

EU'S ROLE IN ITS EASTERN NEIGHBORHOOD TRANSFORMATION

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Eastern neighborhood of EU presents a significant interest for research due to geopolitical, political, economic, and social implications. Since 2009 Eastern Partnership program has been the framework that regulated the EU policies towards the states of this region. Nowadays, in the context of current evolutions, security issues and EU membership prospect for Ukraine and Moldova, it is necessary to analyze the EU role in the region.

Key words: *EU Eastern neighborhood, Eastern Partnership, EU Eastern neighborhood transformation, EU priorities.*

The European Union is a multi-level actor whose role in international relations system is not contested. Its actorness is defined by its uniqueness, individuality, and independence. It has important categories of resources, tools, and structural possibilities to act on global arena, to use the network of diplomatic missions, as well as the right to conduct negotiations and conclude agreements. The European Union can produce an impact on other countries through its position on certain issues, development programs, bilateral agreements etc. Thus, the European Union expands its influence beyond its frontiers, in order to ensure the stability, prosperity, democratic transformation and development of the neighboring countries.

According to the European Neighborhood Policy that was launched in 2004, the EU neighboring countries include several categories of states: Southern Mediterranean (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestinian Autonomy, Syria, Tunisia), Western Newly Independent States (Ukraine, Moldova, Belarus) and South Caucasus states (Georgia, Armenia, Azerbaijan), that initially were left out of European Neighborhood Policy considering their geographical location¹. Thus, the European Union has defined its 'ring of friends' with whom it develops close cooperation in order to ensure a prosperous and friendly neighborhood.² The European Neighborhood Policy does not imply the prospect of EU membership. Instead, it proposes a privileged relationship to the neighbors by sustaining economic integration, providing programs of political and economic reforms and promoting administrative reform and institution-building, interregional dialogue and investment through the Neighborhood Investment Platform³ for diverse sectors such as transport, energy, infrastructure, social development etc. However, analyzing the advantages this policy offers, it can be noticed that many are designed mostly in accordance with eastern neighbors' necessities. Indeed, for the Southern Mediterranean states, the implementation of some parts of the EU norms and standards, in order to get access to the European single market, are more difficult. On the

¹ European Neighborhood Policy Strategy Paper, Accessed on 20.04.2023 https://neighbourhood-enlargement.ec.europa.eu/system/files/2019-01/2004_communication_from_the_commission_-_european_neighbourhood_policy_-_strategy_paper.pdf

² Wider Europe — Neighborhood: A New Framework for Relations with our Eastern and Southern Neighbors, Accessed on 20.04.2023 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52003DC0104>

³ Neighborhood-wide Cooperation, Accessed on 20.04.2023 https://neighbourhood-enlargement.ec.europa.eu/european-neighbourhood-policy/neighbourhood-wide-cooperation_ro

other hand, the Eastern neighboring countries are European democratic states that are focused on a closer relationship with the European Union and are more likely to adapt to European requirements. Moreover, for some Eastern neighboring countries the unavailability of the EU membership prospect was not absolute and a long term perspective in this respect has been admitted.

Therefore, the European Union develops its relations with neighbors on two main directions: the Southern neighborhood region and the Eastern neighborhood region. For the Eastern neighborhood region (Ukraine, Moldova, Belarus, Georgia, Armenia, Azerbaijan), in 2009, the Eastern Partnership program was launched, with a strong political call for reforms, dialogue and promotion of democratic principles, in order to foster political association and a deeper economic integration with the European Union. It introduced a new type of Association Agreements with a focus on the establishment of deep and comprehensive free trade areas and admitted as objectives: the development of administrative capacity and legislation approximation for partner states; conclusion of mobility and security pacts in the interest of facilitating mobility of citizens of partner states through visa liberalization and fight against corruption, organized crime and illegal migration; enhancement of energy security and assurance of convergence towards EU policies.⁴ This initiative underlines a different EU approach towards the Eastern neighboring countries, as the relationship with these states can be deepened within the neighborhood policy; there can be traced the further directions of cooperation ahead and common future perspectives can be developed, especially by recognizing the European identity of the states.

