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BUCHAREST**

***Border management and (in) security in the Republic of  
Moldova and Ukraine. A comparative study***

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**Summary**

## **Introduction**

### **The relevance of the topic in the regional and international context**

In 2014, the international community was surprised by the annexation of the Crimean Peninsula by the Russian Federation, which was staunchly criticized in the West, particularly in Europe. Moreover, sporadic armed clashes in other areas of Donetsk and Luhansk regions in Eastern Ukraine - under the control of separatist forces - started in April 2015.

Consequently, the European Union found itself confronted with a succession of crises adding up to a more general unstable political climate, which built upon its preexisting vulnerabilities; the conflict in Eastern Ukraine put more pressure on the EU, in an already tense context deriving from the increasing numbers of asylum seekers at its southern border. The Republic of Moldova and Ukraine, two of the most important regional actors and buffer states between the EU and Russia, were no less worried.

The increasing risks of destabilizing the region, made the administrations of Chisinau and Kiev identify new and more effective strategies to manage control of their borders. Moreover, not having full control over their territories – since the Transnistrian conflict remained high on the two countries' agenda and continued to pose a threat to their stability – made the two countries invest resources into cooperation initiatives.

In this context, Ukraine - the key player in the 5 + 2 negotiating format (Moldova and Transnistria as conflict parties, Russia, Ukraine and the OSCE as mediators and the EU and the USA as observers) - expressed its interest in maintaining stability at the border with the Republic of Moldova. This was especially motivated by the fact that clashes continued in the east of the country, while the implementation of the Minsk Agreements remained in question despite the efforts of Western states to make the two parties enter a dialogue and find a long-term solution for reducing tensions in the region.

Similarly, the Republic of Moldova was also open to dialogue with Ukraine on issues of border management, amid fears of tensions in the Transnistrian region. The context of the protracted conflict in Donbas and Lugansk, the manifestation of separatist tendencies in the Autonomous Territorial Unit of Gaguzia, and similar issues in Taraclia, in the south of the country, and in the predominantly Russian speaking city of Balti, all contributed to this decision to seek cooperation with Ukraine.

I, therefore, consider that the issue of border management is relevant for both the European Union, on the one hand, and the Republic of Moldova and Ukraine, on the other, and

this relevance goes beyond the conflict in Ukraine. Moldova and Ukraine are both included in the European Neighborhood Policy created by the EU with the aim of maintaining a ring of "friendly states" at its Eastern borders. At the same time, the topic is of scientific interest for scholars in the international security field, especially from the perspective of the consequences that the conflict's development and prolongation may have on regional security and on future decisions and actions of all included stakeholders. The European Union has already started to confer importance to these consequences and to create levers through which they can contribute to the prevention and managing of such conflicts in a form that does not jeopardize its stability and development and, above all, does not threaten its external borders.

The question then becomes: what are the reasons for which this complicated and unstable international security issue is worth revisiting? To date, in terms of security cooperation, the EU relationship with its neighboring countries has not yet reached its full potential as it falls behind expectations and leaves room for improvements and revisions. In this context, the key contribution of this study is the careful and nuanced assessment of the state of affairs, uncovering the direct and indirect interests of all parties involved, as well as the factors hindering their relation advancement, and finally, leading to the prolongation of uncertainty. Furthermore, through a comprehensive framework, the wrongs and distortions in the evolution of cooperation becomes evident, and so do the ways of counteracting and improving the deficient actions.

At the same time, strengthening the European Union's capacity to adapt and answer to dysfunctional contexts would bring benefits not only in terms of security, but it would also strengthen the weaker states in its neighborhood. They may take advantage from the financial support and expertise of the EU, which will strengthen their capacity to deal with problems related to statehood, sovereignty, democracy, separation of powers, economic development, while it may also help build their foreign policy and international standing by strengthening relations with the EU.

In conclusion, the topic is of high relevance today for the international security and, in particular, for the security of the European space. Nevertheless, given the human and material resources so far allocated, and the strong interest in improving border management, questioning the achievements and confronting the challenges for identifying new resolution is paramount. As many improvements can be made, the conflict resolution remains at the core of any action not only for the Union but also for other actors whose interests intersects with EU's.

