



# Questionnaire

## Part II

**Information provided by the Government of the Republic of Moldova  
to the Questionnaire of the European Commission**

### **CHAPTER 30: EXTERNAL RELATIONS**

May 2022

The *acquis* in this field consists mainly of legislation which is binding and directly applicable in EU Member States without requiring transposition into national law. This EU legislation results essentially from the EU's multilateral and bilateral commitments in the trade field, as well as from a number of autonomous trade measures. In the area of export, some directives require transposition into national legislation.

In this context, applicant countries are required to progressively align their policies towards third countries and their positions within international organisations (particularly WTO) with the policies and positions adopted by the European Union and its Member States.

In the area of development policy and humanitarian aid, Member States need to comply with EU legislation and international commitments and ensure the capacity to participate in the EU's cooperation with third countries and humanitarian policies.

## ***I. COMMON COMMERCIAL POLICY - WTO and other horizontal issues***

### **A. General trade policy**

**1. In order to have a complete picture of the differences between Moldova's trade regime and the EU trade regime, please provide us with:**

**a) Legal act (s) defining the trade policy, including on services<sup>1</sup>. Please include an overview of the key trade policy features (responsible institution, its competences, and key elements of policy-making).**

The international economic cooperation and trade policy development is one of the main competencies of the Ministry of Economy, according to the provisions of Government Decision No. 143/2021 on the Organization and Functioning of the Ministry of Economy (MoE)<sup>2</sup>.

Although “Moldova 2020” National Development Strategy was the main strategic economic policy document, the EU-Moldova Association Agreement (AA), the Deep and Comprehensive Free Trade Area (DCFTA) established in 2014, and the IMF programme that followed the banking crisis in 2015 have been crucial for shaping policy developments in Moldova, boosting the speed and the depth of the economic and financial policy reforms. Moldova has recently developed a new National Development Strategy - “Moldova 2030”, which is aligned with both its EU AA /DCFTA and with the United Nations’ 2030 Agenda for Sustainable Development.

The Republic of Moldova became a WTO member on 26 July 2001 and grants at least MFN treatment to all its trading partners. It is a party to the Information Technology Agreement and to Trade Facilitation Agreement (TFA), which was ratified on 24 June 2016. Since 14 July 2016, the Republic of Moldova is a party to the Agreement on Government Procurement (GPA). It also accepted the Protocol Amending the TRIPS Agreement in 2015.

The Republic of Moldova strongly believes in the important role of the multilateral trading system and is an active participant in WTO discussions and reform initiatives, as well as in the work of its regular committees. In this regard, the trade policy<sup>3</sup>, including services<sup>4</sup>, of the RM is in line with all principles and rules of the WTO, as well as with the provisions of the Association Agreement with the EU. The first review of the Moldovan trade policies and practices was done on 19 and 21 October 2015 by the WTO. A report by the Secretariat and a report by the Government of Moldova set the basis for the review.

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<sup>1</sup> Under heading III, the concept of "trade " should be understood as "foreign trade"

<sup>2</sup>Government Decision No. 143/2021 on the Organization and Functioning of the Ministry of Economy, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=127619&lang=ro](https://www.legis.md/cautare/getResults?doc_id=127619&lang=ro)

<sup>3</sup>Goods Schedule (Schedule of Concessions and Commitments Annexed to the GATT 1994): [WT/ACC/MOL/37/Add.1](#)

<sup>4</sup>Services Schedule (Schedule of Specific Commitments Annexed to the GATS): [WT/ACC/MOL/37/Add.2](#)

The second trade policy review is ongoing at the moment, being at the final stage before consulting with all the parties. It is expected to be submitted to the TPR Body on 20-22 July 2022.

Trade and trade-related policies in the Republic of Moldova ultimately aim at a closer economic integration with the European Union. In line with the EU-Moldova Accession Agreement concluded in 2014, the Republic of Moldova has been continuously aligning its regulatory framework with the *Acquis Communautaire* of the EU.

In December 2018, the Parliament approved a new development strategy – “Moldova 2030”, replacing the “Moldova 2020” strategy. Being in line with the UN Agenda for Sustainable Development and the EU-Moldova Association Agreement, it focuses on developing a sustainable and inclusive economy, strengthening the human and social capital, making the institutions more efficient and fairer; and ensuring the fundamental right to a healthy and safe environment for the citizens. This general strategy is undergoing a process of adjustment and it will be translated into sectoral strategies in order to be implemented, monitored and evaluated. The Ministry of Economy (MoE) oversees the economic policies, the business and investment environment, the public property, IT and digital economy, the quality infrastructure and market surveillance, as well as trade policies related to the WTO, and the negotiation and implementation of regional trade agreements (RTAs). The Ministry controls and supervises the Agency for Consumer Protection and Market Surveillance, the National Institute of Metrology, and the Moldovan Institute of Standardization. It also monitors the activities of the National Accreditation Centre and coordinates the Organization for the Development of Small and Medium-sized Enterprises (ODIMM).

The MoE undertakes public consultations regarding policy initiatives, including policy proposals. All draft official documents (laws, regulations, decisions etc.) are made available to the general public on [www.particip.gov.md](http://www.particip.gov.md) website, as well as on other official websites of different institutions, containing the text of the documents and explanations of the purpose and of the rationale for the law or the regulations. The consultations with the private sector on trade policy development and the negotiation of RTAs happen on an ad hoc basis, and are aimed to improve the business environment.

The Ministry of Economy also designs policies for the investments and the special economic zones with the strategic goal of European integration. Key objectives of these policies include structural diversification of the exports in order to attract Foreign Direct Investments and to improve the investment climate and the competitiveness, as well as to approximate the relevant legislation, as outlined in the Association Agreement with the European Union. The regulatory framework for the domestic and foreign investments is primarily spelled out in the Law on Investments in Entrepreneurial Activity, while the Constitution, and the Civil Code, the Land Code, the Tax Code, the Labour Code, the Law on Joint

Stock Companies and other laws, such as those on the environment, also regulate important elements related to the investments.

**b) Moldova's national tariffs (preferably all in one excel document in electronic format. See also Chapter 29 on customs union);**

The MFN tariffs are provided in Annex 1 (excel document).

**c) Quantitative restrictions applicable in Moldova, if any.**

The import and export prohibitions and restrictions are notified to the WTO and are administered in a non-discriminatory manner. They are exceptionally implemented on the grounds of public safety and moral, human life protection, environment protection, and are applied in compliance with the RM's international obligations<sup>5</sup>.

Based on the above-mentioned grounds, the imports of certain products are prohibited. For example, imports of certain endangered animals and plants are prohibited in accordance with the CITES Convention to protect trade in endangered species. The imports of narcotics, arms, asbestos, and ozone depleting substances are also strictly prohibited.

Over the past years, four types of products were added to the import prohibition list (Table 1)

**Table 1. Import prohibitions introduced during the period 2016-2021**

<b>Products</b>	<b>Effective date</b>
Fishing net made of untwisted polymer yarn	5 May 2016
Waste and residues of any kind	23 December 2016
Radiological installations or radioactive sources	27 October 2017
Food products that have shorter than half of their validity term established by the manufacturer	29 February 2020

Moldova bans the exports of objects that represent a national cultural value. Effective on 5 May 2016, Moldova introduced an export prohibition on indigenous raw wood and semi-finished wood items (Government Decision No. 664/2016)<sup>6</sup>.

<sup>5</sup> WTO document, G/MA/QR/N/MDA/1/; G/MA/QR/N/MDA/2/

<sup>6</sup> Government Decision No. 664/2016 on the temporary suspension of wood exports, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=92983&lang=ro](https://www.legis.md/cautare/getResults?doc_id=92983&lang=ro)

**2. Please provide Moldova's latest trade data (import and export) in electronic format, following the most recent tariff structure.**

Moldova's latest trade data is provided in Annex 2 (excel document).

**B. Generalized System of Preferences (GSP)**

**3. What would be the impact on Moldova of the adoption of the EU's GSP scheme?**

To consider the impact of the EU's GSP scheme on the Republic of Moldova, a special study would be required. Given a reasonable timeframe and additional resources, the Republic of Moldova would be open to such an exercise.

The Republic of Moldova is committed to sustainable development and open for providing support to developing countries and LDCs, given its own circumstances.

**C. Trade Defence Instruments**

**4. Please provide copies, preferably in English (if available), of the relevant legislation in force concerning anti-dumping, anti-subsidy and safeguard measures.**

Law No. 820/2000<sup>7</sup> on Anti-Dumping, Countervailing and Safeguards measures provides for safeguard measures applicable to dumped or subsidised imports from the country of origin, or exports or imports which, by their quantity or conditions for delivery, harm or endanger the domestic producers of similar or directly competitive products. It is worth mentioning that the national legislation is in line with the Agreement on Subsidies and Countervailing Measures of the WTO.

By virtue of Government Decision 1324/2002<sup>8</sup>, an Investigation Body for anti-dumping, countervailing and safeguard measures was established and, by virtue of Government decision 1678/2002<sup>9</sup>, the Rules of Procedure for the Investigating Body were approved, while the Ministry of Economy was authorized to organize the activity of this Body. Thus, the Ministry of Economy may initiate an investigation upon its own initiative, or act on complaints from a domestic industry.

Thus, a provisional measure may be imposed, if the preliminary investigation determines that there is dumping or a subsidy and causality between the imports and the

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<sup>7</sup>Law No. 820/2000 on Anti-Dumping, Countervailing and Safeguards measures, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=65655&lang=ro](https://www.legis.md/cautare/getResults?doc_id=65655&lang=ro)

<sup>8</sup>Government Decision No. 1324/2002 on the establishment of the Investigation Body for anti-dumping, countervailing and safeguard measures, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=13973&lang=ro](https://www.legis.md/cautare/getResults?doc_id=13973&lang=ro)

<sup>9</sup>Government Decision No. 1678/2002 on the approval of the Rules of Procedure for the Investigating Body for anti-dumping, countervailing and safeguard measures, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=28208&lang=ro](https://www.legis.md/cautare/getResults?doc_id=28208&lang=ro)

injury. Provisional measures have a maximum validity of four months; however, under special circumstances, the validity may be extended for up to nine months. At the same time, definitive anti-dumping or countervailing measures are usually imposed for a fixed period of five years, subject to expiry reviews. Regarding the safeguard measures, a provisional duty may be imposed for a period not exceeding 200 days, but might be applied for four years, extendable to eight years in total.

## **D. Administrative Capacity**

### **5. Please provide information on administrative structure and functioning of Moldova's national authority dealing with Commercial Policy.**

According to the provisions of the Regulations adopted by Government Decision 143/2021 on the Organisation and Functioning of the Ministry of Economy, the Ministry has competences in the following areas: 1) economic policies; 2) regulating the business environment and the SME; 3) investments and industrial development; 4) public property management policies; 5) information technology and digital economy; 6) quality infrastructure and market surveillance; and 7) international economic cooperation and trade policies.

Trade policy development and implementation in the Republic of Moldova's lies within the responsibility of the MoE, in cooperation with other ministries and trade-related agencies. The MoE is also responsible for WTO-related issues, for the negotiation and implementation of Free Trade Agreements (FTAs) and for promoting trade and investments. The MoE coordinates several institutions, including the Agency for Consumer Protection and Market Supervision and the Agency for Technical Supervision, and supervises several institutions, including the Investigation Body for contingency trade measures, the National Accreditation Centre of the Republic of Moldova (MOLDAC), the Organization for the Development of Small and Medium-sized Enterprise Sector (ODIMM), the National Institute of Metrology, and the National Institute of Standardization.

During the trade policy development process, the Ministry of Economy cooperates with other ministries and trade-related agencies, notably the Customs Service under the Ministry of Finance. Additionally, the MoE holds consultations with the private sector on developing the Moldovan trade policy on an ad hoc basis, including through briefings and public consultations on FTA negotiations.

