a series of recommendations on improving guidelines on the use of terminology and the formulation of objectives and indicators. Among other things, the recommendations are aimed at ensuring the availability and quality of data, as well as improving the information system needed for reporting results and integrating learned lessons<sup>118</sup>.

Based on this proposal, the Commission Services have developed, in cooperation with Member States and other donor international organizations, a set of indicators that are specific to reference levels<sup>119</sup>. Thus, the EU Results Framework Indicators, which also contains the set of indicators, was launched at March 26, 2015<sup>120</sup>. In the table below, some of the most relevant indicators set by the European Commission in cooperation with Member States and donor organizations are presented. For the third reference level, the predominance of the performance orientation approach can be noted. It should be specified that this approach is more applicable to third countries all over the world that need support in democratic stabilization. However, elements of this approach are taken up and developed within the ENI and the IPA.

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<sup>118</sup> *Idem*, p. 39.

<sup>119</sup> It should be noted that following the debate on the 2013 proposal, the merger of levels three and four was agreed, in order to ensure greater clarity and consistency.

<sup>120</sup> European Commission, (2015), Commission Staff Working Document: Launching the EU International Cooperation and Development Results Framework, SWD(2015) 80 final, from 26.3.2015, accessible at: [https://ec.europa.eu/europeaid/sites/devco/files/swd-2015-80-fl-staff-working-paper-v3-p1-805238\\_en\\_0.pdf](https://ec.europa.eu/europeaid/sites/devco/files/swd-2015-80-fl-staff-working-paper-v3-p1-805238_en_0.pdf).

**Table 2 – EU Framework on Results of Development Cooperation**

Reference level	Denominator	Example of relevant indicators
<b>Level 1: Development Progress</b> It gives an overview of progress on long-term development. (impact - cannot be attributed to EU programs and projects)	<ul style="list-style-type: none"> <li>– Reducing poverty</li> <li>– Good governance, democracy and human rights</li> <li>– Sustainable and inclusive growth</li> </ul>	<ul style="list-style-type: none"> <li>– Rule of Law Average Score*</li> <li>– Corruption Rate Average Score *</li> <li>– Opinion and public accountability average score*</li> </ul> <p>* measured by the Global Governance Index</p>
<b>Level 2: Results</b> Monitoring EU's direct contribution to achieving country results. (results and effects)	<ul style="list-style-type: none"> <li>– Good governance, democracy and human rights</li> <li>– civil society, rule of law, public management, connection between development and security</li> <li>– Sustainable and inclusive growth</li> <li>– health, education, agriculture and food security, natural resources, environment and climate change, energy, transport, water and sanitation, telecommunications, employment, private sector development, trade and regional integration</li> </ul>	<ul style="list-style-type: none"> <li>– Number of human rights defenders who received EU support</li> <li>– Number of EU-backed elections where the election process is perceived by independent observers as free and fair</li> <li>– Number of persons directly benefiting from justice, rule of law and security reform programs funded through EU external assistance programs</li> <li>– Number of persons directly benefiting from EU-supported legal aid programs</li> </ul>
<b>Level 3 Organizational effectiveness and efficiency</b> Do EU interventions generate performance in achieving effective outcomes?  Does the EU effectively manage capacities, resources and change processes?	<ul style="list-style-type: none"> <li>– Quality at the start and finish of the intervention</li> <li>– Performance Portfolio and Reimbursement Rates</li> <li>– Sharing knowledge and development capacity</li> <li>– Adjustment to strategic agendas, aid effectiveness commitments (eg. sectoral concentration, joint programming)</li> <li>– Budgetary efficiency</li> <li>– Human Resources</li> <li>– Internal reforms</li> </ul>	<ul style="list-style-type: none"> <li>– Share of satisfactory-assessed project documents (annually)</li> <li>– Share of difficult projects (signaled in red) that are showing progress in implementation</li> <li>– Share of difficult projects (red-flagged) that have achieved their goals</li> <li>– International cooperation and development assistance to a committed EU (value and share of the budget executed from the allocated budget)</li> <li>– Share of bills paid within 30 days in international cooperation and EU development assistance</li> </ul>

Source: European Commission SWD(2013) 530 final and SWD(2015) 80 final.

In the context of the entry into force of the new legislative (Law no. 2013/2016) and normative framework on the establishment, organization and functioning of the International Development Cooperation Agency – RoAid (GD no. 1006/2016), it is needed that the approach to determining the efficiency and effectiveness of delivering specific development assistance interventions in a democratic transition to govern the way in which development assistance is provided in supported countries. Therefore, RoAid should adapt the processes of formulating the intervention objectives, based on robust analysis and evidence that can demonstrate, using sets of indicators, the baseline and desired status. To this end, RoAid needs to strengthen its information and analysis system in order to be able to provide evidence on the effectiveness, efficiency and impact of interventions supported in the Western Balkan and Eastern Partnership countries.

## **Chapter 4 – Romania as a Provider of Expertise in Democratic Transition: an Overview of Democratic Variations within the Strategic Neighborhood**

### **4.1. The EU regulatory framework for providing assistance for the democratization of Eastern Partnership and Western Balkan countries**

The defense of the rule of law has become an omnipresent concept in the public discourse of recent years, especially in Central and Southeast Europe, being used especially in the context of the international community's involvement in the democratization of the region after the fall of the Berlin Wall<sup>121</sup>. Correlated to the great conceptual family surrounding democratic consolidation, the rule of law principle has gradually become a dominant organizational model of constitutional law and modern international organizations (including the United Nations and the Council of Europe), regulating the exercise of public authority prerogatives. "By applying this principle, it is ensured that all public authorities act within the limits set by law, in accordance with the values of democracy and fundamental rights, and under the control of independent and

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<sup>121</sup> CAROTHERS, T., *Aiding democracy abroad*. New York, New York: Carnegie Endowment, 1999.

impartial courts of law"<sup>122</sup>. These principles include legality, involving a transparent, accountable, democratic and pluralistic process for the adoption of laws, legal security; prohibiting the arbitrary nature of executive powers, independent and impartial courts, effective judicial control, including respect for fundamental rights and equality before the law. Both the Court of Justice and the European Court of Human Rights (ECHR) have confirmed that these principles are not just formal and procedural requirements. These are the instruments for ensuring compliance with the values of democracy and human rights and for respecting these values. The rule of law is therefore a constitutional principle with both formal and substantive components.

Many of the studies on democratic transitions in Southeast Europe mention the intrinsic link between the degree of democracy consolidation and the degree of independence of the legal system. Pridham draws attention to the link between EU requirements and the prerequisites for achieving a strengthened democracy with an emphasis on institutional capacity<sup>123</sup>. Defined by Mendelski, the rule of law implies "the implementation of predictable, effective and legal decisions and compliance with rules that constrain governments"<sup>124</sup>. Creating a rule of law system in a country is a complex process, often involving fierce struggles between supporters of reforms (that act as agents of change) and opponents of reforms (who receive rewards precisely from maintaining the *status-quo* in a partisan, non-transparent way, benefiting from a corrupt

<sup>122</sup> COM/2014/0158 final.

<sup>123</sup> PRIDHAM, G., *Designing Democracy: EU Enlargement and Regime Change in Postcommunist Europe*. Houndmills, Basingstoke, Hampshire; New York: Palgrave MacMillan, 2005.

<sup>124</sup> MENDELSKI, M., "Europeanization and the Rule of Law: Towards a Pathological Turn", *Southeastern Europe* 40 (2016), pp. 346-384.

legal system serving particular interests, to the detriment of public interest)<sup>125</sup>. The literature on Europeanization also argued that the EU has transformative effects, especially acting as a democratizing agent for the candidate countries<sup>126</sup>. In analyzing the role of the EU as a democratization agent, emphasis was placed on monitoring the effects of the Europeanization process on the quality of democracy in the candidate countries.

Therefore, discussion about measuring or analyzing the process of democratization also includes essential indicators of the rule of law. Respect for the rule of law is thus intrinsically linked to respect for democracy and fundamental rights: there can be no democracy and respect for fundamental rights without respect for the rule of law and vice-versa. Fundamental rights are effective only if they can be invoked before a court. Thus, from a legal perspective, democracy is protected (and sufficiently consolidated or in course of consolidation) if the fundamental role of the jurisdiction, including that of constitutional courts, can ensure freedom of expression, freedom of assembly and respect for the rules that govern the political and electoral process. It has become a measurable indicator, but not less questionable.

The rule of law is often referred to in the specialty studies as the "backbone of modern constitutional democracy". It is one of the founding principles that converge from the constitutional traditions common to all EU Member States and as such is one of the main values on which the EU is based. This is recalled in Article 2 of the

<sup>125</sup> MENDELSKI, *Ibidem*, p. 342.

<sup>126</sup> SCHIMMELFENNIG, F. and SEDELMEIER U., (eds) *The Europeanization of Central and Eastern Europe*. Ithaca: Cornell University Press, 2005; VACHUDOVA, M. A., *Europe Undivided: Democracy, Leverage and Integration after Communism*. Oxford: Oxford University Press, 2005; Grabbe, H. "Six lessons of enlargement ten years on: the EU's transformative power in retrospect and prospect". JCMS: Journal of Common Market Studies, 52(S1), 2016, pp. 40-56.

Treaty on European Union (TEU) as well as in the preamble to the Treaty and the EU Charter of Fundamental Rights. This is also the reason why, in accordance with Article 49 of the TEU, respect for the rule of law is a prerequisite for EU membership. Together with democracy and human rights, the rule of law is also one of the three pillars of the Council of Europe and is enshrined in the preamble to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). The quantitative assessments of respect for the rule of law come from the American NGO Freedom House, which annually presents a "Judicial Framework and Independence" index for a number of Central and Eurasian states<sup>127</sup>.

The way of implementing the rule of law at national level has fundamentally determined the processes of democratic transition of the Eastern Partnership and Western Balkan states. Specialist literature abounds in reporting multiple threats to the rule of law, which become an obstacle to Europeanization<sup>128</sup>. Recent events in some countries have shown that a lack of respect for the rule of law and, consequently, the fundamental values that the rule of law wants to protect can become a serious cause for concern. In this context, Romania's role as a regional actor in the Black Sea deserves more attention.

Slips in democratic principles are widespread across the region. Even if accession to the EU was a good occasion for the internal fight against corruption and the strengthening of the rule of law in Romania, external pressure is not enough, ensuring the continuity of the process being given by citizens and their degree of

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<sup>127</sup> "Nations in Transit" 2016 Report, Freedom House, available at: [https://freedomhouse.org/sites/default/files/FH\\_NIT2016\\_Final\\_Fweb.pdf](https://freedomhouse.org/sites/default/files/FH_NIT2016_Final_Fweb.pdf).

<sup>128</sup> ELBASANI, A (ed.), *European Integration and Transformation in the Western Balkans: Europeanization or Business as Usual?*, Abingdon: Routledge, 2013, pp. 3-22.

involvement in public life. The rule of law is of fundamental importance to the EU. Strengthening institutional capacity at central and local level is a key element in the political conditionality to be a member state. All current candidate states are monitored annually in the progress report of the European Commission on the specific issue of strengthening the rule of law. Against this background, as it was redefined in the new enlargement strategy launched in 2012, the EU puts a special emphasis on such issues as: the independence of justice and the strengthening of democratic mechanisms, including a balanced and correct relationship between state powers; increasing citizens' confidence in democratic institutions; their efficient operation in the service of the people; more integrity and transparency; encouraging citizen participation; but also on promoting sustainable and predictable rules.

Strengthening democracy and the rule of law thus becomes a very sensitive process because the efficiency of public authorities, as well as the proper functioning of the entire structure of the state, depend fundamentally on the quality of the political environment. Respect for the rule of law is directly related to the independence of the judiciary, as well as to the efficiency of the anti-corruption fight, which, besides its economic implications, also has multiple social and mental connotations. It has been analyzed over the years through the following indicators:

- Combating corruption;
- Public administration reform;
- Strengthen transparency of party funding and accountability of elected candidates;
- Freedom of mass-media;
- Reform in the Justice sector, in particular reforms that ensure the independence, efficiency, transparency and accountability of the judiciary;

- Economic Development and ensuring a functioning market economy;
- Strengthening dialogue with civil society.

These are also the main elements that appear as reference frameworks into the monitoring reports of the European Commission<sup>129</sup>.

The Copenhagen Criteria do not explicitly mention the reform of the judiciary, but in 1995, certain provisions have been introduced in Madrid. Brussels officials have taken note of the fact that the development of an independent judiciary is an essential feature for countries undergoing a democratic consolidation, as it is a solid foundation for the country to leave aside the authoritarian tradition. In this perspective, the reform of the judicial systems is undoubtedly fundamental in the transition and consolidation of these new democracies. Most of the time, the independence of justice refers to the relationship between judicial and political institutions, especially relations with the executive. As far as the independence of judges is concerned, this implies the adoption of certain legislation to protect them from any kind of influence.

International actors involved in development assistance actions will ensure that post-conflict or transition societies will remain in a kind of sustainable peace in order to prevent the emergence of a new conflict. The principle of respect for the rule of law is essential for both purposes, and the presence of independent justice is essential to measure progress on respect for the rule of law in a society. Magalhaes highlights the link between the judiciary and the political class in the context of new democracies. Hence, justice reforms are determined by the strategies of political actors trying to

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<sup>129</sup> European Commission, Communication from the Commission to the European Parliament and the Council "A new framework for the rule of law", COM / 2014/0158 final, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014DC0158&from=RO>.

"maximize the congruence of their interests and the indirect protection guaranteed by justice"<sup>130</sup>.

### The Role of the EU in Strengthening the Rule of Law

International development cooperation is only one of the instruments that can be used to prevent or mitigate the consequences of global challenges, including the degradation of the rule of law. Just as a reaction to the crisis of refugees, illegal immigration and humanitarian crises, we have lately seen at EU level the growth and diversification of development cooperation instruments. New instruments are put in place, which can provide a rapid joint – political and financial – response to certain crisis situations.

In recent years, the European Commission has paid special attention to the three pillars of the rule of law, economic governance and public administration reform. In 2012, in its Communication on the Enlargement Strategy<sup>131</sup>, the Commission introduced a new approach to the rule of law. In its Communication of 2013<sup>132</sup>, the Commission has established a framework for the strengthening of economic governance, which is based on the experience of the European Semester. In 2017, the Commission presented new ideas aimed at supporting public administration reform in the countries involved in the accession process. There is a close link between the three pillars, and progress in these areas will be crucial to determining when the concerned countries will be fully prepared to join the EU.

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<sup>130</sup> MAGALHAES, Pedro C., "Politics of Judicial Reform in Eastern Europe", *Comparative Politics*, XXXII (1999), pp. 43–62.

<sup>131</sup> COM(2012) 600 final, available at: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2012/package/strategy\\_paper\\_2012\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2012/package/strategy_paper_2012_en.pdf).

<sup>132</sup> COM(2013) 700 final, available at: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2013/package/strategy\\_paper\\_2013\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2013/package/strategy_paper_2013_en.pdf).

The Enlargement Strategy presented by the European Commission in 2012 explicitly identified "good governance, rule of law, administrative capacity, unemployment, economic reforms and social inclusion" as major challenges in the accession of the Western Balkans<sup>133</sup>. Europeanization theorists consider that the most important tool to exert influence that the EU has is its enlargement policy and the use of so-called "active leveraging"<sup>134</sup> (active leverage system), which requires national political elites to implement reforms based on EU standards. Accession policy and foreign policy instruments were first tested by the EU in the peace-keeping missions in Bosnia and Macedonia. The year 2003 was an emblematic one for the region because it marked the moment when the prospect of accession was opened to the states of the former Yugoslavia and Albania, following the Thessaloniki European Council. EU's conditions for the Balkans include a strong focus on the "good governance" criteria, the rule of law, an independent legal system, effective public administration, the fight against corruption and organized crime, the development of civil society and press freedom<sup>135</sup>. The EU has used conditionality to encourage convergence of candidates in different policy areas, institutional adaptation and promotion of rights. This has led to the premise that the enlargement process is essential to strengthening political and

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<sup>133</sup> COM(2012) 600 final, available at: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2012/package/strategy\\_paper\\_2012\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2012/package/strategy_paper_2012_en.pdf).

<sup>134</sup> VACHUDOVA M. A. "The Leverage of International Institutions on Democratizing States: Eastern Europe and the European Union", Robert Shuman Center, EUI Papers, 2001/33.

<sup>135</sup> The European Commission's new approach, proposed in 2011, expects the Balkan countries to advance in the reforms of the rule of law, to achieve positive results and to adopt inclusive processes (supporting parliaments, civil society and other relevant stakeholders) to support of their national efforts for European integration.

economic stability in the region. Subsequently, the political evolution of these states has shown that meeting the requirements for EU membership does not guarantee the maintenance of the quality of democracy.

As part of its Enlargement Strategy, the Commission reaffirms its strong emphasis on "the priority approach to fundamental principles" in the accession process. The essential aspects of the rule of law, fundamental rights, consolidation of democratic institutions, including public administration reform, as well as economic development and competitiveness remain the main priorities. Progress is being made, particularly with regard to the adoption of relevant legislation and the creation of the necessary administrative structures. However, very often, effective implementation at all levels is lacking<sup>136</sup>.

From an endogenous point of view, strengthening the democratic transition is also essential, this involving strengthening institutional capacity at central and local level<sup>137</sup>. Many researchers have begun to develop critical views on the role of the EU as a vital force for reforming the state in the Western Balkans region<sup>138</sup>.

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<sup>136</sup> European Commission – Press release: "Western Balkans and Turkey: enlargement process key to strengthened economic and political stability in the region", November 10, 2015, available at: [http://europa.eu/rapid/press-release\\_IP-15-5976\\_en.htm](http://europa.eu/rapid/press-release_IP-15-5976_en.htm); European Commission, Commission Communication "Enlargement Strategy and Main Challenges 2014-2015", COM (2014) 700 final of October 8, 2014, available at: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2014/2014\\_1008-strategy-paper\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2014/2014_1008-strategy-paper_en.pdf).

<sup>137</sup> VOLINTIRU, C. et al. (2017), *Preventing Corruption and Promoting Public Ethics at the Local and Regional Level in Eastern Partnership Countries*. European Committee of the Regions. HUGHES, J. et al (2005). *Europeanization and Regionalization in the EU's Enlargement to Central and Eastern Europe*. Palgrave Macmillan, a division of Macmillan Publishers Limited.

<sup>138</sup> RICHTER, S. (2012), "Two at one blow? The EU and its quest for security and democracy by political conditionality in the Western Balkans", *Democratization* 19(3), pp. 507-534.

Promoting democracy, the rule of law and human rights are part of the central goal of EU's foreign policy, based on the common values of Member States. After the fall of the communist regimes in the early 1990s, the EU helped consolidate the democracies of the East and Central Europe through the integration process that ended in 2004 and 2007/2013, respectively. The conditionality policy defined by the EU in the enlargement process has provided EU membership as a reward for consolidating democracy. The positive outcome of European integration in the former communist states has created great expectations for the EU to replicate the model in other neighboring areas – in the Western Balkans and in former Soviet states such as the Republic of Moldova, Ukraine or Georgia. Many authors have argued in recent years that the EU's democracy promotion model has reached its limits<sup>139</sup>. The reasons for this apparent failure or at least another pace of normative transfer of the democratic transition in the two neighboring areas of the EU are related both to the crises in the EU and to the specific problems of the states in the two regions.

In 2015, the Commission introduced a reinforced approach to its assessments of the fundamental principles and related chapters of the *acquis*. Currently, the comprehensive enlargement strategy is multiannual, covering the Commission's mandate. In addition to reporting on the progress made, much emphasis is placed on the readiness to assume the obligations associated with the status of Member State. At the same time, the reports provide clearer guidance on what countries are expected to do both in the short and long term. Harmonized scales are used, as they increase comparability between countries and improve the transparency of the

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<sup>139</sup> FREYBURG, T.M., LAVENEX, S., SCHIMMELFENNIG, F., SKRIPKA T., WETZEL, A. *EU Democracy Promotion by Functional Cooperation: The European Union and Its Neighbourhood*, 2015, London: Palgrave Macmillan.

accession process. This should facilitate closer monitoring of reforms by all stakeholders<sup>140</sup>.

## 4.2. The quality of democracy in the Balkans and the Eastern Partnership

In order to understand the context in which Romania has become a provider of expertise in the democratic transition of the countries in the region, we must first establish its trajectory in the process of democratization and transition. In the Central and Eastern European states we have two simultaneous typological markers. On the one hand, these states are "new democracies" resulting from a process of changing a totalitarian or authoritarian regime and the subsequent effort to place them within the framework of a democratic regime. The internal context of the new European democracies carries a profound imprint of this process of democratic formation, distinct from that of Western democracies strengthened by practice and the passage of time. The timing and sequencing of the formation of the political system in the new democracies makes their political parties have a different genesis too<sup>141</sup>. This genesis, simultaneous with the formation of the separation of powers and the administrative apparatus specific to the democratic context, makes the democratic transition in the new democracies have different performance and challenges. A first example of this is the weak resistance of public institutions to political interference because the state apparatus has been restructured when the new political agents were established and has not preceded them, providing the

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<sup>140</sup> European Commission, Fact Sheet "What's new in the 2015 enlargement package?", MEMO/15/6040, available at: [http://europa.eu/rapid/press-release\\_MEMO-15-6040\\_en.htm](http://europa.eu/rapid/press-release_MEMO-15-6040_en.htm).

<sup>141</sup> VAN BIEZEN, I., *Political parties in new democracies: Party organization in Southern and East-Central Europe*. Springer Publishing, 2003.

neutral bureaucratic framework for the Weber model that Western European democracies benefited from.

The second typology that characterizes Romania alongside the other states in Central and Eastern Europe is that of post-communist countries. The specificity of transition from a communist to a democratic regime adds a set of distinctive features to other European democracies. In the case of the southern European countries, for example, the transition to democracy started on the one hand from an authoritarian regime – whose political effects on the bureaucratic apparatus were lower, and on the other hand it was earlier than in the case of communist states – which gave them a valuable additional period of consolidation during the convergence process with the EU. In the case of the post-communist states, there is a persistent challenge regarding the detachment from the communist legacy of the interference between the single party and the state apparatus. In the first stage of the transition, the literature speaks of the "hollow crown" phenomenon in terms of the executive or the central government, as the decision-making power continues to be concentrated at the level of the political organizations of the governing parties<sup>142</sup>. These communist legacies are often effectively counterbalanced by integrationist levers, yet they have strong effects on the domestic context at institutional or political level<sup>143</sup>. The promoters or opposers of the reforms that facilitated the process of transition in the first phase and that of subsequent consolidation were the post-communist political parties, many of them having direct or indirect links with the political structures of the old regime. The decisions of these "successor parties" regarding democratic reforms at the electoral and governmental level have had a significant impact on the subsequent evolu-

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<sup>142</sup> DIMITROV, V. et al. (2006). *Governing after communism: Institutions and policymaking*. Lanham (MD): Rowman & Littlefield.

<sup>143</sup> POP-ELECHES, G. (2007). "Historical legacies and post-communist regime change". *Journal of Politics*, 69(4), pp. 908-926.

tion of democracies in Central and Eastern Europe<sup>144</sup>. Moreover, the negative effects of resistance to the reform process through political cartelization<sup>145</sup> or the capture of the state<sup>146</sup> have greatly affected the political stability and the quality of governance in the region.

In this context, Romania appears with a mixed balance sheet, 25 years after the transition to democracy. Although nominated as a "laggard" in the region (alongside Bulgaria)<sup>147</sup>, with a late adherence to the wave of new democracies in the Central and Eastern European region and with many deficits at the institutional reforms level, it has nevertheless achieved some remarkable performance.

Firstly, Romania has the highest degree of political stability in the region, judging by the sustainability of its main political actors (party age)<sup>148</sup>, thus recovering from a large handicap since the beginning of the democratic period, when it registered one of the highest degrees of political instability<sup>149</sup>.

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<sup>144</sup> GRZYMALA-BUSSE, A. M. (2002). *Redeeming the communist past: The regeneration of communist parties in East Central Europe*, New York: Cambridge University Press.

<sup>145</sup> KRAŠOVEC, A., and HAUGHTON, T. (2011). "Money, organization and the state: The partial cartelization of party politics in Slovenia". *Communist and Post-Communist Studies*, 44(3), pp. 199-209.

<sup>146</sup> GRZYMALA-BUSSE, A. (2007). *Rebuilding Leviathan: Party competition and state exploitation in post-communist democracies*. Cambridge University Press; GRZYMALA-BUSSE, A. (2008). "Beyond clientelism: Incumbent state capture and state formation". *Comparative Political Studies*, 41(4-5), pp. 638-673; INNES, A. (2014). "The political economy of state capture in Central Europe". *JCMS: Journal of Common Market Studies*. 52(1), pp. 88-104 DIMITROV, V. (2012). *The Central and East European countries: From weak latecomers to good citizens of the Union*. London: Palgrave Macmillan.

<sup>147</sup> DIMITROV, V. (2012). *The Central and East European countries: From weak latecomers to good citizens of the Union*. London: Palgrave Macmillan.

<sup>148</sup> HAUGHTON, T. and DEEGAN-KRAUSE, K. (2015). "Hurricane Season: Systems of Instability in Central and East European Party Politics". *East European Politics and Societies*, 29(1), pp. 61-80.

<sup>149</sup> POWELL, E. N., and TUCKER, J. A. (2014). "Revisiting electoral volatility in post-communist countries: New data, new results and new approaches". *British Journal of Political Science*, 44(1), pp. 123-147.