## **Objectives and methodology**

The main objective of the paper is to analyze the efficiency of the European Neighborhood Policy in questions of border management and, in general, in its relations with the Republic of Moldova and Ukraine. At the same time, the relations between the two states - - two of the most important actors in the Eastern Neighborhood should also be considered. Consequently, I also analyze the effects of the European Neighborhood Policy on border security of both Moldova and Ukraine.

In order to achieve these objectives, I have started from the hypothesis that the fragile new regional context in the Eastern Neighborhood of the European Union, resulting from the annexation of the Crimean Peninsula by Russia, laid the ground for cooperation between the Republic of Moldova and Ukraine. This cooperation is also relevant for the EU, in its efforts to identify new tools designed to keep the border secure. Under these conditions, I focused on the following questions. How can the EU Neighborhood Policy and the Eastern Partnership be adapted to the new risks and threats emerging from its eastern border? How did the Republic of Moldova and Ukraine respond to the European Union's initiatives on strengthening borders through the Neighborhood Policy and the Eastern Partnership? Are these two policies effective tools for border strengthening from the perspective of the two countries? How do they influence the relations between the European Union and Russia on the one hand and on the other hand the relations with the Republic of Moldova and Ukraine as results of these policies implementation?

The current analysis has many layers and explores changes in the vision and attitudes of the EU vis-à-vis its Eastern Neighborhood. These layers include reviewing the degree of concern expressed by EU for strengthening borders, for conflict resolution and, equally, its policies and strategies, and the extent of its effective involvement. I also analyze the distribution of the EU's efforts in the direction of democratic and state consolidation, economic development, security building and human rights protection in relation with its neighbors, especially those facing the presence of conflicts on their territory.

All these aspects need to be taken into account if one is to assess the results of the EU's policies on its eastern flank. Are these policies effective and efficient in securing borders or are they insufficient in the sense of responding to the complex needs of Moldova and Ukraine in terms of the tensions created by sovereignty contestation on their own territories? Moreover, if these policies do not yield their expected outcomes, I ask what are the causes of this ineffectiveness.

In addition to the analysis of the ENP effects on border securing in Moldova and Ukraine, the study also includes a set of recommendations for improving policies at the level of the European Union with regard to strengthening the borders of the Eastern Neighborhood States. I also discuss alternative scenarios focusing on potential future evolutions of the conflicts in the area in order to give a concrete and localized dimension to the analytical approach and to be able to focus on those aspects, which, I argue, decrease the efficiency of the EU policies. While some of these aspects are directly related to the EU's vision on security, others are exogenous, and cannot be influenced effectively from Bruxelles.

From a methodological point of view, I employ data analysis and forecasting. Document analysis is the main instrument, and it is applied both to primary sources, such as official documents issued by the EU, as well as secondary sources – studies that have already investigated the regional dimension of European norms, with a special focus on the EU Neighborhood Policy and the Eastern Partnership. I also employ qualitative content analysis, and I corroborate the results with a quantitative analysis of the key topics on the effectiveness of European norms on border management in the two countries and in terms of cooperation between Chisinau and Kiev.

In addition to content analysis, I also conduct an international press analysis of recent political, economic and social developments in the two states, review the main public declarations of official representatives from the Republic of Moldova, Ukraine and the EU, and explore the political agreements between the two states on border cooperation. I also rely on studies and reports, as well as the current legislative framework at both EU and national levels. In my analysis, I also investigate EU and Russia's interests in the region and the events, which led to certain decisions and actions responsible for the current state of affairs. In a comparative perspective, I also employ a well-developed theoretical apparatus and cite case studies on cross border consolidation in Eastern Europe.

This study bears the limitation imposed by securing access to primary sources, which is, in some cases, restricted, especially when referring to issues related to internal procedures, decision-making processes of the institutions and bodies active in the field of security. Hence, sometimes, the analysis limits itself to reviewing general official documents and secondary data.

I ground my analysis in two theories of integration, namely neofunctionalism and liberal intergovernmentalism. The first chapter discusses the actions of the European Union in its Eastern Neighborhood through the lens of neofunctionalism, while the Neighborhood Policy and the Eastern Partnership are read in a liberal intergovernmental key.

Generally, neofunctionalism emphasizes the role of non-state actors - such as social movements, interest groups, and the administration - in supporting the dynamics of integration. Member States are relevant actors in setting the initial terms of the agreement, but they cannot fully anticipate the consequences of the agreements they have entered into. From that point on, the organization's administration and interest groups will try to benefit from the spillover effects and from the unintended consequences, which follow<sup>1</sup>.