A number of MoE departments, such as the Divisions for International Economic Relations, Business Environment Development, Quality Infrastructure and Market Surveillance and Information Technology and Digital Economy play an important role in shaping the trade policy environment. Out of the total of 74 positions stipulated in the MoE's Regulations, 44 positions are related to foreign trade.

Department	Number of MoE staff involved in activities related to trade issues – by Departments
International Economic Cooperation Division	14 + 1 State Secretary
Business Environment Development Division	15
Quality Infrastructure and Market Surveillance Division	8
Information Technology and Digital Economy Policy Division	6
Total:	44 (43 + 1 State Secretary)

## E. Dual use items

**6. Does Moldova apply export controls on dual use items? Please provide the Commission with the texts, preferably in English (if available), of the relevant legislation and summarise the main features of the underlying policy, including the control procedures and assessment criteria scope of legislation and administrative structure/decision-making process of the competent authority and its cooperation with other bodies, Please explain what items fall under Moldova's dual use legislation and on which basis Moldova compiles this list.**

Dual use items are a component of strategic goods. It includes all technical-scientific knowledge, processes, materials and equipment used in the development, production and operation of civilian production, which can also be used in manufacturing of military production, nuclear weapons, chemical, biological, and other types of weapons of mass destruction and means of transportation of such weapons and conventional weapons.

The principles and the procedure of control over the exports, re-exports, imports and transit of strategic goods, including dual-use products, are established by Law No. 1163/2000<sup>10</sup>. The provisions of the law apply to all those who carry out activities of export, re-export, import or transit of strategic goods. At the same time, it contains general rules on the single regime for the authorization of the exports, re-exports, imports and transit of strategic goods.

The Regulations for the Interdepartmental Commission for Control over the exports, re-exports, imports and transit of strategic goods; the Regulations for the control regime for the exports, re-exports, imports and transit of strategic goods; and the Nomenclature of strategic goods subject to control are approved by Government Decision No. 606/2002<sup>11</sup>.

The Interdepartmental Control Commission is a permanent governmental authority responsible for:

<sup>10</sup>Law No. 1163/2000 on the control over the exports, re-exports, imports and transit of strategic goods, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=108380&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108380&lang=ro)

<sup>11</sup>Government Decision No. 606/2002 on the National Export Control System, re-exports, imports and transit of strategic goods in the Republic of Moldova, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=114025&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114025&lang=ro)

- examining the proposals for signing or accession to interstate and intergovernmental agreements (bilateral and multilateral) in the field of non-proliferation of weapons of mass destruction and of other strategic goods;
- monitoring on the compliance with the commitments under interstate and intergovernmental agreements on the non-proliferation and control on trafficking in weapons of mass destruction and of other strategic goods;
- examining and decision-making on the issuance of authorizations for exports, re-exports, imports and transit of strategic goods on the territory of the Republic of Moldova;
- making decisions on the suspension or cancellation of the authorizations for the exports, re-exports, imports and transit of strategic goods, if the economic operator holding an authorization infringes the provisions of the legislation in force in the respective field or those arising from international commitments and state policy on strategic traffic control.

The composition of the Commission is as follows:

- Minister of Economy, Chairperson of the Commission;
- Head of the General Staff of the National Army, Deputy Chairperson of the Commission;
- Head of the Authorization and Certification Subdivision of the Public Services Agency, Secretary of the Commission;
- State Secretary of the Ministry of Internal Affairs (in the field of public order and security, crime prevention and control);
- Head of the General Directorate of the Information and Security Service;
- Deputy Head of the Revenue and Customs Control Department of the Customs Service;
- State Secretary of the Ministry of Foreign Affairs and European Integration.

The Public Services Agency is the authority empowered by law to issue, extend, suspend or cancel authorizations for the exports, re-exports, imports and transit of strategic goods.

**7. Please explain if and how Moldova is taking into consideration ongoing discussions in the framework of multilateral export control regimes (Australia Group, NSG, Wassenaar, MTCR).**

In accordance with the provisions of section 6 of Annex no. 1 to Law No. 160/2011 on regulation by authorization of entrepreneurial activity<sup>12</sup>, "the production, assemblage, imports and/or exports, re-exports, trade in weapons and ammunition for civilian use and the repair of weapons for civilian use" shall be subject to regulation by licensing. At the same time, if the category of weapons to be imported, transited, exported or re-exported meets the criteria for the dual-use strategic goods, an authorisation shall also be required.

The Republic of Moldova fully respects its international obligations and standards for the exports of controlled goods.

**F. Prevention of capital punishment and torture**

**8. Does Moldova apply export controls on goods that could be used for capital punishment or torture or other cruel, inhuman or degrading treatment? Please provide the translated texts of the relevant legislation and list of goods.**

National customs legislation does not fully regulate the control of the exports of goods that could be used for capital punishment, torture or other cruel, inhuman or degrading treatment. Goods produced in the country, as well as those previously imported and released for free circulation, shall be admitted for export, except for the goods which are subject to prohibition or restriction measures within the framework of economic policy. The exports shall be carried out in compliance with the economic policy measures and with other conditions set by the Customs Code of the Republic of Moldova and with other regulatory acts<sup>13</sup>.

At the same time, the exports, re-exports, imports and transit *of some types of goods* are totally prohibited, or are subject to specific requirements or restrictions. Thus, in order to ensure the national security of the Republic of Moldova, to promote the foreign policy of the country and to participate in international efforts towards the export control, the customs clearance of strategic goods was regulated.

Strategic goods<sup>14</sup> represent:

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<sup>12</sup>Law No. 160/2011 on regulation by authorization of entrepreneurial activity, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=130022&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130022&lang=ro)

<sup>13</sup>Art. 38 and 39 of the Customs Code of the Republic of Moldova No. 1149/2000, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=130518&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130518&lang=ro#)

<sup>14</sup>Art. 2 of Law No. 1163/2000 on the control on the exports, re-exports, imports and transit of strategic goods, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=108380&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108380&lang=ro)

- dual-use goods, technologies and services (civil and military);
- armaments, munitions, military equipment, connected technologies and services;
- other products, technologies and services which may be used in the manufacture and use of nuclear, chemical, biological and missile weapons which may carry such weapons;
- other products, technologies and services requiring a special control in the interests of the national security or foreign policy, in accordance with the international agreements and arrangements to which the Republic of Moldova is a party.

In order to create in the Republic of Moldova a National Control System that sets a unique regime for regulating foreign economic activity in the field of transactions with strategic goods, and for regulating the traffic of these goods, the following documents were approved:

- Regulations for the control regime for exports, re-exports, imports and transit of strategic goods (Law No. 1163/2000);
- Nomenclature of strategic goods subject to control<sup>15</sup>.

Moreover, in accordance with the provisions of Chapter II of Annex no. 1 to Law No. 160/2011 on the *regulation by authorization of entrepreneurial activity* <sup>16</sup>, customs clearance of strategic (dual-purpose) goods is allowed based on individual authorizations for export/re-export/import/transit of strategic (dual-purpose) goods issued by the Public Services Agency (pursuant to the decisions of the Interdepartmental Commission on exports, re-exports, imports and transit of strategic goods).

In order to ensure the compliance with customs and fraud prevention legislation, the customs authority applies various customs control procedures and instruments. Goods and means of transport are subject to selective customs control. The selectivity implies that the customs authority shall use, on the basis of risk analysis, those forms of control which are sufficient to ensure the compliance with the legislation. The customs authority is also entitled, where appropriate, to use all forms of customs control<sup>17</sup>.

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<sup>15</sup>Government Decision No. 606/2002 on the National System of Control on exports, re-exports, imports and transit of strategic goods in the Republic of Moldova, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=114025&lang=ro](https://www.legis.md/cautare/getResults?doc_id=114025&lang=ro)

<sup>16</sup>Law No. 160/2011 on the regulation by authorization of entrepreneurial activity, available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=130211&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=130211&lang=ro#)

<sup>17</sup>Art. 192 of the Customs Code of the Republic of Moldova No. 1149/2000, available in Romanian, at: [https://www.legis.md/cautare/getResults?doc\\_id=130518&lang=ro](https://www.legis.md/cautare/getResults?doc_id=130518&lang=ro)

**9. Does Moldova apply other measures governing trade with third countries in goods that could be used for the purpose of capital punishment or for the purpose of torture or other cruel, inhuman or degrading treatment or punishment, and rules governing the supply of brokering services, technical assistance, training and advertising related to such goods? Please describe the measures in detail and if possible provide the translated texts, if they are not included in the translated text of the legislation mentioned in the previous question.**

The Republic of Moldova does not apply other measures to prevent goods or services from being used for capital punishment or torture in foreign countries, such as an import or export prohibition or measures related to brokering services, training or technical assistance.

#### **G. Kimberley Process (conflict diamonds)**

**10. Does Moldova support the main objective of the Kimberley Process Certification Scheme, namely to stem the flow of ‘conflict diamonds’, i.e. rough diamonds ‘used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments’?**

The Republic of Moldova firmly supports the core objective of the Kimberley Process Certification Scheme, namely to stem the flow of „conflict diamonds” – the use of rough diamonds to finance wars against legitimate governments.

The Republic of Moldova, as a member state of the UN, was one of the cosponsors of the UN General Assembly resolution A/RES/61/28 entitled „The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts”.

**11. Does Moldova apply any measures to exclude ‘conflict diamonds’ from the legitimate trade?**

The Republic of Moldova did not register any cases of imports or exports of goods that would fall under the „conflict diamonds” category. The Moldovan national authorities use a wide range of filters and risk assessment criteria during the customs control process, which allow identifying the suspicious goods. Moreover, the Moldovan authorities are open to developing specific measures to prevent potential transactions with „conflict diamonds”.

## **H. Export credits**

**12. What are the institutions providing government-backed export credits? Please provide an overview of legal status and acts governing the operations of such institutions, of their administrative capacity, financing/financial arrangements and value of outstanding guarantees. What methodology is used for risk assessment when providing export credits? How do the institutions ensure this methodology takes into account the rules and guidelines of the Arrangement on Officially Supported Export Credits at the OECD?**

The Republic of Moldova does not grant any export subsidies, export credit, or export insurance programmes. Nonetheless, it provides some informational support and assistance to SMEs for their participation in international trade events.

**13. Do the institutions providing credits/insurances also cover short term exports to EU countries and OECD countries covered by Commission Communication pursuant to Article 113 of the Treaty on the Functioning of the European Union (TFEU) applying Articles 92 and 93 of the Treaty to short-term export credit insurance (OJ C 281 of 17 September 1997)?**

Not applicable.

**14. Does Moldova foresee any problems with regard to the implementation of Council Directive 98/29/EC on harmonization of the main provisions concerning export credit insurance for transactions with medium and long-term cover and EU Regulation 1233/2011 on export credits?**

Not applicable.