Secondly, Romania has seen positive trends on the temporal axes of various democratic quality indices. Although it started again from lower scores than other member states in the region, Romania's positive dynamics have continued over the last decade, while the rest of post-communist democracies have experienced large fluctuations. Much of this fluctuation is due to the rise of various extremist or Euroskeptical parties to power, thus triggering various reforms that have affected the quality of the rule of law and the quality of the deliberative process in the respective countries (eg. Hungary, Poland). In short, Romania appears as a positive example, and also accessible or similar to non-EU states in its strategic neighborhood; the country had, and still has, challenges to overcome in maintaining the key coordinates of the democratic process, but has evolved over the last decades and has made these advances in a consistent manner.

**Table 3 – Electoral Volatility in Central and Eastern Europe (1989-2009)**

Country	Average Volatility Type A (based on entry / exit of political formations)	Average Volatility Type B (based on change of voting options)	Total Average Volatility
Romania	38	7	46
Slovakia	50	9	59
Republic of Moldova	36	10	46
Czech Republic	15	11	27
Hungary	13	14	26
Lithuania	56	14	69
Slovenia	35	15	49
Bulgaria	22	17	39
Latvia	34	17	50
Estonia	30	17	47
Poland	28	18	46

Source: Powell and Tucker 2014

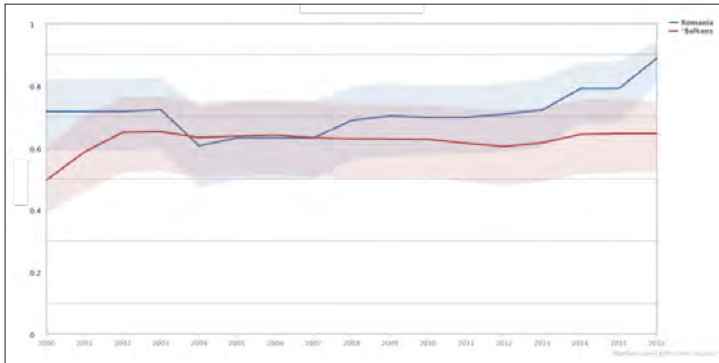
In order to place the democratic consolidation performance of Romania in relation to its neighbors, we will refer to the most extensive database available to date: Varieties of Democracies Dataset (V-Dem). As a result of an international partnership of Gothenburg University, the Kellogg Institute and others, this new instrument for measuring democratic quality in a country overcomes its existing counterparts (eg Nations in Transit, World Bank, etc.) by thematic and temporal exhaustiveness. Upgraded this year to version 7.1 on which the figures below are based, V-Dem incorporates democracy indicators for 13 selected countries and a time span from 1900 to the present.

V-Dem allows us to analyze five dimensions of democratic statehood: electoral democracy index, liberal democracy index, deliberative democracy index, egalitarian democracy index, and participatory democracy index. We then selected those dimensions or indicators within each index that Romania performs better than the states in its strategic neighborhood. The analysis is structured separately for the Balkan states and for the Eastern Partnership because of the regional transition specificities and the current context in which they are found (as detailed above).

From the extended set of indicators, at the level of Romania's relationship with the Balkan states, we extracted a relevant subset for this analysis for the period 2000 up to the most recent values (for 2016). From the index of the quality of electoral democracy, we present below the evolution on the general dimension of the "clean elections" index and the "free and fair elections" sub-category. The "clean elections" index reflects on a scale of 0 to 1, illustrating the absence of electoral fraud, systematic procedural irregularities, intimidation exercised by the government against the opposition, vote-buying, or electoral violence. In the subcategory of the "free and fair elections" indicator, we have a possible scale from 0 (when

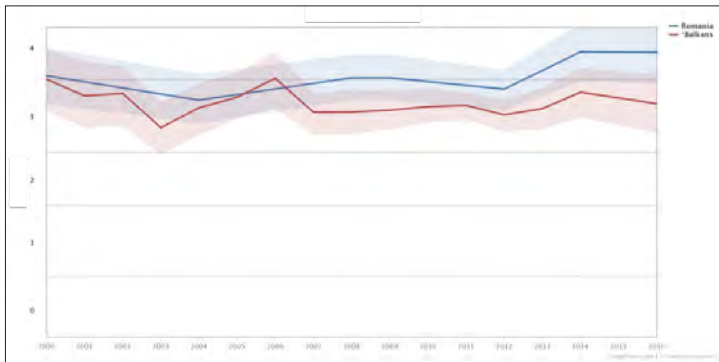
the elections were not free and democratic) to 4 (the elections were free and democratic, any existing irregularities being unintentional and associated with the human error). In both cases it can be noticed how, in relation to the Balkans region as a whole, Romania has a higher and rising score over the last years.

**Figure 4 – Elections without incidents in the Balkans and Romania (2000-2016)**



Source: Coppedge, M. et al 2017. "V-Dem [Country-Year/Country-Date] Dataset v7.1, Varieties of Democracy (V-Dem) Project

**Figure 5 – Free and Democratic Elections in the Balkans and Romania (2000-2016)**



Source: Coppedge, M. et al 2017. "V-Dem [Country-Year/Country-Date] Dataset v7.1", Varieties of Democracy (V-Dem) Project

If we look at the level of the Balkan states that can benefit from Romania's expertise in the field of electoral democracy, we can see a predominant trend of stagnation or regression, with the exception of Albania and Kosovo. Even at the level of these two states the positive evolution is a recent one and one can observe the disparities in the tendencies of each Balkan state. In this respect, Romania's positive evolution, especially after 2010, can serve as an example for countries that have regressed on this analytical dimension, such as Montenegro or Serbia. At the level of the free and democratic election indicator, Romania is detached from the Balkan states with a pronounced positive evolution over the last years (see Fig. nr 7, Annex). As we have argued before, the Balkan states should be assisted to overcome the current traps of a process of "Europeanization without democratization"<sup>150</sup>. Romania can thus use innovative diplomatic aid tools<sup>151</sup>.

If we look at the level of the Eastern Partnership states that can benefit from Romania's expertise in the field of electoral democracy, we can see a more heterogeneous situation than in the case of the Balkans. Thus, at the level of the eastern periphery of the EU, we are dealing with states that have made substantial progress in consolidating democratic electoral practices, such as Georgia. On the opposite side, we also find the cases of Belarus and Azerbaijan, whose autarchic regimes are in contradiction with many of the elements that determine the quality of electoral democracy. Thus,

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<sup>150</sup> BĂRBULESCU, I. Gh. and TRONCOTĂ, M., "EU's 'Laboratory' in the Western Balkans. Experimenting Europeanization without Democratization. The Case of Bosnia and Herzegovina", *Revista Española de Ciencia Política*. No. 31, March 2013, pp. 63-99.

<sup>151</sup> See more in CERCEL M.O. and SĂFTESCU R.G., "Digital Diplomacy- Perspectives and Impact on Traditional Diplomatic Practices-Case Study: Digitization Impact on Romanian and Belgian National Diplomatic System", *International Journal of Social Sciences and Education Research*, Vol. 1, No. 2, pp. 385-398.

they are stagnating at a much lower level of the values of the "free and fair elections" (see Fig. nr. 8, Annex) and "clean elections" indicators (see Fig. nr 9, Annex)).

In relation to the Balkan countries, Romania also has a better performance on other key axes of consolidation of democratic quality. For example, in terms of anti-corruption, both at qualitative level, in interviews with experts from the region, as well as at the level of perception indicators, Romania's evolution over the last years turns it into a regional model. Figure nr 10 (Annex) illustrates Romania's track record of judicial decisions in corruption cases – from the least satisfactory, compared to its Balkan neighbors at the beginning of the period, to the moment when it registered the highest values of the indicator in the reference region since 2007.

The OECD report on the fight against corruption in Central and Eastern Europe and Central Asia in 2016 shows that at the level of this enlarged region, EU Member States have indeed achieved greater performance than non-member states<sup>152</sup>. In this context, however, it is mentioned that Romania's performance is dependent on the punctual performance of certain institutions or persons, and there is no broad consensus at the level of the political class regarding the unconditional and proactive support for the institutional reforms to prevent and eradicate the corruption phenomenon.

Regarding the institutional framework in which Romania can play a role in providing expertise to the Balkan states, one of the main platforms is the *Regional Anti-Corruption Initiative* (RAI). This is a

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<sup>152</sup> OECD, "Fighting Corruption in Eastern Europe and Central Asia Anti-Corruption Reforms in Eastern Europe and Central Asia: Progress And Challenges 2013-2015", Paris 2016, available at: <https://www.oecd.org/corruption/acn/Anti-Corruption-Reforms-Eastern-Europe-Central-Asia-2013-2015-ENG.pdf>.

regional intergovernmental cooperation organization whose member states include Romania, Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, the Republic of Moldova, Montenegro and Serbia.

At the level of the Eastern Partnership states, there is another set of informal convergence and institutional reform levers in which Romania plays an important role in providing expertise in the regional network (see Fig. nr 11, Annex). One such example is the Istanbul Anti-Corruption Action Plan (IAP) developed and monitored by the OECD through the OECD Working Group on Bribery at the level of the Anti-Corruption Network (ACN). During the expansion of the IAP, for the 2016-2019 period, the OECD develops a package of programs that put Romania's acquired experience in the forefront as a provider of expertise for the Regional Network (ACN). Thus, from the National Anti-Corruption Agency (DNA) in Romania, Prosecutor Anca Jurma presides over the Law Enforcement Network LEN through which the OECD aims to exchange best practices at regional level and specific projects as those for the strengthening of institutional capacity of the Ukrainian institutions. Among the Ukrainian institutions involved in the provision of expertise through the LEN are the National Anti-Corruption Bureau (NABU) or the Business Ombudsman – an institution introduced in Ukraine with the assistance of the European Bank for Reconstruction and Development (EBRD).

### **4.3. The economic links of the Western Balkan and the Eastern Partnership countries**

According to the analytical model proposed in this study, the elements that provide the links with major powers in the world can greatly influence the transition and democratic consolidation path

of a state. The analysis of the states in Romania's strategic neighborhood supports this element of the specificity of the dual and simultaneous transition to a democratic political regime and to a market economy. Mirroring this, the mechanisms of external conditionality and the levers that world powers exert on developing countries are, in turn, dual in terms of democratization and development. Although the literature offers contradictory information on the impact of economic development on democratic quality in a country (see the Modernization Theory debate), the influence of economic ties with third countries remains a defining one for the democratic trajectory of a state.

In order to further measure the weight of these economic ties in terms of foreign direct investment (FDI) or trade flows, we assess below the degree of economic development of the states in Romania's strategic neighborhood in terms of Gross Domestic Product (GDP) analyzed as a total value in millions of dollars.

At the level of the Balkan states, as well as at the level of the Eastern Partnership, one can observe the clear economic dominance of the largest economies in each region (in terms of GDP): Serbia and Ukraine respectively (see Fig. Nr. 12, Annex) Their values are far from those of other countries, even though they have recorded an economic downturn in recent years. In the Balkans, the situation is much more similar between states in terms of development trajectories, with all countries showing sustained annual growth up to the 2008 economic crisis. However, the subsequent decline is relatively small, with a stagnation rather than a downward trend. Serbia has seen higher fluctuations since 2008 so far, but remains at a level of GDP roughly equal to that of all other countries in the region.

As for the Eastern Partnership countries, their economic situation is far more fluctuating and less related to the 2008 economic crisis. Indeed, the whole reference region has sustained annual

economic growth until 2008, when all countries registered a decline (see Fig. nr 13, Annex). However, the subsequent trajectories start to differ. The economy of Ukraine was on an ascending path until the internal conflict of 2013, which resulted in a halving of its GDP by 2016. Azerbaijan and Belarus are experiencing a similar dynamics with the rebound and ulterior decline, but the decline occurs later than in the case of Ukraine, starting in 2014, this suggesting regional contagion effects and the existence of significant economic interdependencies. Armenia, Georgia and the Republic of Moldova register the lowest levels of GDP in the region, with cumulative value less than Azerbaijan or Belarus placed alone. However, these three countries have a relatively constant dynamics throughout the 2000-2016 reference period, suggesting a greater detachment from regional security issues and from their main actors (eg Ukraine, Russia) (see Fig. nr 15, Annex).

The relevance of foreign direct investment is relatively high in all Balkan economies, but fluctuates significantly over the 2000-2016 study period. Moreover, as of 2016, we do not have data for Serbia, and for the years 2000 and 2001, we do not have data for Montenegro. Of all the Balkan states, over the whole study period, the highest economic dependence on foreign direct investment can be seen in the case of Montenegro, where as of 2009 they reached the maximum of 32.4% of that country's GDP. As main sources of foreign direct investment in the Balkans, we observe the main Western economies. For example, for Serbia, in 2015, 13.8% of FDIs came from Italy, 12.2% came from the USA, 11.8% from Austria, 8.4% from Greece, 7% from Norway, 6.9% from Germany and 5.1% from France. Regarding the number of projects, in both Serbia and the other Balkan states, there is a much greater exposure of neighbors than of other investors. Thus, Slovenia is first in terms of FDI-financed projects (see Fig. nr 15, Annex).

Concerning the Eastern Partnership countries, we notice that in the case of the Balkan countries a significant contribution of FDI in GDP. The most spectacular contribution was made by foreign direct investment in the case of Azerbaijan where, in 2003 and 2004, they accounted for more than half of the country's GDP. Their share subsequently declined to around 12% in 2016, but Azerbaijan remains the country with the largest contribution of FDI to GDP in the region. In recent years, one of the main sources of FDI in Azerbaijan was Turkey, along with other European economies such as the Netherlands or the UK. Although we do not have data for 2016, Georgia's case, we can also see a high level of FDI in GDP. At present, we can see a reversion, in 2015's FDI in Georgia represent 11.2% of its GDP, approaching the peak values registered for the 2000-2016 study period in this country (18.5% in 2007), before the economic crisis.

As important political and economic actors on the world stage, the influence of China and that of the Russian Federation in the Western Balkans and the Eastern Partnership is not negligible. As can be seen from the graphs above, Russia has a strong commercial and economic anchor role in broad terms on the former Eastern Partnership satellite-countries. If this relationship is largely based on a bilateral historic relationship, China's influence is much more recent, derived from the current economic context. Its economic relationship with the countries of Central and South-Eastern Europe is strengthened through structured collaboration initiatives such as the 16+1 platform launched in 2012 that includes, besides the EU's Central and Eastern European countries, the Balkan states: Albania, Bosnia-Herzegovina, Macedonia, Montenegro and Serbia.

Many EU Member States have suffered a wide range of austerity measures in the context of the economic crisis. These measures have resulted in a low level of public investment at national level. In this context, Chinese capital has been a strong attraction factor for many

of the states at EU's periphery, be it EU members (eg Greece, Italy) or Western Balkan countries (eg Serbia, Montenegro), and some of the Eastern Partnership countries (eg Belarus, Georgia). At EU level, FDI from China are mostly concentrated in the UK – about €15 billion, Italy – about €11 billion, France – about €9 billion and Germany – about €8 billion<sup>153</sup>. These values are gathered over the 2000-2015 timeframe. In the years after the economic crisis, FDI from China have been more focused on the countries affected by the crisis: Greece had €405 million representing Chinese investments by 2015, while Bulgaria received €222 million. Piraeus Port is a model of Chinese FDI at Europe's periphery, whose 35-year concession was won by the Chinese COSCO Group (in 2008), who subsequently acquired the majority stake of 67% (in 2012) for €368.5 million, COSCO committing to invest a total of €300 million in the first 5 years since takeover.

During a Beijing-based Belt and Road Forum for International Cooperation in May 2017, a number of Balkan states (Bosnia-Herzegovina, Montenegro and Serbia), as well as the Eastern Partnership states (Azerbaijan, Armenia, Belarus and Georgia) signed agreements on commercial and investment cooperation. Important bilateral agreements resulting from this forum are also those on agricultural cooperation and investment agreements with Serbia, the trade credit co-operation agreement with Belarus and Serbia, the co-operation agreement on education with Bosnia- Herzegovina, and China's loan for Srbija Telekom's investment project in Serbia<sup>154</sup>. Banks owned by the Chinese state are those that finance very low

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<sup>153</sup> Rhodium Group Data Report, available at: <https://www.merics.org/en/merics-analysis/papers-on-china/cofdi/a-new-record-year-for-chinese-outbound-investment-in-europe/>.

<sup>154</sup> BASTIAN, J. (2017). "The potential for growth through Chinese infrastructure investments in Central and South-Eastern Europe along the 'Balkan Silk Road'" – Report drafted for the European Bank for Reconstruction and Development (EBRD) (funded by the Central European Initiative).

interest loans in infrastructure investment projects in Southeast Europe (e.g. motorways in Macedonia). These capital flows are welcome in many of the countries experiencing difficulties in securing private funding for investment projects, but there are strong concerns about the impact that the exposure to Chinese capital can have on good practices in the public and private sectors of some states with challenges in this respect (e.g. corruption, lack of transparency)<sup>155</sup>.

**Table 4 – Treaties for Bilateral Investment in the Balkan states**

Country	Total number	Western Partners		Rest of the World Partners	
		No.	Countries	No.	Countries
Albania	36	24	Switzerland, Poland, Croatia, Greece, Czech Republic, Austria, Germany, Great Britain, Holland, Romania, Denmark, Bulgaria, Italy, Sweden, France, USA, Hungary, Finland, Slovenia, Belgium, Luxembourg, Spain, Portugal, Lithuania, Cyprus	12	Malaysia, Egypt, China, Russia, Macedonia, Serbia, Republic of Moldova, Turkey, Israel, South Korea, Bosnia and Herzegovina, Kuwait
Bosnia-Herzegovina	38	22	San Marino, Belgium and Luxembourg, Slovakia, Lithuania, Portugal, Denmark, France, Germany, Greece, Hungary, Switzerland, Italy, Czech Republic, Great Britain, Spain, Austria, Slovenia, Netherlands, Sweden, Finland, Romania, Croatia	16	Jordan, Pakistan, Iran, Albania, Turkey, Qatar, Republic of Moldova, India, Belarus, China, Macedonia, Ukraine, Kuwait, Egypt, Malaysia
Macedonia	35	20	Croatia, Poland, Switzerland, Sweden, Italy, Netherlands, Bulgaria, Slovenia, France, Germany, Romania, Hungary, Finland, Austria, Czech Republic, Belgium and Luxembourg, Spain, Slovakia, Lithuania, Denmark	15	Serbia, Turkey, China, Albania, South Korea, Russia, Malaysia, Taiwan, Ukraine, Bosnia and Herzegovina, India, Montenegro, Kuwait, Morocco, Iran
Montenegro	23	15	France, Germany, Romania, Greece, Slovakia, Czech Republic, Austria, Netherlands, Spain, Lithuania, Switzerland, Cyprus, Denmark, Finland, Malta	8	Israel, Qatar, Serbia, Malta, Macedonia, Azerbaijan, United Arab Emirates, Republic of Moldova

<sup>155</sup> *Idem*.

Country	Total number	Western Partners		Rest of the World Partners	
		No.	Countries	No.	Countries
Serbia	48	25	France, Sweden, Germany, Bulgaria, Romania, Poland, Greece, Slovakia, Czech Republic, Croatia, Austria, Holland, Spain, Slovenia, Hungary, Finland, Lithuania, Cyprus, United Kingdom, Switzerland, Belgium and Luxembourg, Denmark, Portugal, Malta, Canada	23	China, Belarus, Zimbabwe, Macedonia, Guinea, Ghana, North Korea, Ukraine, Nigeria, Turkey, Albania, Bosnia and Herzegovina, Kuwait, Libya, Israel, Egypt, Kazakhstan

Source: unctad.org

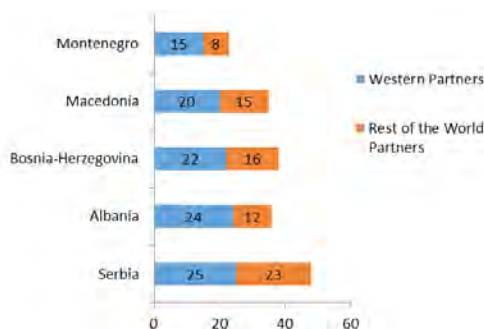
**Table 5 – Treaties for Bilateral Investment in the Eastern Partnership states**

Country	Total number	Western Partners		Rest of the World Partners	
		No	Countries	No	Countries
Azerbaijan	35	17	Austria, Belgium and Luxembourg, Croatia, Czech Republic, Finland, France, Germany, Greece, Hungary, Latvia, Lithuania, Poland, Romania, Spain, Switzerland, United Kingdom, USA	18	China, Iran, Israel, Jordan, Kazakhstan, South Korea, Kyrgyzstan, Moldova, Montenegro, Russia, Serbia, Syria, Tajikistan, Turkey, United Arab Emirates, Ukraine, Uzbekistan
Armenia	35	19	Spain, Greece, Romania, Bulgaria, USA, Cyprus, United Kingdom, France, Canada, Germany, Switzerland, Italy, Austria, Belgium and Luxembourg, Netherlands, Lithuania, Finland, Latvia, Sweden	16	Vietnam, Argentina, China, Kyrgyzstan, Ukraine, Georgia, Iran, Lebanon, Israel, Russia, Egypt, India, Syria, Kuwait, Uruguay
Belarus	51	21	Belgium, Luxembourg, Spain, Poland, Switzerland, Great Britain, Netherlands, Germany, Sweden, Romania, Italy, Bulgaria, Czech Republic, Cyprus, Latvia, Lithuania, Austria, Croatia, Denmark, Slovakia, Finland	30	Vietnam, China, Serbia, Turkey, Ukraine, South Korea, Syria, Egypt, Tajikistan, Republic of Moldova, Iran, Singapore, United Arab Emirates, Cuba, Kyrgyzstan, Mongolia, Libya, Armenia, Lebanon, Kuwait, Israel, India, Oman, Jordan, Bosnia and Herzegovina, Bahrain

Country	Total number	Western Partners		Rest of the World Partners	
		No	Countries	No	Countries
Georgia	31	18	Spain, Great Britain, Greece, Romania, Germany, Netherlands, Belgium and Luxembourg, Italy, Bulgaria, USA, France, Austria, Latvia, Lithuania, Finland, Sweden, Czech Republic, Switzerland	17	China, Ukraine, Turkey, Azerbaijan, Turkmenistan, Armenia, Israel, Kyrgyzstan, Kazakhstan, Republic of Moldova, Uzbekistan, Iran, Kuwait
Republic of Moldova	39	24	US, Poland, Hungary, Switzerland, the Netherlands, Bulgaria, Romania, Finland, UK, France, Greece, Latvia, Czech Republic, Italy, Belgium and Luxembourg, Austria, Lithuania, Slovenia, Germany, Spain, Croatia, Cyprus, Slovakia, Estonia	15	China, Ukraine, Uzbekistan, Turkey, Azerbaijan, Georgia, Israel, Belarus, Russia, Tajikistan, Kyrgyzstan, Kuwait, Albania, Bosnia-Herzegovina, Montenegro
Ukraine	57	26	Slovakia, San Marino, Finland, Portugal, Belgium and Luxembourg, Croatia, Slovenia, Spain, Latvia, Austria, Netherlands, Sweden, Switzerland, Greece, Hungary, USA, Germany, France, Bulgaria, Czech Republic, Estonia, Canada, Lithuania, Denmark, Poland, United Kingdom	31	Iran, Serbia, Lebanon, Macedonia, Russia, Turkey, Azerbaijan, South Korea, Chile, Indonesia, Belarus, Argentina, Kazakhstan, Israel, Morocco, Jordan, Brunei, Cuba, Republic of Moldova, Armenia, Georgia, Vietnam, Uzbekistan, Egypt, China, Mongolia

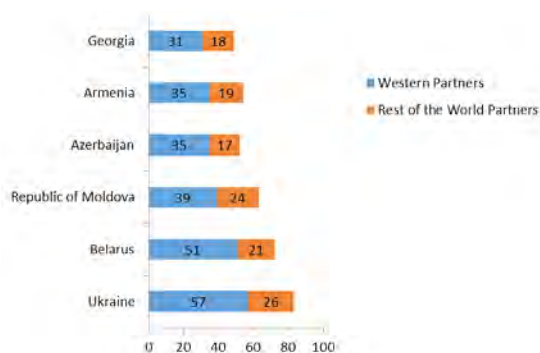
Source: unctad.org

Figure 6 – Distribution: Treaties of Bilateral Investment in the Balkan States



Source: authors, based on UNCTAD data

**Figure 7 – Distribution: Treaties of Bilateral Investment in the Eastern Partnership States**



Source: authors, based on UNCTAD data

Since 2000, the EU has begun granting trade liberalization measures to Western Balkan states involving the removal of any tariff restrictions or quantitative limitations on exports of these markets to the EU (exceptions include products such as sugar, wine, beef). The main effect of these liberalization measures is the strong anchoring of the trade activity of the Western Balkan states in relation to the European Single Market (see Fig nr 17, Annex). Thus, in 2016, the EU was the largest trading partner of this region, accounting for 73.5% of imports and 80.6% of exports<sup>156</sup>.

The EU is today the main export and import partner for Ukraine, Azerbaijan, Georgia and Moldova (see Fig. nr 18, Annex). The EU is also the second largest trading partner for Armenia and Belarus. A significant part of foreign investment in the Eastern Partnership countries comes from EU investors. The economic flows and the interdependencies that they are witnessing between the EU and the

<sup>156</sup> European Commission, Dynamics of trade with the countries of the Western Balkans. The latest data were published on March 9, 2017 and are available at: <http://ec.europa.eu/trade/policy/countries-and-regions/regions/western-balkans/>.