From a neo-functionalism perspective, regional integration is understood as being driven by interest groups, political parties or supranational institutions. Here, integration emphasizes the importance of supranational institutions, leading to "the creation and maintenance of intense and diversified patterns of interaction among previously autonomous units"<sup>2</sup>. To analyze integration, neofunctionalism uses three theses, arguing different aspects of the process: spillover, socialization of elites and supranational interest groups.

According to liberal intergovernmentalism, the integration into the European space involves three stages. During the first stage, there is the formation or the aggregation of the national preferences, which takes place at the national level and is the result of internal negotiations. The second stage refers to international negotiations, a process that will result in international cooperation, assuming an intergovernmental model. The third stage brings into discussion the functional theory of institutional choice, focusing on the importance of regional institutions that provide credible commitments to guarantee to the states the cooperation of the other participants<sup>3</sup>.

As a general conclusion, it can be noted that the theories of European integration evolve in line with the process of European construction, as both neofunctionalism and intergovernmentalism provide the necessary concepts to describe and explain the evolution of the EU foreign policy over time.

In short, following the developments of the European Neighborhood Policy (ENP) and of the Eastern Partnership (EaP), the intergovernmental influence is evident as the Member States play an important role in shaping the challenges and perspectives of these policies. Thus, the ability to transfer the national objectives of national security and neighborhood to the

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<sup>1</sup> Philippe Schmitter, "Neo-Neofunctionalism" in *European Integration Theory* ed. Diez, Thomas, Wiener, Antje (Cambridge University Press, 2004), 46.

<sup>2</sup> William Wallace, "Introduction: The Dynamics of European Integration" in *The Dynamics of European Integration*, ed. William Wallace (London, Pinter/ RIIA, 1990), 9 apud Ben Rosamond, *Theories of European Integration* (Palgrave Macmillan, 2000), 13.

<sup>3</sup> Frank Schimmelfennig, „Liberal Intergovernmentalism" in *European Integration Theory* ed. Diez, Thomas, Wiener, Antje (Cambridge University Press, 2004), 77.

European agenda emphasize the intergovernmental negotiating capacity. Equally, EU foreign policy can be seen from the perspective of neo-functionalism. The concept of spillover effects is important in understanding how integration takes place, and it shows that previous actions based on common values and norms are adapted when it comes to the coordination and strengthening of bilateral relations, as well the commitment of states to comply with negotiated decisions.

The following chapter discusses EU's actions in its Eastern Neighborhood chronologically, by focusing on the European Policy Neighborhood and the Eastern Partnership, in order to track their effects on the ways in which the EU faced existing challenges on its Eastern flank. These challenges are being Europeanized through spatial proximity, and also as a result of the EU's enlargement and of the raised awareness of the need to strengthen its own security as well as the security of its neighboring countries.

The European Union (EU) strengthened its relations with Eastern Europe through "waves of enlargement"<sup>4</sup> (from 2004 and 2007) and the enlargement of the North Atlantic Treaty Alliance (NATO) of April 2004. Consequently, the officials in Brussels<sup>5</sup> became interested in strengthening relations with the Eastern Neighborhood States and the former Soviet republics, which became neighbors of both the EU and NATO.

In fact, the enlargement of the EU to Eastern Europe "has led to a change on the old community borders".<sup>6</sup> Thus, "the hard frontier, which was seen by the European institutions as protecting its citizens", led to the soft development of relations and border constructions with the partner states of the European Union".<sup>7</sup>

All the waves of enlargement of the European Union to the central and eastern parts of the European continent, changed EU external relations priorities. With the move of the eastern border, the EU's interest in redefining relations with its neighboring countries grew. However,

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<sup>4</sup> A group of 12 Central and Eastern European states became members of the EU - Cyprus, Czech Republic, Estonia, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia, Hungary, Bulgaria and Romania.

<sup>5</sup> The European Commissioner for External Relations, Chris Patten, and the High EU Representative for the Common Foreign and Security Policy, Javier Solana, emphasized in a letter from August 2002 to the EU Presidency, that "enlargement is a double challenge - to avoid new dividing lines in Europe and meet the expectations generated by the newly emerging EU borders". In his speech at the ECSA World Annual Conference in Brussels in December 2002, the President European Commission Commissioner Romano Prodi mentioned the importance of creating a "circle of friends" around the EU, which would stretch from Moscow to Casablanca.