## ***II. OTHER TRADE RELATED AGREEMENTS***

**15. Please provide a list of all Moldova's preferential trade and other international agreements relevant for trade, including on services.**

List of effective bilateral agreements on trade and economic cooperation:

- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Azerbaijan on long-term economic cooperation (signed on 26.10.2004, approved on 26.10.2004, effective on 10.02.2005)<sup>18</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Belarus on trade-economic cooperation (signed on 10.09.98, effective on 29.01.1999)<sup>19</sup>;
- Trade-economic agreement between the Government of the Republic of Moldova and the Government of the People's Republic of China (signed on 18.01.1992, effective on 18.01.1992)<sup>20</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Croatia on trade and economic cooperation (signed on 12.08.2002, ratified on 13.12.2002, effective on 13.12.2002)<sup>21</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Estonia on economic and trade cooperation (signed on 20.07.1995, approved on 14.09.1995, effective on 31.10.1995)<sup>22</sup>;
- Agreement between the Ministry of Agriculture and Food of the Republic of Moldova and the Ministry of Agriculture and Forestry of the Republic of Finland on trade-economic and technical-scientific cooperation (signed on 15.05.1997, effective on 15.05.1997)<sup>23</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Republic of India on trade and economic cooperation (signed on 19.03.1993, effective on 19.03.1993)<sup>24</sup>;
- Agreement on trade and economic cooperation between the Government of the Republic of Moldova and the Government of the State of Israel (signed on 22.06.1997, ratified on 04.12.1997, effective 01.05.1998)<sup>25</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Kazakhstan on trade-economic

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<sup>18</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=117324&lang=ro](https://www.legis.md/cautare/getResults?doc_id=117324&lang=ro)

<sup>19</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=116326&lang=ro](https://www.legis.md/cautare/getResults?doc_id=116326&lang=ro)

<sup>20</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=115818&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115818&lang=ro)

<sup>21</sup> Available in Romanian: <https://me.gov.md/sites/default/files/document/croatia.docx>

<sup>22</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=115866&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115866&lang=ro)

<sup>23</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=115875&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115875&lang=ro)

<sup>24</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=115942&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115942&lang=ro)

<sup>25</sup> Available in English: [https://www.legis.md/cautare/getResults?doc\\_id=117111&lang=ro](https://www.legis.md/cautare/getResults?doc_id=117111&lang=ro)

cooperation (signed on 16.03.2018, approved on 05.09.2018, effective on 05.09.2018)<sup>26</sup>;

- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Latvia on the principles of trade and economic cooperation (signed on 03.12.1992, effective on 03.12.1992)<sup>27</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Latvia on economic, industrial, and technical-scientific cooperation (signed on 11.05.2007, approved on 18.06.2007, effective on 27.06.2007)<sup>28</sup>;
- Agreement on economic, commercial and technical cooperation between the Government of the Republic of Moldova and the Government of the State of Qatar (signed on 10.12.2012, approved on 24.01.2013, effective on 24.01.2013)<sup>29</sup>;
- Agreement on trade and economic cooperation between the Government of the Republic of Moldova and the Government of the Republic of Slovenia (signed on 11.07.2002, approved on 04.10.2002, effective on 21.01.2003)<sup>30</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Slovak Republic on trade and economic cooperation (signed on 10.10.2002, ratified on 13.12.2002, effective on 23.03.2003)<sup>31</sup>;
- Agreement on trade and economic cooperation between the Republic of Moldova and the Swiss Confederation (signed on 30.11.1995, ratified on 26.04.1996, effective on 01.09.1996)<sup>32</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Tajikistan on trade-economic cooperation (signed on 05.11.2002, approved on 20.02.2003, effective on 15.04.2003)<sup>33</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Republic of Turkey on trade-economic cooperation (signed on 14.02.1994, effective on 07.06.1994)<sup>34</sup>;
- Agreement on trade-economic cooperation between the Government of the Republic of Moldova and the Government of Turkmenistan (signed on 07.04.2015, approved on 21.08.2015, effective on 21.08.2015)<sup>35</sup>;

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<sup>26</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=109040&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109040&lang=ro)

<sup>27</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=116388&lang=ro](https://www.legis.md/cautare/getResults?doc_id=116388&lang=ro)

<sup>28</sup> Available in English: [https://www.legis.md/cautare/getResults?doc\\_id=116895&lang=ro](https://www.legis.md/cautare/getResults?doc_id=116895&lang=ro)

<sup>29</sup> Available in English:

[https://me.gov.md/sites/default/files/document/qatar\\_agreement\\_economic\\_cooperation.pdf](https://me.gov.md/sites/default/files/document/qatar_agreement_economic_cooperation.pdf)

<sup>30</sup> Available in English: [https://www.legis.md/cautare/getResults?doc\\_id=116686&lang=ro](https://www.legis.md/cautare/getResults?doc_id=116686&lang=ro)

<sup>31</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=116677&lang=ro](https://www.legis.md/cautare/getResults?doc_id=116677&lang=ro)

<sup>32</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=115885&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115885&lang=ro)

<sup>33</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=117278&lang=ro](https://www.legis.md/cautare/getResults?doc_id=117278&lang=ro)

<sup>34</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=116112&lang=ro](https://www.legis.md/cautare/getResults?doc_id=116112&lang=ro)

<sup>35</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=84063&lang=ro](https://www.legis.md/cautare/getResults?doc_id=84063&lang=ro)

- Strategic partnership, trade and cooperation agreement between the Republic of Moldova and the United Kingdom of Great Britain and Northern Ireland (signed on 24.12.2020, effective on 01.01.2021)<sup>36</sup>;
- Agreement between the Government of the Republic of Moldova and the Government of the Socialist Republic of Vietnam on trade-economic cooperation (signed on 21.09.2000, approved on 14.12.2000, effective on 14.12.2000)<sup>37</sup>.

List of bilateral free trade agreements:

- Free trade agreement between the Government of the Republic of Moldova and the Government of the Republic of Armenia (signed on 24.12.1993, ratified on 20.09.1995, effective on 21.12.1995)<sup>38</sup>;
- Free trade agreement between the Government of the Republic of Moldova and the Government of the Republic of Azerbaijan (signed on 26.05.1995, ratified on 20.09.1995, effective on 16.04.1996)<sup>39</sup>;
- Free trade agreement between the Government of the Republic of Moldova and the Government of the Republic of Belarus (signed on 16.06.1993, effective on 07.12.1994)<sup>40</sup>;
- Free trade agreement between the Republic of Moldova and the Republic of Georgia (signed on 28.11.1997, ratified on 18.02.1998, effective on 19.04.2007)<sup>41</sup>;
- Free trade agreement between the Government of the Republic of Moldova and the Government of the Republic of Kazakhstan (signed on 26.05.1995, ratified on 01.02.1996, effective on 23.02.1996)<sup>42</sup>;
- Free trade agreement between the Government of the Republic of Moldova and the Government of the Republic of Kyrgyzstan (signed on 06.05.1995, ratified on 05.06.1996, effective on 21.05.1996)<sup>43</sup>;
- Free trade agreement between the Government of the Republic of Moldova and the Council of Ministers - the Government of the Russian Federation (signed on 09.02.1993, effective on 30.03.1993)<sup>44</sup>;
- Free trade agreement between the Republic of Moldova and the Republic of Turkey (signed on 11.09.2014, ratified on 31.03.2016, effective on 01.11.2016)<sup>45</sup>;

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<sup>36</sup> Available in English: <https://mfa.gov.md/sites/default/files/b02604-en.pdf>

<sup>37</sup> Available in Romanian: <https://me.gov.md/sites/default/files/document/vietnam.docx>

<sup>38</sup> Available in English: <https://wits.worldbank.org/GPTAD/PDF/archive/armenia-moldova.pdf>

<sup>39</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=115841&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115841&lang=ro)

<sup>40</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=115853&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115853&lang=ro)

<sup>41</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=117771&lang=ro](https://www.legis.md/cautare/getResults?doc_id=117771&lang=ro)

<sup>42</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=115948&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115948&lang=ro)

<sup>43</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=115944&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115944&lang=ro)

<sup>44</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=116065&lang=ro](https://www.legis.md/cautare/getResults?doc_id=116065&lang=ro)

<sup>45</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=92316&lang=ro](https://www.legis.md/cautare/getResults?doc_id=92316&lang=ro)

- Free trade agreement between the Government of the Republic of Moldova and the Government of Turkmenistan (signed on 24.12.1993, ratified on 19.07.1995, effective on 01.03. 1996)<sup>46</sup>;
- Free trade agreement between the Government of the Republic of Moldova and the Cabinet of Ministers of Ukraine (signed on 13.11.2003, ratified on 12.02.2004, effective on 16.05.2008)<sup>47</sup>;
- Free trade agreement between the Government of the Republic of Moldova and the Government of the Republic of Uzbekistan (signed on 30.03.1995, ratified on 19.07.1995, effective on 29.08.1995)<sup>48</sup>.

List of multilateral free trade agreements:

- Agreement on the amendment of and accession to the Central European Free Trade Agreement (CEFTA) (signed on 19.12.2006, ratified on 04.05.2007, effective on 26.07.2007)<sup>49</sup>;
- Commonwealth of Independent States (CIS) treaty on the free-trade area (signed on 18.10.2011, ratified on 27.09.2012, effective on 09.12.2012)<sup>50</sup>;
- Deep and Comprehensive Free Trade Area (DCFTA) as part of the Association Agreement between the Republic of Moldova and the European Union (signed on 27.06.2014, ratified on 02.07.2014, effective on 01.09.2014)<sup>51</sup>.

The Republic of Moldova benefits from a Generalized System of Preferences (GSP) treatment from Canada, Norway, Switzerland, and the United States<sup>52</sup>.

**16. Please provide, for each agreement, the following information: nature of the agreement date of ratification, date of entry into force, initial term of the agreement, automatic renewal procedure, period for which acquired rights exist and indicate clearly what are the modalities planned in those agreements for their amendment or termination, to bring them in line with the EU acquis.**

Summary of Trade and Economic Cooperation Agreements signed by the Republic of Moldova

<sup>46</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=116097&lang=ro](https://www.legis.md/cautare/getResults?doc_id=116097&lang=ro)

<sup>47</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=117458&lang=ro](https://www.legis.md/cautare/getResults?doc_id=117458&lang=ro)

<sup>48</sup> Available in Romanian: [https://www.legis.md/cautare/getResults?doc\\_id=116222&lang=ro](https://www.legis.md/cautare/getResults?doc_id=116222&lang=ro)

<sup>49</sup> Available in English: <https://cefta.int/legal-documents/#1463498231136-8f9d234f-15f9>

<sup>50</sup> Available in English:

[http://www.eurasiancommission.org/ru/act/trade/dotp/sogl\\_torg/Documents/FTA%20CIS\\_Text\\_with\\_protocols\\_ENG.pdf](http://www.eurasiancommission.org/ru/act/trade/dotp/sogl_torg/Documents/FTA%20CIS_Text_with_protocols_ENG.pdf)

<sup>51</sup> Available in English: [https://eeas.europa.eu/archives/delegations/moldova/documents/eu\\_moldova/eu\\_-\\_moldova\\_association\\_agreement.pdf](https://eeas.europa.eu/archives/delegations/moldova/documents/eu_moldova/eu_-_moldova_association_agreement.pdf)

<sup>52</sup> <http://ptadb.wto.org/SearchByCountry.aspx>

<b>Agreement</b>	<b>Nature of agreement</b>	<b>Ratification</b>	<b>Entry into force</b>	<b>Initial term</b>	<b>Automatic renewal procedure</b>	<b>Period for which acquired rights exist</b>	<b>Modalities for amendment or termination</b>
Agreement between the Government of the Republic of Moldova and the Government of the Republic of Azerbaijan on long-term economic cooperation	Trade and economic cooperation	26.10.2004	10.02.2005	Unlimited	Unlimited	6 months after denunciation	Denunciation
Agreement between the Government of the Republic of Moldova and the Government of the Republic of Belarus on trade-economic cooperation	Trade and economic cooperation		29.01.1999	5 years	Automatic renewal for 5 years	Term of agreement	Denunciation, at least 6 months before expiry
Trade-economic agreement between the Government of the Republic of Moldova and the Government of the People's Republic of China	Trade and economic cooperation		18.01.1992	5 years	Automatic renewal for 1 year	Term of agreement	Written notification, at least 6 months before expiry
Agreement between the Government of the Republic of Moldova and the Government of the Republic of Croatia on trade and economic cooperation	Trade and economic cooperation	13.12.2002	13.12.2002	5 years	Automatic renewal for 1 year	Term of agreement	Denunciation, at least 6 months before expiry
Agreement between the Government of the Republic of Moldova and the Government of the Republic of Estonia on economic and trade cooperation	Trade and economic cooperation	14.09.1995	31.10.1995	Unlimited	Unlimited	Term of agreement	Denunciation, at least 6 months before expiry
Agreement between the Ministry of Agriculture and Food of the Republic of Moldova and the Ministry of Agriculture and Forestry of the Republic of Finland on trade-economic and technical-scientific cooperation	Trade and economic cooperation		15.05.1997	5 years	Automatic renewal for 5 years	Term of agreement	Denunciation, at least 6 months before expiry
Agreement between the Government of the Republic of Moldova and the Government of the Republic of India on trade and economic cooperation	Trade and economic cooperation		19.03.1993	5 years	Automatic renewal for 1 year	Term of agreement	Denunciation, at least 6 months before expiry

