

The beginning of a long journey. Ukraine and Moldova as EU candidate countries

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At the European Council summit held on 23 June, Ukraine and Moldova were granted EU candidate country status. The decision was described as historic by both the EU leadership and the governments of Ukraine and Moldova. President Volodymyr Zelensky pointed out there was no alternative to Ukraine's future EU membership and called on the Verkhovna Rada (Ukraine's parliament) to pass the necessary reforms. Similarly, President Maia Sandu committed to the further modernisation of Moldova. The emphasis placed on reforms indicates that further steps on the road to EU membership will be contingent on the fulfilment of the terms and conditions specified in the opinions issued by the European Commission regarding Ukraine and Moldova's membership applications of 17 June, the Copenhagen criteria and the EU's readiness to accept new countries. These conditions concern, above all, internal reforms.

In Ukraine the reforms include those to the judiciary, such as: the legal regulation of the appointment of Constitutional Court judges, an improvement in the process of appointing members of the Supreme Council of Justice and the High Qualification Commission of Judges, the completion of the process of the appointment of the head of the Specialised Anti-Corruption Prosecutor's Office and the National Anti-Corruption Bureau. Other reforms apply to the implementation of the law on the de-oligarchisation of the country, completion of the reform of legislation of the media and the rights of national minorities.

Similar conditions were presented to Chisinau. Moldova is expected to continue the judicial reform (and take related suggestions issued by the Venice Commission and the Organization for Security and Co-operation in Europe into account), to advance the fight against corruption, to curb the influence of oligarchs on the country's economic and political life and to ensure the protection of human rights (including gender equality). Should the EU conditions not be met, it is possible to revoke candidate country status.

Commentary

- The European Council's decision constitutes a breakthrough in the EU's relations with Ukraine and Moldova. The confirmation of the prospect of EU membership has been one of the main goals of Ukrainian governments since 2014 and this has been the case in Moldova following the ascent to power of pro-Western Maia Sandu and the Party of Action and Solidarity (PAS). The European Council's decision was influenced by a radical change in the political situation in Europe following Russia's invasion of Ukraine. The

resistance of the countries which until now had been sceptical (such as Germany, France, Austria, the Netherlands and Denmark) was overcome in part due to barriers to this decision being seen as equivalent to siding with Russia and in part due to the support that these countries' societies pledged for Ukraine's EU aspirations. The fact that Ukraine and Moldova have been granted EU candidate country status has confirmed the EU's reliability in the eyes of its citizens and sent a signal to Russia that the EU does not agree to Russia creating its own spheres of influence in Europe.

- The agreement that was reached between the states which have long been in favour of Ukraine's accession to the EU (above all, Poland, Lithuania, Latvia and Estonia) and the countries which were sceptical came with many conditions. Ukraine and Moldova are expected to complete a series of necessary reforms ahead of a decision about the 'next steps' on the road to EU membership. Their implementation may not be sufficient to formally open membership negotiations. Given that it is necessary to meet the Copenhagen criteria (which are very general and thus open to interpretation) and the EU needs to be ready for the enlargement (which can be linked to demands for the internal reforms, including the voting system), formal advances on the pathway to EU integration will depend not so much on the success of the reforms but rather on decisions made by the EU member states. This process will be lengthy, bureaucratic and largely dependent on political games and agreements within the EU. On the one hand, the EU has gained a powerful instrument to exert influence on Ukraine and Moldova in their implementation of reforms. On the other hand, certain EU countries may want to use it to achieve other objectives, including their individual interests. This is exemplified by the stance of Hungary since it succeeded in including the condition of completing a reform of the legislation on the protection of national minorities, which has been a cause of contention between Hungary and Ukraine for many years.
- The fact that Ukraine has obtained EU candidate country status is a great success of President Zelensky and his team. Not only has the ongoing war against Russia proved not to be an obstacle, it has been recognised by Ukraine as the appropriate moment to put the EU under pressure as the country skillfully combined the achievement of EU candidate status with the support for the defence of Ukraine's sovereignty. At present over 90% of Ukraine's inhabitants are in favour of EU integration; during Zelensky's presidency a significant acceleration in the implementation of the EU-Ukraine Association Agreement was reported (from 43% in 2019 to 63% at the end of 2021), and an unequivocal pro-European orientation proves that Ukraine is seeking to finally sever ties with Russia and develop permanent relations with the West.
- Ukraine is signalling its determination to introduce reforms. In the days leading up to the European Council summit, the Verkhovna Rada of Ukraine passed three laws related to EU integration. It ratified: the Istanbul Convention on preventing and combating violence against women and domestic violence, the law on the rules of the public anti-corruption policy for 2021-2025 and the law regulating waste management. EU membership is also one of the priorities of Ukrainian opposition parties, and this increases the chances of ensuring the votes needed in Verkhovna Rada to implement other changes required by the EU and announced by the government.

- The fact that Moldova has been granted EU candidate country status is a success of the pro-European Party of Action and Solidarity (PAS) which rules the country and has made EU integration one of the key elements of its political platform. EU integration is also part of the expectations of Moldovan society, since approximately 55-60% of the population supports EU membership and approximately 1 million of Moldova's 2.6 million inhabitants hold Romanian passports, which means that formally they are EU citizens. Moldova decided to file an EU membership application, which the PAS had planned for the longer term, in response to Ukraine's analogous action. From the perspective of the Moldovan government, EU candidate country status is an important catalyst to accelerate reforms, anchor Moldova in the Western structures and make it more difficult to reorient the country's course in foreign policy in case the government changes. The EU's decision has, in the short term, strengthened the PAS which has been losing support in recent months. Whereas in the parliamentary elections held in July 2021 the party obtained 53% of the support, now according to surveys from the end of May and the beginning of June it can count on 25% of the vote (a result comparable to that of the pro-Russian Electoral Bloc of Communists and Socialists, the main opposition party). The fall in the PAS's popularity is above all linked to the economic situation – rising energy and fuel prices, a high inflation rate etc.
- The decision of the European Council has been criticised by the Moldovan opposition which sees this move as an attempt to cover up the government's failures in the country's internal policies. Igor Dodon, Moldova's former president, has reproached the PAS for concealing the conditions required to obtain EU candidate country status and suggested that once Moldova has fulfilled these requirements it will be forced to permit foreigners to buy land in the country. At the same time, opposition representatives have played down the importance of the EU's decision, quoting the example of Turkey which has held EU candidate country status since 1999, and they claim that the EU may cease to exist within the coming decade. European integration has also been consistently criticised by the separatist Transnistria which is controlled by Russia. In March this year, in reaction to Moldova being granted EU candidate country status, Transnistria accused Moldova of not having considered its opinion while making this decision and demanded that the independence of Transnistria be recognised. However, Transnistria has been a beneficiary of Moldova's integration with the EU for years. It benefits from the EU free trade regime, the EU being the main recipient of Transnistria's exports (in 2021, the EU market imported 35% of this region's production). The Moldovan Ministry of Foreign Affairs and European Integration has underlined that the process of EU integration will be implemented alongside the process of re-integrating Transnistria and the rest of Moldova.