Within the following key documents of the Eastern Partnership, the high importance of the Eastern Partnership is reconfirmed as a specific dimension of the European Neighborhood Policy and the necessity to promote further cooperation at all levels is highlighted and, in particular, in the fields of strengthening institutions and good governance, economic development and market opportunities, energy security, sustainability and competitiveness, mobility and people to people contacts, identifying, thus, 20 key areas for tangible results for 2020.⁵ Beyond 2020, Eastern Partnership objectives were traced according to the *Joint Communication: Eastern Partnership policy beyond 2020 Reinforcing Resilience - an Eastern Partnership that delivers for all*⁶, as follows: a) to achieve resilient, sustainable and integrated economies (by developing trade and economic integration, investment and accession to finance, improving interconnectivity in transport and energy sectors, investing in people, research and innovation); b) to build accountable institutions, the rule of law and security (by judicial reforms, fighting against corruption and organized crime, strengthening security and developing cyber resilience); c) to assure environmental and climate resilience (by diversifying renewable energy resources, transition to circular economy, sustainable solutions for environment challenges); d) to promote resilient digital transformation (by developing digital infrastructure and consolidating the eGovernance in the partner states etc.); e) to develop resilient, fair and inclusive societies (by reforming public administration, increasing the involvement and role of civic society and youth, ensuring

⁴ Joint Declaration of the Prague Eastern Partnership Summit Prague, 7 May 2009, Accessed on 21.04.2023 https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/107589.pdf

⁵ Joint Declaration of the Eastern Partnership Summit (Riga, 21-22 May 2015), Accessed on 21.04.2023 https://eeas.europa.eu/archives/docs/eastern/docs/riga-declaration-220515-final_en.pdf; Joint Declaration of the Eastern Partnership Summit (Brussels, 24 November 2017), Accessed on 20.04.2023 <https://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf>

⁶ Eastern Partnership policy beyond 2020 Reinforcing Resilience - an Eastern Partnership that delivers for all, Brussels, 18.3.2020, Accessed on 22.04.2023 https://www.eeas.europa.eu/sites/default/files/1_en_act_part1_v6.pdf

access to fact based information and fostering contacts through mobility partnerships)⁷. The new agenda for Eastern Partnership, which presents main actions that would be undertaken in order to efficiently implement the previously highlighted objectives, was announced by Joint Staff Working Document adopted in 2021 at Brussels and is based on two pillars: investment and governance.⁸ As priorities for 2025, important investments are underlined in ten priority directions as support for 500000 small and medium enterprises; construction or modernization of 3000km of priority roads and railways in accord with EU standards; elimination of hybrid and cyber-related threats; reduction of energy consumption by at least 20% in 250,000 households; improved access to safe water services; development of rule of law; support for civil society and independent media; mobility opportunities for 70,000 students, researchers and workers, sustainable actions for post Covid social and economic recovery etc.⁹

Hence, the implementation of all Eastern Partnership initiatives for over fourteen years, reflects the readiness of the European Union to support the states from its Eastern neighborhood to develop closer cooperation with it. As Mihaela Natea notes, each of the Eastern Partnership countries had their own evolution,¹⁰ however the European Union has an impact on every state. Undeniably, the cooperation within neighborhood policy has brought some impressive results. As Sergiu Buscaneanu states in his work, reflecting on the socialization dimension of neighborhood policy: "...in the Eastern neighborhood, only Moldova and Ukraine managed to associate themselves to the Horizon 2020 (former FP7) research program in 2012 and 2015; Moldova became part to COSME in 2014; and Georgia and Moldova received associated status to Creative Europe in 2015. In addition to these, Moldova, Georgia, Armenia and Azerbaijan were invited to take part in the Mobility Partnership initiative.... Moldova and Ukraine also became members of the Energy Community in 2010 and 2011."¹¹ Also, the trade between the European Union and its Eastern partners has doubled. The EU has become the largest or main trading partner and the biggest export market for partner states, thus contributing to their better integration into the global trade chains, as well as for their gradual integration into the EU' internal market. Also, the EaP countries have benefited from EU funds. As it is presented in the *Joint Communication of EU on Eastern Partnership deliverables in 2020*, a number of 125,000 small and medium enterprises directly benefited from EU funding that permitted either to create or sustain more than 250,000 jobs.¹²