<b>Agreement</b>	<b>Nature of agreement</b>	<b>Ratification</b>	<b>Entry into force</b>	<b>Initial term</b>	<b>Automatic renewal procedure</b>	<b>Period for which acquired rights exist</b>	<b>Modalities for amendment or termination</b>
Agreement on trade and economic cooperation between the Government of the Republic of Moldova and the Government of the State of Israel	Trade and economic cooperation	04.12.1997	01.05.1998	Unlimited	Unlimited	6 months after notification	Written notification
Agreement between the Government of the Republic of Moldova and the Government of the Republic of Kazakhstan on trade-economic cooperation	Trade and economic cooperation	05.09.2018	05.09.2018	5 years	Automatic renewal for 5 years	6 months after denunciation	Denunciation, at least 1 year before expiry
Agreement between the Government of the Republic of Moldova and the Government of the Republic of Latvia on the principles of trade and economic cooperation	Trade and economic cooperation		03.12.1992	Unlimited	Unlimited	Term of agreement	Denunciation, at least 6 months before expiry
Agreement between the Government of the Republic of Moldova and the Government of the Republic of Latvia on economic, industrial, and technical-scientific cooperation	Trade and economic cooperation	18.06.2007	27.06.2007	Unlimited	Unlimited	Term of agreement	Written notification, at least 6 months before termination
Agreement on economic, commercial and technical cooperation between the Government of the Republic of Moldova and the Government of the State of Qatar	Trade and economic cooperation	24.01.2013	24.01.2013	5 years	Automatic renewal for indefinite time	Term of agreement	Written notification, at least 6 months before termination
Agreement on trade and economic cooperation between the Government of the Republic of Moldova and the Government of the Republic of Slovenia	Trade and economic cooperation	04.10.2002	21.01.2003	1 year	Automatic renewal for 1 year		Written notification, at least 3 months before expiry
Agreement between the Government of the Republic of Moldova and the Government of the Slovak Republic on trade and economic cooperation	Trade and economic cooperation	13.12.2002	23.03.2003	Unlimited	Unlimited	6 months after denunciation	Denunciation
Agreement on trade and	Trade and	26.04.1996	01.09.1996	Unlimited	Unlimited	6 months	Written

Agreement	Nature of agreement	Ratification	Entry into force	Initial term	Automatic renewal procedure	Period for which acquired rights exist	Modalities for amendment or termination
economic cooperation between the Republic of Moldova and the Swiss Confederation	economic cooperation					after notification	notification
Agreement between the Government of the Republic of Moldova and the Government of the Republic of Tajikistan on trade-economic cooperation	Trade and economic cooperation	20.02.2003	15.04.2003	5 years	Automatic renewal for 5 years	Term of agreement	Written notification, at least 6 months before expiry
Agreement between the Government of the Republic of Moldova and the Government of the Republic of Turkey on trade-economic cooperation	Trade and economic cooperation		07.06.1994	5 years	Automatic renewal for 1 year	Term of agreement	Written notification, at least 6 months before expiry
Agreement on trade-economic cooperation between the Government of the Republic of Moldova and the Government of Turkmenistan	Trade and economic cooperation	21.08.2015	21.08.2015	5 years	Automatic renewal for 5 years	5 years after notification for contracts concluded before termination	Written notification, at least 6 months before expiry
Agreement between the Government of the Republic of Moldova and the Government of the Socialist Republic of Vietnam on trade-economic cooperation	Trade and economic cooperation	14.12.2000	14.12.2000	5 years	Automatic renewal for 5 years	Term of agreement	Denunciation, at least 6 months before expiry

The FTAs signed by the Republic of Moldova, their coverage and scope are as follows:

Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova

The Republic of Moldova – European Union Association Agreement signed in June 2014 also establishes a Deep and Comprehensive Free Trade Area

(DCFTA). The Agreement was ratified by Law No. 112/2014<sup>53</sup> and entered fully into force in July 2016, following its ratification by all parties.

The Agreement covers goods and services with tariff reductions in the Republic of Moldova phased over a 10-year period (ultimately covering 99% of tariff lines), while the EU implemented tariff cuts are immediate for 99.7% of tariff lines and reductions for additional ones.

With regard to services, the Agreement contains disciplines on the establishment, the trade in services and electronic commerce, covering all four modes of trade in services, with certain sectors excluded. In addition, the Association Agreement contains, *inter alia*, general transparency disciplines, a special dispute settlement mechanism, rules on competition, trade defence instruments, and government procurements. It foresees a gradual approximation of legislation, rules and procedures of the Republic of Moldova with those of the EU in a wide range of areas, relating, *inter alia*, to SPS, TBT, trade in services, customs, procurement, taxation, auditing, statistics, and the energy sector.

It also foresees an extensive cooperation in a number of areas, including regulatory and supervisory cooperation among the authorities to promote the regulatory quality and performance. The Government implemented two Action Plans for the implementation of the Association Agreement. The legislation of the Republic of Moldova has been fully harmonized with 213 of the 456 EU legal acts listed in the DCFTA.

#### Central European Free Trade Agreement (CEFTA)

CEFTA was signed by Albania, Bosnia and Herzegovina, Croatia, Macedonia, Moldova, Montenegro, Serbia and the United Nations Interim Administration Mission in Kosovo (UNMIK) on behalf of Kosovo, in accordance with the United Nations Security Council Resolution 1244, in Bucharest on 19 December 2006. The Agreement was ratified by Law no. 120/2007 and entered into force for all CEFTA Parties on 22 November 2007.

The governing body of CEFTA is a Joint Committee. To date, three sub-committees have been established: on Agriculture, including Sanitary and Phytosanitary Issues, on Customs and Rules of Origin, and on Technical Barriers to Trade and Non-Tariff Barriers. The CEFTA Secretariat headquarters are in Brussels, and it started functioning in September 2008 by providing technical and administrative support to the Joint Committee, to any subcommittee or other body established by the Joint Committee. The Secretariat is jointly financed by the CEFTA Parties and by the EU, including by a number of other donors. The EU provides technical assistance on different matters related to the Agreement.

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<sup>53</sup>Law no. 112/2014 on the ratification of the Association Agreement between the Republic of Moldova, on the one hand, and the European Union and the European Atomic Energy Community, and their Member States, on the other hand, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=83489&lang=ro](https://www.legis.md/cautare/getResults?doc_id=83489&lang=ro)

The Agreement was initially concluded for trade in goods and it was extended with an Additional Protocol for trade in services.

Free Trade Agreement between the Republic of Moldova and the Republic of Turkey.

The Agreement with Turkey was signed on 14 September 2011 in Chisinau and entered into force in 2016 (ratified by Law No. 49/2016).

The FTA with Turkey covers the trade in goods, with Turkey eliminating the tariffs for 82.9% of tariff lines and providing a number of duty-free tariff rate quotas upon entry into force, while Moldova phased out the tariffs for 78.4% of tariff lines by 2020.

Strategic Partnership, Trade and Cooperation Agreement between the Republic of Moldova and the United Kingdom of Great Britain and Northern Ireland

The Agreement between the Republic of Moldova and the United Kingdom was signed on 24 December 2020 in Chisinau, and entered into force preliminarily in 2021 (ratified by Law no. 172/2021).

The agreement with the United Kingdom is modelled based on the EU-Moldova Association Agreement and it covers the trade in goods and services. Preferential treatment under the Agreement has been provisionally applied by both parties as of 1 January 2021. The Agreement also includes chapters on the external cooperation, the political dialogue, the reforms, the security, the justice, the home affairs interaction, the sectoral cooperation, and the free trade component.

Treaty on a Free Trade Area between members of the Commonwealth of Independent States

The FTA was signed on 18 October 2011 between Armenia, Belarus, Kazakhstan, the Kyrgyz Republic, the Republic of Moldova, the Russian Federation, Tajikistan, and Ukraine. The Agreement was ratified by Law no. 201/2012 and entered into force in 2012. The agreement covers the trade in goods and it targets at the elimination of all tariffs; it stipulates the national approach to the application of internal taxes; it contains requirements for warehousing, storage, transportation and reshipment, and repayments and remittances.

Free Trade Agreement between the GUAM Participating States

The Agreement on the Establishment of a Free Trade Area among the GUAM Participating States between Moldova, Georgia, Ukraine and Azerbaijan was signed on 20 July 2002 and entered into force on 10 December 2003 (ratified by Law no. 25-XVI/2005).

The Agreement established a free trade regime for goods and contained a rendezvous clause for trade in services. The provisions of the Agreement are

based on the respective rights and obligations of GUAM States under the WTO Agreements.

With the aim of further enhancing the cooperation, the Parties signed a Protocol on the establishment of a Coordinating Working Body of the Agreement and its scope of activities. To improve the institutional framework for the implementation of the Agreement, the status and the tasks of the Working Body entitled to coordinate the activities of the Parties were separately specified by the States.

The main objectives still pursued within the GUAM platform, related particularly to the facilitation of the regional trade, include: the simplification of the procedures for checking the certificates of origin and for the mutual recognition of AEO; the implementation of the SDGs for the 2030 Agenda for Sustainable Development; the implementation of the diagonal cumulation of the origin in the framework of the GUAM Agreement and PEM Convention; and other.

Bilateral Free Trade Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Moldova

The Free Trade Agreement between the Republic of Moldova and Ukraine was signed on 13 November 2003. The FTA was ratified by Law No. 22/2004 and entered into force in 2005. FTA covers the trade in goods.

Free Trade Agreement between the Republic of Moldova and Georgia

The Free Trade Agreement was signed on 28 November 1997 in Tbilisi and entered into force in 2007 (ratified by the Government Decision No. 1513/1998). The FTA covers the trade in goods.

**17. Does Moldova plan to negotiate any new preferential trade agreements, including on services? If yes, please provide timeline and main policy direction of any such negotiations.**

The Republic of Moldova has initiated negotiations on free trade agreements, as follows:

- Agreement on Free Trade in Services, the Establishment, Operation and Implementation of Investments of the Commonwealth of Independent States

Negotiations were launched by virtue of President Decree No. 382-VII/2012.

- Free Trade Agreement between the Republic of Moldova and the Arab Republic of Egypt

Negotiations were launched by virtue of President Decree No. 2327-VII/2016.

- EFTA - Free Trade Agreement between the Republic of Moldova and the European Free Trade Association Countries (Iceland, Liechtenstein, Norway and Switzerland)

Negotiations were launched by virtue of President Decree No. 673-VIII/2018.