Eastern Partnership countries bring concrete functional cooperation relations people and businesses from both territories. This effectively doubles the integration process achieved at political level through Association Agreements and other bilateral and regional agreements.

The trade integration of the Balkan and Eastern Partnership countries within the EU also involves a liberalization effort towards the global market. Thus, Albania, Macedonia, Montenegro, Armenia, the Republic of Moldova, Ukraine and Georgia are part of the World Trade Organization (WTO), this reflecting a broader process of convergence and integration into the European economic space.

At the level of the Eastern Partnership states, trade integration with the EU was a clear goal in the Association Process Roadmap. As a result of the signing of the Association Agreements, Georgia, the Republic of Moldova and Ukraine now have Deep and Comprehensive Free Trade Areas (DCFTA) with the EU. The chapters of these Free Trade Agreements (FTAs) concluded with a part of the Eastern Partnership countries cover issues such as legislative harmonization, dispute settlement, energy trade, competition policies, public procurement, e-commerce, sanitary and phytosanitaire (SFS) access to the market for goods.

Since the first year of DCFTA implementation in the Republic of Moldova, there have been significant increases over the previous year in exports of a whole range of products such as wine, apples, plums, grapes, frozen sweet corn or cereals<sup>157</sup>. Azerbaijan mainly exports fossil fuels to the EU (99%) and, although a significant

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<sup>157</sup> Centrul Analitic Expert Grup, Notă analitică #4 "Primele rezultate palpabile ale Acordului de Asociere cu UE" (First tangible results of the Association Agreement with the EU), November 24, 2014, available at: <https://expert-grup.org/ro/biblioteca/item/1045-rezultate-aa&category=183>.

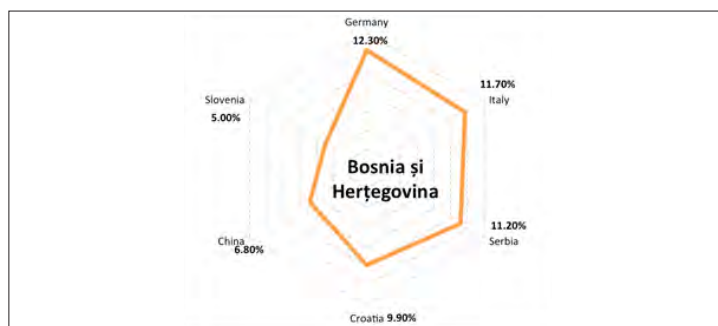
share of the trade balance is based on EU imports, the country does not seem determined to advance negotiations under the motivation of the commercial relationship<sup>158</sup>. Belarus and Armenia have a close trade relationship with Russia, the former opting for the Customs Union instead of the Association Agreement with the EU.

**Figure 8 – Main export markets for Albania (2016)**



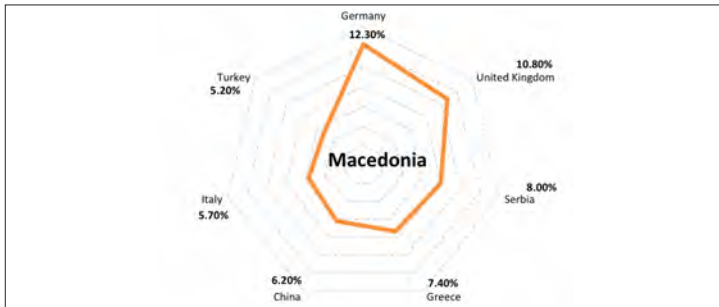
Source: Authors, based on UNCTAD data

**Figure 9 – Main export markets for Bosnia-Herzegovina (2016)**

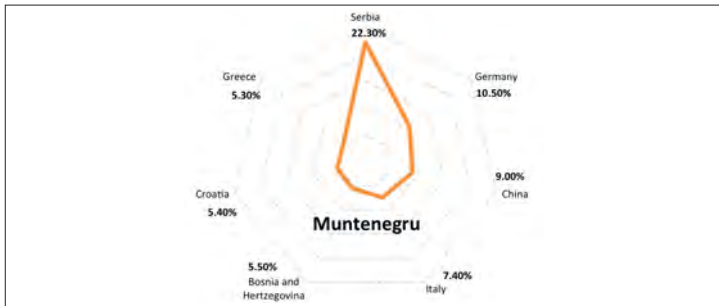


Source: Authors, based on UNCTAD data

<sup>158</sup> Library of the European Parliament, Library Briefing: "Prospects for an upgrade in trade relations with Eastern Partnership countries", from October 10, 2013, available at: [http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2013/130644/LDM\\_BRI%282013%29130644\\_REV1\\_EN.pdf](http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2013/130644/LDM_BRI%282013%29130644_REV1_EN.pdf).

**Figure 10 – Main export markets for Macedonia (2016)**

Source: Authors, based on UNCTAD data

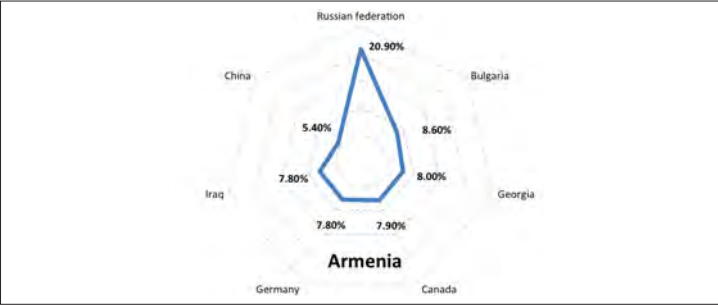
**Figure 11 – Main export markets for Montenegro (2016)**

Source: Authors, based on UNCTAD data

**Figure 12 – Main export markets for Serbia (2016)**

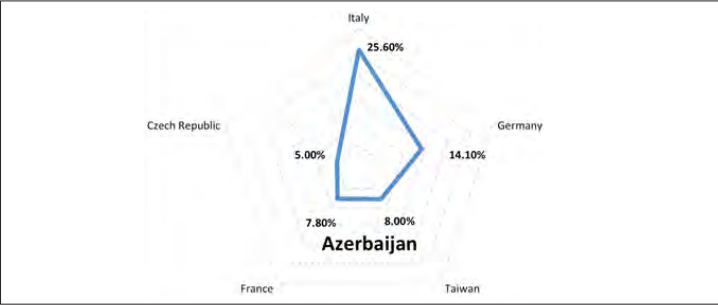
Source: Authors, based on UNCTAD data

Figure 13 – Main export markets for Armenia (2016)



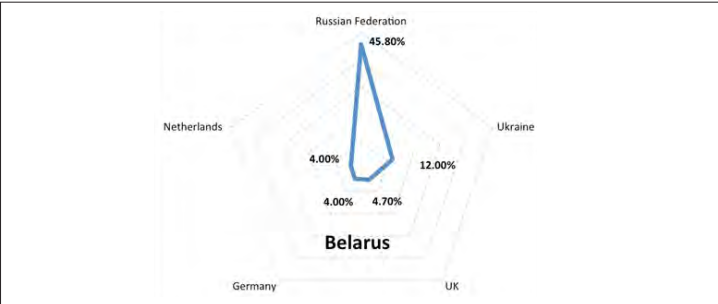
Source: Authors, based on UNCTAD data

Figure 14 – Main export markets for Azerbaijan (2016)



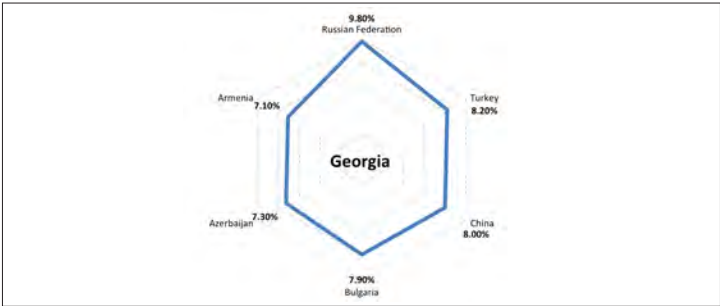
Source: Authors, based on UNCTAD data

Figure 15 – Main export markets for Belarus (2016)



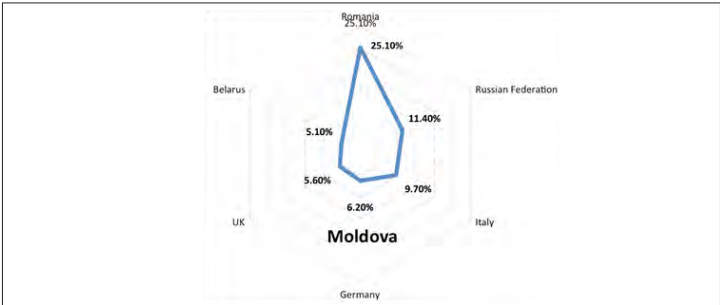
Source: Authors, based on UNCTAD data

Figure 16 – Main export markets for Georgia (2016)



Source: Authors, based on UNCTAD data

Figure 17 – Main export markets for the Republic of Moldova (2016)



Source: Authors, based on UNCTAD data

Figure 18 – Main export markets for Ukraine (2016)



Source: Authors, based on UNCTAD data

#### **4.4. Romania's contribution to the implementation of the Global Strategy. Consolidating Resilience in the Neighborhood**

As already mentioned, resilience has become a central concept of addressing security, stability and development issues both within the UN and especially at EU level. Through the Global Strategy and the Joint Communication on this theme (June 2017), the EU addresses the need to increase resilience both at the level of EU Member States and in the neighboring regions of the East and South and in relation to all external partners as a priority.

Resilience is not a new concept, but it does not make it less problematic in theoretical and empirical explorations. It is a concept widely used in the past years in humanitarian and developmental communities, as well as in the fields of energy, environment and defense. The EU has explicitly begun its use in 2012 (in the "Commission's Communication on Resilience"), and later in the Council conclusions and the 2013-2020 Action Plan. In order to transpose this concept from abstract to action, in June 2017 the European Commission and the High Representative published the document called "Joint Communication on Resilience". It builds on previous humanitarian and development experience and proposes a common framework that brings together more areas of activity that the EU and external partners can coordinate more effectively.

It is important to note that the document starts from the observation that many of the current challenges to peace, security and prosperity originate in the instability of the immediate neighborhood of the EU and the evolution of regional threats. The special emphasis placed on the Eastern and Southern neighborhoods reflects the political commitments assumed by the accession process on the one hand and the European Neighborhood Policy (ENP)

on the other hand. The ENP review took place in 2015 and was in coordination with the development of the Global Strategy. It should therefore be underlined that the implementation of the revised ENP is a significant part of strengthening the resilience in the neighborhood as envisaged by the Strategy. A detailed report on the implementation of the revised ENP was published in May 2017.

Most recently, on November 13<sup>th</sup>, 2017, the Council adopted conclusions on a strategic approach to resilience in the EU's external action. The EU resilience building strategy aims to shift from keeping the crisis under control to a more structural and long-term approach to global challenges. Special emphasis is placed on anticipation, prevention and training. The Council invited the High Representative and the Commission to continue the work on the four components proposed in the Joint Communication of the High Representative and the Commission from June 7<sup>th</sup>, 2017<sup>159</sup>:

- Improving joint risk analysis at country and regional level;
- More dynamic monitoring of external pressures;
- Integrating the resilience approach into the current EU programming and reflection on the future of EU external action funding;
- Developing international resilience policies and practices.

These four points are some of the main pillars of the implementation of the EU Global Strategy, which will also have to guide Romania's foreign policy.

Of the five priorities outlined by the Global Strategy, the one to which Romania will be able to make a consistent contribution is the "investment in the resilience of states and societies located in

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<sup>159</sup> EU Council, "Resilience in EU's external action: Council adopts conclusions", November 13, 2017, available at: <http://www.consilium.europa.eu/en/press/press-releases/2017/11/13/resilience-in-eu-s-external-action-council-adopts-conclusions/>.

the east and south", the subject of the current analysis. Romania has a solid tradition of participating in post-conflict reconstruction operations in the Western Balkans under the aegis of the UN and the EU. Based on these contributions, Romania has accumulated national and international expertise in the field through which it contributes to related EU, NATO and UN.

Beginning in September 2016, under the coordination of the High Representative, the EEAS, the COM and the EU Member States work closely together to implement the Global Strategy in all areas of application. To translate the new strategy in practice, the EU will review current sectoral strategies and develop and implement new thematic or geographic strategies, in line with the priorities of the EU Special Representative (EUSR). In order to ensure that the expected results are actually achieved, the implementation of the Global Strategy will be assessed annually in consultation with the Council, the Commission and the European Parliament.

Most progress has been made in the implementation of the Neighborhood Policy, Security and Defense Policy Strategy (through the October and November 2016 Foreign Affairs Council Conclusions, the December 2016 European Council Conclusions and the Foreign Affairs Council Conclusions of March 2017). These assessments were to be found in the first report on the implementation of the EU Global Strategy presented to the European Council in June 2017.

In addition to the evaluation aspects regarding the implementation of the EUGS objectives, an important component was the resilience area. The Joint Commission / High Representative Communication on Resilience, launched in the same context, contributes to defining a strategic approach to resilience in the EU's external action that will guide Romania's actions in the Eastern Partnership and Western Balkan states, focusing on "optimizing

the capacity to prepare, anticipate and prevent crisis situations". The parameters of this approach also aim at addressing the existing vulnerabilities at partner country level in the long term. The implementation of resilience has a multidimensional nature – human, economic, environmental, political, security and societal. Romania's new subsumed approach on structured in three directions<sup>160</sup>:

- Expanding assistance to strengthen partner resilience;
- Supporting political dialogue and bilateral initiatives;
- Strengthening EU's resilience and security.

On November 7<sup>th</sup>, 2017, Romania transposed the Council's Communication into national law by its Decision no. 80/2017 on the adoption of the opinion on the Joint Communication of the European Commission and the High Representative for Foreign Affairs and Security Policy to the European Parliament and the Council – A Strategic Approach on Resilience in the EU External Action JOIN (2017)<sup>21</sup>. This document opts for a multilateral interpretation of the notion of resilience and its insertion into all relevant EU policies. Point 4 of the Decision states that "good governance is the most powerful instrument for enhancing resilience, and that governments, with primary responsibility for responding to the needs of their populations, have the primary responsibility for integrating resilience into national and local policy frameworks of each country, while the European Union, with limited prerogatives in foreign policy, can only support the consolidation of resilience"<sup>161</sup>.

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<sup>160</sup> European Commission, Joint Communication to the European Parliament and the Council – "Resilience, Deterrence and Defence: Building strong cybersecurity for the EU", September 13, 2017, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017JC0450&from=EN>.

<sup>161</sup> Romania's Chamber of Deputies, Decision no. 80/2017, available at: <https://lege5.ro/Gratuit/giztmnbygi4q/hotararea-nr-80-2017-privind-adop-tarea-opinii-referitoare-la-comunicarea-comuna-a-comisiei-europene-si-inaltului-reprezentant-pentru-afaceri-externe-si-politica-de-securitate-catre-parlamentul-europ>.

This recent national legislative document confirms that this notion is gaining importance in Romania's foreign and security policy, which will have a direct impact on both the development cooperation and the humanitarian aid managed by RoAid Agency.

## **Chapter 5 – Case Studies – Romania's Official Development Assistance in the Republic of Moldova and Serbia in the Last Decade**

Starting with 2007, the national policy regarding international development cooperation was conceived and implemented in complementarity with Romania's foreign policy and foreign trade relations, based on the National Strategy on International Development Cooperation Policy, approved by Government Decision no. 703/2006. This policy of Romania is subject to the principles of the Busan Partnership (December 2011) on the effectiveness of development assistance. It puts forward the ideas of "local ownership", avoiding fragmentation of efforts, focusing on results, and aligning development programs with the national development strategy of the partner country.

In this last section we aim to analyze Romania's performance in the process of transforming neighboring states through the development policy. Based on the evaluation of the last 10 years since Romania became a donor state of development assistance, we propose to draw a series of recommendations and lessons learned in support of the Romanian Development Cooperation Agency, based on the two study cases analyzed – Republic of Moldova and Serbia – priority states for Romania's efforts in the two studied regions.

Structuring the analysis of the two case studies, we have followed the model developed in Chapter 1 (the Levitsky and Way Model) on the mechanisms of external influence of leveraged democratization and those in the form of "linkages" which we have tried to illustrate by offering examples.

## **5.1. Romania's development assistance efforts in the Republic of Moldova (2007-2017)**

In all governance programs of the last decade, the relationship with the Republic of Moldova is considered to be one of the main elements of foreign policy. This strategic orientation transcends the aspect of cultural and historical ties to that of supporting the effort of deepening the ties of the Republic of Moldova with the EU, as well as in obtaining a certain prospect of a possible accession of this state to the EU. In the reference period, except for 2007-2009, the bilateral relations between Romania and the Republic of Moldova were in line with this goal.

### **a. Leverages**

The transition to democracy is a major segment of the development assistance provided by Romania in the 2012-2015 period, and one of the main missions of Official Development Assistance (OAD). In this respect, RoAid has funded and implemented projects in partner countries in several associated thematic areas to support the development of sustainable democratic institutions. These include elements such as: strengthening civil society, electoral assistance, anti-discrimination, increasing the capacity of public institutions in areas such as anti-corruption, education and public order. The largest contribution to democratization was directed to

the Republic of Moldova (RON 8,703,910), followed by Ukraine (RON 314,406) and Afghanistan (RON 258,159)<sup>162</sup>.

According to the strategic framework for the implementation of development cooperation, the Republic of Moldova is considered the main geographic priority of RoAid. The Republic of Moldova benefits from most of the development assistance provided by Romania to a country in the process of democratic transition or in the process of development<sup>163</sup>. The goal of this support is the gradual achievement by the Republic of Moldova of the Copenhagen criteria or other criteria needed to obtain the EU candidate status. In this context, the relationship established between the two states is largely based on a *donor-receiver* logic. This relationship is based on providing the necessary support to ensure the democratic transition of the Republic of Moldova. The necessary support is made up of both financial resources in the form of credits / grants and in the form of services such as technical or logistical assistance.

During 2007-2017, Romania has developed a fundamental competence in managing the relationship with the Republic of

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<sup>162</sup> The 2015 Official Development Assistance Report, available at: [http://www.roaid.ro/uploads/documents/94/RoAid\\_Raport2015\\_website.pdf](http://www.roaid.ro/uploads/documents/94/RoAid_Raport2015_website.pdf).

<sup>163</sup> See: "Memorandumul cu tema Strategia Guvernului României în domeniul operaționalizării politicii naționale de cooperare internațională pentru dezvoltare (2007-2010)" (Memorandum on the Strategy of the Romanian Government in the field of operationalization of the national policy for international development cooperation: 2007-2010);

"Memorandumul de aprobare a statelor partenere beneficiare de asistență pentru dezvoltare și a fondurilor financiare alocate în acest scop din bugetul ODA al MAE pentru anul 2011" (Memorandum of Understanding between the partner countries that are beneficiaries of development assistance and the financial funds allocated for this purpose from the MFA's ODA budget for 2011);

"Memorandumul de aprobare a statelor partenere beneficiare ale asistenței pentru dezvoltare și finanțare aferentă pentru perioada 2012-2015" (Memorandum of Understanding for Partner Countries that Benefit from Development Assistance and Funding for 2012-2015).

Moldova, namely the customization by context of the assistance provided. This competence derives first of all from the EU Member State status. At the same time, Romania's commitment under the ODA was to offer to other countries what it benefited from international donors during the pre-accession period. Being the main beneficiary of development assistance granted by Romania to countries in transition to democracy, the Republic of Moldova has provided Romania with the right context for the exercise of this competence.

At the beginning of the reference period (2007-2009) assistance to the Republic of Moldova was carried out in a specific 90s manner – in a generalist way, without the prioritization and monitoring of the expected results and effects. Since 2010, the aid paradigm has changed significantly in order to provide support in a results-oriented manner. A relevant example in this paradigm shift is the Agreement between the Government of the Republic of Moldova and the Government of Romania on the implementation of the technical and financial assistance program, based on a 100 million euro non-reimbursable financial aid granted by Romania to the Republic of Moldova, which was signed on April 27<sup>th</sup>, 2010 in Bucharest. This approach was further strengthened by the signing on August 28<sup>th</sup>, 2013, of the Agreement between the Government of Romania and the Government of the Republic of Moldova on the general framework and the conditions for cooperation in the field of development<sup>164</sup>.

The 2013 Progress Report is illustrative for this analysis as it presents the evolution of the ODA budget managed by the MFA over the 2007-2013 period. This first centralization shows that

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<sup>164</sup> See Government Decision no. 367/2014, available at: [http://www.dreptonline.ro/legislatie/hg\\_367\\_2014\\_acord\\_guvern\\_romania\\_republica\\_moldova\\_cadru\\_conditii\\_cooperare\\_domeniul\\_dezvoltarii.php](http://www.dreptonline.ro/legislatie/hg_367_2014_acord_guvern_romania_republica_moldova_cadru_conditii_cooperare_domeniul_dezvoltarii.php).

Romania's ODA budget varied significantly over the 2007-2013 period, amounting to RON 7.03 million (2008) and RON 18.93 million (2010). The state which has consistently benefited from development assistance throughout the whole period was the Republic of Moldova, the main point of geographic interest of the ODA.

In the last two years, however, the approach of the Romanian authorities has become consistent with that of the EU institutions. Specifically, in order to ensure the expected results, the central authorities in Romania introduced the conditionality approach. For example, in the process of negotiating the conditions for signing, ratifying and implementing the Agreement on Non-reimbursable Assistance between Romania and the Republic of Moldova<sup>165</sup>, a number of conditionalities were invoked regarding the continuation of the reform processes and their irreversible character. In November 2015, the President of Romania sent the Parliament a request to review the Law for the ratification of this agreement, stating that this assistance "is not appropriate as long as there is no certainty of the continuation of the reform process and the respect of the commitments to implement of the Association Agreement"<sup>166</sup>. However, the demands of the former Prime Minister of Romania

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<sup>165</sup> See Law no. 91/06.05.2016, available at: <https://lege5.ro/Gratuit/geydonjugm3q/legea-nr-91-2016-pentru-ratificarea-acordului-privind-asistenta-financiara-rambursabila-dintre-romania-si-republica-moldova-semnat-la-chisinau-la-7-October-2015>

<sup>166</sup> See: Administrația Prezidențială, "Cerere de reexaminare asupra Legii pentru ratificarea Acordului privind asistența financiară rambursabilă între România și Republica Moldova" (Request for review of the Law on the ratification of the Agreement on Repayable Financial Assistance between Romania and the Republic of Moldova, signed in Chisinau on 7 October 2015), signed in Chișinău, October 7th, 2015, available at: <http://www.presidency.ro/ro/media/agenda-presedintelui/cerere-de-reexaminare-asupra-legii-pentru-ratificarea-acordului-privind-asistenta-financiara-rambursabila-intre-romania-si-republica-moldova-semnat-la-chisinau-la-7-October-2015>

Dacian Ciolos, expressed by his counterpart in the Republic of Moldova through a letter dated January 30<sup>th</sup>, 2017, set forth seven conditions, among which we mention here: clear ordering of the priorities related to the implementation of the EU-Moldova Association Agenda; establishing a roadmap for reaching an agreement with the IMF; speeding up justice reform; as well as close consultation and cooperation with civil society representatives<sup>167</sup>. As a consequence, the first amount of €60 million was paid in August 2016, after the Romanian Government found that most of the conditionalities stated in the aforementioned letter was fulfilled.

This change of paradigm by the Romanian authorities towards the Republic of Moldova had the effect of strengthening the status of main partner in providing support in the democratic transition of this country. The results of a sociological study conducted in 2016 concluded that the actions and the diversity of the funding granted by Romania made it rank first (84%) in terms of the reputation of the countries that have supported the development of the Republic of Moldova in recent years<sup>168</sup>. After Romania, the respondents mentioned that the following two places in the ranking

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<sup>167</sup> Government of Romania, Press release, "Premierul Dacian Ciolos a trimis astăzi omologului său din Republica Moldova, Pavel Filip, o scrisoare care detaliază conținutul discuțiilor avute la București în data de 26 January 2016 în legătură cu acordul de împrumut dintre România și Republica Moldova" (Today, Prime Minister Dacian Ciolos sent to his counterpart in Moldova Pavel Filip a letter detailing the content of the discussions held in Bucharest on January 26, 2016, regarding the loan agreement between Romania and the Republic of Moldova), January 30<sup>th</sup>, 2016, available at: <http://gov.ro/ro/stiri/premierul-dacian-ciolo-a-trimis-astazi-omologului-sau-din-republica-moldova-pavel-filip-o-scrisoare-care-detaliaza-continutul-discutiilor-avute-la-bucure-ti-in-data-de-26-january-2016-in-legatura-cu-acordul-de-imprumut-dintre-romania-i-republica-moldova>.

<sup>168</sup> PETRUȚI D., LEGCOBIT A., STRATILĂ T., "Percepția asistenței oficiale pentru dezvoltare oferită de Guvernul României Republicii Moldova", p. 4, available at: <http://roaid.ro/uploads/documents/92/Raport%20sondaj%20de%20opinie%20RMd%202016.pdf>.

belong to the US, with 72% and Germany, with 57%, respectively. At the same time, it is important to specify that for 54% of respondents participating in the survey, their attitude towards Romania's relationship with the Republic of Moldova has changed in the last five years, while 36% claimed that it remained the same; only 3 % said that the bilateral relation was getting worse. These considerations of the public opinion in the Republic of Moldova are the recognition of the change of the paradigm in the field of granting aid for development and democratic transition.