⁷ Eastern Partnership policy beyond 2020 Reinforcing Resilience - an Eastern Partnership that delivers for all, Brussels, 18.3.2020, Accessed on 22.04.2023

https://www.eeas.europa.eu/sites/default/files/1_en_act_part1_v6.pdf , Mihaela Daciana Natea, Mihai Daniel Aniței, Reshaping European and national security in a post COVID – 19 context, Acta Marisiensis, Seria Oeconomica 2019, vol II ,pp. 49-64

⁸ Joint Staff Working Document: Recovery, resilience and reform: post 2020 Eastern Partnership priorities, Brussels, 2.7.2021, Accessed on 22.04.2023

https://www.eeas.europa.eu/sites/default/files/swd_2021_186_f1_joint_staff_working_paper_en_v2_p1_1356457_0.pdf

⁹ Ibidem

¹⁰ Mihaela Daciana Natea, Proiecte politice ale UE in Estul Europei. Impactul asupra proprietății intelectuale. In: Studia Universitatis Petru Maior. Series Oeconomica, 2018, p. 42, Natea Mihaela Daciana, Disinformation crossing borders. The Multilayered Disinformation Concerning the War in Ukraine, L'Harmattan, Paris France, 2022

¹¹ Sergiu Buscaneanu, Regime Dynamics in EU's Eastern Neighborhood EU Democracy Promotion, International Influences, and Domestic Contexts, New York: Palgrave Macmillan, 2016, p102

¹² Eastern Partnership policy beyond 2020 Reinforcing Resilience - an Eastern Partnership that delivers for all, Brussels, 18.3.2020, Accessed on 22.04.2023

https://www.eeas.europa.eu/sites/default/files/1_en_act_part1_v6.pdf

Of course, EU support is offered with certain expectations, that these states will assume and realize their commitments in their turn. In this context, a very good statement is made by Gabriela Carmen Pascariu and Gilles Rouet, who consider that the European Union approach to Eastern neighboring countries is based on assumption that these states will adopt the European model of development without hesitation. In this case, the European Union can spread its norms, rules and values, realizing its role of the transformative power in the region¹³. Indeed, besides the economic dimension, the EU policy towards its Eastern neighborhood implies important reforms at domestic level. The past decade has clearly shown that if in the economic domain all the countries are interested, due to the received financial benefits, in the case of the processes of democratization and Europeanization of the states – the best guarantor is the real perspective of the EU membership. The European Union has many ways to influence and shape policies and institutions specifically created in candidate and potential candidate states. In this respect, the conditionality is one of the main mechanisms. Being a broad concept, in the specialty literature, conditionality is usually defined as: “a set of rules or norms of conduct to be adopted by a state seeking EU membership (the institutionalist approach) or as a set of material incentives that serves to adjust the cost-benefit calculations of states in the bargaining and negotiation process that precedes accession, thereby inducing the adoption of EU rules and standards (the rationalist approach)”¹⁴. Conditionality does not imply just the accomplishment of the Copenhagen criteria. It has a dynamic character and can be adjusted to a certain country and certain circumstances. EU conditionality can be identified within the agreements that the Union conclude with its neighbors, where the conditions that should be met are listed (for example observance of human rights, promotion of good governance, of functional democracy and the rule of law) in order to achieve financial assistance for development. The same applies to the Eastern Partnership conditionality. The main rewards within this framework were visa liberalization, Association agreements, and Deep and Comprehensive Free Trade Areas for the six member states.

The practice has proven that transformation of the Eastern neighborhood of the European Union under the conditionality and Europeanization mechanisms develops differently, based on the countries’ interests in the European integration process. Out of the six state members of the Eastern Partnership, Moldova was the first country in the region to obtain visa liberalization in 2014, followed by Ukraine and Georgia in 2017. Then, Association agreements with European Union were signed by these three countries in 2014. That denotes a direct statement towards the European choice of the states.