<sup>6</sup> Bărbulescu Iordan Gheorghe, Brie Mircea, Toderaş Nicolae, *Cooperarea transfrontalieră între România și Ucraina, respectiv între România și Republica Moldova. Oportunități și provocări în perioada 2014-2020*, (Tritonic, București, 2016), 54.

<sup>7</sup> Bărbulescu, *Cooperarea transfrontalieră între România și Ucraina, respectiv între România și Republica Moldova*, 54.

the old institutional practices proved to be insufficient and the challenges, which occurred in the new relations, requested innovative policy making, institutions and tools.

Equally, the EU enlargement of 2004 painted a new geopolitical reality for the European space. Territories bordering EU and Russia<sup>8</sup>, along with some former Soviet republics (Belarus, Ukraine, Republic of Moldova) made the EU pay more attention to the security risk assessment and control regime at its external borders. In the context of continuous instability in the eastern areas - known for human trafficking, organized crime, smuggling, and drug trafficking that existed within the Commonwealth of Independent States (CIS) – and the existence of “Frozen conflicts”<sup>9</sup>, the EU wanted to address in a comprehensive way both the need for its border stabilization as well as to strengthen the bilateral dialogue with each of these states, in order to provide technical and financial assistance to tame the far reaching effects of these problems<sup>10</sup>.

There is a direct relation between the European Neighborhood Policy and security at the European border, which has been materialized in 2004 in order to avoid deepening the socio-economic discrepancies and to consolidate democracy between the Member States and the non-Member States. Nevertheless, there was also an interest in not allowing the instability and eventuality of conflict to develop at the European border.

The EU had to keep up with the changes that have taken place at its periphery and was driven to engage into various instances of conflict resolution in order to maintain stability in the region. Hence, the ENP was developed in line with the European Security Strategy of 2003. Its general objective involved engaging in direct bilateral relations with its neighboring states rather than capitalizing on mere geographical proximity. The initiative consisted in further deepening the existing relations by focusing on supporting certain common values and principles such as democracy, the rule of law, respect for human rights, market economy, good governance and sustainable development. The ENP can be seen as a general attitude of the EU with regard to its neighbors, and it has been focused on achieving stability through strengthening bilateral and multilateral cooperation. This approach has been seen as being more

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<sup>8</sup> The inclusion of Eastern European states in the Neighborhood Policy and the Eastern Partnership displeased Russia, which perceived the area as part of its close neighborhood, a region that separates it from the EU and NATO.

<sup>9</sup> Communication from the Commission to the Council and the European Parliament, *Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*, Commission of the European Communities, Brussels, 11.3.2003, COM(2003) 104 final, [https://eeas.europa.eu/enp/pdf/pdf/com03\\_104\\_en.pdf](https://eeas.europa.eu/enp/pdf/pdf/com03_104_en.pdf), (accesat la 04.01.2020).

<sup>10</sup> *Ibidem*

advantageous than the integration process itself, which would have been based on more rigidity and conditioning, while obviously having significant stakes.<sup>11</sup>

Another great strength of the approach is the emphasis on the idea that the ENP is a useful initiative in providing security, an initiative that has been conceived to prevent threats at the external borders of the EU, ranging from potential conflicts to illegal migration, organized crime, or drugs and weapons trafficking<sup>12</sup>.

Most of the uncertainty about security, on the one hand, and the process of building a common EU policy for security, on the other hand, emphasized the need for cooperation with the East, which was meant to be mutually beneficial. This *realpolitik* which has characterized Europe in the second half of the 2000s, called for action. Therefore, EU launched the Eastern Partnership on May 7, 2009, at the Prague Summit<sup>13</sup>. At the beginning, the attitudes of Member States were not too enthusiastic as many leaders of the Member States were absent at the launching event, whose coordinators were Poland and Sweden. So far, the results of the Eastern Partnership cannot be considered consistent. Disappointment caused by the absence of incentives, since the initiative did not promise EU accession to partner states, and Russia's position and presence in the area further complicated the matter, resulting in rather modest progress. However, the Partnership was regarded as “a useful tool in achieving particular goals and (what must be kept in mind) very limited”<sup>14</sup>.