In view of the recent political and economic developments in the Republic of Moldova, the current key challenge for Romania is to provide adequate and documented support in line with the achieved progress. On the one hand, this challenge derives from the risk of wasting assistance on actions that do not reach their expected results, achievements, effects and impacts. This risk is also due to bank fraud in 2012-2014, which affected not only the country's financial and economic stability, but also the trust of external donors. The graph below shows the magnitude of this phenomenon, when the main donors decided to significantly reduce the amount of payments made until the situation was clarified and the political and economic climate stabilized. Moreover, the Agreement between the Government of Romania and the Government of the Republic of Moldova on the general framework and the conditions for cooperation in the field of development is foreseen. In art. 2 par. 4. of the Agreement it is mentioned that "the parties share their concerns about the forms of corruption that jeopardize good governance and the proper use of resources needed for development and of those that jeopardize open and fair competition, based on price and quality".

On the other hand, fragility and security risks are more obvious than ever in this country. Therefore, applying the conditionality

approach, the *more for more* or *less for less* principles, without providing the necessary technical support, could be a blocking and demotivating factor in implementing the reforms under the Association Agreement. That is why, in addition to financial assistance, Romania's role is equally important in increasing the country's motivation to accelerate reforms that will lead to the consolidation of democracy, the rule of law, and a competitive market economy.

## b. Linkages

### Economic linkages

It is quite difficult to account for the real costs supported by Romania. For example, according to ODA data during the 2012-2015 period, Romania's national contribution to the Republic of Moldova was RON 482.9 million. On the other hand, according to the analysis conducted by the State Chancellery of the Republic of Moldova, Romania is ranked third (with a value of €84.9 million) in the volume of payments made under the external assistance grants offered to the Republic of Moldova, after the EU (with a value of €94.9 million) and the World Bank (with a value of €85.2 million)<sup>169</sup>. Even if the central public authorities of Romania and the Republic of Moldova account the financial flows, the centralization and the capitalization of other types of assistance (eg assistance provided by services such as exchange of experience, transfer of rules, practices and instruments, and institutional convergence, etc.) is still difficult to achieve.

Both the ODA data and those of the State Chancellery of the Republic of Moldova show that there is a significant change in

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<sup>169</sup> State Chancellery of the Republic of Moldova, "Raportul anual privind asistența externă acordată Republicii Moldova în anul 2016" (Annual Report on Foreign Assistance to the Republic of Moldova in 2016), pp. 23-24, available at: [http://amp.gov.md/portal/sites/default/files/inline/oda\\_raport\\_2016.pdf](http://amp.gov.md/portal/sites/default/files/inline/oda_raport_2016.pdf).

the amounts of payments made by Romania to the Republic of Moldova from year to year (see Fig. nr 30, Annex). An explanation would be the overlapping of project implementation cycles in years that registered high values. However, in order to ensure effective and efficient assistance, in line with the EU's strategic approach to resilience in the near neighborhood, it is essential that Romania's support for Moldova to be consistent and in accordance with other international donors.

Currently, Romania is the main economic partner of the Republic of Moldova. According to the statistical data communicated by the Moldova's National Bureau of Statistics, during 2007-2016 Romania's position strengthened both in terms of the size of exports and imports. Much more significant was the consolidation of Romania's status with regard to the size of exports compared to imports. For example, in 2007 the share of exports to Romania out of total exports was 15.74%, and in 2016 it reached 25.09%. Regarding the imports, the rise was incremental, from 12.2% in 2007 to 13.7% in 2016<sup>170</sup>. In the 2014-2016 period, however, Romania ranked first in the ranking of countries from which Moldova imported products and services. As illustrated in Fig nr 31 and 32 (Annex), the consolidation of this position was achieved against the backdrop of the decrease in trade flows with the Russian Federation and Ukraine, the two states being the main economic partners in the CIS area.

The disproportionate value between imports from Romania and exports to Romania is a challenge for the deepening of the economic ties between the two countries. One of the many causes refers to the fact that the level of Romania's direct investments in

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<sup>170</sup> We appreciate that one of the consequences of the political tensions in the last part of the decade, namely in 2009-2011, was the significant decrease in the share of imports from Romania.

the Republic of Moldova is still quite low compared to the existing potential. For example, at the end of 2013, the balance of Romanian investments in the Republic of Moldova amounted to \$174 million. At that time, Romania ranked 7th, after the Russian Federation (\$787 million), the Netherlands (\$499 million), France, Spain, Germany and Cyprus (totaling between \$205 and \$259 million)<sup>171</sup>. In 2008, Romania's foreign direct investments ranked eighth, with a share of 4.6% (representing approximately \$78 million) of the total foreign investments<sup>172</sup>. The low level of Romanian investments in the Republic of Moldova is mainly due to the high degree of corruption, but also excessive administrative barriers. At the same time, political and economic instability maintain a state of unpredictability over the medium and long-term legislative and fiscal framework.

A recent limited example of this climate is the case of SC Dedeman SRL, the largest DIY retailer in Romania. From 2014 the company planned to build a commercial complex in Chișinău, the value of the investment being of approx. €20 million<sup>173</sup>. Due to excessive bureaucracy, in October 2017 SC Dedeman SRL issued a press release announcing that it withdraws its investment project in the Republic of Moldova because of the administrative barriers related to the modification of the zonal urban plan in the area in which the commercial complex would have been built. Although the representatives of the current governing party assured the

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<sup>171</sup> Capital, "Capitalul românesc, blocat la graniță" (Romanian capital, stuck at border), December 5, 2017, available at: [www.capital.ro/banca-firmele-capitalul-romanesc-blocat.html](http://www.capital.ro/banca-firmele-capitalul-romanesc-blocat.html).

<sup>172</sup> PROHNIȚCHI V., POPA, A., LUPUȘOR, A., "Impactul investițiilor Străine directe asupra economiei Republicii Moldova", Centrul Analitic Independent Expert-Grup, Chișinău 2010, p. 17.

<sup>173</sup> Capital, "Capitalul românesc, blocat la graniță" (Romanian capital, stuck at border), December 5, 2017, available at: [www.capital.ro/banca-firmele-capitalul-romanesc-blocat.html](http://www.capital.ro/banca-firmele-capitalul-romanesc-blocat.html).

investor that they will facilitate the settlement of the "administrative blockage" in the Chişinău City Council, during the December 22, 2017 meeting, the draft amendment for the zonal urban plan did not accumulate sufficient votes to be approved. The possible expansion of the DIY retailer from Romania is a strategic one because, with the materialization of the investment, a spillover effect will be generated both in terms of the reorganization of the DIY market in the Republic of Moldova and of the extent of the expansion from Romania to the Republic of Moldova of other businesses and production lines related to this market. Therefore, the administrative bottlenecks invoked by the economic operator are actually the lobby of the local business environment in order not to admit a competitor who will rearrange the local DIY market<sup>174</sup>. Moreover, the implementation of this investment can be facilitated by the entry on the market of the Republic of Moldova in 2018 of the German retail network Kaufland, a process initiated at the end of 2015. Through its subsidiary in Romania, Kaufland intends to open 15 shops in the next years, three of which in Chişinău and the rest in other localities in the Republic of Moldova. There are administrative bottlenecks in Kaufland's entry into the Moldovan domestic market. Nevertheless, compared to the DIY market, due to a higher level of competitiveness on the market of food products, the penetration and expansion of this network on the Moldovan market is easier.

Nevertheless, on such a backdrop of uncertainty and excessive administrative burden, the interest of expanding large Romanian investments in the Republic of Moldova is still maintained. For

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<sup>174</sup> See the interview given by Adrian Candu, Speaker of the Parliament of the Republic of Moldova, in the "Important" TV show. TVC21, October 24, 2017. The interview sequence can be viewed at: [https://www.youtube.com/watch?v=\\_MiRJ1fg\\_zY](https://www.youtube.com/watch?v=_MiRJ1fg_zY).

example, in November 2017, Banca Transilvania announced in a press release that it "intends to invest in Victoriabank, the third largest bank in the Republic of Moldova, with an initial stake of over 39% of its share capital"<sup>175</sup>. The investment is designed to be carried out in partnership with the EBRD, which will ensure the 100% shareholding of Victoriabank's shareholding. On November 15, 2017, the National Bank of Moldova approved the permission to acquire the majority stake. The expansion of a Romanian bank in the Republic of Moldova, together with the BCR subsidiary – which has been present in this country since 1998 – will strengthen the status of Romanian investments in the country's banking sector.

Also in this context is the intention of Transgaz to buy Moldova's Vestmoldtransgaz. The initial sale price is €9 million, and the minimum investment volume is estimated to be €93 million within two years from the finalization of the privatization process<sup>176</sup>. This transaction aims to increase Romania's presence on the Moldovan energy market by extending the construction of the Iași-Ungheni gas pipeline to Chișinău. Besides, the minimum investment volume represents the value of the extension of the Iași-Ungheni gas pipeline to Chișinău, as well as the increase of its transport capacity.

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<sup>175</sup> See Banca Transilvania Press Release: "Banca Transilvania intenționează să investească în una dintre cele mai mari bănci din Republica Moldova, Victoriabank" (Banca Transilvania plans to invest in one of the largest banks in Moldova, Victoriabank), November 7, 2017, available at: <https://www.bancatransilvania.ro/bt-social-media-newsroom/stiri/banca-transilvania-intentioneaza-sa-investeasca-in-una-dintre-cele-mai-mari-banci-din-republica-moldova-victoriabank/>.

<sup>176</sup> Information notice: "Agenția Proprietății Publice anunță desfășurarea concursurilor de privatizare a bunurilor proprietate publică de stat" (The Public Property Agency announces the contests for the privatization of public property assets), October 27, 2017, available at: [https://app.gov.md/sites/default/files/comunicat\\_informativ\\_ro.pdf](https://app.gov.md/sites/default/files/comunicat_informativ_ro.pdf).

Over the past two decades, Romania has supported the Republic of Moldova in stabilizing and strengthening its economic competitiveness and through lending mechanisms (see Fig. nr 33, Annex). In the 1990s Romania was one of the main bilateral creditors of the Republic of Moldova. For example, the long-term loan of ROL 20 billion granted in 1993 can be mentioned. However, compared to other traditional creditor countries, during 2000 Romania has failed to support the Republic of Moldova through loan mechanisms. The most recent credit was granted in 2016, worth €150 million, granted over a five-year period, at a rate of 1.5%. Thus, after a long period of limited credit, in 2016 Romania became the main foreign borrower of the Republic of Moldova. According to the National Bank of Moldova data<sup>177</sup>, at the end of the 3<sup>rd</sup> quarter of 2017, the share of the Republic of Moldova's debt to Romania out of total foreign debt to bilateral creditors was 47.8%, totaling \$169.88 million. In the following positions we can see Japan with 16.4%, the Russian Federation with 13.0% and the US with 9.9%.

By investing, participating in strategic privatizations and lending in 2016, Romania supports the steps to strengthen the resilience of the Republic of Moldova. Through these efforts, Romania contributes to the intensification of the processes of Moldova's accession to the European Union. Even though there are multiple administrative barriers and the high level of corruption keeps a climate of mistrust for investing in this country, against the backdrop of a substantial decline in the trade balance with the Russian Federation and the other CIS countries, it is still the most favorable moment since 1991 for the expansion of Romanian affairs in the

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<sup>177</sup> National Bank of the Republic of Moldova, "Datoria externă a Republicii Moldova la 30.09.2017" (External debt of the Republic of Moldova at 30.09.2017), December 27, 2017, p. 65, available at: [http://bnm.md/files/04\\_DE\\_q3\\_2017.pdf](http://bnm.md/files/04_DE_q3_2017.pdf).

Republic of Moldova. Therefore, in order to use the leverage effect, it is necessary to take much more intergovernmental measures in order to support the strengthening of the presence of Romanian investments in the Republic of Moldova. In this respect, in line with the concepts of the analytical framework developed by Levitsky and Way, but especially in line with the provisions of the Global Strategy of the European Union, RoAid must place more emphasis in the near future on financing actions that contribute to intensifying bilateral economic ties and adjusting the trade balance between the two countries.

### Geopolitical linkages

The geopolitical links between Romania and the Republic of Moldova are very close and special. The close nature of geopolitical ties is primarily due to the common historical past, the two countries sharing the same language and culture. Moreover, the relations between the two countries are of umbilical nature, thus assuming Romania's role of facilitator, promoter and protector of the Republic of Moldova. However, at present times, bilateral cooperation is based on the strategic objective of the Republic of Moldova – accession to the European Union<sup>178</sup>. Therefore, Romania's role in facilitating the democratic transition is essential, both in terms of the Republic of Moldova's fulfillment of the Copenhagen criteria, in the anchoring the country's trajectory on the irreversible path of European integration.

The 1990s represented a "romantic" period of bilateral relations. They focused rather on Romania's support for Moldova in order to operationalize the state's sovereign and independent character

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<sup>178</sup> Based on the description of the bilateral relations between Romania and the Republic of Moldova, posted on Romania's Ministry of Foreign Affairs website, available at: <http://www.mae.ro/bilateral-relations/1677#827>.

and to diminish as much as possible the ties with the Russian Federation. Thus, Romania was the first state to recognize the independence of the Republic of Moldova, which was proclaimed on August 27, 1991. At the same time, in 1992, by various measures, Romania made a significant effort to end military operations in the region of Transnistria. Throughout the 1990s, and also to date, the Romanian diplomacy has made constant and considerable efforts at the level of various international organizations (such as OSCE, CoE, UN, etc.) to resolve this dispute.

Throughout the 1990s, Romania also supported the Republic of Moldova in the direction of internationally affirming this country. Thus, through various mechanisms, Romania supported the diplomatic apparatus of the Republic of Moldova in becoming a member of the main regional organizations (CoE, OSCE, BSEC) and as a participant in regional programs (such as the NATO Partnership for Peace, the Stability Pact Program for Southeastern Europe). An important goal for that period was to support Moldova's rapprochement with the EU, thus supporting the Republic of Moldova to sign (in 1994) the Partnership and Cooperation Agreement with the EU, which entered into force in 2008. Thus, through the existing diplomatic channels, Romania contributed to the reorientation of the Republic of Moldova towards Western Europe<sup>179</sup>.

In the 1990s, geopolitical ties were strengthened by massive shifts in legislation and institutions. For example, in the process of conceiving the Constitution of the Republic of Moldova, an imminent role was played by the Romanian constitutionalists, who offered the necessary epistemic support for the conception of the

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<sup>179</sup> We mention that in the 1990s, a large part of the diplomatic apparatus of the Republic of Moldova was trained in various higher education institutions in Romania, especially at the National School of Political and Administrative Studies.

fundamental law. Moreover, a significant part of the organic and ordinary laws have been conceived by copying *in extenso* the wording of similar legislation in Romania. Institutional transfer continued significantly over the last decade, especially as Romania was already able to provide examples of good practice in matters of the rule of law. In this respect, in the last decade the most visible areas of institutional and procedural transfer with the support of ODA refer to the development of the National Anti-corruption Center of the Republic of Moldova, as well as to the National Integrity Authority of the Republic of Moldova. Cooperation in these areas of action is also complemented by the mechanism of extended meetings of the type of bilateral thematic forums. For example, in November 2016, the first Romania-Moldova Forum in the Justice field was organized in Chișinău, the agenda of which included several synthesis activities and strategic establishment of the framework for deepening the institutional transfer from Romania to the Republic of Moldova. In the field of education, it is relevant to mention the contribution to the development of the National Agency for Quality Assurance in Vocational Education (ANACIP)<sup>180</sup>. In addition to the TAIEX and Twinning actions in 2013, the institutional transfer was facilitated by the ODA and the implementation of the Mobility Fund for Governmental and NGO Experts. However, the transfer actions are punctual and based on the request of the receiving authority for punctual technical assistance. The motivation for this transfer is more specific to the contagion approach. However, this approach does not ensure the monitoring of the quality and sustainability of the institutional transfer from Romania to the Republic of Moldova.

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<sup>180</sup> We mention that the technical assistance provided by the Romanian Agency for Quality Assurance in Higher Education (ARACIS) for the first exercise of the quality assurance procedures was rather a failed one than a successful practice.

Therefore, in order to ensure the resilience of technical assistance, it is necessary to adopt the style of normative institutional interdependence, which would mean strengthening the institutional transfer through the implementation of institutional twinning mechanisms. Institutional twinning will provide the possibility of continuous mutual transfer of approaches, procedures and experiences between the equivalent authorities.

During the 2000s, the bilateral relations have oscillated, from their freezing (2001-2004), to intensified cooperation (2005-2006) and again to their freezing (2008-2009). After the Communist Party of Moldova joined the government in March 2001, the government in Chişinău adopted an ostentatious style of relations with Romania, reorienting the country's relations to the Russian Federation. The leitmotiv of the adoption of the ostentatious relationship style is the refusal of the Romanian authorities to negotiate and sign the Treaty between the Republic of Moldova and Romania on the state border regime, mutual cooperation and assistance in border issues. In addition to this reason, other reasons have been invoked: endangering the future of the Republic of Moldova, forced Romanization of Moldova's population, economic expansion policies, and so on. Nevertheless, the Romanian authorities continued to support through various means the process of transition to democracy in the Republic of Moldova. After the failure of the Kozak Memorandum (November 2003), the relations between the two countries were resumed in order to support Moldova's rapprochement with the EU.

In the context of the closing of EU accession negotiations, Romania has deployed diplomatic efforts to support the Republic of Moldova in negotiating, signing and implementing an Action Plan with the EU. The Action Plan was signed in February 2005 and formed the framework for relations with the EU until 2014,

when it was replaced by the Association Agreement. Being a member of the EU since 2007, Romania has continued its efforts to support the deepening of Moldova's relations with the EU, both within the ENP and other EU policies.

At the same time, Romania made the effort to bring the Republic of Moldova closer to NATO. Between 2004 (when Romania joined NATO) and 2008, the Romanian Embassy in Chișinău has become NATO's Point of Contact in the Republic of Moldova, conducting awareness-raising campaigns on NATO and facilitating political dialogue between the Republic of Moldova and NATO. In this context, the support initially focused on negotiating and signing (in 2006) the Individual Partnership Action Plan of the Republic of Moldova with NATO. Then, in 2007, Romania supported the opening of the NATO Information and Documentation Center in Moldova. For the operationalization of the Center, the Romanian Ministry of Foreign Affairs contributed approximately €70,000<sup>181</sup>. Since 2008, Romania has constantly facilitated the dialogue between the Moldovan authorities and NATO, although the Romanian Embassy in Moldova no longer has the status of NATO Contact Point. In recent years, efforts have been made to open a NATO Liaison Office in Moldova. The structure was inaugurated in Chișinău on December 8<sup>th</sup>, 2017<sup>182</sup>.

Following Moldova's governmental turnaround in September 2009, the bilateral relations between the two countries have

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<sup>181</sup> See Romania's MFA Press Release: "România, punct de contact NATO în R. Moldova" (Romania, NATO Contact Point in R. Moldova), October 3, 2007, available at: <http://nato.mae.ro/node/411>.

<sup>182</sup> See Government of Moldova Press Release: "Oficiul de Legătură NATO în Republica Moldova a fost inaugurat la Chișinău" (The NATO Liaison Office in Moldova was inaugurated in Chișinău), December 8, 2017, available at: <https://gov.md/ro/content/oficiul-de-legatura-nato-republica-moldova-fost-inaugurat-la-chisinau>.

improved significantly. On April 27<sup>th</sup>, 2010 the Joint Declaration on the establishment of a strategic partnership between Romania and the Republic of Moldova for the European integration of the Republic of Moldova was signed. The declaration establishes a framework for bilateral co-operation adapted to the new political context in Chişinău. The provisions of the Declaration are materialized through an Action Plan that was signed on March 3<sup>rd</sup>, 2012 in Iaşi, at the first joint meeting of the Governments of Romania and the Republic of Moldova. Moreover, the signing of the Action Plan established a new bilateral cooperation mechanism, the joint meetings of the Romanian and Moldovan Governments, as well as the Romania-Moldova Intergovernmental Commission for European Integration. So far, several joint meetings of the governments of the two countries have taken place, as well as meetings of the Intergovernmental Commission on European Integration. Reaching this level of bilateral ties helps to strengthen the geopolitical ties between the two countries.

In this context, Romania has stepped up its efforts to support Moldova's efforts to deepen its relations with the EU. Thus, at EU level, the Romanian authorities supported the relaunch of the European Neighborhood Policy and the strengthening of the Eastern Partnership, by reallocating more substantial financial resources from the EU budget. Advocating the maintenance of the "more for more" principle has had an effect of increasing the budgets allocated to Moldova. This increase in resources also led to the stimulation of the implementation of conditionalities related to the Action Plan on visa liberalization offered by the EU of the Republic of Moldova, as well as the entry into force of the Association Agreement between the EU and the Republic of Moldova. At the same time, Romania supports the authorities of Moldova in transposing the EU *acquis* into the country's domestic legislation.

The close geopolitical linkage between the two countries is also supported by the twinning of localities. Since 2010, an intensive twinning process has started in the two countries. Initially, the twinning process was occasioned by the implementation of cross-border cooperation projects. Subsequently, starting in 2015, this process has intensified due to the awareness campaigns conducted by some civic associations, but also to the involvement of the Ministry of Foreign Affairs of Romania in stimulating twinning between localities. Thus, in 2016, 109 twinning agreements were concluded between first or second level administrative units, and by the first half of 2017 their number increased to over 260<sup>183</sup>. The twinning process will continue in the coming years, especially as in November 2017 the Ministry for Romanians Abroad launched the "Centenary through Twinning" National Campaign, which is part of the plan to implement the National Strategy for Romanians Abroad for the 2017-2020 period<sup>184</sup>. If the twinning process will be used in a way to stimulate development cooperation, then, through its effects, it will help ensure the resilience of the EU's external action.

According to the understanding of the analytical framework developed by Levitsky and Way, given that the geopolitical ties

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<sup>183</sup> Agerpres, "Înfrățirile administrative reprezintă o resursă importantă pentru dezvoltarea relațiilor dintre noi și comunitățile de români din afara granițelor țării" (Administrative twinning is an important resource for the development of relations between us and the Romanian communities outside the country), press release published by MP Constantin Codreanu, April 27, 2017, available at: <https://www1.agerpres.ro/comunicate/2017/04/27/comunicat-de-presa-constantin-codreanu-pmp-17-32-50>.

<sup>184</sup> Ministry for Romanians Abroad, "Ministerul pentru Românii de Pretutindeni lansează Campania Națională «Centenar prin Înfrățiri»" (The Ministry for Romanians Abroad Launches the National Campaign called "Centenary through Twinning"), available at: <http://www.mprp.gov.ro/web/ministerul-pentru-romanii-de-pretutindeni-lanseaza-campania-nationala-centenar-prin-infratiri/>.

between the two countries are so strong, Romania has the opportunity to contribute significantly to the process of democratic transition of the Republic of Moldova. At the same time, Romania's role is essential in achieving Moldova's main objective – receiving the status of candidate country to become a member of the EU. Therefore, RoAid's tasks are crucial in helping to achieve this goal.

### Social linkages

As with the geopolitical ties, the social ties between the two countries are very strong. Even though the problematic issues differ significantly in different fields of action, the background of these issues is relatively the same (chronic structural underdevelopment, high levels of migration, poor social and medical services, an educational system inappropriate to a socio-economic context specific to the market economy, etc.). The relations between the two countries focused on the absolute cooperation in all areas of action specific to social ties. It would be impossible to analyze here every area of intervention and that is why we are focusing only on the synthetic approach of the most visible and long-lasting relationship, namely cooperation in the field of education.

Since the early 1990s, Romania has assumed the role of supporting the reform of the educational system in the Republic of Moldova. The "Agreement on Cooperation in the Fields of Science, Education and Culture between the Government of Romania and the Government of the Republic of Moldova" was signed in 1992 and entered into force in December 1993. In the over 20 years of cooperation in this field, the agreement was renewed and revised many times. Thus, the objectives of cooperation have been tailored to the context and needs, which has significantly contributed to generating a rather high level of convergence between the two education systems.

In the first years since the establishment of the framework for bilateral cooperation in the field of education, the relationship focused on supporting the adaptation of the study processes (curricula, levels, evaluation system, etc.) from the Republic of Moldova to those in Romania. The adaptation of study processes has been complemented by the transfer / donation of millions of textbooks and curriculum auxiliaries. Once these processes of assistance have ensured a relatively high level of convergence, both sides have enhanced cooperation in the field of recognition of qualifications. Thus, in 1999, the "Agreement between the Government of Romania and the Government of the Republic of Moldova on the mutual recognition of the diplomas, certificates and scientific titles granted by accredited educational institutions in Romania and the Republic of Moldova" entered into force.

Over the past two decades, support has focused on providing expertise and examples of quality practices or failed practices specific to various aspects of educational policies. For example, the provided assistance has focused on the development of upper (high school) and vocational secondary education (colleges); reforming vocational and technical education; creating and developing the accreditation system for higher education institutions, adhering to the Bologna Process and implementing the associated reforms<sup>185</sup>, developing the quality assurance system in pre-university and university education, etc. In the process of concluding the latest version of the Education Law (2013-2015), Romania's experience regarding the implementation of its National Education Law no. 1/2011 was fully used. To ensure this experience transfer, the Ministry of Education of the Republic

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<sup>185</sup> TODERAȘ, N, "Opening the European Higher Education Borders: Case Study on the Policy Transfer from Romania to the Republic of Moldova", *Eurolimes*, Vol. 14, 2012, pp. 145-158.

of Moldova benefited from the expertise of two senior EU councilors from Romania<sup>186</sup>.