The situation of the other three states is different. Armenia and the European Union have a good cooperation, especially after they have signed the Comprehensive and Enhanced Partnership Agreement (CEPA) in 2017, which entered fully into force on 1 March 2021.¹⁵ Visa facilitation and readmission agreements with Armenia entered into force in January 2014¹⁶ and it has to function in order to gain full visa liberalization. In its turn, relationship between the European Union and Azerbaijan are still based on the EU-Azerbaijan Partnership and Cooperation Agreement that is in force since 1999¹⁷. Visa

¹³ Gabriela Carmen Pascariu, Gilles Rouet, Introduction: Resilience and the Eastern Partnership—What Relevance for Policies? In: Resilience and the EU’s Eastern Neighborhood Countries. From Theoretical concepts to a Normative Agenda. Palgrave Macmillan, 2019, p.6

¹⁴ Joel T. Schelton, Conditionality and the Ambitions of Governance Social Transformation in Southeastern Europe, London, Palgrave Macmillan, 2015, p.2

¹⁵ EU relations with Armenia, Accessed on 25.04.2023

<https://www.consilium.europa.eu/en/policies/eastern-partnership/armenia/>

¹⁶ Ibidem

¹⁷ EU relations with Azerbaijan, Accessed on 25.04.2023

<https://www.consilium.europa.eu/en/policies/eastern-partnership/azerbaijan/>

facilitation also entered into force in 2014. The discussions launched in 2017, on a new agreement between the EU and Azerbaijan with the aim of broadening the cooperation between the two parties, do not have any finality at the moment. Generally, in the EU relationships with Armenia and Azerbaijan there can be traced some directions of development. A challenge is the growing conflict potential in the region. The Nagorno-Karabakh conflict has not been resolved yet. The presence of frozen conflicts in the region hinders the development of regional integrationist programs and the socio-economic development of the countries from region. The EU cannot efficiently influence the conflict resolution. However, it can exert influence on the countries through the benefits of the cooperation it proposes and by offering a place within the community of the European states. Through the democratization of neighboring countries, the EU is looking to reduce the conflict potential. In Armenia, who is following the multi-vector principle in its foreign policy and has joined the treaty on the Eurasian Economic Union in 2015, the government is oriented to comply with basic EU requirements, recognizing the importance of cooperation with the EU from a pragmatic point of view, as well as denoting its commitment to European values. Armenia follows the EU political model which implies a broad modernization agenda to ensure transparency of state institutions regulation, independence of justice, stability of the electoral system, and support for small and medium-sized business. The Comprehensive and Enhanced Partnership Agreement allowed the creation of a civil society platform, consisting of Armenian and European non-governmental organizations. Despite the lack of an agreement on free trade area between Armenia and the EU, in the context of partnership between the parties, favorable conditions for trade activities are created, for both, Armenian and foreign companies. In Azerbaijan, mostly those EU requirements are implemented that better answer to the country's needs and there can be noticed a tendency of criticism towards the EU foreign policy's principles and values. In its turn, the EU often comes with a negative evaluation of reform process and political situation in the country. For example, in 2018 the European Union, in its recommendations on the EU-Azerbaijan partnership priorities, tried again to draw attention on the necessity of Azerbaijan to conduct democratic reforms, to fight against corruption, to develop the dialogue with civil society and specifically indicated the importance of Azerbaijan's entering the World Trade Organization¹⁸.

In the case of Belarus, it has suspended its participation in the Eastern Partnership in 2021¹⁹, as a consequence of the EU policy of sanctions in response to the developments in this country. During the cooperation within the Eastern Partnership platform, the European Union was constantly concerned about human rights issues and the state of law in Belarus, but some positive changes were started as, for example, the release of all the remaining political prisoners in 2015, Belarus' growing openness to dialogue and cooperation with the OSCE/ODIHR, initiation of talks regarding the possibility to sign a Mobility Partnership in the field of migration policy with Belarus in 2016, as well as of a visa facilitation agreement²⁰. After the Belarusian presidential election in 2020, were declared neither free nor fair by the EU Council and constant human rights violations, EU decided to recalibrate its financial assistance and shift it from

¹⁸ Recommendation No 1/2018 of the EU-Azerbaijan cooperation Council of 28 September 2018 on the EU-Azerbaijan Partnership Priorities [2018/1598], Official Journal of the European Union, 2018, Accessed on 26.04.2023 <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2018:265:0018:0022:EN:PDF>

