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POSITION NOTE

on the draft of the National Action Plan for Accession to the European Union for 2023-2027

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Position Note on the draft National Action Plan for Accession to the European Union for 2023-2027

Context

This position paper contains a series of conceptual proposals regarding the approach and structure of the draft National Action Plan (NAP) in the context of alignment with medium-term commitments in the negotiation process of accession to the European Union and the implementation of the Republic of Moldova – European Union Association Agreement (AA). The note will also take into account the need to ensure synergy with other national strategic planning documents and the rigors foreseen by Government Decision no. 386/2020 regarding the planning, development, approval, implementation, monitoring and, evaluation of public policy documents.

Limitations

The position paper does not represent an exhaustive analysis of the implementation measures included in the 33 sections of the draft Plan. All the implementation actions proposed in the Plan will be evaluated separately by the responsible authorities and interested parties.

Suggestions and recommendation

1. The name and place of the NAP in the hierarchy of the strategic planning framework

- Considering the recent experience of the countries in the process of accession to the European Union, it is suggested to rename the document to **"National Program for Accession to the European Union"**. In addition, it is necessary to **ensure synergy with the provisions of Government Decision no. 386/2020**, particularly positioning the new NAP in the general framework of strategic planning, either by exempting it from the general rigors, or by amending the mentioned normative act, to avoid duplication.
- The existence of a multi-year planning document for the accession to the EU is one of the basic conditions of the national mechanism for coordinating and implementing commitments at the national level within the negotiation process for EU accession. Most likely, the European Commission's progress report on the enlargement package will refer to this aspect, depending on the existence or absence of this document. The generic name used in other acceding countries is "Programme". Therefore, considering the good practices of the countries in the accession process, and the complexity and importance of the new NAP, **it is recommended to use the term "Program" instead of "Plan"**, and to identify its place in the general framework of strategic planning.

2. Structure of the NAP:

- The content of the new NAP will include a **General Introduction** (1 page) which will provide an overview of the document.
- We propose that the NAP to be structured on **six clusters**, covering the **33 accession chapters**, as well as the **2 accession criteria** that comprise the acquis of the European Union. At the beginning of each cluster, a short description will be inserted (0.5 – 1 page).
- The implementation actions corresponding to the 33 chapters and the 2 accession criteria will be included in the tables corresponding to the 6 clusters of the NAP.
- We propose the optimization of the NAP compartments, including the exclusion of the *"Link with other planning documents"* compartment, because it brings little added value, given that in most cases there are no provided reference documents in the draft

of NAP, while those mentioned are mainly references to the Annual Government Plan, which is an annual document.

- We propose, instead, maintaining 7 basic compartments (columns) in the structure of actions planned in the NAP, in the following order:
 - **Action** (in the NAP draft, also called the implementation measure) - this column will specify the normative act or the implementation action that will transpose the acquis of the European Union and the Association Agreement or the Association Program. We propose revising the categories of measures/actions, reducing them to three: "TL - transposition laws," "STL - acts subordinate to the transposition law," and "I - implementation measures/actions." The second recommended option is to exclude the acronym, as the NAP should only include normative or implementation actions that transpose the acquis or refer to the **RM-EU Association Agreement (AA)** and the **relevant RM-EU Association Program (AP)**.
 - **Acquis: No. CELEX** – this will represent the unique identification number assigned to a European Union document.
 - **The provision from the RM-EU Association Agreement (AA) and the RM-EU Association Program (AP)** - in the case of the RM-EU AA, references to AA articles and/or AA annexes will be included, specifying the article, paragraph and the corresponding letter. In the case of the RM-EU Association Program, it is proposed to include the reference to the relevant section and field of the Program. It is recommended to avoid copying the text of the short-term or medium-term priorities in full, especially when the proposed action directly implements a specific priority assigned to a domain and section of the Program.
 - **Performance indicator** - this column will contain unique and distinct qualifiers that are relevant to the implementation action.
 - **Implementation period** - will be specified the quarter and the year when the measure will be realized, in accordance with the commitments of the Republic of Moldova towards the European Union, agreed within the Association Agreement, the Association Program, the Association Committees and Sub-committees or those established in the EU accession negotiation process.
 - **Responsible institution** - this column will include references to one or more institutions responsible for implementing the action.
 - **Estimated costs/ Sources** - will be included the estimated costs for carrying out the action and the sources of covering these expenses.
- Attached to the position paper is the proposed draft of the revised structure of the NAP, taking into account the above-mentioned recommendation (**Annex 1**). For reference purposes, it is also attached a revised model of the NAP structure based on the actions planned in Chapter 21. Trans-European Networks (**Annex 2**). It should be noted that the revised model presented in Annex 2 reflects the implementation actions in the version of the NAP that is subject to consultations, without expressing our opinion on their appropriateness.