**18. In order to have a complete picture of the differences between Moldova's investment regime and investment regimes in the EU, please provide us with an overview of the policy of Moldova regarding foreign investment, any legal act(s) defining such policy, including any legislation defining the investment-related aspects of a specific sector. Please outline main policy features of this/these legal act(s).**

Overview of the policy of the Republic of Moldova regarding foreign investment

The legal framework regulating the entrepreneurial activity and the investments in Moldova generally complies with the EU standards. Under the Moldovan law, foreign companies enjoy the same treatment as domestic companies (national treatment principle). Moldova has no discriminatory visa, residence, or work-permit requirements inhibiting the foreign investors' mobility in Moldova.

Foreign legal entities and individuals may incorporate companies in Moldova, either as sole shareholders or in partnership with a local company or individual. Foreign investment is generally allowed in any field of activity on the entire territory of Moldova, provided that national security interests, anti-monopoly legislation, the rules for environmental protection, public health and public order are respected.

Certain types of activity require licensing and there are some restrictions for the purchase of agricultural and forested land. Investments cannot be subject to expropriation or to any other similar measures, unless the measure is undertaken for the sake of the general public good, is not discriminatory, and preliminary and equivalent compensation of damages is provided. Compensation is paid in the currency of the investment. Investors have the right to sue public authorities for damages. No requirements exist for investors to purchase from local sources or to export a certain percentage of their output.

When developing new investment policies, public authorities are required to organize public consultations before implementing them. Foreign investors are required to disclose the same information, as domestic investors. Foreign investors are not restricted from obtaining credits from local banks. There are no restrictions on the conversion or the transfer of funds associated with foreign investment in Moldova. After the payment of taxes, foreign investors are permitted to repatriate residual funds.

Incentives for investments are applicable for all Moldovan-registered businesses, irrespective of the country of origin of the investment. Certain incentives apply

only in specially designated areas, such as free economic zones and industrial parks.

Moldova does not have an official policy or mechanism for promoting or incentivizing the outward investment.

The strategic document reflecting the Government's vision in the area of foreign investments is the *National Strategy for attracting investments and promoting the exports 2016-2020*<sup>54</sup> (still valid in 2022).

The latest Investment Policy Review of Moldova was conducted by the UNCTAD, as part of a broader South-East Europe Review in 2017<sup>55</sup>.

Moldova has an Investment Promotion Agency in charge of assisting the prospective investors with information, facilitating contacts with the relevant authorities, and organizing study visits.

#### Legal acts defining the foreign investment policy

The Constitution<sup>56</sup>. The Constitution of the Republic of Moldova protects the inviolability of investments by both individuals and entities; the freedom of trade and entrepreneurial activity; competition; and the right to private property. Key constitutional principles also include the supremacy of international law over the domestic legislation.

Law No. 81/2004 on investments in entrepreneurial activity<sup>57</sup> came into effect in 2004. It was designed to be compatible with the EU standards in its definitions for the types of local and foreign investments.

Law No. 81/2004 establishes the legal, social and economic principles for the organisation and development of investments in the Republic of Moldova, the rights and the obligations of investors, the powers and the competence of public authorities in the field of investments, the guarantees granted by the state to domestic and foreign investors, the method for settling the investment disputes, as well as the regulations for the activity of enterprises with foreign investments. The Law sets, inter alia, the following principles:

*Non-discrimination of investments* - investments may not be subject to discrimination, regardless of the field of activity or the state of origin of the investor, while the investors are granted equal and fair conditions for activity;

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<sup>54</sup>National Strategy for attracting investments and promoting the exports 2016-2020, available in Romanian at: <https://www.legis.md/UserFiles/Image/Strategia.docx>

<sup>55</sup>Investment Policy Review of Moldova, available in English at: [https://unctad.org/system/files/official-document/diaepcb2017d6\\_en.pdf](https://unctad.org/system/files/official-document/diaepcb2017d6_en.pdf)

<sup>56</sup>Constitution of the Republic of Moldova, available in English at: <https://www.parlament.md/CadrulLegal/Constitution/tabid/151/language/en-US/Default.aspx>

<sup>57</sup>Law No. 81/2004 on investments in entrepreneurial activity, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=107672&lang=ro](https://www.legis.md/cautare/getResults?doc_id=107672&lang=ro)

*Freedom of making investments* - investors (domestic and foreign) may place their investments throughout the territory of the Republic of Moldova in all areas of entrepreneurial activity, while the Republic of Moldova ensures a regime of full and permanent security and protection for all investments (domestic and foreign), regardless of their form;

*Registration, operation and dissolution of enterprises with foreign investments* - the procedure for registration, operation and dissolution of enterprises with foreign investments is similar to the procedure for registration, operation and dissolution of domestic enterprises.

Law No. 174/2021 on the mechanism for the examination of investments which are significant for state security<sup>58</sup>. This recent Law defines the areas of strategic importance for state security and sets the conditions for making investments in areas of importance for state security, as well as the mechanisms for supervising such investment activities. Secondary legislation for law enforcement still needs to be adopted.

**Law No. 171/2012 on capital market**<sup>59</sup> sets the entities and the systems that are part of the capital market infrastructure, including the regulated markets, the financial intermediaries, the multilateral trading facilities, the central security depository, the securities settlement systems and the independent registrars. The Law also regulates the activity of investment firms, the public offering and takeover bids, determines the mandatory disclosure requirements and the conditions for financial investments. In the process of drafting the Law, 11 EU directives were transposed, including MiFID, the Directive on Takeover Bids, the Investor Compensation Scheme Directive, the Market Abuse Directive, the Capital Adequacy Directive and the UCITS Directive.

**Law No. 160/2011 on regulation by authorization of entrepreneurial activity**<sup>60</sup> provides the list of business activities that require licencing, authorisation or certification. As of today, there are 31 business activities for which a special license is required, including banking, insurance, gambling, ethyl alcohol manufacturing and import, import of tobacco products, pharmaceutical activity, water and energy supply services etc.

#### **Other relevant legal acts:**

- **Law No. 845/1992 on Entrepreneurship and Enterprises**<sup>61</sup>. The law establishes which economic entities have the right to carry out an

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<sup>58</sup>Law No. 174/2021 on the mechanism for the examination of investments which are significant for state security, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=127724&lang=ro](https://www.legis.md/cautare/getResults?doc_id=127724&lang=ro)

<sup>59</sup>Law No. 171/2012 on capital market, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=121985&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121985&lang=ro)

<sup>60</sup>Law No. 160/2011 on regulation by authorization of entrepreneurial activity, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=126366&lang=ro](https://www.legis.md/cautare/getResults?doc_id=126366&lang=ro)

<sup>61</sup>Law No. 845/1992 on Entrepreneurship and Enterprises, available in Romanian at:

entrepreneurial activity in the Republic of Moldova and determines the legal, organizational and economic principles of this activity;

- **Law No. 235/2006 on Core Principles of Entrepreneurial Activity Regulation**<sup>62</sup>. Such principles include: predictability of regulation, transparency of decision-making, impact analysis, proportionality in the relationship between the state and the entrepreneur;
- **Law No. 220/2007 on the Registration of Legal Entities and Individual Entrepreneurs**<sup>63</sup>. The law regulates the procedure of state registration of legal entities and individual entrepreneurs, the keeping of state registers of legal entities and individual entrepreneurs, and establishes the legal status of the state registration body and of the registrar;
- **Law No. 135/2007 on Limited Liability Companies**<sup>64</sup>. The law regulates the establishment, operation, reorganization and liquidation of limited liability companies;
- **Law No. 1134/2007 on Joint Stock Companies**<sup>65</sup> regulates the manner of establishment, liquidation, and the legal status of joint stock companies, the rights and obligations of shareholders, members of management bodies, ensures the protection of the rights and legal interests of creditors and shareholders;
- **Law No. 440/2001 on Free Economic Zones**<sup>66</sup> describes the goals of FEZ, the ways for their establishment and administration, establishes which economic entities can be residents of FEZ, and regulates the applicable customs and tax regime;
- **Law No. 202/2017 on the Activity of Banks**<sup>67</sup>. The law regulates the conditions for the access to and the conduct of banking activity on the territory of the Republic of Moldova; the prudential requirements set forth for banks; the competences, the instruments and the procedures of prudential supervision of banks by the National Bank of Moldova; the requirements for disclosure of information;
- **Law No. 448/1999 on Expropriation for the Purpose of Public Utility**<sup>68</sup>. The law defines the expropriation and the public utility,

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[https://www.legis.md/cautare/getResults?doc\\_id=17094&lang=ro](https://www.legis.md/cautare/getResults?doc_id=17094&lang=ro)

<sup>62</sup>Law No. 235/2006 on Core Principles of Entrepreneurial Activity Regulation, available in Romanian at:

[https://www.legis.md/cautare/getResults?doc\\_id=107358&lang=ro](https://www.legis.md/cautare/getResults?doc_id=107358&lang=ro)

<sup>63</sup>Law No. 220/2007 on Registration of Legal Entities and Individual Entrepreneurs, in Romanian at:

[https://www.legis.md/cautare/getResults?doc\\_id=17339&lang=ro](https://www.legis.md/cautare/getResults?doc_id=17339&lang=ro)

<sup>64</sup>Law No. 135/2007 on Limited Liability Companies, available in Romanian at:

[https://www.legis.md/cautare/getResults?doc\\_id=110122&lang=ro](https://www.legis.md/cautare/getResults?doc_id=110122&lang=ro)

<sup>65</sup>Law No. 1134/2007 on Joint Stock Companies, available in Romanian at:

[https://www.legis.md/cautare/getResults?doc\\_id=118686&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118686&lang=ro)

<sup>66</sup>Law No. 440/2001 on Free Economic Zones, available in Romanian at:

[https://www.legis.md/cautare/getResults?doc\\_id=79565&lang=ro](https://www.legis.md/cautare/getResults?doc_id=79565&lang=ro)

<sup>67</sup>Law No. 202/2017 on Activity of Banks, available in English at:

<https://www.bnm.md/en/content/law-banks-activity-no-202-06-october-2017>

<sup>68</sup>Law No. 448/1999 on Expropriation for the Purpose of Public Utility, available in Romanian at:

[https://www.legis.md/cautare/getResults?doc\\_id=108345&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108345&lang=ro)

establishes what can be an object of expropriation for the purpose of public utility, establishes the procedures for expropriation and the payment of damages.

- **Law No. 182/2010 on industrial parks**<sup>69</sup>. The law regulates the process of setting up industrial parks (IPs) and their operation, under facilitating conditions awarded by the state. Attracting domestic and foreign investments is among the main objectives of the establishment of industrial parks.
- **Law No. 77/2016 on information technology parks**<sup>70</sup>. The law regulates the process of establishment of information technology parks and their operation. Attracting domestic and foreign investments is one of the objectives of setting up information technology parks.

International arrangements:

In 2011, the Republic of Moldova ratified the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention). The country also ratified the New-York Convention on the Recognition and Enforcement of Foreign Arbitral Awards (1958). Moldova is also a party to Geneva European Convention on International Commercial Arbitration (1961) and to Paris Agreement relating to the application of the European Convention on International Commercial Arbitration (1962). Since 1992, the Republic of Moldova is a member of MIGA - Multilateral Investment Guarantee Agency.

**19. With which countries has Moldova concluded bilateral investment agreements? Please provide for each agreement the following information: nature of the agreement (e. g. bilateral or plurilateral investment treaties, commercial cooperation agreements, other, - please specify), scope (covering market access, non-discrimination for establishment/acquisition, prohibition of performance requirements, and/or protection of investment post-establishment) date of ratification, date of entry into force, initial term of agreement, automatic renewal procedure, period for which acquired rights exist. Please provide copies, preferably in English (if available).**

The Republic of Moldova is a contracting party to 42 international agreements in force regulating the protection of foreign investments on Moldova`s territory. These agreements fully comply with the basic principles of 1969 Vienna Convention on the Law of Treaties and contain similar formulations.