¹⁹ EU relations with Belarus, Accessed on 26.04.2023 <https://www.consilium.europa.eu/en/policies/eastern-partnership/belarus/>

²⁰ Eastern Partnership Index 2015-2016. Charting Progress in European Integration, Democratic Reforms, and Sustainable Development, Eastern Partnership Civil Society Forum, 2017, p.11

central authorities to civil society, imposing since then restrictive measures on Belarus²¹. After the large-scale military invasion of Russia against Ukraine in 2022, against Belarusian authorities, as collaborators, tough sanctions were introduced. Anyway, the European Union does not want Belarus to get isolated, thus, in line with the Council Conclusions of 12 October 2020, it focuses on intensifying cooperation with non-state stakeholders, including notably civil society, independent media and youth from Belarus and even initiated a special measure for 2022, the ‘EU4Belarus: Supporting societal resilience and human capital development’ having as main objective the reinforcement of the resilience and capacity of Belarusian society to achieve democratic changes in Belarus.²² As result, as shown in the annual survey on Belarus perception of the EU, which was conducted in June-July 2022, more Belarusians trust the EU (38%) than not (31%) and an average of 33% of Belarusians have a positive image of the EU²³.

Meanwhile, a major step was made by Ukraine, Georgia, and the Republic of Moldova by applying for EU membership. Unfortunately, this evolution took place in the conditions of the Russian invasion of Ukraine. In other circumstances, probably, it would have taken longer to achieve this objective. However, geopolitical and regional security conditions have facilitated the process. The candidate status was granted to Ukraine and the Republic of Moldova on the 23 June 2022. Georgia was granted potential candidate status. The decision on Georgia was based on the worsening, since 2021, of the situation in the field of justice and human rights. EU criticized the appointment for life of Supreme Court judges, the utter imbalance in favor of the ruling party, problems with the electoral process. The European Commission came with a range of priorities, the accomplishment of which will be evaluated in the fall of 2023 and the issue of EU membership will be discussed accordingly. The priorities are mostly general, and it will be difficult for Georgia to implement them and for the European Union to evaluate them. Among these priorities the following are mentioned: to address the issue of political polarization; to guarantee the full functioning of all state institutions and further improve the electoral framework, to address all shortcomings identified by OSCE/ODIHR and the Council of Europe/Venice Commission in these processes; to realize judicial reform; to strengthen the fight against corruption and organized crime; to implement the commitment to de-oligarchisation, to protect human rights of vulnerable groups etc.²⁴

The level of implementation of the Association Agreements and the capacity of state institutions to assure the rule of law and democratic principles were evaluated by the European Union as solid in the case of Ukraine and Moldova. Both countries are working on the implementation of the European Commission’s recommended steps (nine for the Republic of Moldova and seven for Ukraine) in order to be able to open accession negotiations in the fall of 2023. In many aspects, the recommended steps tend to be similar, some are similar to those identified for Georgia, but in each case the main domains are reflected, in which countries have to improve their progress, taking into consideration the national specifics, circumstances and the capacity of the states to assume and fulfill commitments. So, Ukraine should implement such recommendations

²¹ The European Union and Belarus, Accessed on 26.04.2023

https://www.eeas.europa.eu/belarus/european-union-and-belarus_en?s=218

²² European Commission implementing decision of 5.12.2022 on the financing of the special measure in favour of the people of Belarus for 2022, Brussels, 5.12.2022, Accessed on 26.04.2023 https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-12/C_2022_8721_1_EN_ACT_part1_v2.pdf

²³ Annual Survey 2022: Belarus, Accessed on 26.04.2023

<https://euneighbourseast.eu/news/publications/annual-survey-2022-belarus/>

²⁴ EU Commission Opinion on Georgia's application for membership of the European Union. Brussels, 17.6.2022, Accessed on 26.04.2023 <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-06/Georgia%20opinion%20and%20Annex.pdf>

as: a new selection procedure for judges of the Constitutional Court of Ukraine; new composition for the High Council of Justice; fight against corruption and effective work of the National Anti-Corruption Bureau of Ukraine; reform of the entire law enforcement sector and implementation of the Anti-Oligarch law, adjustment of media law to EU media directive and finalization of the reform of the legal framework for national minorities²⁵. In its turn, Moldova should focus on: completion of the launched comprehensive justice system reform; application of all shortcomings identified by OSCE/ODIHR and the Council of Europe/the Venice Commission; realization of the “de-oligarchisation” process; fight against corruption and organized crime; implementation of public administration reform and the reform of Public Financial Management, the involvement of the civil society in the decision-making process and the promotion of gender equality and fight violence against women²⁶.