3. Prioritization of actions and planning period:

- We recommend the planning of the NAP actions for a period of 3 calendar years, for the years 2024 - 2026. We therefore propose the exclusion from the final version of the NAP of the actions with an implementation deadline set for 2023, because most of the actions included in the draft NAP until currently are either already completed or are in



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an advanced phase of implementation at the time of the adoption of the NAP. If some actions will not be completed by the end of 2023, they are already included in the Government's planning documents (such as the Annual Government Plan, the National Development Plan etc.).

- At the same time, we note from the informative note on the NAP draft that the NAP will be a dynamic document, subject to annual updates. We propose that, with the approval of these annual updates, the implementation period of the NAP for the next 3 years be also changed. Thus, at the next annual update, the implementation period will change to 2025-2027. Planning for a period of 3 years, with an annual update, will also ensure synchronization with the National Development Plan and the Medium-Term Budgetary Framework.
- However, the exception will be the first interim update, which is planned to be carried out by the end of 2023 according to the current draft or even in the first half of 2024. The term of 1-2 months might not be enough to process the recommendations and criteria benchmarks established in the European Commission's first Annual Progress Report under the EU Enlargement Package (beginning of November 2023). In addition, the results of the self-assessment exercise will provide an important basis for updating the actions planned in the NAP.
- We recognize the intention of the author to include in the NAP actions with a deadline to 2027 to reflect the time frame of the Association Program for the years 2021-2027. However, we believe that the efforts and resources of the authorities should be focused primarily on the actions to be carried out in the next 2-3 years, especially considering the upcoming self-assessment exercise, which will provide a complete picture of the current situation on each of the 33 accession chapters.
- In addition, we anticipate that the fulfillment of the commitments provided for in the Association Agreement are the most obvious conditions for the opening of accession negotiations on clusters and accession chapters, respectively. For this reason, we believe that the NAP must prioritize the fulfillment of the remaining actions in the Annexes of the Association Agreement that include the EU acquis.

Annex 1 – Revised structure of the NAP

National Action Programme for Accession to the European Union for 2024 – 2026

Introduction

General description of the NAP (1 page)

CLUSTER 1. Fundamentals

Description (0.5 – 1 page)

Action Plan

No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performance indicator	Implementation term	Responsible institution	Estimated cost/ Source of financing
Political Criteria - The functioning of democratic institutions and the reform of public administration							
1.							
/.../							
Economic Criteria							
/.../							
/.../							
Chapter 23. Judiciary and fundamental rights							
/.../							
/.../							
Chapter 24. Justice, freedom and security							
/.../							
/.../							
Chapter 5. Public procurement							
/.../							
/.../							
Chapter 18. Statistics							
/.../							
Chapter 32. Financial control							
/.../							

CLUSTER 2. Internal market

Description (0.5 – 1 page)

Action Plan

No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performance indicator	Implementati on term	Responsible institution	Estimated cost/ Source of financing
Chapter 1. Free movement of goods							
/.../							
Chapter 2. Freedom of movement for workers							
/.../							
/.../							
Chapter 3. Right of establishment and freedom to provide services							
/.../							
/.../							
Chapter 4. Free movement of capital							
/.../							
/.../							
Chapter 6. Company law							
/.../							
/.../							
Chapter 7. Intellectual property law							
/.../							
Chapter 8. Competition policy							
/.../							
Chapter 9. Financial services							
/.../							
Chapter 28. Consumer and health protection							

CLUSTER 3. Competitiveness and inclusive economic growth

Description (0.5 – 1 page)