Most of these agreements are signed with European countries, about 66%, followed by CIS countries, with 15% of the total number of agreements signed,

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<sup>69</sup> Law No. 182/2010 on industrial parks, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=106588&lang=ro](https://www.legis.md/cautare/getResults?doc_id=106588&lang=ro)

<sup>70</sup> Law No. 77/2016 on information technology parks, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=121327&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121327&lang=ro)

and the remaining 19% agreements - with other countries (such as the People's Republic of China, Iran, Israel, Kuwait the United Arab Emirates, etc.).

The primary objective of an investment protection agreement is to set the basic legal principles aimed to ensure the protection of investments and their promotion by both states; as well as the improvement and development of bilateral relations in various fields.

In the event of a dispute between the parties to an Agreement concerning its interpretation or application, the parties shall settle the dispute by negotiation through diplomatic channels. If the dispute cannot be settled within six months since the date of initiation, it will be subject to an Arbitration Tribunal established by the Agreement.

The list of agreements with related information:

No.	State/Type of agreement	Information on the agreement				
		Ratification date	Date of entry into force	Mode of entering into force	Initial term of agreement (years)	Automatic renewal procedure
		(dd/mm/yy)	(dd/mm/yy)			
1	Investment Protection Agreement between the Republic of Moldova and the Republic of Austria	05.06.2001	01.08.2002	First day of the third month after the exchange of notes	10 years	Indefinite duration after the expiration of the initial term of the agreement
2	Investment Protection Agreement between the Republic of Moldova and the Republic of Albania	11.06.2004	28.02.2004	30 days after the exchange of notes	10 years	Indefinite duration after the expiration of the initial term of the agreement
3	Investment Protection Agreement between the Republic of Moldova and the Republic of Azerbaijan	27.10.1997	28.01.1999	Exchange of notes	10 years	Automatic renewal for the next five years until denunciation
4	Investment Protection Agreement between the Republic of Moldova and the Belgian-Luxembourg Union	21.05.1996	20.04.2002	One month after the date of exchange of the instruments of ratification by the Contracting Parties	10 years	Automatic renewal for the next ten years until denunciation
5	Investment Protection Agreement between the Government of the Republic of Moldova and Government of the Republic of Belarus	29.05.1999	19.11.1999	30 days after the last notification	10 years	Automatic renewal
6	Investment Protection Agreement between the Republic of Moldova and the United Kingdom of Great Britain and Northern	19.03.1996	30.07.1998	Exchange of notes	10 years	Automatic renewal until the expiration of 12 months from the date

No.	State/Type of agreement	Information on the agreement				
		Ratification date	Date of entry into force	Mode of entering into force	Initial term of agreement (years)	Automatic renewal procedure
		(dd/mm/yy)	(dd/mm/yy)			
	Ireland					on which one of the Parties notifies the other of its denunciation
7	Investment Protection Agreement between the Republic of Moldova and the Republic of Bosnia and Herzegovina	09.04.2003	9.06.2008	Exchange of notes	10 years	Automatic renewal
8	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Bulgaria	17.04.1996	12.06.1997	30 days after the exchange of notes	15 years	Automatic renewal for 5 years
9	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of Canada	12.06.2018	23.08.2019.	Exchange of notes	10 years	Automatic renewal
10	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of Czech Republic	12.05.1999	21.06.2000	Exchange of notes	10 years	Automatic renewal
11	Investment Protection and Stimulation Agreement between the Government of the Republic of Moldova and the Government of the People's Republic of China	06.11.1992	01.03.1995	Exchange of notes	5 years	Automatic renewal
12	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Croatia	05.12.2001	20.03.2007	First day after the last note	10 years	Automatic renewal
13	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Cyprus	13.09.2007	27.03.2008	First day after the last notification	10 years	Automatic renewal
14	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Hellenic Republic	23.03.1998	27.02.2000	30 days after the last notification	10 years	Automatic renewal
15	Investment Protection Agreement between the Republic of Moldova and	30.11.1995	29.11.1996	Exchange of notes	Indefinite duration	-

No.	State/Type of agreement	Information on the agreement				
		Ratification date	Date of entry into force	Mode of entering into force	Initial term of agreement (years)	Automatic renewal procedure
		(dd/mm/yy)	(dd/mm/yy)			
	the Swiss Confederation					
16	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Estonia	18.06.2010	21.04.2011	Exchange of notes	5 years	Automatic renewal for 10 years
17	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the United Arab Emirates	10.07.2017	26.04.2019	30 days after the last notification	10 years	Automatic renewal
18	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the French Republic	08.09.1997	03.11.1999	30 days after the last notification	10 years	Automatic renewal
19	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Russian Federation	17.03.1998	18.07.01	30 days after the last notification	15 years	Automatic renewal
20	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Finland	25.08.1995	21.06.1997	30 days after the last notification	15 years	Automatic renewal
21	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Georgia	28.10.1997	25.02.99	Exchange of notes	10 years	Automatic renewal for 5 years
22	Investment Protection Agreement between the Republic of Moldova and the Federal Republic of Germany	28.02.1994	15.06.2006	30 days after the last notification of ratification	10 years	Automatic renewal
23	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of Israel	22.06.1997	16.03.1999	Exchange of notes	15 years	Automatic renewal
24	Investment Protection Agreement between the Republic of Moldova and the State of Kuwait	29.03.2002	06.04.2004	30 days after ratification	30 years	Automatic renewal
25	Investment Protection Agreement between the Government of the Republic of Moldova and	07.11.2002	16.01.2004	First day after the last notification	10 years	Automatic renewal

No.	State/Type of agreement	Information on the agreement				
		Ratification date	Date of entry into force	Mode of entering into force	Initial term of agreement (years)	Automatic renewal procedure
		(dd/mm/yy)	(dd/mm/yy)			
	the Government of the Kyrgyz Republic					
26	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Latvia	22.09.1999	14.04.2000	30 days after the last notification	10 years	Automatic renewal
27	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Lithuania	20.09.1999	29.05.2003	30 days after the last notification	10 years	Automatic renewal
28	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Kingdom of Morocco	08.10.1992	08.10.1992	30 days after the last notification	10 years	Automatic renewal
29	Investment Protection Agreement between the Republic of Moldova and the Government of Montenegro	20.06.2014	23.06.2015	First day after the last notification	10 years	Automatic renewal
30	Investment Protection Agreement between the Republic of Moldova and the Kingdom of the Netherlands	26.09.1995	01.05.1997	First day after the last notification	15 years	Automatic renewal for 10 years
31	Investment Protection Agreement between the Republic of Moldova and the Republic of Poland	15.11.1994	27.07.1995	Exchange of notes	10 years	Automatic renewal
32	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of Romania	14.08.1992	15.06.1997	30 days after the last notification	10 years	Automatic renewal for 10 years
33	Investment Protection Agreement between the Republic of Moldova and the Kingdom of Spain	11.05.2006	17.01.2007	Exchange of notes	10 years	Automatic renewal
34	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Slovenia	10.04.2003	01.06.2004	First day after the last notification	5 years	Automatic renewal
35	Investment Protection Agreement between the Republic of Moldova and the Slovak Republic	07.04.2008	15.11.2009	After 90 days from the last exchange of notes	10 years	Automatic renewal
36	Investment Protection	21.04.1993	26.12.1994	After the	10 years	Automatic

No.	State/Type of agreement	Information on the agreement				
		Ratification date	Date of entry into force	Mode of entering into force	Initial term of agreement (years)	Automatic renewal procedure
		(dd/mm/yy)	(dd/mm/yy)			
	Agreement between the Republic of Moldova and the United States of America			exchange of ratification instruments		renewal
37	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Tajikistan	5.11.2002	20.10.2003	Exchange of notes	10 years	Automatic renewal
38	Investment Protection Agreement between the Republic of Moldova and the Republic of Turkey	16.12.2016	16.12.2016	First day after the last notification	10 years	Automatic renewal
39	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of Ukraine	29.08.1995	20.05.1996	Exchange of notes	10 years	Automatic renewal
40	Investment Protection Agreement between the Republic of Moldova and the Republic of Hungary	19.04.1995	16.08.1996	Exchange of notes	10 years	Automatic renewal
41	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of the Republic of Uzbekistan	21.11.1995	17.01.1997	First day after the last notification	10 years	Automatic renewal
42	Investment Protection Agreement between the Government of the Republic of Moldova and the Government of Qatar	10.12.2012	29.03.2013	First day after the last notification	10 years	Automatic renewal

Most of the agreements are available on the website of the MoE, but mainly in Romanian language.

**20. Are there any horizontal or sectoral exceptions or safeguard clauses that would limit a free transfer clause? What is the scope of these exceptions and how are they triggered?**

There are no horizontal or sectoral exceptions or safeguard clauses.

**21. Is Moldova negotiating or has it already entered into a commitment to negotiate any new bilateral investment liberalisation or investment protection agreements? Please provide details regarding the current status, timeline and any intermediate/envisaged results arising from any such ongoing or proposed negotiations.**

The Republic of Moldova initiated negotiations on the Agreements on the promotion and protection of investments with the following partners: the Republic of Armenia, Australia, Turkmenistan, the Arab Republic of Egypt, the Republic of Korea, the Republic of Kazakhstan, the Republic of Lebanon, the Republic of India, the Republic of Macedonia, the Portuguese Republic, the Kingdom of Sweden, the Democratic Socialist Republic of Sri Lanka and the Republic of Tunisia, Japan, the Federative Republic of Brazil. The date of their signing is not arranged yet.

Investment protection agreements are usually negotiated through the diplomatic channels, by exchange of verbal notes.

**22. Does Moldova have a mechanism in place to screen foreign direct investments? Please provide the texts, preferably in English (if available) of the relevant legislation and summarise the main features of the underlying policy, including the screening procedures and assessment criteria, scope of legislation and administrative structure/decision-making process of the competent authority and its cooperation with other bodies.**

The Republic of Moldova has a mechanism in force for the examination of foreign direct investments, established by Law No. 174/2021<sup>71</sup> on the mechanism for the examination of investments which are significant for state security, adopted by the Parliament on 21 November 2021. Law no. 174/2021 was adopted under the framework set out in Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019, establishing a framework for the screening of foreign direct investments into the Union, but extends its applicability equally to local and foreign investors.

The purpose of the law is to protect investments in areas of importance for state security and to increase the transparency of such investments. Thus, the areas of importance for state security are established, including critical infrastructure, critical technologies and dual use items. Additionally, the Government is empowered to determine which assets are important for the security of the state and which will fall under the scope of Law no. 174/2021.

Prior to investing in a relevant sector (areas of importance for state security), any potential investor (local or foreign) is compelled to obtain an approval issued by the Council for the Promotion of Investment Projects of National Importance (the

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<sup>71</sup>Law No.174/2021 on the mechanism for the examination of investments which are significant for state security, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=128620&lang=ro](https://www.legis.md/cautare/getResults?doc_id=128620&lang=ro)

Council), established by Government Decision no. 585/2016. The Council is chaired by the Prime Minister, who is assisted by a deputy chairperson and a Secretary. The members of the Council are heads of specialized public administration authorities, law enforcement and control bodies, which participate in developing and promoting the state's economic policy and ensure the control on it. Representatives of institutions that are not members of the Council or other persons may also be invited to attend meetings, if the subjects to be discussed are directly or indirectly related to the activity of the institution they represent or if there are other reasons for which their presence is important and useful for the work of the Council.

Investors' applications must be accompanied, among others, by: information on the share capital of the investor and its ultimate beneficial owner(s); the value of the investment; information on countries of operation and main business partners; financial statements for the last three years; information on the source of funds; the date of the planned investment; criminal record certificates in relation to shareholders/ultimate beneficial owner(s), and; a statement on the intention to invest individually or in concert.