However, the question, which might be taken further, is how should the security relations be managed at the EU’s eastern border, given that these neighboring states are halfway between Russia and the EU? Is it possible to achieve a state of equilibrium? An important role in this complicated equation is played by EU’s interactions with Russia. For some, Russia continued pursuing its own interests in the immediate vicinity, which, at times, clashed with the EU’s policy of spreading a common set of values potentially guiding security.

When assessing the relevance of the above-mentioned topics, I have also accounted for the influence they have on the European vision on security. Moreover, I have also considered the need of diversifying the means and tools employed by the EU for improving its conflict management in order to consolidate its Eastern frontier.

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<sup>11</sup> Michele Comelli, „Building security in its neighbourhood through the European Neighbourhood Policy”, Istituto Affari Internazionali (2007), 6.

<sup>12</sup> *Ibidem*, 8.

<sup>13</sup> Michael Nash, „The boldest outreach: the Eastern Partnership initiative of the European Union”, Contemporary Review (2009), 306.

<sup>14</sup> 14 Przemyslaw Zurawski vel Grajewski, „The Eastern Partnership of the EU – main or supporting tool of Polish Eastern Policy” in “The Eastern Partnership in the context of the European Neighbourhood Policy and the V4 Agenda”, The Institute of European Integration (2009), 37.

The third chapter aimed to develop a realistic diagnosis of the situation regarding the relations of the Republic of Moldova and Ukraine with the European Union in the context of the European Neighborhood Policy. I have emphasized the vulnerabilities related to the Transnistrian conflict and to the confrontations in Eastern Ukraine, and, in this context, I assessed the stability of the Republic of Moldova and Ukraine and, implicitly, for the eastern border of the European Union.

As buffer states on the eastern border of the European Union and on the border with Russia, the Republic Moldova and Ukraine have been included in the EU's Neighborhood Policy following the waves of enlargement in 2004 and 2007, with the goal to strengthen "stability and security in the region"<sup>15</sup>.

In fact, the 2004 enlargement, when ten<sup>16</sup> states became EU members, made Ukraine the most important eastern neighbor. Under these circumstances, the European Union provided Kiev the tools needed to get closer to Brussels, taking advantage of the fact that the incumbent president at the time, Leonid Kuchma, seemed to support European values. Actually, Ukraine was the first former Soviet republic to sign the agreement Partnership and Cooperation with the EU in 1994, after Kiev accepted nuclear disarmament in exchange for guarantees regarding its territorial integrity. However, the document was ratified only in 1998, following disagreements over the closure of the Chernobyl nuclear power plant<sup>17</sup>.

The Republic of Moldova followed a similar path with respect to its relations with the European Union in the context of the Neighborhood Policy. Brussels manifested its interest in approaching Chisinau for security reasons, given that Transnistria – a territory where Russian forces are located - is about 100 kilometers from the eastern border of the European Union. In turn, the fluctuating relation between Republic of Moldova and Russia affected Moldova's European trajectory: the communist government in power in Chisinau in 2001 initially supported the accession of the Republic of Moldova to the Russia-Belarus Union, but then began to promote pro-EU politics, as soon as there was escalation on the Transnistrian conflict issue.

Changes in the relationship between the Republic of Moldova and the EU occurred only after the Twitter Revolution of April 2009, when the new EU leadership clearly outlined its

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<sup>15</sup> Dov Lynch, *The Security Dimension of the European Neighbourhood Policy*, <https://www.files.ethz.ch/isn/126092/lynch.pdf>, (accesat la 22.07.2021)

<sup>16</sup> On 1 May 2004, Estonia, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia, the Czech Republic, Hungary and Cyprus became members of the EU.

<sup>17</sup> Inna Pidluska, *Ukraine-EU relations: Enlargement and Integration*, <http://www.policy.hu/pidluska/EU-Ukraine.html>, accesat la (22.07.2020).

international policy. Subsequently, reforms undertaken by the new coalition in Chisinau have started to bear fruit and, again, the Republic of Moldova quickly became the most advanced country in the Eastern Partnership, in terms of its dialogue with Brussels.

Changes in the European Union's attitude towards the Republic of Moldova are primarily related to growing concerns about the problems in its neighborhood and about creating a secure environment to prevent possible threats and risks at the border.

