

EU-Moldova relations:
Role of the Moldovan Parliament

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Glossary

<i>Acquis</i>	European Community legal framework (also <i>acquis communautaire</i>)
EC	European Community
EID	European Integration Department (<i>at MFAEI</i>)
ENP	European Neighbourhood Policy
EU	European Union
EUMAP	EU-Moldova Action Plan
FPEIC	Foreign Policy and European Integration Committee (<i>of the Parliament</i>)
MFAEI	Ministry of Foreign Affairs and European Integration
NCEI	National Commission for European Integration
NGO	Non-Governmental Organisation
NPAA	National Programme for the Adoption of the <i>Acquis</i>
PCA	(EU-Moldova) Partnership and Cooperation Agreement
PCC	Parliamentary Cooperation Committee
WTO	World Trade Organisation

Executive Summary

Conclusions

The main conclusion to be drawn from the current review of the Parliament's involvement in EU-Moldova relations is that of limited activity, largely due to the fact that not much law approximation activity has been taking place on the Government side. The Government is now in the process of organising its coordination mechanisms and possibly some systematic work could begin in the near future.

The Parliament now has to make a decision without delay on how it will organise its involvement in EU-Moldova relations, as well as on the specific way to adapt its structures to the chosen role. The key challenge is to determine the priority areas for law approximation, its sequence and the extent. Convergence with Community law in the priority areas needs to become an integral part of the internal decision-making and legislative agenda. Adoption and implementation of the Community law requires substantial institutional capacity, efficient coordination and considerable investment.

Recommendations

The Parliament should play an active role in driving the European integration agenda forward, calling for Government action in the priority areas. It should develop strategic relationship with the Government on public policy definition. Once the strategic decision is taken, its implementation should go to the technical level. The Parliament should also ensure that the Government has the necessary resources to perform its European integration tasks. The Parliament can play a more decisive role at the following four principal levels:

- § Shaping and driving forward the EU-Moldova relations, including the setting of priorities and political oversight of the Government actions to implement them;
- § Promoting the EU-Moldovan law approximation process;
- § Monitoring implementation of the approximated laws; and
- § Communicating the European integration process to the general public.

The first three roles could imply involvement of the following parliamentary bodies: Committee on Foreign Policy and European Integration, the Legal Directorate and the legislative committees. A good way to develop the fourth (informational) role could be first by establishing an internal EU information centre at the Parliament destined to serve the Members of Parliament and its staff. The decision on whether the Parliament should get involved in raising the general public awareness could be taken at a later stage, based on the experience gathered in the process of developing this internal EU information centre.

Potential role of the Committee on Foreign Policy and European Integration

- § Approving priorities for EU-Moldova relations prior to negotiations with the EU;

- § Monitoring and promoting implementation of the agreed priorities on the basis of an overarching Government work programme; and
- § Promoting law approximation on the basis of the Legislative Programme.

The Parliament has to make its contribution to formulating priorities for EU-Moldova relations, including law approximation. It has to ensure that these priorities are agreed at the political level and that they enjoy support of the general public, as well as that of the public administration. The Committee should take the Government programme for implementing the EU-Moldova Action Plan as the basis for monitoring. It should ensure that the Government submits draft legislation in good time and that the pace of the adoption process inside the Parliament also respects the deadlines.

Potential role of the Legal Directorate

- § Verifying conformity of the submitted draft legislation with Community law;
- § Verifying the amendments adopted by the responsible committee; and
- § Final verification of the adopted laws.

The Parliament should not establish a law approximation capacity parallel to that of the Government. The Legal Directorate should play a control function and ensure that the Parliament does not adopt amendments contradicting Community law. All legal expertise should be concentrated in the Legal Directorate. Committee advisers should have general knowledge of Community law principles to spot a possible risk and to alert both the Legal Directorate and Members of Parliament. It should be the Legal Directorate that performs the legal expertise, possibly testing only those amendments that are adopted by the responsible committee.

Potential role of the legislative committees

- § Setting priorities for the EU-Moldova relations in the respective sector;
- § Evaluating the impact of implementing certain EU legal aspects in the respective sector prior to deciding on the extent and pace of law approximation;
- § Avoiding amendments contradicting Community law in those areas where the decision on approximation has been taken; and
- § Monitoring implementation of the approximated laws in the respective sector.

Committee advisers should analyse the impact on the respective sector of approximating a certain law to Community legislation and implementing it. The general impact assessment should ideally take place already at the stage of priority setting. This should enable members of the respective committee to formulate a political decision, taking into account its wider implications on the society. Finally, the legislative committees could assume a role in monitoring implementation of the approximated legislation. The Committee on Foreign Policy and European Integration could perform this task at an aggregate cross-sector level.