However, over the last five years, the intervention logic of the Romanian Government in the modernization of the education system in the Republic of Moldova has changed in some respects. While there have been some incremental changes in granting scholarship, the structural interventions approach has changed. Based on the "Agreement between the Government of Romania and the Government of the Republic of Moldova on the implementation of the technical and financial assistance program based on a €100 million non-reimbursable financial aid granted by Romania to the Republic of Moldova", signed in April 2010<sup>187</sup>, two initial priority areas intervention were established: transport infrastructure and educational establishments. It should be noted that under the €100 million grant agreement, in addition to the educational system, structural modernization interventions have been extended to other areas such as health<sup>188</sup>, culture<sup>189</sup> or social protection.

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<sup>186</sup> Prior to being appointed to this position, senior EU education advisers have gained decision-makers experience within the Ministry of Education and Research in Romania and have actively participated in the process of designing and implementing the country's National Education Law.

<sup>187</sup> The Agreement's context and stakes were widely discussed in BĂRBULESCU I. Gh., BRIE M., TODERAȘ N., *Cooperarea transfrontalieră între România și Ucraina, respectiv între România și Republica Moldova. Oportunități și provocări în perioada 2014-2020*, European Institute of Romania, Bucharest, 2016, pp. 78-83.

<sup>188</sup> For example: the extension of the SMURD on the territory of the Republic of Moldova, the donation of intensive care ambulances, the rehabilitation of the Department of Pediatric Urology and of the Infantile Gynecology Department from the Mother and Child Institute of the Republic of Moldova, the provision of hemo-transfuzional assistance in the medical institutions of the Republic of Moldova and others.

<sup>189</sup> For example: co-financing the renovation of the Organ Hall of Chișinău, as well as co-financing the construction of a new headquarters for the "Bogdan Petriceicu Hașdeu" Theater in Cahul.

Based on this agreement, the "Technical and Financial Assistance Program of the Romanian Government for Preschool Institutions in the Republic of Moldova" was developed, which started to be implemented in April 2014. Initially, the program provided for interventions such as renovations or endowments for 744 nurseries or kindergartens with a total investment value of €20 million. Over the past two years, the governments of both countries have decided to extend the number of beneficiary units within the limit of €26 million. Thus, until December 2017 renovations and endowment works for 933 kindergartens<sup>190</sup> and daycares from the Republic of Moldova were carried out, accounting for 64% of the total number of pre-school education units in the country.

In 2014, the structural interventions in the field of education aimed at equipping the administrative territorial units of the Republic of Moldova with school minibuses. Thus, in September 2014, the Government of Romania donated 100 minibuses, and in May 2017 a further 96 student transport minibuses were donated.

In order to ensure a greater impact of structural interventions, it is necessary to extend them in the next few years to the renovation of educational establishments for the other levels of education (primary, secondary and higher education, as well as vocational and technical education). At the same time, it is important that the results obtained from these interventions are communicated, by various means, much more intensively, both on the territory of the Republic of Moldova and in Romania.

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<sup>190</sup> According to the information published by the Moldovan Social Investment Fund, the organization that implements the program. See: <https://fism.gov.md/ro/content/conditii-europene-la-gradinita-din-mitoc-renovata-din-grantul-oferit-de-guvernul-romaniei>.

### Technocratic linkages

According to the model developed by Levitsky and Way, the technocratic linkages refer to abroad-educated elites. Again in this respect, the ties between Romania and the Republic of Moldova are very strong. Based on bilateral agreements on collaboration in the fields of science, education and culture, Romania has managed to invest significantly in education of the elites. In order to achieve this goal, the system for granting scholarships for young people from the Republic of Moldova was established. It would be rather difficult to outline a figure regarding the number of scholarships awarded in the past two decades, but it is certain that it reaches the level of tens of thousands<sup>191</sup>. To better illustrate the picture, however, it can be mentioned that about 60% of scholarships granted to foreigners who come for study in the educational system in Romania (pre-university and university levels) are awarded to young people from the Republic of Moldova<sup>192</sup>. At the same time, according to the RoAid data, in 2014, 74% of the development assistance provided by the Ministry of National Education was directed to the Republic of Moldova, the contribution in absolute value dedicated to the financing of youth scholarships in the Republic of Moldova was RON 57,993,200. In 2015, the share dropped to 60%, but the absolute value dedicated to financing the scholarships increased to RON 70,640,930.

Although there have been attempts to change the scholarship paradigm, the two sides have so far failed to establish another level of cooperation based on a convergent approach with EU instruments in this regard. For example, scholarships are still allocated

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<sup>191</sup> Starting with 2009, 5,000 scholarships for young people from the Republic of Moldova were awarded annually.

<sup>192</sup> According to RoAid data; see: <http://roaid.ro/page/republica-moldova-66>.

in a disproportionate and unidirectional way (from Moldova to Romania) and without explicit conditions for the beneficiaries. In the context of a continuing demographic decline of the Moldovan students<sup>193</sup>, maintaining the current approach will inevitably lead to the closure of some study programs and even of some higher education institutions. Therefore, in this context, in order to ensure resilience, but also to strengthen the technocratic linkage, it is necessary that in the case of scholarships to place emphasis on circular mobility, as well as on stimulating the return to the Republic of Moldova, at least for a period equivalent to the granted support or other technocratic methods of providing personal development support (such as providing incentives for project design, remote consultancy etc.).

From an efficiency point of view, there is no evidence of the dynamics of school drop-out among scholars and, from an effectiveness point of view, the rate of return to the Republic of Moldova and the insertion in the local labor market; neither is the rate of the contribution of scholarship recipients to the democratization and Europeanization of the Republic of Moldova. At the same time, even if some sociological studies on the usefulness of the scholarships have been carried out, a comprehensive evaluation study has not been carried out in order to highlight the impact of the measure on the democratic transition of the Republic of Moldova. Therefore, for the coming years, RoAid, in cooperation with the Ministry of National Education, should also consider providing credible evidence regarding the efficiency, effectiveness and impact of the Romanian scholarship tool awarded to young people from the Republic of Moldova.

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<sup>193</sup> For example, according to statistical data published by the Bureau of Statistics of the Republic of Moldova, the student quota in the 2017/2018 academic year decreased to 65,543 students from 127,997 students in the 2006/2007 academic year, and the decreasing tendency is still maintained.

In addition to granting scholarships, Romania's development assistance to Moldova was also targeted at continuing vocational training. Practically, in every field of administrative activity, continuous professional training programs were carried out, these being activities either attended by experts from Romania, or carried out in Romania and accompanied by study visits or experiential activities. For example, during the 2010-2016 period, a program for the training of diplomats and civil servants from the Republic of Moldova in the field of diplomacy and international relations was carried out through the ODA. Under this program, 20 diplomats from the Ministry of Foreign Affairs and European Integration, as well as 58 civil servants from 28 central public authorities (ministries, agencies and councils) were trained in the 2010-2014 period<sup>194</sup>.

### Communication linkages

In the light of the analytical framework developed by Levitsky and Way, this category of linkages refers to the interconnection of telecommunication networks, transport infrastructures (road, railways, navigation routes, air, power networks) as well as activities of mass media penetration. In this respect, due to the massive dependence on the Russian Federation and Ukraine, during 1991-2009 the role of Romania was relatively limited and punctual in the context of critical moments (such as the 1996-1997 energy crisis).

Although apparently the ties were tight, they were strong enough to diminish the energy dependence on the Russian Federation and to dismantle the arrangements or artifacts of the Soviet-era

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<sup>194</sup> See: NICA, M., "Evaluation Report Training programme on diplomacy and international relations addressed to diplomats and public servants from the Republic of Moldova", UNDP Istanbul Regional Hub, 2015, available at: <http://roaid.ro/uploads/documents/57/Evaluation%20of%20the%20training%20programme%20for%20the%20Republic%20of%20Moldova.pdf>.

communication ties. In this respect, the behavior of Romanian actors (such as companies in the field of energy resources or state / private transport) was elusive. The evasive behavior was also justified by the fact that the intentions of the Romanian central authorities were blocked by the influence of interest groups in the Russian Federation or other CIS countries. For example, in 1994 the Government of Romania proposed to the Government of the Republic of Moldova the participation in the construction of a reactor of the Cernavodă Nuclear Power Plant. However, the offer was rejected. This offer was reiterated in the late 1990s – sources of funding were identified and the negotiation process had advanced considerably. However, with the Communist Party of Moldova coming to power, the negotiations have entered into a stalemate, followed by the announcement of the renunciation (in 2002). The same situation was to be found in the case of the modernization of railways (such as the transition to European gauge) or the construction of express roads.

With the deepening of Moldova's relations with the EU regarding the negotiation of the Association Agreement, the investment climate in the field of energy markets has changed significantly. In this context, bilateral relations in this area have improved significantly. Thus, through the financial assistance provided by the EU, as well as through the financial aid granted by Romania, during the 2013-2014 period, the Iasi-Ungheni gas pipeline was built, which has a length of 27km and an annual transport capacity of 525 million cubic meters per year. The pipeline was inaugurated on August 27, 2014 and is operational from 2015. Up to now, over 2 million cubic meters of natural gas have been delivered to the Republic of Moldova, which represents 0.2% of the pipeline's capacity<sup>195</sup>. The

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<sup>195</sup> Profit.ro, "Transgaz a depus în ultimul moment oferta de cumpărare a Vestmoldtransgaz din Republica Moldova" (Transgaz submitted the purchase

delivery capacity will be expanded once the gas pipeline will be extended to Chişinău, a process which is planned to be completed in 2018. Complementing this process, as we have also covered in the section on economic linkages, the operator of the national gas transmission system in Romania, Transgaz, offered itself to participate in the privatization of the Vestmoldtransgaz operator in the Republic of Moldova. The success of this operation can significantly change the picture of the gas distribution market in the Republic of Moldova, which will represent the diminishing of the dependence on the Russian gas supply, as well as the non-competitive climate in the Republic of Moldova.

In 2015, information from the Romanian and Moldovan media about the takeover by a Romanian operator of distribution and supply of electricity from Romania of a Moldovan electricity distribution network was circulated. This information reappeared in November 2017. However, this information has never been confirmed by the authorities of both countries. In the last three years, in the field of electricity supply, significant steps have been taken in the implementation of the projects for commissioning the Isaccea-Cahul high-voltage network, including the expansion to Chişinău, as well as the construction of a new high-voltage network between Suceava and Bălţi. Although there are some delays in materializing these projects, the development is still positive, because in addition to the €100 million non-reimbursable financial support, other possible sources needed for implementation of these projects were identified<sup>196</sup>. As with the distribution and supply of natural gas,

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offer of Vestmoldtransgaz from the Republic of Moldova at the last moment), December 28, 2017, available at: <https://www.profit.ro/povesti-cu-profit/energie/transgaz-a-depus-in-ultimul-moment-oferta-de-cumparare-a-vestmoldtransgaz-din-republica-moldova-17529564>.

<sup>196</sup> For example, on December 6, 2017, the Government of the Republic of Moldova approved the opening of the negotiations with the European

completion of these investments will lead to increased competitiveness on the electricity supply market in the Republic of Moldova.

The communication linkages have also been strengthened over the last decade by the advanced penetration of the mass-media from Romania. For over two decades since the disintegration of the USSR, the media market in the Republic of Moldova was dominated by the Russian media. But gradually things are changing in the sense of strengthening the local mass-media. Thus, after 2010, the market has experienced a significant evolution in terms of diversification and adaptation to economic and social contexts. A special role was played by private projects of expansion in the Republic of Moldova of niche television stations in Romania. At the same time, in March 2014, the "Agreement between the Government of Romania and the Government of the Republic of Moldova on the cooperation in the field of retransmission of program services of public broadcasters" was signed. The agreement allowed Romania's National Television (TVR) to return to the Republic of Moldova by opening a regional point in Chișinău, as well as a radio station of Radio Romania. Mass-media from both countries deepen cooperation through joint editorial projects. Nevertheless, in the last few years the local mass-media has faced the intensified media propaganda of the Russian Federation, aimed at the population of the Republic of Moldova. That is why bilateral interventions in this field must ensure another way of providing news and media

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Investment Bank for a loan of €80 million for the realization of the interconnection works on the territory of the Republic of Moldova in order to ensure the permanent interconnection with the Romanian electric transport network. As mentioned in a press release of the Government of Moldova: "Republica Moldova va beneficia de suportul BEI pentru asigurarea interconectării electrice cu România" (Moldova will benefit from EIB support to ensure interconnection with Romania), available at: <https://gov.md/ro/content/republica-moldova-va-beneficia-de-suportul-bei-pentru-asigurarea-interconectarii-electrice>.

productions, namely educating the population to discern what can be credible and true from what is false and manipulative.

Should Romania's approach be maintained so decisively in the near future, there is a good chance of creating the appropriate framework for resolving interventions related to communication links, especially in terms of energy distribution and supply. That is why Romania's role is decisive in its strategic approach to resilience in the EU's external action in the Eastern Neighborhood. However, this must be complemented by decisive initiatives – contribution to the modernization of the railway infrastructure, as well as the road infrastructure etc.

### Linkages between transnational civil society

According to the model developed by Levitsky and Way, the links between transnational civil societies concern the cooperation between NGOs, churches, party organizations or other networks. In this respect, the implications of the bilateral relations between Romania and the Republic of Moldova are major. Through its experiences, Romania has provided the Republic of Moldova with a favorable context of contagion in the creation and development of the civil society, the multiparty framework as well as the main civic initiatives in the field of protection of human rights and civil liberties, the development of a participatory and transparent framework for the implementation of public policies, environmental protection etc. As regards the cooperation between political parties, we can say that this is very intense. Starting with 2010, some political parties in Romania managed to have territorial organizations in the Republic of Moldova and vice-versa.

In the 1990s and 2000s, civil society cooperation was unstructured and based on exploratory action. Gradually, with increased financial support from the EU as well as from other international

organizations, the relationship has become more structured and results-oriented. For example, the PHARE and TACIS programs have contributed to a modification of the relationship framework. At the same time, the implementation of the two cross-border cooperation operational programs (specific to the financial periods 2007-2013 and 2014-2020 respectively) has an imminent contribution to the deepening of the cooperation between non-governmental organizations in the two countries.

Since 2010, the strengthening of cooperation and dialogue between non-governmental organizations in the two countries, as well as the definition of common agenda and priorities, are undertaken through the Civil Society Forum of Romania and the Republic of Moldova. With the financial support of the ODA, the Federation of Romanian Non-governmental Organizations for Development (FOND) has organized over the past six years several editions of this forum. Such meetings provide a good framework for presenting current developments and establishing structured coordination in development assistance actions. In order to ensure resilience, it is important not to limit these forums to biennial regular meetings, but allowing them to focus on permanent actions such as joint thematic working groups. The latter would have the purpose of ensuring a permanent analysis of the contexts and developments of public policies in both states, thus being able to propose alternative points of view and solutions, when needed.

Finally, the active involvement of civil society in Romania in the democratization and Europeanization of the Republic of Moldova must be emphasized. Over the last decade, the most visible projects have been developed by the Romanian Center for European Policies, the Expert Forum, the Federation of Non-governmental Organizations for Development in Romania, etc. For the projects to be implemented in the Republic of Moldova, the above-mentioned

organizations have managed to diversify their sources of financing, so that in their interventions in the Republic of Moldova they did not depend solely rely on the funding allocated by the Romanian ODA or other Romanian funding authorities. Through alternative fund-raising mechanisms, they are able to attract financial resources at a fairly high level in relation to the amounts obtained through ODA-funded projects. Thus, through this strategy, the non-governmental organizations manage to complete the actions that are contributing to the democratic transition of the Republic of Moldova.

## **5.2. Romania's development assistance efforts in Serbia (2007-2017)**

Starting with 2007, the national policy for international development cooperation was conceived and implemented jointly with Romania's foreign policy and external trade relations, based on the National Strategy on International Development Cooperation Policy, approved by GD no. 703/2006. This policy of Romania is subject to the principles of the Busan Partnership (December 2011) on the effectiveness of development assistance. It brings to the fore the ideas of "local ownership", avoiding fragmentation of efforts, focusing on results, and aligning development programmes with the national development strategy of the partner country.

In this last section we propose to analyze Romania's performance in the process of transforming neighboring states through development policy. Based on the evaluation of the last 10 years since Romania became a donor state for development assistance, upon EU accession, we are proposing to draw up a series of recommendations and lessons learned in support of the Romanian Development Cooperation Agency – RoAid. In structuring the analysis of case

studies, we have followed the model developed in Chapter 1 (The Levitsky and Way Model) regarding the mechanisms of external influence for democratization such as "leverage" those in the form of "linkages" that we have tried to illustrate through examples.

As a new member of the Union that has undergone the EU accession process relatively recently, Romania supports the EU enlargement process in the Western Balkans. Its foreign policy, related to development policy, has been focused during the last decade on the desire to share the experience with the candidate countries in the immediate neighborhood, among which Serbia was the direct target of Romania's actions. Thus, we have chosen to focus on the relations regarding the consolidation of democratization in the years to come, the resilience offered by Romania to Serbia based on solid reasons: geographical proximity, common history without conflicts between the two states, national historical communities existing on the territory of the two states, as well as the positive European path that Serbia has embarked on in recent years. These common denominators which contributed to the development of a good bilateral political dialogue between Romania and Serbia coincide with a series of analytical elements developed by Levitsky and Way on the influence of external actors for democratization. We will further proceed to offer detail about the elements that functioned as "levers" and "linkages", identified during 2007-2017 in Romania's external actions towards Serbia.

### **a. Leverages**

Romania's involvement as an international actor in Serbia's democratization process during the 2007-2017 period was marked by two of the three types of external mechanisms that stimulate this process: "contagion" (including direct support projects and transfer

of good practice on accession to the EU) and "conditioning" (regarding the recognition of more rights for the Romanian minority in the Timok Valley).

We can outline a more detailed picture of the influence of Romania's democratization in Serbia by analyzing the five Annual Reports on the RoAid.ro website covering the 2011-2015 period<sup>197</sup>. According to the first Report on Romania's Development Assistance in 2011 (covering 2010), Serbia ranks second among the main beneficiary countries of scholarships offered by the Ministry of Education, Research, Youth and Sports (MECTS), after the Republic of Moldova 67% (with 5%, Serbia comes second after the Republic of Moldova)<sup>198</sup>. We note that Serbia ranks second among the main beneficiary countries of development assistance from Romania with 5% less than the 64% granted to the Republic of Moldova<sup>199</sup>.

Looking at the variations in Romania's development assistance offered to Serbia (Table 2), we can observe the existence of two distinct stages:

- **The 2007-2011 stage**, when the MFA provided assistance for Serbia's development, supporting the transition to democracy, strengthening civil society and revitalizing rural areas through UNDP.
- **The 2012-2015 stage**<sup>200</sup>, when Serbia was not among the developing countries benefiting from development assistance

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<sup>197</sup> The data is retrieved from the report made by the Ministry of Foreign Affairs on the basis of the information received from the line ministries active in the field.

<sup>198</sup> RoAid 2011 Report, p 8, available at <http://roaid.ro/uploads/documents/11/Raportul%20national%20privind%20asistenta%20oficiala%20pentru%20dezvoltare%20acordata%20de%20Romania%20in%20anul%202011.pdf>.

<sup>199</sup> *Ibidem*, p. 13.

<sup>200</sup> There is currently limited public data for the period 2016-2017.

through the budget of the Ministry of Foreign Affairs, with Eastern and Southern Partner countries being preferred. Assistance provided by other institutions to Serbia can be found in the annual reports on the RoAid.ro site. Although not part of development assistance to Serbia, the analysis has decided to consider them as appropriate elements of what the analytical model Levitsky and Way call the "link-ages" that lead to an increase in the influence of international actors on the democratization of some states.

**Table 6 – The Evolution of Development Assistance Funds of Romania for Serbia**

No.	Year	Amount	Projects and sums broken down
1.	2007	418,136 Euros 0.83 mil. RON	<ul style="list-style-type: none"> <li>– Strengthening the rule of law: "Transitional Justice-War Crimes Trials and Notions of Justice" – €200,000</li> <li>– Strengthening financial networks in rural areas: "Strengthening Rural Capital and Networks" 2008 – €200,000;</li> <li>– Contribution to the integration of the Roma minority into Serbian society – Romania's implementation model in three cities (implemented by UNFPA - \$25,000 (approximately €18,136)</li> </ul>
2.	2008	€120,000 0.44 mil. RON	<ul style="list-style-type: none"> <li>– Contribution to the project of Roma integration into the Serbian society - Implementation of the Romanian model in 3 localities - implemented by UNFPA – \$40,000;</li> <li>– Contribution to the project "Appropriate housing and solutions for refugees in Serbia", implemented by UNHCR – €80,000.</li> </ul>
3.	2009	€70,000 0.44 mil. RON	Contribution to the UNHCR budget for the Republic of Serbia
4.	2010	€200,000 0.88 mil. RON	The second phase of the "Strengthening of Rural Capital Networks" project, run by UNDP Serbia
5.	2011	€150,000 0.64 mil. RON	Strengthening rural development networks in Serbia, the third stage of the project funded by Romania in 2007 and 2010
6.	2012	4.561.671,87 RON	Study scholarships
7.	2013	3.37 mil. RON	
8.	2014	213,000 RON 4.553.081,81 RON	Humanitarian assistance
9.	2015	-	
10.	2016	-	

The 2013 report is illustrative for this analysis as it presents the evolution of the ODA budget managed by the MFA over the 2007-2013 period. This first centralization shows that MFA's ODA budget varied significantly over the 2007-2013 period, amounting to RON 7.03 million (in 2008) and RON 18.93 million (in 2010). The state that has consistently benefited from the development assistance offered by Romania throughout the period was the Republic of Moldova, the main point of interest for ODA.

In 2008-2009, against the backdrop of the financial crisis, the ODA budget was reduced to less than half of the value of 2007. Priority countries, the Republic of Moldova and Serbia, experienced the strongest reduction of the total budget of the MFA (Report from 2013, p. 33). In 2010, MFA's ODA budget increased by more than 50% over the previous year. Subsequently, according to the MFA, one of the main objectives envisaged in the development of ODA projects promoted by the institution in 2012-2016 was the promotion of national expertise through technical assistance to developing countries.

The year 2012 marked a turning point, with a change of perspective intervening in the evolution of all development assistance projects promoted by the MFA with the purpose of "increasing the ODA impact of Romania". The RoAid website states that for the 2012-2015 period, the MFA intended to "align the priorities to a revised national ODA approach, consistent with the global changes". As a consequence, from 2012 Serbia will no longer appear until 2016 in the bilateral contributions section (except for 2014, when it is mentioned under the category "Humanitarian assistance", in connection with flood disasters).

It is interesting to remember that 2012 is the year when the tensions between Romania and Serbia on the problem of Vlachs on the Timok Valley peaked. We even observe that the "conditional"

mechanism used by Romania to exert its international influence on Serbia was most prominent in that particular year. In the view of Levitsky and Way's model, conditioning is effective in democratization when political elites adopt a democratic behavior under the pressure of technical and financial assistance (manifested by granting Serbia the "candidate country" status during the European Council in March 2012).

Moreover, a special role in the dynamics between the two states was played by the Romanian community in Serbia, which, according to the analytical framework of Levitsky and Way, can be considered an important "leverage" of Romania's influence. In November 2017, the Romanian Ambassador to Belgrade declared that "Romania continues to pay special attention to the situation of ethnic Romanians throughout Serbia"<sup>201</sup>. A first observation on this issue is that the role of the Romanian community in Serbia during this decade has been ambivalent for the process of normative transfer of good democratic practices between Romania and Serbia. The diplomatic incident of 2012 stands as a testimony to the ambivalence with which the community of Romanians in Serbia (especially those in the Timok Valley) is used by the authorities by Bucharest. In February 2012, Romania refused (in the first phase of the negotiations) to give Belgrade a green light to obtain EU candidate status, demanding guarantees for a fair treatment of the Romanian minority in Serbia. In other words, Romania (represented by Foreign Minister Cristian

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<sup>201</sup> H.E. Oana-Cristina Popa, Ambassador of Romania to Serbia: "The bilateral declaration on European Affairs, signed on 10 November 2016 in Timisoara is a clear expression of our country's readiness for assistance, the more relevant as Serbia currently has a more dynamic rhythm in the opening of new chapters of negotiations," 28 November 2017, Intervio.ro available at <https://intervio.ro/2017/11/28/e-s-oana-cristina-popa-ambasadorul-romaniei-in-serbia-declaratia-bilaterala-pe-afaceri-europene-semnata-la-10-November-2016-la-timisoara-este-o-expresie-clara-a-disponibilitatii-de-asi/>.

Diaconescu), has conditioned the agreement for Serbia's EU bid upon additional guarantees related to the problems of the Romanian minority<sup>202</sup>. Finally, after the negotiations, an annex was added to the Conclusions of the General Affairs Council (GAC) insisting on the protection of minorities "as an integral part of the EU accession criteria". The gesture of Romania has created controversies at European level (not only in Serbia, but also in a number of Member States), all criticizing the abuse of this method, but also praising the firmness of the first post-accession position in the negotiations within the EU.