EU's interest in the Republic of Moldova is closely connected to the imperative to care for the problems and challenges from the neighborhood and to develop a secure environment, which can prevent threats and risks. At the same time, the Republic of Moldova aims at EU integration, even though the EU did not promise that. The relations of the Republic of Moldova with the EU did not follow a linear path. Instead, they revealed the permanent interference of Russia, as well as the inconsistency of the Moldovan leaders, who have regularly encountered difficulties in maintaining a balance between the EU or the West on the one hand, and its strong eastern neighbor, Russia, on the other hand. Although there is no direct border between the two countries, contact among them it is permanent, due to foreign policy and through the Transnistrian conflict.

Subsequently, when assessing the EU's effectiveness in managing the Transnistrian conflict, I have emphasized the strengths and the weaknesses of its approach, in order to illustrate achievements as well as shortcomings.

For the Republic of Moldova, the territory on the left bank of the Dniester - where a corrupt separatist regime under Russian control proclaimed the Republic of Moldova Dniester in 1990, and led to armed confrontations in 1992 - represented a constant source of vulnerability for the European aspirations of governments in Chisinau. At the same time, drugs and weapons trafficking from the separatist region - the "black hole of Europe"<sup>18</sup> – expanded constantly, and the negotiations which took place in the 5 + 2 format since 2005 (with Russia, Ukraine and the OSCE, as mediators, together with the EU and the US, as observers, together with the two parties - Chisinau and Tiraspol), failed to reach a resolution. This was especially due to the fact that the legal status of the separatist region was not addressed either in the multilateral negotiations, or in those between Chisinau and Tiraspol.

In addition, I have analyzed the influence of the Russian external factor and proposed a strategy for minimizing its effects while also strengthening and developing the Union's

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<sup>18</sup> Parlamentul European, *AD HOC DELEGATION TO MOLDOVA 5-6 June 2002 REPORT FROM THE CHAIRMAN: Mr Jan Marinus WIERSMA*, [http://www.europarl.europa.eu/intcoop/euro/pcc/ubm/pcc\\_meeting/reports/2002\\_06\\_06\\_adhoc\\_moldova\\_en.pdf](http://www.europarl.europa.eu/intcoop/euro/pcc/ubm/pcc_meeting/reports/2002_06_06_adhoc_moldova_en.pdf), (accesat la 1.09.2020).

relations with the Republic of Moldova and Ukraine with regard to the problems evolving from the lack of control over their territory, which amplified over time. The measures taken by the Republic of Moldova and Ukraine for the joint management of the Transnistrian border, but also the support given by the European Union to strengthen relations between Chisinau and Kiev, so that Brussels can ensure its own stability of the external border, have been also considered.

It is uncertain that any progress in the Transnistrian conflict will be achieved in the medium or long term. Maintaining a *status quo* in the region is in the interest of the Republic of Moldova, as well as of Ukraine and Russia. By maintaining this status quo, Moscow maintains its levers of control over the Republic of Moldova, whose relationship with the EU may be, consequently, increasingly questioned.

In addition, if the Republic of Moldova accepts a special status for the Transnistrian region, the pressure over Ukraine to act similarly in the case of the other separatist regions, Donetsk and Lugansk, increases. By the same token, if Kiev gives in to pressures, and grants special status to the Lugansk and Donetsk regions, then Chisinau will be pressed to accept a similar solution for the settlement of the Transnistrian conflict. In this context, Ukraine can block any initiative for conflict resolution, deemed inconvenient for Kiev. Consequently, a consultation between Chisinau and Kiev is necessary on the future of the Transnistrian region and enhanced cooperation between the two countries in border management is critical.

A first step towards the collaboration between the Republic of Moldova and Ukraine for the joint control of borders was signed on November 4, 2015. The protocol was agreed between the authorities from Kiev and Chisinau on the establishment, of joint controls at the Pervomaisc-Cuciurgan crossing point, as well as on the exchange of information on persons and vehicles crossing the state border, starting with 2016<sup>19</sup>.

For years, the Republic of Moldova and Ukraine carried out mixed controls at border crossings in the northern part of the former, at Mămăliga-Criva, but it is for the first time when it is applied to the Transnistrian segment of the border, more precisely at its busiest checkpoint, just a few kilometers from Tiraspol. At that time, Chisinau expressed hope that the practice

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<sup>19</sup> Guțu Ina, *Acorduri de cooperare transfrontalieră între R. Moldova și Ucraina*, <http://www.radiochisinau.md/acorduri-de-cooperare-transfrontaliera-intre-r-moldova-si-ucraina-27946> , (accesat la 20.01.2020).

will be extended to other checkpoints on the central segment of the Moldovan-Ukrainian border<sup>20</sup>.