Applications are reviewed within 45 days after their receipt, and the Council can request supplementary information from the applicant within the first 30 days. The review of applications from potential investors is carried out in accordance with several criteria, including:

- reputation, knowledge, skills and experience of the potential investor;
- financial soundness of the potential investor;
- the existence of suspicions about the proposed investment relating to the commission of money laundering or terrorism financing offences, or other serious or particularly serious crimes;
- whether the prospective investor is controlled, directly or indirectly, by the government of a foreign state, including its public authorities/institutions or armed forces;
- the extent to which an intended investment is likely to provide, directly or indirectly, access to personal data of citizens of the Republic of Moldova;
- whether an investment is likely to have the effect of increasing or creating new cybersecurity vulnerabilities.

The decisions of the Council are adopted by the simple majority of votes of its members. The Council can either admit or reject an application, or issue a conditional approval, while setting the deadline to fulfil the condition (which should not exceed 90 days after the receipt of the conditional approval).

Secondary legislation for the respective law has not been adopted yet and it has not been applied yet.

### ***III. DEVELOPMENT POLICY AND HUMANITARIAN AID***

#### **A. Development policy**

**23. Is there a policy framework or any kind of regulation on development cooperation/aid?**

Government Decision No. 377/2018 on regulating the institutional framework and the mechanism for coordination and management of the external aid establishes the external aid coordination mechanism in the Republic of Moldova. It sets out the vision for the strategic coordination function focused on the alignment of the external aid with Moldova's strategic priorities and with the national budget processes.

According to the above-mentioned Decision, the Ministry of Finance is the national coordinator of the external aid. Its role consists in coordinating and overseeing the external aid at the national level, ensuring the coherence between the projects and the national priorities and international commitments, as well as in negotiating and amending financing agreements (having a direct responsibility for negotiating budget support agreements) and submitting projects for approval by the Government within the available fiscal space.

**24. Is Moldova bound by co-operation, trade, or other agreements with developing countries (whether African, Caribbean and Pacific, Latin American, Asian or Mediterranean countries)?**

No, it is not.

**25. Does Moldova apply a preferential trade policy (irrespective of the agreements mentioned above) vis-à-vis certain developing countries? If so, what are the form and details of such policy/policies?**

No, it does not.

**26. Does Moldova have a humanitarian aid and developing country aid budget? What is the size of the budget and how is it allocated? Which amount, if any, was spent for humanitarian aid to third countries during the past 3 years? Which amount, if any, was spent for development aid to third countries during the past 3 years? Does Moldova measure its budget contributions according to OECD/ODA/DAC methodology for Official Development Assistance? Is any distinction made between different stages of development i.e. any specific treatment of Least Development Countries?**

Not applicable as a donor country. The Republic of Moldova is a recipient country of development aid.

**27. What are the projects, if any, on development aid assistance carried out by Moldova during the past two years?**

Moldova has not carried out development aid assistance projects in other countries.

**28. Does Moldova have future commitments on development aid assistance or on development aid?**

No, it does not.

**29. Administrative capacity: is there a Ministerial service/Agency for development cooperation, if so what is its mandate and structure? Or are there specific projects of assistance to third countries managed by Ministries other than the Ministry of Foreign Affairs? If yes, how are they organised?**

There is no such service or agency and there are no specific projects of assistance to third countries.

**30. To what extent are the EU development strategy, objectives, common values and principles, as outlined in the new European Consensus on Development (2017) (European Consensus on Development | International Partnerships) incorporated into Moldova's foreign policy?**

The Republic of Moldova's policy is aligned with the EU development strategy, objectives, common values and principles, as outlined in the new European Consensus on Development (2017).

In September 2015, the Republic of Moldova, together with 192 other Member States of the United Nations, committed to implementing the 2030 Agenda for Sustainable Development as a global blueprint that guides our actions towards achieving the objectives of human prosperity, protecting the planet, and ensuring that no one is left behind.

The „Moldova 2030” National Strategy reflects the sustainable development vision of the country, aligned with the 2030 Agenda priorities and objectives. This vision is based on the following pillars: sustainable and inclusive economy; strong human and social capital; honest and efficient institutions; and healthy environment.

The Republic of Moldova actively contributes to the discussions and processes held within the United Nations, as well as within other relevant fora, with a view to promote the achievement of the Sustainable Development Goals (SDGs). The rule of law, good governance, respect for fundamental human rights, gender

equality, sustainable economic development, affordable and green energy are some of the country's priorities on the international platforms.

In 2020, the Moldovan Government presented its first Voluntary National Review, which was an important exercise for mapping progress, challenges, and opportunities for the achievement of the SDGs. This exercise highlighted the Republic of Moldova's significant progress in reaching the SDGs related to ending poverty, climate action and partnerships for the goals, while the results related to other SDGs were moderate.

In view of the Decade of Action to deliver the Sustainable Development Goals, the Republic of Moldova is committed to accelerating the 2030 Agenda implementation.

### **31. To what extent and how is Moldova organised/positioned to implement the 2030 Agenda and the Addis Ababa Action Agenda.**

In September 2015, the Republic of Moldova, together with 192 other Member States of the United Nations, committed to implementing the 2030 Agenda for Sustainable Development, announcing that by 2030 key actors in the society would make common efforts to eliminate all forms of poverty, combat inequalities and address environmental and climate change issues, ensuring that no one is left behind.

#### Nationalization of the Sustainable Development Goals

In the Republic of Moldova, the first stage of 2030 Agenda nationalization took place between July 2016 and March 2017. It involved:

- determining the relevance of the individual Sustainable Development Goals (goals and targets) and analysing the correlation between the 2030 Agenda and the national policy priorities;
- adapting (formulating) the goals and the targets from the 2030 Agenda on the basis of the national priorities and needs, and identifying the policy papers that are to be mainstreamed;
- defining the data ecosystem necessary for monitoring and evaluating the SDG implementation.

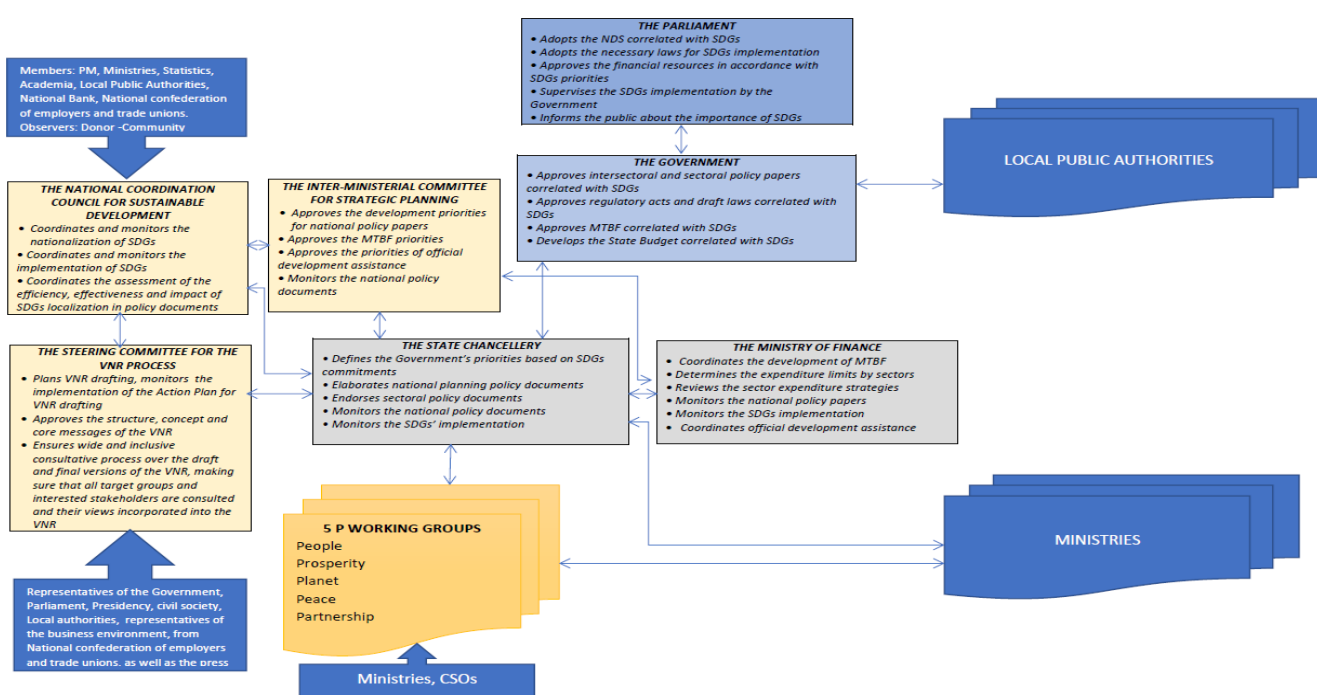
Subsequently, the Sustainable Development Goals and their targets adapted at the national level were integrated into the long-term national vision paper of the country: "Moldova 2030" National Development Strategy, which is currently in a process of being adjusted and which will be translated into sectoral strategies to be implemented, monitored and evaluated. This is a complex and interactive exercise, involving various stakeholders from the public administration, therefore it takes a significant length of time.

## The coordination mechanism for the Sustainable Development Goals

In 2016, shortly after the adoption of the 2030 Agenda, a National Coordination Council for Sustainable Development was established to set up the appropriate institutional framework and ensure a participatory and transparent process of SDG adaptation and implementation at the national level. It is led by the Prime Minister of the Republic of Moldova.

To ensure a participatory and inclusive process of drafting of the first Voluntary National Review, carried out in 2020, a Joint Steering Committee was established, consisting of representatives of the Presidency, Parliament, Government, central and local public authorities, civil society, private sector, mass-media and the academia.

The interaction between the institutions which are directly and indirectly involved in SDG coordination, implementation and review is schematically shown in Chart No. 1 below:



**Chart No. 1: Institutional Framework for the Sustainable Development Goals in the Republic of Moldova**

Nationalization of Sustainable Development Goals indicators

In the course of implementing the 2030 Agenda, the Republic of Moldova was one of the first countries to nationalize (in 2016<sup>72</sup>) and then revise (in 2019) a national set of SDG indicators. Both processes were meant to assess the relevance of each indicator, and then to classify them.

The criteria considered when mapping the global indicators and identifying the national ones, relevant for the nationalized SDGs targets, included:

- the relevance of the indicator in the context of the nationalized target;
- the existence of a reliable primary data source;
- the indicator is clearly formulated and does not create ambiguities;
- the indicator meets the quality criteria, such as coherence, accessibility, accuracy and availability of a methodology for calculation.
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In 2019, to assess the degree of availability of the nationalized SDGs indicators and their level of compliance with the global list of SDGs indicators and the proposed international calculation methodologies,<sup>73</sup> the specialists of the National Bureau of Statistics (NBS) revised the SDGs indicators, in consultation with the national data providers.

The 2019 revision of the nationalized SDGs indicators involved such factors as: (i) the latest developments of the metadata and methodologies for Tier II and Tier III global SDG indicators<sup>74</sup>; (ii) the impact of the Central Public Administration reform conducted in 2017, which not only optimized the institutions, but also merged, divided and transferred the functional competences and duties, including those related to the monitoring of the nationalized SDGs at sector level; (iii) the sustainable development strategic objectives set out in “Moldova 2030” National Development Strategy; and (iv) the need to observe the commitments taken by the country for the purpose of monitoring and reporting on the progress achieved towards implementing the 2030 Global Agenda by conducting the Voluntary National Review in 2020.

During the revision process, 19 of the 232 individual global indicators were considered to be totally irrelevant for the Republic of Moldova, and 213 were assessed as relevant (even if only for the international comparability) – an increase by 41 indicators (or by about 23.8 per cent) compared to the number of nationalized global indicators in 2016 (172 indicators).