Before the European Council which took place during the spring of 2012, Romania invoked for the first time since joining the EU the right to veto (only as a "threat"), when it was about starting negotiations with Serbia. Romania has requested (and finally obtained) assurances from the European Commission that a report on Serbia's progress in the field of national minorities will be carried out. The final decision on granting Serbia candidate status was eventually made unanimously by the Heads of State and Government of the 27 EU Member States at the European Council on 1-2 March 2012. Romania finally accepted the European Council's recommendations to grant Serbia candidate status under those conditions. Moreover, the Romanian delegation also obtained the permission to organize a commission on this issue during the same period of the EU Spring Council (1-2 March 2012), where initially only formal approval of Serbia's EU accession was

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<sup>202</sup> The cause of this dispute was the Romanians in the Timok Valley estimated, according to sources, between 250,000 and 600,000 inhabitants. They occupy an area in the N-E of Serbia, delimited by the Morava (V) and Danube (N and N-E) rivers and the border with Bulgaria (E). They are the majority population in 161 localities, most of which belong to the Branicevo, Bor, Zaječar and Pomoravlje counties, but enjoy no right; unlike the Romanians in Vojvodina, they are ignored during official censuses, trying to accredit the idea that the Vlachs from the Timok Valley would be anything but Romanians.

expected. Romania has argued on this occasion that the protection of the rights of people belonging to national minorities is an important part of the Copenhagen criteria for EU membership, Serbia's commitment to meeting these criteria being born from the bilateral protocol of March 2012.

Through this negotiating tactic (the veto was not ultimately used by Romania in the European Council, but only as a "threat" in the preparatory meetings of the Council in February 2012), Romania succeeded in obtaining the partial settlement of the dispute with Serbia. Following bilateral negotiations with Serbia on this issue, Romania received a separate report on Serbia's progress in the field of national minorities, obtained the signing of a separate bilateral protocol on minorities, as well as a statement by the EU Executive, attached to the conclusions of the General Affairs Council, which insisted on the problem of minority protection "as an integral part of the EU accession criteria"<sup>203</sup>.

**Table 7 – Serbia's EU Integration Process**

No.	Date	Event
1.	December 19th 2009	Serbia applied for EU membership
2.	October 25th 2010	The Council invited the Commission to submit an opinion on Serbia's candidacy.
3.	May 20th 2011	First session of the Intergovernmental Joint Commission between Romania and the Republic of Serbia on National Minorities
4.	October 12th 2011	The Commission issued a favorable opinion and recommended that Serbia be given the status of candidate country.
5.	December 9th 2011	The European Council asked the Council to verify and confirm that Serbia has maintained its commitment and has continued to make further progress in several areas.

<sup>203</sup> Hotnews, "Romania kept Serbia in check in Brussels during talks on granting it the EU candidate status and secured guarantees for Serbia's vlach minority", February 28, 2012, available at <http://www.hotnews.ro/stiri-esential-11621526-romania-opune-acordarii-statului-candidat-pentru-serbia-surse-diplomatice.htm>.

No.	Date	Event
6.	February 2012	The Council was then asked to make a decision on granting candidate status to Serbia, when Romania temporarily used the right to veto and blocked the vote.
7.	March 1st 2012	The European Council granted Serbia the status of candidate country. Also on that day, the Protocol of the Second Intergovernmental Joint Commission between Romania and the Republic of Serbia on National Minorities was signed by the Permanent Representatives of Romania and Serbia to the EU.
8.	June 27-28th 2013	The European Council has decided to start accession negotiations with Serbia no later than January 2014.
9.	July 22nd 2013	The Council adopted a decision of the Council and the Commission on the conclusion of the Stabilization and Association Agreement between the EU and its Member States and the Republic of Serbia. The agreement entered into force on 1 September 2013.
10.	January 21st 2014	The first meeting of the Serbia-Serbia Accession Conference at ministerial level opened the accession negotiations.

Source: edited by the authors, based on <http://www.consilium.europa.eu/ro/policies/enlargement/serbia/>

On March 1<sup>st</sup> 2012 in Brussels, the Permanent Representatives of Romania and Serbia to the EU signed the "Protocol of the Second Session of the Joint Intergovernmental Commission between Romania and the Republic of Serbia on National Minorities", which was initially held on May 20<sup>th</sup> 2011. The bilateral talks with the Serbian side on the implementation of the Protocol were held in Brussels by the Secretary of State in the Ministry of Foreign Affairs Bogdan Aurescu, co-chairman of the Romanian-Serbia Joint Commission for the Protection of National Minorities at that time. The Serbian delegation was led by Gordana Stamenic, State Secretary at the Serbian Ministry of Justice, and Serbia's co-president of the Joint Intergovernmental Commission. The meeting was held with the participation of the OSCE High Commissioner for National Minorities, Knut Vollebaek<sup>204</sup>. The document was

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<sup>204</sup> *Ibidem*.

signed in the margins of the European Council that decided to grant Serbia candidate status for EU membership. On this occasion, Romania presented a Declaration highlighting the need for concrete and rapid results on the status of minorities in the two countries and the involvement of the Commission and the OSCE High Representative for National Minorities in monitoring Serbia's efforts to respect the principles of minority protection in accordance with European Union standards. As a result, in April 2013, the Serbian authorities decided to launch a pilot program to introduce the study of the Romanian language with cultural identity elements in schools from the Timok area, to explore the interest of the Romanians here, and to introduce this subject into the curriculum starting with the 2013-2014 school year.

After these incidents, it is worth highlighting the positive course of Serbia, which has continued its EU integration process firmly. Since the opening of Serbia's EU accession negotiations (January 2014), five meetings of the Ministerial Accession Conference took place in Brussels. 10 of the 35 negotiating chapters were opened for negotiations, of which 2 chapters have already been provisionally closed. We conclude that Romania did not endanger Serbia's European path in the 2012 European negotiations, but used its position in the EU Council as a form of "conditioning" that finally had an impact on compliance with the EU *acquis* regarding the respect for the rights of national minorities.

The year 2014 brought a firmer repositioning of Romania and solidarity support for Serbia, which passed through an election year, but also through a series of devastating floods. In 2014, Romania's largest contribution to ODA in Serbia was in education<sup>205</sup>. The

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<sup>205</sup> EurActiv, "Ramona Ghierga (MAE): Suntem donatori responsabili și solidari cu statele în curs de dezvoltare" (Ramona Ghierga (MFA): We are responsible donors, in solidarity with developing countries), February

Ministry of Education and Research offered scholarships in higher education and other financial facilities amounting to €1 million for Serbian citizens. At the same time, in 2014, the Romanian Senate and the Chamber of Deputies deployed election observation missions in Serbia. That same year, the MFA provided humanitarian assistance worth €50,000 for flood management in Serbia. Romania also provided emergency humanitarian aid to Serbia to counter the effects of the floods. Romania also provided Serbia with an emergency humanitarian aid to help the refugee population and to manage the crisis situation in the field of migration, consisting of products (in-kind), delivered by the Ministry of Domestic Affairs and the General Inspectorate for Emergency Situations, amounting to RON 988,900 (€224,000).

Another important leverage used by Romania to help Serbia's development is the multilateral cooperation in the Danube Strategy. Danube cooperation is an important element for Romanian-Serbian relations.

As we have seen, for these mechanisms, Romania used a series of specific "leverages" in its relationship with Serbia. Levitsky and Way (2010) argued that applying 'leverage' over the concerned states is efficient in the presence of 'linkages', rather than in their absence. We will further discuss these in the next section.

## **b. Linkages**

The Levitsky and Way model predicts the existence of 6 types of linkages that decisively influence the efficiency of the democratization levers between two states. In the following, in order to analyze

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7, 2017, available at: <https://www.euractiv.ro/we-develop/ramona-ghierga-mae-suntem-donatori-responsabili-si-solidari-cu-statele-in-curs-de-dezvoltare-6667>.

a decade of Romania's development assistance in Serbia, we will address each of these categories in turn.

### Economic linkages

Economic investment is not a priority for Romania in Serbia, although there are other forms of financial assistance. According to the first Report on Romania's Development Assistance in 2011 (for 2010), the agreement between Romania and UNDP Serbia was signed on July 5<sup>th</sup>, 2011, for the implementation and financing of the third phase of the "Partnership for the Revitalization of Rural Areas" in Serbia<sup>206</sup>. The project focused on strengthening rural development networks in Serbia, being the third stage of the project funded by Romania in 2007 and 2010. The aim of the project was to contribute to raising the living standards and sanitation in the concerned villages. At this point, Romania's financial influence in Serbia is deeply determined by the priorities and actions of the United Nations Development Program (UNDP)<sup>207</sup>. The agreement on cooperation between UNDP and the Government of Romania ended in 2012, the ultimate goal being to strengthen Romania's capacity to provide development assistance in an autonomous manner.

The financial support Romania could offer to Serbia thus entered a new stage. On September 15<sup>th</sup>, 2015, the Romania-Serbia Inter-Regional IPA Cross-Border Cooperation Programme (IPA-CBC), which is part of the European Interreg programme family, continued to fund cross-border cooperation in the Romanian-Serbian

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<sup>206</sup> 2011 RoAid Report, *ibidem*, p. 16.

<sup>207</sup> It is important to note that during the period 2010-2012, the cooperation with UNDP took place in a new partnership form, in the fields of interest for Romania, especially from the perspective of membership of the European Union, which meant, among other things, defining a new profile, different from that of a classic UN assistance beneficiary.

border area for the 2014-2020 programming period, through the Instrument for Pre-Accession Assistance (IPA II), with the support of the EU and the governments of the two states. The total budget of the program is €88,124,999, out of which €74,906,248 is a grant from EU funds. During the 2014-2020 period, projects will be funded on 4 priority axes, in the areas of:

- Promoting employment and services for inclusive growth – €18 million;
- Environmental protection and risk management – €21 million;
- Sustainable mobility and accessibility – €21 million;
- Attractiveness for sustainable tourism – €18 million.

The eligible area of the Programme consists of the counties of Timiș, Caraș Severin and Mehedinți (from Romania) and the Severno Banatski, Srednje Banatski, Južno Banatski, Braničevski, Borski, Podunavski districts (from the Republic of Serbia)<sup>208</sup>. The new cross-border co-operation programme between Romania and Serbia has been developed taking into account both the local needs of the border communities and the European strategies developed at the macro-regional level. Given its European dimension, the programme is in line with EU strategies for the 2014-2020 period, such as the EU Danube Region Strategy, that seeks better connectivity, environmental protection or prosperity development in the Danube Region. The Europe 2020 strategy is another European instrument that has inspired the development of a new programme that aims at smart, sustainable and socially inclusive growth. Taking into account the experience of cross-border cooperation gained in recent years at regional and local level, we note that for the first time community-based consultations have been carried out in the

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<sup>208</sup> According to Interreg – IPA CBC Romania-Serbia, available at: [www.romania-serbia.net](http://www.romania-serbia.net).

programming process for the development of a Romanian-Serb cross-border programme, while the local needs of the counties and districts have been taken into account. The strategic objective of the programme is to achieve a balanced and sustainable socio-economic development of the border region between Romania and the Republic of Serbia on the basis of the joint cross-border projects and joint actions of the two partners. This is one of the strongest "economic ties" but also a cross-cutting "leverage" through which Romania can provide consistent support for Serbia's development.

Also in 2015, the official public discourse focused on the importance of joint infrastructure projects between Romania and Serbia. Victor Ponta, the premier at that time, said: "It is the Danube that connects us, and the Danube Strategy can play a role. We can have highways, bridges, but the most important is energy, it is the most efficient weapon and the most important development. We need to accelerate energy infrastructure projects. It is important to have access to the European market, to energy at competitive prices"<sup>209</sup>. These aspirations were also supported by Romania's President Klaus Iohannis, who during his first official visit to Serbia stated that: "We want Romania and Serbia to offer a model of regional co-operation", and also noting that "there is interest on both sides for infrastructure projects, namely in transport and energy"<sup>210</sup>. These objectives can still be found on Romania's current agenda. The Romanian ambassador to the Republic of Serbia stated in 2016 that there is a clear interest for the development of economic relations between the two countries: "Cross-border cooperation, supported

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<sup>209</sup> CaleaEuropeana.ro, "Ponta: Romania supports Serbia's accession to the European Union", April 24, 2015, available at: <http://www.caleaeuropeana.ro/ponta-romania-sprijina-aderarea-serbiei-la-ue/>.

<sup>210</sup> Cotidianul, "Iohannis: Romania interested in energy exports to Serbia", July 16, 2015, available at: <https://www.cotidianul.ro/iohannis-romania-interesata-de-exporturi-de-energie-electrica-catre-serbia/>.

by the IPA funds, as well as Romania's Development Cooperation Programme, focusing on the Mobility Fund for Governmental Experts, a mechanism through which the Romanian state respects its commitment to make available concrete tools to Serbia for providing expertise in the European integration process. Bilateral trade exceeded €1 billion, but the assessment of both sides is that the figure is small compared to the existing potential"<sup>211</sup>.

### Geopolitical linkages

These are in connection to strategic relations between the two governments and within the Euro-Atlantic alliances and organizations. We can say that these linkages have been tight during this time frame. From a geostrategic point of view, one of the main features of Romania's relationship with Serbia was to support the process of European integration, which is one of the main pillars of the process of consolidating democracy. Through the diplomatic representatives of the MFA, an unambiguous message has been sent over the past 10 years – Romania firmly supports Serbia's EU membership. Activities on this level can be summed up briefly by Romania's commitment to share its own experience with the pre-accession period, but also to present the post-EU developments, having the advantage of geographical proximity and its own experience in the accession process.

Romania and Serbia have a long tradition of participating in numerous regional cooperation formats that offer the opportunity to strengthen the culture of multilateralism by identifying

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<sup>211</sup> BanatulAzi.ro, interview with H.E. Oana-Cristina Popa, Romania's Ambassador to Serbia: "As for supporting the preservation of the Romanian language in the Timok area, we make every effort", available at: <http://www.banatulazi.ro/in-ceea-ce-priveste-sprijinul-pentru-pastrarea-limbii-romane-in-timoc-noi-facem-toate-eforturile-interviu-cu-excelenta-sa-oana-cristina-popa-ambasadorul-romaniei-in-serbia/>.

and pursuing common interests. These include well-established cooperation formats such as the Danube Commission<sup>212</sup>, the South- Eastern European Cooperation Process and the Regional Cooperation Council<sup>213</sup>, the Central European Initiative<sup>214</sup>, the Black Sea Economic Cooperation Organization<sup>215</sup> or newer formats, such as the Strategy for the Danube Region<sup>216</sup>, as well as tri- or quadrilateral cooperation formats (Romania-Serbia-Bulgaria, Romania-Serbia-Bulgaria-Greece).

As a result of the policy to encourage political, economic and social reforms in the Balkans, the President of Romania Klaus Iohannis declared during an official visit to Belgrade in July 2015: "Romania considers Serbia a key partner in the region"<sup>217</sup>. He added that "Serbia deserves to be rewarded for the significant reform efforts made so far. We hope that Serbia's effective EU accession negotiations will begin this year", motivating Romania's involvement as follows: "We know from our own experience the difficulties and the efforts that the whole process of preparation and negotiation of the EU accession entails. That is why we have expressed Romania's readiness and full openness to offer Serbia

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<sup>212</sup> According to Danube Commission, available at: <http://www.danube-commission.org/dc/en/>.

<sup>213</sup> According to Regional Cooperation Council, available at: <http://www.rcc.int/home>.

<sup>214</sup> According to Central European Initiative, available at: <http://www.cei.int/>.

<sup>215</sup> According to the Organization of The Black Sea Economic Cooperation, available at: <http://www.bsec-organization.org/>.

<sup>216</sup> According to the Danube Region Strategy, available at: <https://www.danube-region.eu/>.

<sup>217</sup> Revista 22, "Klaus Iohannis goes on an official visit to Belgrade: Romania considers Serbia as a key partner in the region and supports its EU membership", July 16, 2015, <http://www.revista22.ro/klaus-iohannis-efectueaza-o-vizita-oficiala-la-belgrad-romania-considera-serbia-un-partener-cheie-in-regiune-si-sustine-aderarea-sa-la-ue-57617.html>

assistance in areas relevant to the integration process, if Serbia, of course, desires"<sup>218</sup>.

Most recently, in October 2017, the Romanian prime minister declared at a regional event that the three EU members (Romania, Bulgaria and Greece) will work together to accelerate the process of Serbia's entry into the European political and economic bloc: "We have done nothing but expand the collaboration between Bulgaria and Romania with Serbia and Greece. (...) Romania is not a neighboring country with Greece, but it is a partner country of Greece. (...) We are four countries that form the Western Balkans, Balkans, which can equally be an entry way to the European Union, an exit way to the European Union or a wall to defend the European Union. We have the same strategic and economic interest, but also as good neighbors, that Serbia should become a member of the European Union"<sup>219</sup>.

From its perspectives as a member state, Romania supports and monitors the stage of the accession negotiations so that the measures implemented by Serbia comply with the provisions of the EU *acquis* on all negotiation chapters. One of the most concrete measures that reflects the transferability of the Romanian expertise into the European accession to Serbia is the Bilateral Declaration on European Affairs signed on November 10<sup>th</sup>, 2016 in Timișoara. This is a clear expression of our country's readiness for assistance, the more relevant as Serbia currently has a more dynamic pace of opening new chapters of negotiations. The Romanian Ambassador to Belgrade mentioned in November 2017 that "We are continuing to support this dynamic,

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<sup>218</sup> Cotidianul, "Iohannis: Romania interested in energy exports to Serbia", July 16, 2015, available at: <https://www.cotidianul.ro/iohannis-romania-interesata-de-exporturi-de-energie-electrica-catre-serbia/>.

<sup>219</sup> Epoch Times, "Romania, Bulgaria and Greece support Serbia's EU membership", October 4, 2017, available at <http://epochtimes-romania.com/news/romania-bulgaria-si-grecia-sustin-aderarea-serbiei-la-ue---266180>.

in line with Serbian willingness and ability to go through the stages and meet the necessary criteria in this process"<sup>220</sup>.

A second geopolitical link between Romania and Serbia was achieved by Romania's position not to recognize the independence of Kosovo that has been maintained since February 2008 to date. After the self-proclaimed independence of Kosovo, Romania firmly acknowledged its position of non-recognition, consistently going on this line for years. On the day following decision, the Romanian Parliament said that "the possible unilateral recognition of the independence declared by other states cannot be interpreted as a precedent for other areas, nor as a recognition or guarantee of collective rights for national minorities"<sup>221</sup>. This element constitutes a strong linkage between Romania and Serbia.

Another important geopolitical linkage was the formation of the so-called "Craiova Group" in the spring of 2015. On this occasion, Prime Minister Victor Ponta announced the forming of the trilateral consisting of Romania, Bulgaria and Serbia, after the Visegrad Group model "with the aim to consult and collaborate for common projects and interests, rather than oppose something"<sup>222</sup>.

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<sup>220</sup> Intervio.ro, "H.E. Oana-Cristina Popa, Ambassador of Romania to Serbia: The bilateral declaration on European Affairs, signed on 10 November 2016 in Timișoara, is a clear expression of our country's readiness for assistance, the more relevant as Serbia currently has a more dynamic rhythm in the opening of new chapters of negotiations", November 28, 2017, available at <https://intervio.ro/2017/11/28/e-s-oana-cristina-popa-ambasadorul-romaniei-in-serbia-declaratia-bilaterala-pe-afaceri-europene-semnata-la-10-November-2016-la-timisoara-este-o-expresie-clara-a-disponibilitatii-de-asi/>.

<sup>221</sup> Mediafax, "MFA: Romania's position on Kosovo remains unchanged", February 17, 2008, <http://www.mediafax.ro/politic/mae-pozitia-romaniei-fata-de-kosovo-ramane-neschimbata-2394970>

<sup>222</sup> Mediafax, "Ponta: Romania, Bulgaria and Serbia to be «Craiova Group», based on the «Vișegrad Group» model, April 24, 2015, available at: <http://www.mediafax.ro/politic/ponta-romania-bulgaria-si-serbia-sa-fie-grupul-de-la-craiova-dupa-modelul-grupului-visegrad-14150178>.

The aim of this diplomatic initiative is related to the actions of the three states that need to be "more united and more coordinated" than they have been so far in their European endeavors. The meeting involved talks on cooperation projects in energy, transport, regional development, tourism, as well as on the EU Strategy for the Danube Region, that had been preceded by a trilateral meeting, at Prime Minister level, between Romania, Bulgaria and Serbia.

### Social linkages

They are part of the so-called soft democracy tools, which are related to public diplomacy. Education policy plays a particularly important role in the international cooperation policy in the field of democratization. It is important to mention the role of studies abroad for the socialization of elites, promoting close social ties marked by European values – mobility, cooperation, tolerance, solidarity. As Table 1 shows, the highest amount of Romania's financial assistance to Serbia over the past 10 years has supported the study scholarships offered to Serbian citizens by the Ministry of Education in Romania. These linkages aim at developing the communities of Romanians living in the Diaspora – from the regions of Vojvodina and Timok Valley, but not only. According to the 2012 Development Assistance Report of Romania, we find that most of the funds granted to Serbia are scholarships<sup>223</sup>. In terms of sectoral bilateral ODA contributions in 2012, education occupies by far the first place regarding scholarships offered by the Ministry of Education, with 20% of the total assistance sum that was reported (through scholarships offered to students from developing countries).

In 2013 the MFA launched the Governmental Experts Mobility Fund in order to facilitate the rapid exchange of experience between

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<sup>223</sup> The 2012 RoAid Report, p 3, available at: <http://roaid.ro/uploads/documents/10/2012Ro.pdf>.

Romanian experts and those from ODA partner countries. These scholarships contribute to the promotion of mobility and elite education, constituting an important social linkage between the two countries.

Starting in 2013, the general trend of the previous years is maintained. Due to scholarships and associated expenses reported by Romania's Ministry of Education, the field of education and research continues to prevail among the priority areas in Romania's assistance granted to Serbia. The study scholarships and related expenditures, reported by the Ministry of Education, continued to occupy an important place among the priorities of the assistance provided by Romania in 2014. Serbia is among the main beneficiary countries of ODA from Romania in 2014 along with the Republic of Moldova and Ukraine. However, development assistance reported in 2014 accounted for 0.11% of GNI, compared to 0.33% of the proposed target.

Currently, authorities are negotiating the Agreement between Romania and the Republic of Serbia in the fields of education, science, culture, media, youth and sports, a document replacing the Agreement on Cultural Cooperation between the Government of the Romanian People's Republic and the Government of People's Federal Republic of Yugoslavia, signed at Brioni on October 27<sup>th</sup>, 1956, thus updating the bilateral legal framework in the fields of culture and education and providing the legal basis for the conclusion of executive programmes in these areas.

Another social linkage aimed at promoting tourism and intercultural communication is the Danube cooperation, which has become in recent years a project of major importance for the whole EU area and non-EU countries that are in the Danube river area, attested also by the adoption (in 2011) of the EU Strategy for the Danube Region (EUSDR), a model of macro-regional cooperation launched at the political initiative of Romania and Austria. Within

EUSDR, Romania (together with Bulgaria) manages the objective of "Promoting culture and tourism, direct contacts between people", which offers Romania new possibilities for cooperation with Serbia in this multilateral format. Romania and Serbia are, together with Austria and Slovenia, responsible for the first priority area of this programme, which implies precisely the element of strengthening communication and relations – 1. Improving mobility.<sup>224</sup> Meanwhile, Serbia coordinates two priority areas – "7. Knowledge Society" (Novi Sad University) and "1b. Railway Infrastructure, Roads and Air Infrastructure" (Ministry of Infrastructure). A concrete example of "linkages" of Social elites in the Danube Strategy Forum, was organized between the 27<sup>th</sup> and 28<sup>th</sup> of November 2012, in Regensburg (Germany Baden-Württemberg), where Steinbeis Innovation Agency signed five contracts with universities in Nitra (Slovakia), Bratislava (Slovakia), Novi Sad (Serbia) and Cluj-Napoca (Romania) to establish a "Danube Transfer Center" in each of these cities. The aim of these centers is to improve cooperation between the private and academic environments of the three countries, focusing on the transfer of knowledge in the field of technology<sup>225</sup>. The second Forum of the Danube Strategy was hosted in Bucharest from the 28<sup>th</sup> to 29<sup>th</sup> of October 2013. The most recent event organized in this format that has allowed the number of interactions between technical elites (companies and universities) to increase was the Danube Spring School organized between May 3<sup>rd</sup>, and 9<sup>th</sup>, 2017 in Novi Sad (Serbia), in which representatives from Cluj participated<sup>226</sup>.

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<sup>224</sup> According to the Priorities of the Danube Region Strategy, available at: <https://www.danube-region.eu/about/priorities>.