Action Plan

No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM- EU provision	Performance indicator	Implementati on term	Responsible institution	Estimated cost/ Source of financing
Chapter 10. Information society and media							
/.../							
/.../							
Chapter 16. Taxation							
/.../							
Chapter 17. Economic and monetary policy							
/.../							
/.../							
Chapter 19. Social policy and employment							
/.../							
Chapter 20. Enterprise and industrial policy							
/.../							
/.../							
Chapter 25. Science and research							
/.../							
/.../							
Chapter 26. Education and culture							
/.../							
Chapter 29. Customs union							
/.../							

CLUSTER 4. The Green Agenda and sustainable connectivity

Description (0.5 – 1 page)

Action Plan

No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performanc e indicator	Implementa tion term	Responsible institution	Estimated cost/ Source of financing
Chapter 14. Transport policy							
/.../							
/.../							
Chapter 15. Energy							
/.../							
/.../							
Chapter 21. Trans-european networks							
/.../							
/.../							
Chapter 27 Environment and climate change							
/.../							
/.../							

CLUSTER 5. Resources, agriculture and cohesion

Description (0.5 – 1 page)

Action Plan

No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performance indicator	Implementati on term	Responsible institution	Estimated cost/ Source of financing
Chapter 11. Agriculture and rural development							
/.../							
/.../							
Chapter 12. Food safety, veterinary and phytosanitary policy							
/.../							
/.../							
Chapter 13. Fisheries							
/.../							
/.../							
Chapter 22. Cohesion policy regulations and instruments							
/.../							
/.../							
Chapter 33. Financial and budgetary provisions							
/.../							
/.../							

CLUSTER 6. Externa relations

Description (0.5 – 1 page)

Action Plan

No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performance indicator	Implementati on term	Responsible institution	Estimated cost/ Source of financing
Chapter 30. External relations							
/.../							
/.../							
Chapter 31. Foreign, security and defence policy							
/.../							
/.../							

Annex 2 – Revised chapter template

CLUSTER 4. The green agenda and sustainable connectivity

Description (0.5 – 1 page)

Action Plan

No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performance indicator	Implementati on term	Responsible institution	Estimated cost/ Source of financing
Chapter 14. Transport policy							
/../							
/../							
Chapter 15. Energy							
/../							
/../							
Chapter 21. Trans-european networks							
1.	STL1. Approval of the 2030 Mobility Strategy		- AA RM-UE, art. 81, letter a); - AP RM-UE: IV. 16. Transport, connectivity.	Approved strategy	QI, 2024	MIRD	135.0 thousands lei
2.	TLAA. 2. Approval of the draft law on traffic safety management on the road infrastructure, to increase the safety level of existing and newly built roads, including the TEN-T network	32008L0096	- AA RM-UE, art. 85; - AP RM-UE: IV. 16. Transport, connectivity	Approved Law	QI, 2024	MIRD	65.1 thousands lei
3.	STLAA. 3. Approval of rationalization measures in order to register progress towards the realization of	32021L1187	AA RM-UE, art. 82, para. (2), letter b);	Approved GD	QIII, 2024	MIRD	126.0 thousands lei



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No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performance indicator	Implementati on term	Responsible institution	Estimated cost/ Source of financing
	the trans-European transport network (TENT)		AP RM-UE: IV. 16. Transport, connectivity.				
4.	TL. 4. Signing of the Financing Agreement between the Government of the Republic of Moldova and the World Bank in the amount of approximately 100 million EUR for the continuation of the Local Road Improvement Project		- AA RM-UE, art. 82, par. (2); - AP RM-UE: IV. 16. Transport, the field of connectivity.	Agreement entered into force	QI, 2024	MIRD	43.1 thousands lei
5.	STL. 5. Signing of the Loan Agreement between the Republic of Moldova and the European Bank for Reconstruction and Development for the implementation of the "Moldova roads IV" project		- AA RM-UE, art. 82, par. (2), letter b); - AP RM-UE: IV. 16. Transport, connectivity.	Agreement entered into force	QI, 2024	MIRD	86.2 thousands lei
	I.6. Implementation of the necessary measures for the initiation of the works provided for in the "Mechanism for the interconnection of Europe (Connecting Europe Facility)" Program, in order to develop the cross-border infrastructure Ungheni (RO) - Ungheni (MD) and Albita (RO) - Leușeni (MD)		- AA RM-UE, art. 82, para. (2), letter b); - AP RM-UE: IV. 16. Transport, connectivity	Launched projects	QI, 2024	MIRD	70.0 thousands lei
7.	I.7. Maintenance/repair of national and local roads of district (municipal) interest, according to performance standards		AA RM-UE, art. 81, letter c);	10% decrease in "bad" and "very bad"	Q IV, 2025	MIRD Î.S. "ASD" LPA	13.6 mil lei