During the revision process, a particular attention was paid to assessing the availability of indicators and their disaggregation. Thus, from the perspective of the availability of SDG indicators: 157 indicators (46.4 per cent) are fully

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<sup>72</sup>Nationalization of indicators for monitoring the Sustainable Development Goals, available in English at: [https://cancelaria.gov.md/sites/default/files/nationalizarea\\_indicatorilor\\_pentru\\_obiectivele\\_de\\_dezvoltare\\_du\\_rabila\\_eng.pdf](https://cancelaria.gov.md/sites/default/files/nationalizarea_indicatorilor_pentru_obiectivele_de_dezvoltare_du_rabila_eng.pdf)

<sup>73</sup>SDG Indicators Metadata repository, available in English at: <https://unstats.un.org/sdgs/metadata/>

<sup>74</sup>Global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development, available in English at: <https://unstats.un.org/sdgs/indicators/indicators-list/>

available; 104 indicators (30.8 per cent) are partially available, with the possibility to easily estimate the missing elements; and 77 indicators (22.8 per cent) are missing and require a number of actions to produce them, some - with external support. Moreover, the disaggregation in line with the requirements of the global metadata is fully possible for 194 indicators (57.4 per cent); partially possible - for 60 indicators (17.8 per cent), with the possibility of easy calculation; and missing - for 84 indicators (about 25 per cent), with certain actions required for calculating them.

### Statistical ecosystem

In 2018, after a round of complex consultations with the line ministries, with other public institutions, private organizations, the civil society and with the development partners, a national report was developed by the means of an online questionnaire aiming to map the data system in the country. Its overall objective was to assess the availability of data and the institutional modernization capacity needed to implement the 2030 Development Agenda.

In 2021, in order to ensure the availability of statistical data for all SDGs nationalized indicators, a draft Government Decision was developed, establishing the national framework for the monitoring of the implementation of 2030 Agenda, consisting of objectives, targets and indicators. It defines the responsibilities of public policy makers in terms of implementation of the 2030 Agenda, defines the coordination mechanism and the progress reporting framework at the policy level and in terms of dynamics in statistics, ensures the institutionalization of the sustainable development targets and their monitoring indicators. It also sets deadlines for reporting by policy makers to the State Chancellery, as well as by data holders and producers to the NBS.

### Addis Ababa Action Agenda

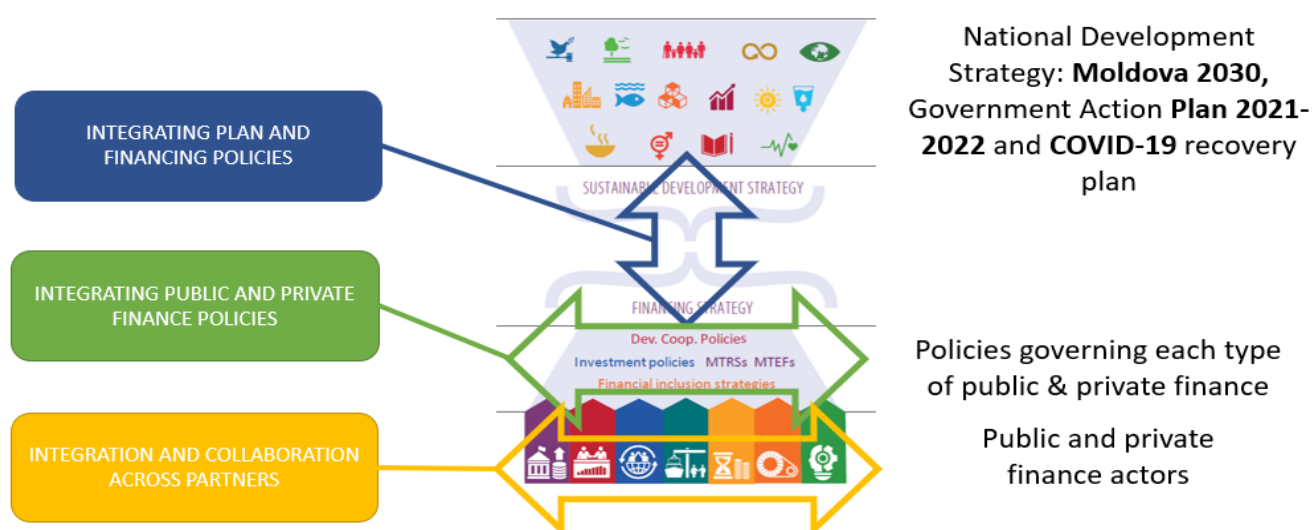
The Addis Ababa Action Agenda (AAAA), which outlines the framework for financing the 2030 Agenda, highlighted the wide range of resources that would be needed; the public and private investments to be mobilised, and the many ways in which public and private financing would need to become more inclusive, more sustainable, and more resilient. The Integrated National Financing Framework (INFF) (Chart 2) is at the heart of the national efforts to finance the 2030 Agenda. The AAAA called for the adoption of such kinds of frameworks to support the nationally owned sustainable development strategies.

With the support of UNDP Moldova, the Government of the Republic of Moldova is currently implementing the Project „Strengthening the capacities and the systems for effective public finance management in the Republic of Moldova” (2020-2023) aiming to strengthen the capacities of the public finance system stakeholders for integrating the structural reforms in the national budget framework, improving budget efficiency, and rationalizing public spending. The Project also aims to ensure the alignment of the budget and of the financial flows with the priorities of “Moldova 2030” National Development Strategy, reflecting

the nationalized SDGs and the sector-specific priorities by sourcing the Slovak expertise.

The expected results of the Project are:

- The Development Finance Assessment (DFA) methodology implemented across the public sector;
- Using the review methodology developed and implemented in the selected line ministries;
- A Roadmap for the implementation of the INFF based on the findings and recommendations of the DFA and the spending reviews to inform the effective financing solutions;
- Module-based and practice-oriented Training Programme in Public Finance Management to be developed and implemented;
- Expertise to be provided in piloting the INFF in the selected sectors;
- Fiscal Impact Assessment of the selected structural reforms to be carried out.



**Chart No. 2:** INFF objective: strengthen the financing for the national sustainable development priorities, Moldova

**32. In which International Agreements dealing with development is Moldova participating?**

Under the provisions of point 3 of Annex 1 to Government Decision No. 377/2018<sup>75</sup> on regulating the institutional framework and the mechanism for coordination and management of the external aid, the Moldovan Government ensures the adherence to international commitments on external aid effectiveness in International Agreements, such as: Paris Declaration on Aid Effectiveness (2005), Accra Agenda for Action (2008), Busan Partnership for Effective Development Co-operation (2011), Mexico High Level Meeting Communiqué (2014).

**B. Humanitarian aid**

**33. Does Moldova accept the principles of needs-based aid in line with the humanitarian principles enshrined in the EC Humanitarian Aid Regulation (EC 1257/96) and the European Consensus on Humanitarian Aid with respect to external humanitarian assistance? In particular, attention is drawn to the respect for international law, including International Humanitarian Law, Human Rights Law and Refugee Law as well as the principle of non-discrimination whereby assistance is awarded to victims, without discrimination on the grounds of race, ethnic group, religion, sex, nationality or political affiliation and must not be guided by, or subject to, political considerations.**

The national legislation on humanitarian aid to the Republic of Moldova is in line with the EC humanitarian aid Regulation (CE 1257/96).

The Republic of Moldova accepts the principles of needs-based aid, in line with the principles of humanitarian aid. The competent authorities which implement such regulations are: ministries, agencies and institutions which have competences in the field of humanitarian aid.

The legal relations in terms of introduction, reception, storage, distribution, and registration of humanitarian aid granted to the Republic of Moldova from abroad are regulated by Law No. 1491/2002 on humanitarian aid granted to the Republic of Moldova<sup>76</sup>. The procedure and the approval of the import, the distribution of the humanitarian aid are regulated by Government Decision No. 663/2003 for the approval of the Regulations for the reception, storage, distribution and records of the humanitarian aid granted to the Republic of Moldova<sup>77</sup>.

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<sup>75</sup>Government Decision No. 377/2018 on regulating the institutional framework and the mechanism for coordination and management of the external aid, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=117564&lang=ro](https://www.legis.md/cautare/getResults?doc_id=117564&lang=ro)

<sup>76</sup> Law No. 1491/2002 on humanitarian aid granted to the Republic of Moldova, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=108134&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108134&lang=ro)

<sup>77</sup> Government Decision No. 663/2003 for the approval of the Regulations for the reception, storage, distribution and records of the humanitarian aid granted to the Republic of Moldova, available in Romanian at: [https://www.legis.md/cautare/getResults?doc\\_id=71388&lang=ro](https://www.legis.md/cautare/getResults?doc_id=71388&lang=ro)

These provisions of the legislative and regulatory acts are meant to ensure granting of the humanitarian aid based on the principles of free consent, legality, humanism, non-discrimination, transparency and distribution according to its destination.

The Ministry of Labour and Social Protection is responsible for establishing the status of the goods introduced in the country as humanitarian aid and for issuing the approval notice for the receiving organizations. At this stage, the accompanying documents related to the humanitarian aid, including the shipping bills and certificates of sanitary and epidemiological harmlessness of the donated goods, are requested and examined. At the same time, the receiving organization has to present a plan for the distribution of the humanitarian aid, indicating the eventual beneficiaries.

It should be mentioned that, during the approval of the humanitarian aid imports, the Ministry cooperates in particular with the receiving organization/institution (resident) that requests a permissive act and which is provided exemptions from customs duties.

At the same time, in the context of the refugee crisis, a Decision of the Committee for exceptional situations of the Republic of Moldova allowed a simplified procedure for bringing humanitarian aid into the country by organizations receiving and distributing humanitarian aid.

**34. Does Moldova have an organisation or section of public administration which continuously monitors as well as provides relief/ assistance in the event of natural disasters and human-induced crises in third countries with the purpose of deciding to allocate assistance, relief or protection to the people in need struck by such disasters or crises?**

In order to ensure multilateral preparedness for different situations, including the worst possible ones, such as nuclear accidents, the so-called “worst case scenario”, the Republic of Moldova put in place mechanisms for sharing information and requesting and providing mutual assistance in the event of an emergency. Over the past years, the General Inspectorate for Emergency Situations of the Ministry of Internal Affairs, designated by the government as an emergency focal point, has used and is using the EU ERCC, UN OCHA, NATO EADRCC, IAEA MIC standard procedures for exchanging information and submitting requests or offers for assistance from international organizations, neighbouring and other states.

Also, in order to receive international assistance, the Framework Regulations for the host nation support in emergency situations<sup>78</sup> were adopted in 2017, which describe the coordination mechanism for the international assistance and establishes the responsibilities of all stakeholders. Afterwards, Standard Operating Procedures for HNS were developed and approved in 2017, which provide for the easy entrance/transit of international intervention teams. In addition to the host nation support, a National Emergency Management Centre was established<sup>79</sup> which is the main inter-ministerial body for emergency coordination in the event of a disaster

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<sup>78</sup>Government Decision No. 408/2017 on the approval of the Framework Regulations for the host nation support in emergency situations, available in Romanian at:  
[https://www.legis.md/cautare/getResults?doc\\_id=118661&lang=ro](https://www.legis.md/cautare/getResults?doc_id=118661&lang=ro)

<sup>79</sup>Government Decision No. 803/2018 on the National Emergency Management Centre of the Commission for Emergency Situations of the Republic of Moldova and the units in charge of ensuring the activity of other commissions for exceptional situations, available in Romanian at:  
[https://www.legis.md/cautare/getResults?doc\\_id=108970&lang=ro](https://www.legis.md/cautare/getResults?doc_id=108970&lang=ro)