Speaking about the progress on the implementation of these steps, Ukraine has adopted the law regarding the selection of the Constitutional Court of Ukraine judges, the comprehensive media law, the National Anti-Corruption Strategy and a new head of the Special Anti-Corruption Prosecutor’s Office was appointed. Also, a state program “Unity in Diversity” is developed in order to ensure the rights of national minorities and other measures are underway according to the EU requirements, etc.²⁷. In the Republic of Moldova, according to the national plan adopted to fulfill the EU’s nine requirements, out of 60 actions, 14 actions (23,33%) are fully implemented, 21 actions (35%) are implemented with some reservations, 23 actions (38,33%) were initiated and are in process of implementation and 2 actions (3,33%) were not initiated.²⁸ Thus, the Law no. 120/2021 for Constitution amendment was adopted in order to improve the provisions for the judicial system; laws for consolidation of the Judicial Inspection activity were adopted; a new Electoral Code was adopted by implementing most of the OSCE/ODIHR recommendations; a new mechanism for criminal prosecution was adopted, trial and sentencing in absentia of persons who evade participation in criminal prosecution; the criminal and procedural legislation was aligned with the provisions of Istanbul and Lanzarote Conventions²⁹; necessary laws and mechanisms are underway according to all EU requirements. This way, both countries are focused on the opening of accession negotiations with the European Union and the transformation and Europeanization process in these countries is in full development.

To conclude, the EU’s role in its Eastern neighborhood is obvious. Rationalism and pragmatism of EU approaches towards the relationship with eastern neighbors lead to a constructive dialogue with all of them. It can be noticed heterogeneity of national changes within countries in the evolution of their partnership with the European Union under the influence of costs and benefits of the partnership, under the influence of

²⁵ EU Commission Opinion on Ukraine’s application for membership of the European Union. Brussels, 17.6.2022, Accessed on 27.04.2023 <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-06/Ukraine%20Opinion%20and%20Annex.pdf>

²⁶ EU Commission Opinion on the Republic of Moldova’s application for membership of the European Union. Brussels, 17.6.2022, Accessed on 27.04.2023 <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-06/Republic%20of%20Moldova%20Opinion%20and%20Annex.pdf>

²⁷ Shaipova Y. Ukraine’s Road to EU: recent updates and future steps, 2023, Accessed on 26.04.2023 <https://war.ukraine.ua/articles/ukraine-s-road-to-eu-recent-updates-and-future-steps/>

²⁸ Raport Alternativ nr.1. Realizarea Planului de Acțiuni pentru implementarea măsurilor propuse de Comisia Europeană în Avizul său privind cererea de aderare a Republicii Moldova la UE, Accessed on 26.04.2023 <https://ipre.md/2023/04/13/raport-alternativ-nr-1-realizarea-planului-de-actiuni-pentru-implementarea-masurilor-propuse-de-comisia-europeana-in-avizul-sau-privind-cererea-de-aderare-a-republicii-moldova-la-ue/>

²⁹ Ibidem

external factors such as the Russian Federation's impact on the region and the Russian military invasion of Ukraine, under the influence of the level of European aspirations of the countries and EU conditionality credibility. However, the EU neighborhood policy in the Eastern region has contributed to the democratization of the partner states as a consequence of implementing its requirements. The significant transformation of Moldova, Ukraine and Georgia take place due to the downloading and application of EU norms, values and standards. Nonetheless, it should be highlighted that the transformative role of the European Union in the region is greater when the EU model adopted by the eastern neighbors has no alternative and there is a strong will to deepen relationships and integrate with the European community.

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