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No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performance indicator	Implementati on term	Responsible institution	Estimated cost/ Source of financing
			AP RM-UE: IV. 16. Transport, connectivity.	public roads, compared to 2022 data			
8.	I.8. Rehabilitation/ building national public roads		- AA RM-UE, art. 81, letter c); - AP RM-UE: IV. 16. Transport, connectivity	8% increase in national roads improved and upgraded to the category of roads in "good" and "very good" condition (about 480 km), compared to 2022 data	Q IV, 2025	MIRD Î.S. "ASD"	8.98 mil. lei
9.	STLAA.9. Approval of the draft Government Decision on the European rail network for a competitive freight transport	32010R0913	- AA RM-UE, Annex X Title 4, Chapter 15; - AP RM-UE: IV. 16. Transport, sustainable transport systems;	Approved GD	Q2, 2025	MIRD	86.2 thousands lei
10	STLAA.10. Approval of the draft Government Decision on the interoperability of the railway system in the European Union	32016L0797	AA RM-UE, Annex X Title 4, Chapter 15;	Approved GD	Q4, 2024	MIRD	86.2 thousands lei



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No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performance indicator	Implementati on term	Responsible institution	Estimated cost/ Source of financing
			AP RM-UE: IV. 16. Transport, sustainable transport systems;				
11	STLAA.11. Approval of the draft Government Decision on the establishment of common rules for certain types of combined transport of goods between member states	31992L0106	- AA RM-UE, Annex X Title 4, Chapter 15; - AP RM-UE: IV. 16. Transport, sustainable transport systems;	Approved GD	QI, 2027	MIRD	86.2 thousands lei
12	I.12. Implementation of the provisions of Government Decision no. 759/2022 regarding the establishment, organization and operation of the Railway Agency		- AA RM-UE, art. 81, letter b); - AP RM-UE: IV. 16. Transport, sustainable transport systems;	Functional Railway Agency	QII, 2024	MIRD	1.0 mil lei
13	SLTAA.13. Approval of the draft Government Decision on the technical specification of interoperability relating to the "operation and traffic management" subsystem of the railway system	32023R1693	- AA RM-UE, Annex X Title 4, Chapter 15; - AP RM-UE: IV. 16. Transport, sustainable transport systems;	Approved GD	QI, 2026	MIRD	86,2 thousands lei



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No.	Action	Acquis: No. CELEX	Related AA RM-EU/ AP RM-EU provision	Performance indicator	Implementati on term	Responsible institution	Estimated cost/ Source of financing
14	STLAA.14. Approval of the draft Government Decision on technical interoperability specifications regarding the accessibility of the Union's railway system for disabled people and people with reduced mobility	32014R1300	- AA RM-UE, art. 85; - AP RM-UE: IV. 16. Transport, sustainable transport systems;	Approved GD	QIV, 2027	MIRD	86.2 thousands lei
15	STLAA.15. Approval of the draft Government Decision on the technical specification for interoperability relating to the "rolling stock - noise" subsystem	32014R1304	- AA RM-UE, art. 85; - AP RM-UE: IV. 16. Transport, sustainable transport systems;	Approved GD	QIV, 2026	MIRD	86.2 thousands lei
16	STLAA.16. Approval of the draft Government Decision on the technical specification of interoperability regarding the "telematic applications for passenger services" subsystem of the trans-European railway system	32011R0454	- AA RM-UE, art. 85; - AP RM-UE: IV. 16. Transport, sustainable transport systems;	Approved GD	QIV, 2026	MIRD	86.2 thousands lei
17	TL.17 Approval of the draft law to amend Law no. 174/2017 regarding energy	32022R0869	AP RM-UE: IV. 15. Energy, energy security	Adopted Law	QIV, 2025	Ministry of Energy	31.6 thousands lei
18	I.18. Construction of the 400 kV overhead power line Balti - Suceava with the extension of the Balti substation		APRM-UE: IV. 15. Energy, energy security	Project completed	QIV, 2027	Ministry of Energy Î.S. "Moldelectrica"	40. mil EUR