<sup>225</sup> EUSDR Country Reports Serbia, available at: [http://ec.europa.eu/regional\\_policy/sources/cooperate/danube/pdf/rs\\_eusdr\\_country\\_fiche\\_en.pdf](http://ec.europa.eu/regional_policy/sources/cooperate/danube/pdf/rs_eusdr_country_fiche_en.pdf)

<sup>226</sup> According to the 2017 Danube Spring School, available at: <http://clujnapoca.dtcnetwork.eu/utcn-dtclujnapoca/2017/04/10/danube-spring-school/index.html>

The most recent European Commission report on the implementation of the EU's macro-regional strategies (December 16<sup>th</sup>, 2016) mentioned that the political impulse has somewhat decreased at national level compared to the first years of activity. However, the document underlines that "EUSDR has clearly improved the culture of cooperation by bringing together stakeholders and better linking existing institutions to the exchange of knowledge and experience. The strategy has benefited from the significant political support of the ministerial meeting of transport ministers in the Danube region to ensure better governance of navigation on the Danube, for example through the above-mentioned general plans"<sup>227</sup>. Here it is also noted that Serbia has also taken an active position in coordinating two of the priority areas of the strategy. In this context, EUSDR provides an important framework / cooperation format for the realization of concrete and tangible joint projects aimed at contributing to the economic and social development of the two neighboring countries for the benefit of their citizens. I am particularly mindful of the priority areas directly coordinated by Romania and Serbia in the implementation of this strategy: In the wide field of "Interconnection of the Danube Region", Romania is involved in the management of priority areas related to "Inland Waterways" and "Promotion of culture and tourism, direct contacts between people", and Serbia in coordinating aspects of "road, rail and air links". Another area of special interest in this strategy and with great potential for cooperation among our countries is the one related to "Protecting the environment in the Danube region", where Romania is involved in the management of the "Environmental risk

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<sup>227</sup> Report from the European Commission on the implementation of EU macro-regional strategies, 2016, p 7, available at: [http://ec.europa.eu/regional\\_policy/sources/cooperate/macro\\_region\\_strategy/pdf/report\\_implem\\_macro\\_region\\_strategy\\_ro.pdf](http://ec.europa.eu/regional_policy/sources/cooperate/macro_region_strategy/pdf/report_implem_macro_region_strategy_ro.pdf).

management" priority area. The pillar of the strategy for "Enhancing Prosperity in the Danube Region" provides Serbia with an important role in the "Developing knowledge-based society through research, education and information technologies" priority area.

And last but not least, in the summer of 2017, the Government approved the ratification of the Agreement between Romania and the Republic of Serbia in the field of social security. Romania and Serbia will develop a cross-border project worth €11.7 million, of which €10 million funds are designed to develop common custom work protocols for cancer patients<sup>228</sup>. These developments include the premise of close cultural cooperation (through the Ministry of Culture but also with the EUNIC network and the Romanian Cultural Institute) on the occasion of awarding the title of European Capital of Culture 2021 to the cities of Timișoara (Romania) and Novi Sad (Serbia).

### Technocratic linkages

We have identified a weak intensity of this kind of linkages that refer to abroad-educated elite or to participants in training sessions offered by the developed state that can be vectors of change in the recipient state. Here we include the Romanian expert missions in Serbia (sent to assist in the transposition of the EU *acquis* or other types of expertise), as well as the Serbian expert missions in Romania.

Romania supports Serbia's aspirations to become a member of the EU, both at political level and in particular, by making available

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<sup>228</sup> Agerpres, "Cross-border project of €11.7 million to improve cancer diagnosis and treatment, developed by Romania and Serbia", July 28, 2017, available at: <https://www.agerpres.ro/economie/2017/07/28/proiect-transfontalier-de-11-7-milioane-de-euro-pentru-imbunatatirea-diagnosticarii-si-tratariei-cancerului-dezvoltat-de-romania-si-serbia-14-24-08>

to Serbia the highly relevant expertise acquired during its own European negotiation process and that obtained as a member of the EU<sup>229</sup>. A concrete measure reflecting Romania's efforts in the development policy towards Serbia at the level of socialization of the elites is the Mobility Fund for Government Experts, which supports the exchange of experience between the representatives of the two states in order to bring about a transfer of know-how intended to facilitate alignment with EU standards. We have identified two such missions:

- October 12-13<sup>th</sup>, 2016, the study visit of prosecutors from Serbia's Prosecutor's Office for Organized Crime to DNA and DIICOT. Transport and accommodation were funded by the OSCE Belgrade Bureau, experts – an in-kind contribution of Romania, the Romanian-Serbian translation, Mobility Fund.
- June 7-10<sup>th</sup>, 2017, study visit of a member of the negotiating team with the EU of the Republic of Serbia, at the Ministry of Environment and the Ministry of Waters and Forests – Mobility Fund. It should therefore be stressed that during this period, some study visits of some Serbian officials in Romania, from the Mobility Fund for governmental experts funded by the MFA through the ODA budget and implemented by UNDP<sup>230</sup>, have been partially or entirely financed.

Both in 2014 and 2015, Serbia is the second state after Moldova in the top of Romania's development assistance. Since 2014, when Serbia became officially a candidate country, Serbia's support

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<sup>229</sup> RoAid's Expert Mobility Fund, available at: <http://roaid.ro/post/fondul-de-mobilitate-pentru-experti-guvernamentali-228>.

<sup>230</sup> According to the information provided by the Ministry of Foreign Affairs and an interview with a UNDP expert in October 2017.

policy for Serbia has been subject to internal tension, and the following question was posed to the authorities in Bucharest: "If it is currently a candidate country, is Serbia a developing state where Romania will invest development funds?"<sup>231</sup> "Serbia is a candidate country for the EU, therefore the philosophy of development assistance should be different"<sup>232</sup>. This dilemma has slowed Romania's influence on Serbia and has led to a certain paradigm shift in international co-operation for democratization.

Concerning the last two types of linkages presented in the Levitsky and Way model – communication (including cross-border telecommunications, internet connections, infrastructure, and media penetration in Romania) and linkages between transnational civil society, which includes links between NGOs, churches, party organizations or other networks, we did not find any relevant data for the studied period.

### 5.3. Analysis of expert interviews

How can Romania promote institutional strengthening and the rule of law in its neighborhood? There is certainly a need for a differentiated approach to former Yugoslav states and former Soviet states. We consider that one of the main tasks of Romania's development policy (in direct correlation with the defense and security policy) will be to ambitiously prepare the export of the transition experience in the strategic neighboring countries, a transforming power for any young democracy. Romania's relationship with the two strategic neighborhoods must be pragmatically defined – because of the fact that the extension in Romania's neighborhood

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<sup>231</sup> Research interviews with UNDP expert, October 2017.

<sup>232</sup> Research interview with an expert from the Ministry of Education, October 2017.

of the democratic area of prosperity, security and predictability is necessary to ensure national security. President Klaus Iohannis also notes that: "The geopolitical tensions in our immediate neighborhood make us even more responsible. We have the duty to rise, with lucidity and wisdom, to the expectations of our friend and partner states"<sup>233</sup>. Romania must manifest its visible status as a state at the external border of the EU and NATO, by being aware of the advantages and disadvantages that this geopolitical aspect implies. Thus, the bilateral and multilateral relations strategy with neighboring states in different contractual relations with the EU and NATO should focus on promoting good governance and strengthening the stability, independence and effectiveness of institutions that guarantee the principles of democracy and the rule of law. Several experts confirm the opportunity to transfer expertise from Romania in the neighborhood: "There have been more and more clear signs that states in the region want to see, understand and apply the Romanian model, especially in the field of anti-corruption fight. It is a transition lesson that Romania can successfully teach in any context where Agenda 2030 will address this issue"<sup>234</sup>.

Ramona Ghierga, former director of the Development Assistance Unit of Romania's MFA, said in a public interview in early 2017 that "for 2015, I can tell you that the sectors that benefited most from the development cooperation budget were: education, democracy

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<sup>233</sup> Romania's Presidential Administration, document available at: <http://www.presidency.ro/ro/presedinte/documente-programatice/discursul-presedintelui-romaniei-domnul-klaus-iohannis-la-intalnirea-anuala-cu-sefiimisiunilor-diplomatice-acreditati-in-romania-29-january-2015>.

<sup>234</sup> EurActiv, "Bianca Toma: România scrie deja istoria anticorupției în Europa de Est după prăbușirea comunismului" (Bianca Toma: Romania is already writing the post-communist history of anti-corruption in Eastern Europe), February 24, 2017, available at: <https://www.euractiv.ro/we-develop/bianca-toma-romania-scrie-deja-istoria-anticoruptiei-in-europa-de-est-du-pa-prabusirea-comunismului-6866>.

and good governance, civil society and humanitarian assistance", The main beneficiary countries of assistance from Romania in 2015 were Moldova, Serbia and Tunisia, with the largest share of the total bilateral contributions held, as in previous years, by the Republic of Moldova (56%)<sup>235</sup>. We would like to point out the need for the two regions to enter the main foreign policy priorities of Romania. This must be reflected in the quantity and quality of development assistance projects for these regions. We believe that Romania's regional influence may grow and become more visible through the allocation of development assistance to other Eastern Partnership countries other than the Republic of Moldova (Ukraine for example) or the Western Balkans (Montenegro or Macedonia).

The Mobility Fund is a flexible tool for transferring Romanian expertise to neighboring partner countries. The tool was developed in 2013 by the MFA in collaboration with UNDP and consists of organizing short ad hoc missions (in Romania or the partner states) to share the Romanian expertise. We submitted a semi-structured questionnaire through the SurveyMonkey digital consultation platform with open questions to the list of participants provided by Romania's MFA.

The context in which the Romanian experts involved in the Mobility Fund were active was diverse. Some of the respondents were involved in providing specialized electoral assistance to the Central Electoral Commission of the Republic of Moldova on issues such as: voter registration (electoral register), delimitation of polling stations and voter turnout; electoral logistics and electoral

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<sup>235</sup> EurActiv, "Ramona Ghierga (MAE): Suntem donatori responsabili și solidari cu statele în curs de dezvoltare" (Ramona Ghierga (MFA): We are responsible donors, in solidarity with developing countries), February 7, 2017, available at: <https://www.euractiv.ro/we-develop/ramona-ghierga-mae-suntem-donatori-responsabili-si-solidari-cu-statele-in-curs-de-dezvoltare-6667>.

process management tools; electronic management of electoral processes; selection and training of electoral officials. Others participated in the Mobility Fund on the basis of the cooperation protocols signed at the level of the penitentiary administrations in the field of competition, based on the NORLAM mission plan or various projects funded by the EU.

The expertise provided by the Romanian experts is relevant because they are not perceived as coming from a society with a very different path from that of the other states in the region and are therefore easier to integrate into the teams of the homologous institutions. The countries in the region to which we have directed technical assistance in the field of competition and state aid are still faced with a process of transition to the market economy. An important role in this transition is played by the competition authority; the more this authority evolves from the point of view of the legislative framework, the administrative capacity and the recognition among the administration and the public, the faster is the creation and functioning of a market economy similar to that of the EU. Most of the Competition Council's technical assistance actions fall within the lines of action established by the EU's Association Agreements with these countries. Starting with 2010, the Competition Council provides expertise both on the basis of bilateral relations with the authorities in the region and in various projects supported by the EU, OECD, RoAid, USAID and other international bodies. In other areas included in the Mobility Fund, Romanian experts contributed to the development of working concepts according to European standards and legislative and administrative alignment with the requirements of the EU.

The financial instruments mentioned as being used by experts in our questionnaire include:

- EU funds grouped under various programs: ENPI / ENI (European Neighborhood Instrument, Erasmus +, TAIEX);
- ODA Development Assistance Fund offered by the Government of Romania.

According to experts, the financial instrument that manages to have a real impact on the evolution of the authorities in the region is the *Twinning* (under the umbrella of ENPI / IPA), because it allows the use of substantial funds, the objectives are achieved with the support of a similar authority. Of course, RoAid projects are not negligible, but until recently, there was no national framework to stimulate civil servants involvement in such projects compared to EU-funded projects.

The non-financial instruments mentioned by experts in our questionnaire include bilateral protocols and legislative measures aimed at cross-border cooperation. A first example is Government Decision no. 803/2013, through which 20 young people from the Republic of Moldova are trained annually in Romania at the Târgu Ocna Agora School and the Protocol of Cooperation between NPA (National Penitentiary Administration) and the DPI (Department of Penitentiary Institutions) of Moldova, through which five Moldovan youth attend each year the courses of the Alexandru Ioan Cuza Police Academy in Bucharest. It also mentions the co-operation protocols between the NPA and the DPI respectively and the two ministries of justice. The NORLAM mission, which constantly co-opted Romanian experts to provide training, has organized several study visits in Romania. The Competition Council constantly provides the expertise of the competition authorities in the region through exchanges of experience on different themes / sectors / practices. Their implementation can be done by electronic mail, bilateral meetings, study visits in Bucharest. The expertise shared by Romanian specialists to foreign partners also covered

some topics that were not covered by the projects funded from the Development Assistance budget. Another instrument is the assistance offered by the Romanian state.

Examples of good practices referred to by Romanian experts generally include training programs and exchange of experience. Specific examples:

- International Seminar "North Africa and Eastern Europe: Transitional Views and Shared Experience", AEP and United Nations Election Assistance Division, Bucharest, June, 2010;
- Summer camps for young people working in the electoral field: <http://www.primulvot.ro/stire/summer-elect-camp-2016/>.
- The EUTAP 4 project – under this project Romanian experts were co-opted to provide expertise: <http://www.cilc.nl/project/justice-sector-reform-in-moldova/>;
- The Learning by Doing project: [www.lbderasmus.ro](http://www.lbderasmus.ro).
- TAIEX Study Visit – operation 59807.
- ODA project called "A new chance for young people in penitentiaries";
- Introducing the state aid regime in the Republic of Moldova, similar to the EU one, as well as the first documents for reporting and monitoring of state aids in the Republic of Moldova;
- Training sessions for the competition authority of the Republic of Moldova, but also for judges, public administration and other stakeholders – target groups needed to be prepared at least at the grassroots level, the objective being to support the change of approach in the use of public funds by introducing legislation in the field of state aid;
- Presenting the Competition Council's expertise in the use of market research and investigation tools (including the Comprehensive Pressure Compression Index, the Platform

- for Competition Awareness) supported by handled cases – for the competition authority in Serbia;
- Presentation of the pre-accession experience in state aid, presentation of the state aid control and monitoring mechanism (REGAS), presentation of the role of the territorial inspectorates – of importance for the competition authority in Ukraine, which in August 2017 started the application of the State Aid Law and which is in the process of modernization;
  - Development of the Forensic IT tool (training and assistance for the creation of a forensic laboratory) – Collaboration with the US Competition Authority – Federal Trade Commission as part of an USAID project;
  - Veterinary sanitation programs (e.g. the Salmonella control program in poultry farms, avian influenza, African swine fever, Newcastle disease etc.) implemented in the Republic of Moldova and technically audited by the European Commission, with positive results (e.g. opening of exports of egg powder from the Republic of Moldova on the EU market).

Among the main challenges identified by Romanian experts in collaboration with experts from neighboring countries is the lack of a medium and long-term strategy, as well as the frequent change of decision-makers, followed by a change of priorities. Another challenge is the availability of funds, especially since the current European funding mechanisms are considered to be slow, bureaucratic and require project-specific knowledge from beneficiaries. The low involvement of beneficiaries in the implementation of projects, in some cases, is another problem, since it is difficult to involve the partners in the context of low salary levels in the neighboring countries (e.g. Moldova). Increasing the number of Technical Assistance projects that are not addressed to the public

administration can also be problematic, the only way to participate being a consortium of consultancy firms. The national legal framework, organizational culture and differences in education and perception are other issues mentioned by Romanian experts.

## Conclusions and Recommendations

This analyses aimed to explore and evaluate how Romania has provided expertise in its relations with the Eastern Partnership countries, and the Western Balkans, respectively, in the post-2007 period. We have thus achieved a first comprehensive synthesis of the lessons learned by Romania in its relations with the Eastern and Southern neighborhood. Moreover, the study aimed at making a consistent contribution to the debate on the positioning of Romania as a regional actor based on recent and solid data obtained through empirical research.

At the same time, the volume wants to contribute to the efficiency of Romania's foreign policy in the two strategic areas for our country – the Black Sea and the Western Balkans. It focused on the synthesis of the last ten years of experience of Romania as a full member of the EU from the perspective of the neighborhood policy and the enlargement policy. The study provides a presentation of the tools through which Romania can disseminate and provide expertise in its strategic neighborhood. The analysis has a complex approach, as it includes both bilateral relations and concerted actions in a multilateral framework. The main merit of this study is to provide and analyze relevant examples of good practices / lessons learned in the democratic transition experience of Romania.

In analyzing Romania's development assistance in the last decade, we note the recent attempts (marked by discontinuity) to build a conceptual and political profile on the strategic approach to resilience, assuming one of the five external priorities of the Global Strategy – state and societal resilience in the East and the South. In this context, the question that guides this final section is: "How can Romania use development assistance funds to build itself a conceptual and political profile on the strategic approach to resilience in the near neighborhood?"

According to Romania's MFA, the main OD partner countries in the field of development cooperation are the Republic of Moldova, Serbia and Georgia<sup>236</sup>, and therefore in the study, the selection of the two in-depth case studies included the first two beneficiaries. In this decade, Romania has gained valuable experience in shaping its development policy and in delivering development assistance programs. From the analysis of the case studies on the relationship with the Republic of Moldova and Serbia we could see that the democratization efforts in the neighborhood were adapted to the regional specificity of Romania. However, we note that there is still no strategic set of Romania's competitive advantages as a donor state that can be highlighted based on these experiences.

The effects of the linkages between Romania and the neighboring development assistance beneficiary countries are often diffuse, indirect and very difficult to detect. However, where the presence of linkages is intense, this creates multiple pressure points on states – from investors, technocrats or voters – which is very difficult to ignore by the institutions of those states. As a result, in Levitsky and Way's view, the link-generated pressure for democratization is often more persistent and more effective than the leverage-generated

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<sup>236</sup> Ministry of Foreign Affairs of Romania: International Partners, available at: <http://www.mae.ro/en/node/2070>.

one. These observations are also fully supported by examples of the links between Romania and Moldova (to a greater extent) and Serbia.

### **Lessons learned from the Romania-Moldova relationship**

Based on the available data we appreciate that at present in the case of Romania-Moldova relations the leverage mechanisms defined by Levitsky and Way are strong, while the links are intense and consistent, which is specific to the first scenario (see first, Scheme 1). In this respect, according to the analytical model, Romania's important contributions to the democratization of the Republic of Moldova are evident, including the deepening of the country's relations with the EU. The fact that Romania has become the main economic partner of Moldova since 2014 is perhaps the most obvious proof that the effects of interventions prove their effectiveness.

However, this status is characteristic of the last years, after the entry into force of the agreement providing for the transfer of a non-repayable aid of €100 million. The €150 million loan granted in 2016 and 2017 has significantly strengthened this character. Until then, Romania fell into Scenario 2, where the links were strong, but the leverage was relatively weak. In this sense, even with the granted financial or material aid, as the expertise and technical assistance offered were useful and welcomed, they seemed to be insufficiently well calibrated and adequate to social and political needs and contexts, but also conditioned in view of the resulting effects. Although they relied on contagion mechanisms, seldom on diplomatic pressure, the interventions could not ensure the efficiency of the processes of structural modernization, democratization and Europeanization of the Republic of Moldova. As a result, we see that, for the first two decades of bilateral relations,

Romania's contribution to the democratization of the Republic of Moldova was a slow, diffuse and even elusive one.

In order to accelerate the processes of democratization and Europeanization, the Romanian authorities must move to another level of contribution, namely to provide a framework for resilience. This would mean that in addition to ensuring institutional and procedural convergence in the main areas (justice and rule of law, competition, monetary and fiscal policies etc.), Romania must become more present in the domestic economic life of the Republic of Moldova. This can be accomplished by participating in the privatization or acquisition of the majority stake of the main economic operators in the energy system (gas, electricity), the banking system as well as demonstrating perseverance in order to enter and maintain local trade and services markets, revitalize the chambers of commerce and industry etc. In order to ensure a sustainable resilience framework, these actions must be accompanied by actions to stimulate domestic production as well as those actions related to the formation of competitive human capital. That is why, through their purpose, RoAid's actions in the Republic of Moldova should facilitate the strengthening of leverage and linkages between the two states, as did some Nordic states, including Germany, in the case of the Baltic countries in the 1990s.

At the same time, it is necessary to ensure greater visibility of the implemented interventions. For example, in the documentation process for writing this study, we found that the vast majority of the information regarding the interventions of the Romanian Government in the Republic of Moldova can be identified by analyzing the mass-media from the Republic of Moldova and in a very small proportion by directly accessing the authorities in charge with the implementation of these interventions (Ministries of Development, Foreign Affairs, Internal Affairs, Education etc.).

For example, on the RoAid site, the latest information on statistics regarding Romania's interventions in the Republic of Moldova is from 2015, while the latest evaluation reports and audit reports are from April 2016.

Another important aspect relates to the fact that the information is presented in a synthetic statistical manner, but without emphasizing the factual interpretation of the actual results and transforming the data into convincing evidence that the state of affairs has changed. The annual implementation, evaluation and audit reports are useful in this respect. But they have their limits. For example, evaluation reports do not cover the whole range of interventions, while audit reports cannot provide a comprehensive picture of the results obtained in the logic of interventions. At the same time, given their designed, they are intended rather for a relatively limited and specialized public.

Therefore, it is advisable for the next RoAid period to put more emphasis on the application of an own strategy for capturing, analyzing and presenting records of the initial state of play, the logic of the interventions and the results obtained at the end of the implementation of the programs or projects. Such a strategy should focus on a series of benchmarks regarding the quality and sustainability of democratic transition processes in the priority areas of action. This activity needs to be carried out by an own unit of collection, analysis and interpretation of records, so that they can make relevant and context-appropriate decisions. The publication of these sets of records should not be correlated with the procedure for designing, approving and publishing of the annual activity reports.

It is obvious that in 2016 Romania became the main donor for development of the Republic of Moldova. But this brings with it even more challenges. First of all, a first challenge concerns the ability to maintain the pace of intervention and their focus on

results. A second challenge is to correlate interventions with other international donors so as to ensure coherence and complementarity of interventions.

Therefore, for the next period, benefiting from the new legislative and regulatory framework already in force, RoAid needs to be much more active in coordinating interventions in the Republic of Moldova. This coordination can be done both by facilitating the dialogue between the central public administration authorities (ministries, agencies, councils etc.), between the two countries, as well as the dialogue with the international donor organizations and the donor states agencies that are present in the Republic of Moldova. For example, the organization of annual conferences or forums with the participation of interested governmental and non-governmental stakeholders can be considered to be a coordination tools.

Over the last decade, Romania has been through a transition from a recipient country to a donor country for development assistance. In the case of the development policy applied to the Republic of Moldova, this period has been marked by a series of challenges, but also by multiple opportunities. It is worth pointing out that in this period Romania has undergone a process of remodeling the ODA institutional framework, being in search of a stronger development assistance policy and of recognition as a relevant actor in the region. Romania is among the emerging donors who are in the process of rearranging their official development assistance policy and further mechanisms for implementing ODA.

## **Lessons learned from the Romania-Serbia relationship**

In discussing the importance of international factors in the democratization process in Serbia, we have three important factors in the analysis that we find in the external mechanisms defined by

Whitehead and Schmitter as those stimulating this process: *contagion*, *control* and *conditioning*. In the specific case of Romania's development policy in Serbia, we identified two of these mechanisms – namely *contagion* (derived from the geographical proximity manifested by influencing political developments – expert exchanges); and *conditioning* (used in the process of integration into the European Union of Serbia).

In defining Romania's donor profile in the Western Balkans, a correct estimate of the effectiveness of ODA is needed by studying the impact of the interventions on Serbia, the closest state in the region. We believe that relations between Romania and Serbia can provide a basis for increasing cooperation throughout the Western Balkans region. After analyzing Romania's various assistance projects in Serbia, we can conclude that support for democratization in Serbia has been achieved at the same time as supporting the Romanian community in Serbia, which presents the risk of ambivalence in the management of Romania's development funds and the risks of politicizing the process (as it was the case during the tense moment of 2012).

EU's Global Strategy promotes a distributed and integrated involvement to strengthen political and economic resilience in the neighborhood. The analysis indicates that Romania's development assistance efforts towards Serbia fluctuated in the 2007-2017 period, and the approach was not an integrated one with economic, political and social elements, the emphasis being placed on supporting Romanians in Serbia through study scholarships and other funding rather than by transferring expertise to Serbia's governmental or non-governmental elites apart from the ethnic or cultural criterion. Nor can we observe a clear and strategic objective consistently pursued in the 10 years to increase Romania's influence in supporting reforms in Serbia. Based on this weak point, we

recommend that starting from 2018, Serbia should officially return to Romania's list of ODA beneficiary countries. Moreover, there is a need to set a priority area and a strategic objective that would sum up Romania's efforts to support Serbia.

We consider that based on the available data, in the case of the Romania-Serbia relations, the leverage mechanisms defined by Levitsky and Way are diplomatic pressure, political conditionality and scholarships that were useful (but insufficient to achieve the process of Serbia's democratization. In terms of assessing Romania's contribution to the democratization of Serbia and fitting into one of the four possible situations (see Chapter 1, Scheme 1), we identified the presence of development assistance funds as appropriate to Scenario 2 of the Levitsky and Way model – the linkages are strong, but the leverage is relatively weak, resulting in a diffused, slow, indirect democratic pressure, yet with the potential to be substantial.

We conclude with a recent statement by the Ambassador of Romania in Belgrade, which provides a synthetic picture of the main "levers" and "linkages" discussed above: "the development of economic and cultural exchanges between our states and the realization of the important presence of the Romanian minority in Serbia and the Serbian one in Romania represents a real advantage in bilateral co-operation"<sup>237</sup>. Thus, we see that in terms of the development assistance, Romania attaches a special interest to the identity element, not only to the geostrategic one. The intertwined nature of the various developmental levers illustrated by Mrs.

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<sup>237</sup> BanatuldeAzi.ro, Interview with H.E. Oana-Cristina Popa, Romania's Ambassador to Serbia: "As for the support for the preservation of the Romanian language in the Timok area, we make every effort", December 29, 2016, available at: <http://www.banatulazi.ro/in-ctiea-ce-priveste-sprrijinul-pentru-pastrarea-limbii-romane-in-timoc-noi-facem-toate-eforturile-interviu-cu-excelenta-sa-oana-cristina-popa-ambasadorul-romaniei-in-serbia/>.

Ambassador also coincides with the recent approach to the concept of resilience in the EU's foreign and security policy.

We therefore recommend that this framework be pursued in the medium and long term in order to achieve concrete results and to strengthen the relationship between the two countries.

## **Conclusions and final remarks**

Democratic quality and government management in countries that are in Romania's strategic neighborhood are some of the main challenges these countries have in the process of political stabilization and economic development. The data show that for some states in the Balkans (eg Montenegro) and for a number of Eastern Partnership countries (eg Georgia, Republic of Moldova), sustained efforts have been made during the last years for improving the quality of democracy in all its aspects – the rule of law, free and fair elections, representativeness etc. Unfortunately, even in those countries where there has been sustained progress over a certain period of time, regression has been taking place lately. The slowdown or even the reversal of democratic reforms does not only affect the electoral system, but the whole development perspective of those countries that are on the periphery of the EU. The formulation of various bilateral agreements, such as the Association Agreements for the Republic of Moldova, Ukraine and Georgia, are an important step in strengthening institutional direction and preventing slippages that derive from the conjectural opportunist policy.

Statements by EU representatives and recent events denote coherent approaches to the Western Balkans (eg Summit Sofia, May 2018) and the Eastern Partnership (eg Fifth East Partnership Summit, Brussels, November 2017). Moreover, as Bulgarian Ambassador Dimiter Tzanchev states, the lack of clear prospects of

approaching the European Union to the Western Balkan countries may mean reorienting them to other geopolitical anchors<sup>238</sup>. As we have shown in this study, both in the Western Balkans and the Eastern Partnership countries, economic dependencies are an important explanatory factor. If we look at elements economic linkages (according to Levitsky's and The Way model applied here), we see a great vulnerability in concentrating business relationships with a single partner. In some countries such as Montenegro, Albania, Armenia, Azerbaijan or Belarus, the share of trade is much leaning towards strategic partners. In addition, the share of foreign investment in these states is relatively small and undiversified as a source (eg capital market), due to problems related to the political regime or to corruption-related deficiencies that make them less-attractive destinations for foreign investors.

In the context in which economic ties must be seen as being in symbiosis with (geo)political efforts, any effort to stabilize democracy and bring the states that are in Romania's strategic neighborhood closer to the European project must use effective instruments specific to both levels.

As we have seen, at the level of experts' assessments and data series on the quality of democracy worldwide, Romania has a valuable expertise and experience in the democratic consolidation that it can offer to neighboring countries.

Moreover, exchanges of experience between institutions in countries with a similar path proved to be much better received and easier to apply than the transfer of expertise from Western Europe to the new European democracies.

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<sup>238</sup> EurActiv, "Bulgarian Presidency: Non-European powers showing interest in Western Balkans", January 8, 2018, available at: <https://www.euractiv.com/section/enlargement/news/bulgarian-presidency-non-european-powers-showing-interest-in-western-balkans/>.

Romania's efforts in this respect must be doubled by economic incentives to approach the EU either through European projects, development assistance or public and private investment and even trade liberalization. A good example of this is emerging from the recent Free Trade Areas (DCFTA) established with the Eastern Partnership countries.

In the context of social ties, we recommend that for the coming years, RoAid, in cooperation with the Ministry of Education, should consider more robust monitoring and provide credible data on the efficiency, effectiveness and impact of the scholarship tool in higher education institutions in Romania that are granted to young people from the Republic of Moldova and Serbia<sup>239</sup>.

Another concrete recommendation would be to increase the amount of the individual scholarship in order to make them more attractive to students, and thus, even if fewer are offered, a higher amount per individual will stimulate competition and attract high-quality people.

Legislative and institutional evolution favored the new international donor profile of Romania in the years to come. On November 14th, 2016, the Law no. 213 on International Development Cooperation and Humanitarian Assistance entered into force. Starting from the new Law, on 21<sup>st</sup>, December 2016, the Government Decision no. 1006 on the establishment, organization and operation of the International Development Cooperation Agency (RoAid) was adopted. The RoAid Agency is a public institution with legal personality, subordinated to the Ministry of Foreign Affairs, functioning from November 6th, 2017, and having as main attributions the implementation, monitoring and evaluation of Romania-funded development assistance projects, the

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<sup>239</sup> The first two countries as ratio from the total amount of scholarships offered over the last 10 years.

provision of specific expertise, the conclusion of collaboration protocols in the field. We consider these positive developments and we are convinced that this new institutional structure will efficiently manage the development policy of Romania. In this regard, we also want to point out finally that in the period 2018-2020 Romania will benefit from an international favorable climate for strengthening its position as a strong regional actor in the EU neighborhood but also as a member state. Among the events that can create opportunities we name:

- the EU's emphasis on good governance and support for the rule of law as the pillars of democratization / Europeanization in the Balkans and the Eastern Partnership states (where Romania's transfer of expertise is a key factor);
- operationalizing the EU's Global Foreign and Security Policy and the concept of resilience in the neighborhood (as well as the PESCO – Permanent Structured Co-operation, of which Romania is also a member);
- Romania's position on the eastern flank of NATO (being one of the initiators of the B9 format);
- Brexit and the opportunities for faster integration into the EU of the Western Balkan countries;
- the Presidency of the EU Council in the first semester of 2019, which should be used to bring the Western Balkans, the Black Sea region and the Eastern Neighborhood, especially the Republic of Moldova, into the "spotlight".

Our analysis shows that, compared to other states in the region, Romania is relatively balanced in providing development assistance and democratic transition through supranational instruments (such as TAIEX and Twinning). The main beneficiary state of the assistance was the Republic of Moldova, followed by the Former Yugoslav Republic of Macedonia and Serbia. For example,

it is illustrative that Western Balkan countries have benefited nearly 2/3 of the TAIEX operations in which Romania has been a provider of expertise.

At the same time, our analysis highlights the fact that the Romanian authorities participating in the TAIEX or Twinning missions are still limited in participating in study visits. This points to the fact that the Romanian authorities are not yet willing to fully share the experience gained in recent years. Therefore, it is advisable for RoAid to carry out encouraging actions and convince the Romanian authorities to accept study visits, which will still make Romania an attractive state for carrying out actions and projects funded through these EU instruments.

In order to ensure the effectiveness and relevance of providing development assistance and democratic transition through joint national or regional common instruments, the Romanian management authorities should strengthen their analytical capacity and coordination of a mechanism for substantiating and appropriate context of the types of expertise. The mechanism is also necessary to ensure the convergence between the various complementary national instruments managed by other Romanian authorities (for example, ensuring the symbiosis with the Multinational Strategic Development Cooperation Program). At the same time, RoAid needs to adapt its formulation processes to the objectives of the funded interventions on the basis of sound analyzes and evidence that demonstrate the initial and desired state based on sets of indicators. To this end, RoAid needs to strengthen its information and analysis system so as to be able to provide evidence on the effectiveness, efficiency and impact of interventions supported in the Western Balkan and Eastern Partnership countries.

As we have seen, adapting to local contexts is essential in the area of development assistance. We want to encourage an even

better adaptation of instruments used to increase leverage and connections in recipient states, taking into account specific and contextually understood issues. In the case of countries that were part of our study, apart from ethnic disputes and the challenge of borders, high unemployment rates and corruption, there are other characteristics that confirm the status of unconsolidated (or partially consolidated) democracies. These include the high levels of mistrust in politicians and their own democratic institutions, which also act as obstacles to reforms, as well as limits to media freedom.

Thus, we recommend that the main priorities of development cooperation projects in these countries should focus on strengthening governance, reducing corruption and increasing governance transparency, as well as strengthening civil society and increasing capacity to hold government accountable.

A very appropriate tool in this respect is the Mobility Fund for Government Experts. In the process of documentation for our analysis, we have noticed that there is a limited level of regional awareness about the opportunities offered by the Mobility Fund. We believe that this is a very good initiative, but requires more intense promotion in the partner states and so we recommend a greater emphasis on disseminating information about this opportunity through the Romanian embassies in the beneficiary states.

In addition, we recommend that another priority Romania should promote in the Balkan and the Black Sea states is the stimulation of cooperation. Despite the assurances received from officials from the Balkan states and the Black Sea region about their openness, regional co-operation is modest. An example of good practice in the non-governmental field is the 10-year organization of the Black Sea Forum (NGO) organized by the Federation of Non-Governmental Development Organizations (FOND) with funding from the Ministry of Foreign Affairs. Most of the states in

the region prefer to build bilateral treaties with the main external actors, but they fail to grasp the potential of multilateral regional engagements.

We therefore recommend that Romania should strongly encourage regional cooperation mechanisms, not just bilateral relations. We propose in this respect that the example of the good practices learned from facilitating the regional interactions within the Black Sea NGO Forum should be replicated at the level of the Western Balkan states by involving Romania in the "Berlin Process" co-operation format initiated by Austria, Croatia, France, Germany, Slovenia and the United Kingdom, but also representatives of European institutions and international financial institutions. A more active involvement of Romania would come as a direct complement to the strategic axis announced at the end of 2017 by the MFA: "For Romania, supporting the European path of the Western Balkan states is one of the main priorities of foreign policy, both from the perspective of the country's membership to the European Union as well as from the regional perspective"<sup>240</sup>.

We propose that during the Romanian Presidency of the Council of the European Union in 2019 the MFA organize in Bucharest a Forum of reflection focused on the direct support of the Berlin Process and the economic growth plans for competitiveness in the Balkan region to which all 6 states in the format will be invited. This meeting can be carried out as a follow-up to the Western Balkans Summit in May 2018 in Sofia. Romania's actions

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<sup>240</sup> Agerpres, "Meleşcanu a reconfirmat disponibilitatea României de a sprijini statele din Balcanii de Vest în eforturile de integrare în UE şi NATO" (Meleşcanu reconfirmed Romania's readiness to support Western Balkan states in EU and NATO integration efforts), October 10, 2017, available at: <https://www.agerpres.ro/politica/2017/10/10/melescanu-a-reconfirmat-disponibilitatea-romaniei-de-a-sprijini-statele-din-balcanii-de-vest-in-eforturile-de-integrare-in-ue-si-nato-18-54-46>.

can thus contribute to enhancing internal reform efforts, particularly in the field of the rule of law, human rights, economic development and competitiveness in these states of strategic interest for Romania.

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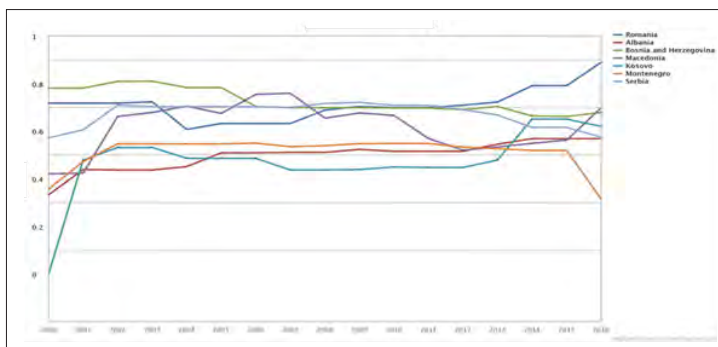
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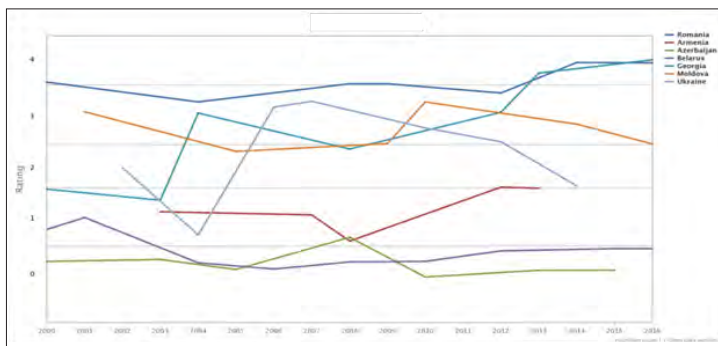


**Figure 19 – Free and Democratic Elections in the Balkans and Romania (2000-2016)**



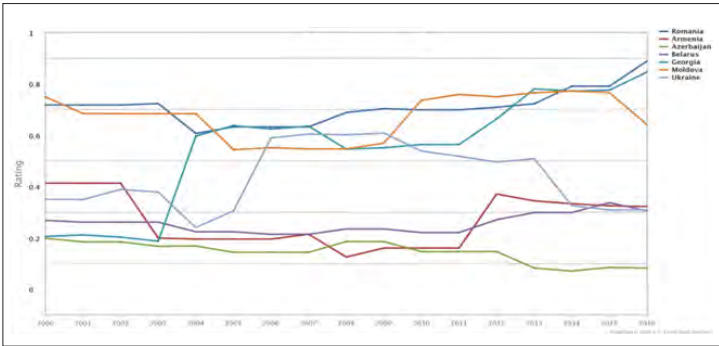
Source: Coppedge, M. et al 2017, „V-Dem [Country-Year/Country-Date] Dataset v7.1”,  
Varieties of Democracy (V-Dem) Project

**Figure 20 – Free and Democratic Elections in the Eastern Partnership Countries and Romania (2000-2016)**



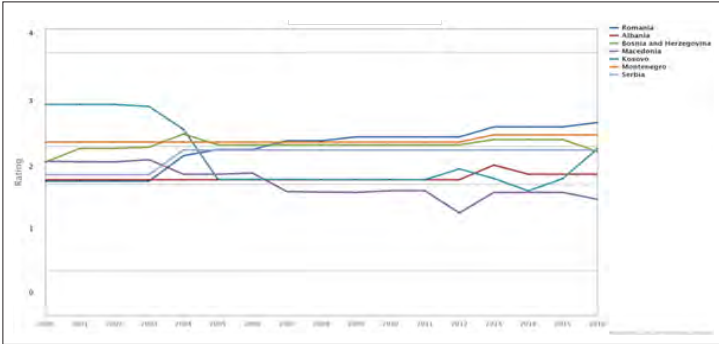
Source: Coppedge, M. et al 2017, „V-Dem [Country-Year/Country-Date] Dataset v7.1”,  
Varieties of Democracy (V-Dem) Project

**Figure 21 – Elections without Incidents in the Eastern Partnership Countries and Romania (2000-2016)**



Source: Coppedge, M. et al 2017. „V-Dem [Country-Year/Country-Date] Dataset v7.1”,  
Varieties of Democracy (V-Dem) Project

**Figure 22 – Judicial Decisions in Cases of Corruption in the Balkans and Romania (2000-2016)**



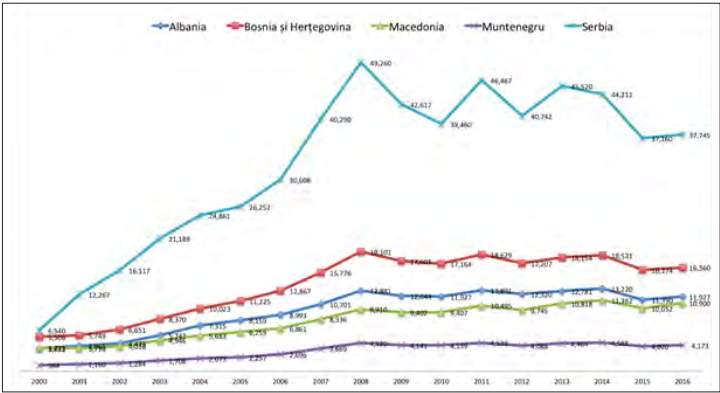
Source: Coppedge, M. et al 2017. „V-Dem [Country-Year/Country-Date] Dataset v7.1”,  
Varieties of Democracy (V-Dem) Project

Figure 23 – Judicial Reform in the Eastern Partnership Countries and Romania (2000-2016)



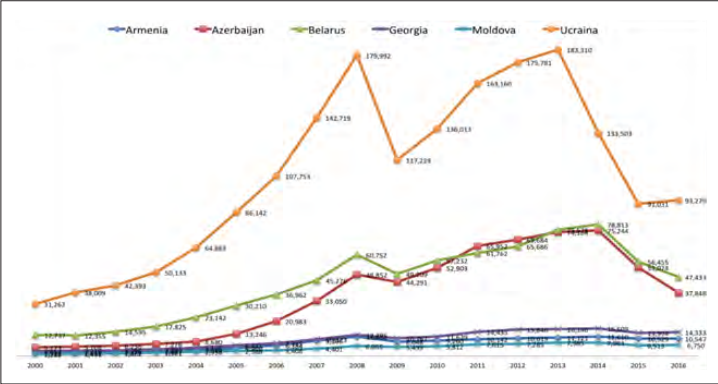
Source: Coppedge, M. et al 2017., V-Dem [Country-Year/Country-Date] Dataset v7.1”, Varieties of Democracy (V-Dem) Project

Figure 24 – Gross Domestic Product (GDP) – \$ million (Balkans, 2000-2016)



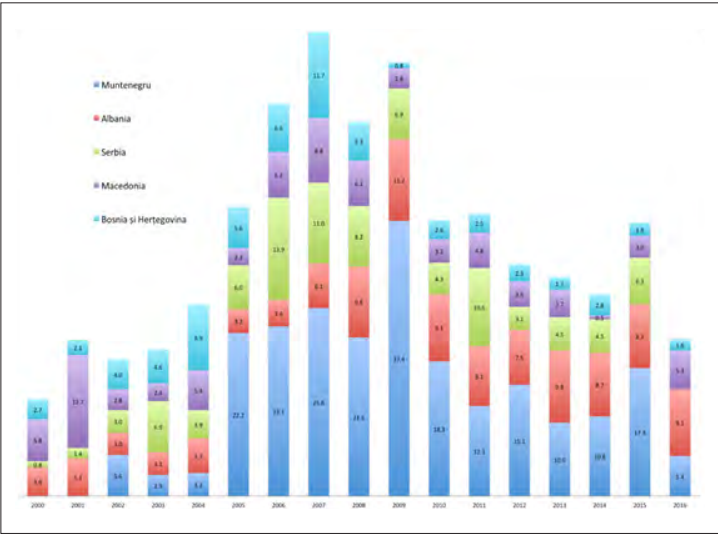
Source: Authors, based on World Bank Dataset data

Figure 25 – Gross Domestic Product (GDP) – \$ Million  
(Eastern Partnership, 2000-2016)



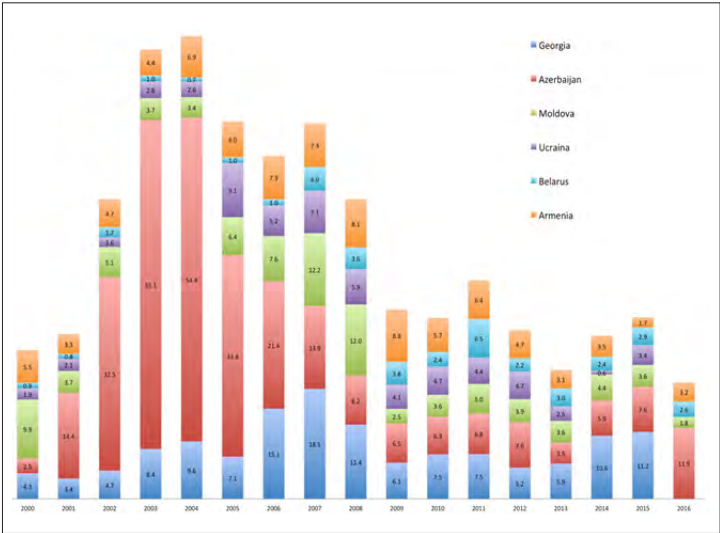
Source: Authors, based on World Bank Dataset data

Figure 26 – Foreign Direct Investments (FDI), Net Inflows (% of GDP)  
(Balkans, 2000-2016)



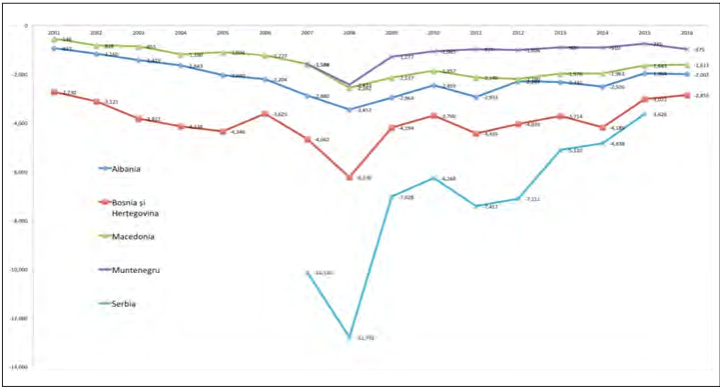
Source: Authors, based on International Trade Centre data

Figure 27 – Foreign Direct Investments (FDI), Net Inflows (% GDP)  
(Eastern Partnership, 2000-2016)



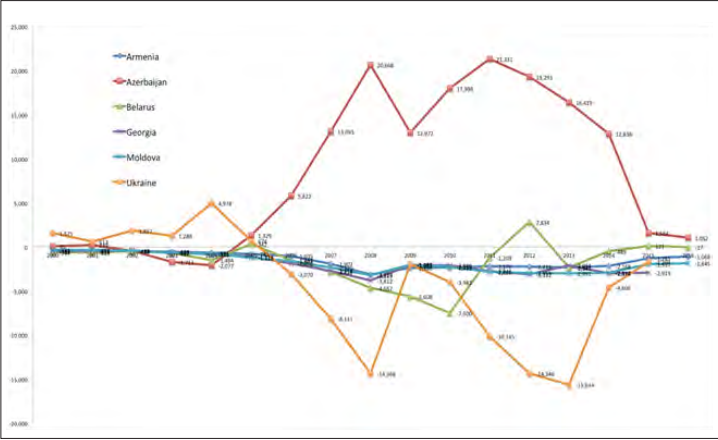
Source: Authors, based on International Trade Centre data

Figure 28 – Trade Balance (\$ Million)  
(Balkans, 2000-2016)



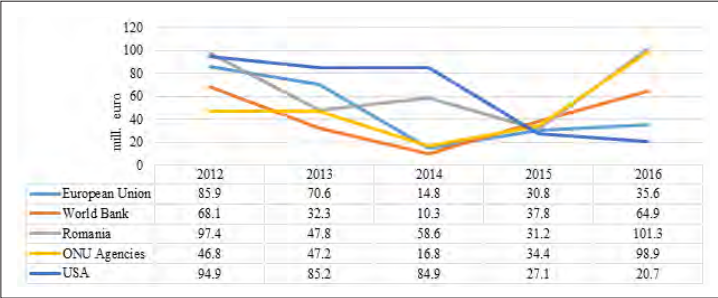
Source: Authors, based on World Bank Dataset data

Figure 29 – Trade Balance (\$ Million)  
(Eastern Partnership States, 2000-2016)



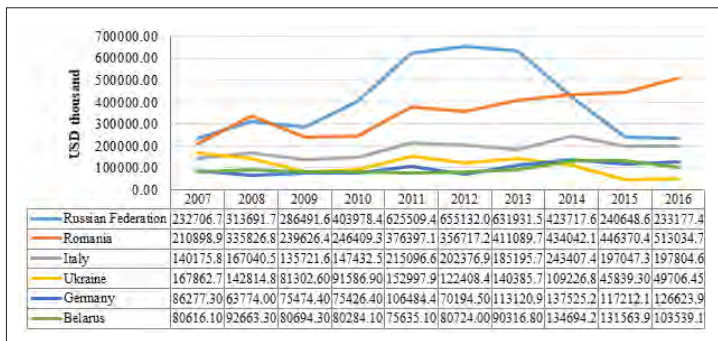
Source: Authors, based on World Bank Dataset data

Figure 30 – The Volume of Payments Made Under the External Assistance Grants Offered to the Republic of Moldova in the 2012-2016 Period



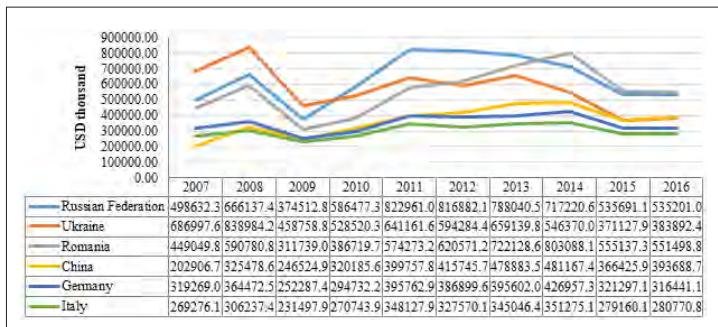
Source: State Chancellery of the Republic of Moldova

Figure 31 – Republic of Moldova Exports During 2007-2016



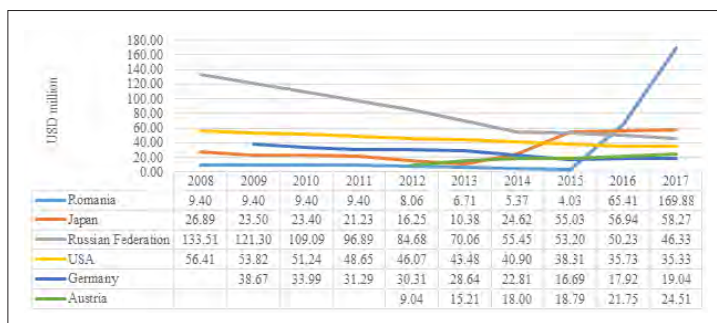
Source: Republic of Moldova's National Bureau of Statistics

Figure 32 – Republic of Moldova's Imports During 2007-2016



Source: Republic of Moldova's National Bureau of Statistics

**Figure 33 – Loans and Securities of the Republic of Moldova  
to the Main Bilateral Creditors in 2008-2017**



Source: National Bank of the Republic of Moldova