With a length of 1,222 kilometers, the Moldovan-Ukrainian border was created, in 1992, with the declaration of independence of Ukraine and the Republic of Moldova from the USSR, a moment of tension in relations between the two states. In 1999, after seven years of negotiations, Kiev and Chisinau signed the State Border Treaty<sup>21</sup>, but they have not yet completed the delimitation of the border, which, from a technical procedure, turned into a political dispute, influencing the cooperation between Chisinau and Kiev and their processes of rapprochement with the European Union.

Divergences have arisen related to the exchange of territories in the Giurgulesti areas, in Basarabeasca and Palanca, at the southern border with Ukraine. In 2011, the sector Odessa-Reni motorway, in the Palanca region, which connects Odessa with southern Bessarabia, was transferred to Ukraine in accordance with the Additional Protocol to the Treaty between Republic of Moldova and Ukraine on the state border, signed at Kiev on August 18, 1999.

Palanca is a village in Ștefan Vodă District, in the Republic of Moldova, and the road that passes through the center of Palanca village is all the more important as it connects Ukraine, the Republic of Moldova and Romania. Moreover, on the territory of Palanca there is the Bender Customs. After a series of divergences in which Kiev was accused by Chisinau of not granting Palanca residents' access to the agricultural lands nearby, the dispute diminished, and the village became the place where, in 2019, the first common border crossing point between the Republic of Moldova and Ukraine was opened.

Based on the above-mentioned document, the Republic of Moldova received a portion of land of 430 meters near Giurgulesti, where two ports, with a freight and oil terminals were built. The Treaty of 1999 drew the border line in Basarabeasca, and so the locality has, in the end, not been divided and remained part of the Republic of Moldova<sup>22</sup>.

However, the border demarcation has not been completed, in spite of the Chisinau and Kiev decisions: issues still persist in the northern sectors of the Republic of Moldova - Central

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<sup>20</sup> Dubceac Iulia, *Primele puncte mixte de control pe segmentul transnistrean al frontierei moldo-ucrainene, deschis în toamnă*, <http://www.trm.md/ro/social/primele-puncte-mixte-de-control-pe-segmentul-transnistrean-al-frontierei-moldo-ucrainene-deschise-in-toamna/>, (accesat la 20.01.2020).

<sup>21</sup> Monitorul Oficial al Republicii Moldova, Acorduri Bilaterale, Tratat între Republica Moldova și Ucraina cu privire la frontiera de stat, <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=314298&lang=1>, (accesat la 15.01.2020).

<sup>22</sup> Victoria Boian, Relațiile Republicii Moldova cu Ucraina, <http://www.ape.md/2009/10/victoria-boian-relaaiile-republicii-moldova-cu-ucraina-friedrich-ebert-stiftung-12-10-2009/>, (accesat la 09.08.2020).

from Novo Dnestrovsk, and in the eastern part of the Moldova, on the Transnistrian of the Moldovian-Ukrainian border, with a length of 452 kilometers<sup>23</sup>.

The power plant in Novo-Dnestrovsk, which was built on the Dniester River and covers a 17-hectare segment of the territory of Moldova, is considered a key enterprise for the energetic security of Ukraine and Moldova. In exchange for the 17 hectares of its territory, the Republic of Moldova would like to benefit from a share of the power plant. However, the Ukrainian authorities categorically reject such a possibility. Disputes between the Republic of Moldova and Ukraine over the Dnestrovsk plant sparked after the press revealed that, in 2017, the former Prime Minister Vlad Filat granted the Naslavcea Dam to Ukraine, through a secret agreement. As a consequence, Ukraine's desire to strengthen its energy influence in the region materialized, but the water supply for the citizens of the Republic of Moldova in the Dniester River area is endangered.

In the final chapter, the most relevant conclusions, which arise from analysis, are presented along the consequences drawn from the state of affairs and the current level of involvement of the European Union in the Eastern Neighborhood. In this sense, shortcomings referring to the EU's action are emphasized, and a discussion on how the EU's role can become more tangible is included.

I strongly believe that the EU's concern and involvement in the conflict management and resolution in its eastern neighborhood, are obvious. Despite its limited role in the region, as it does not play a powerful role in decision-making, the EU's vision has dramatically changed in time, and now, the EU seeks to assume an active role. Its impact can be improved through several measures, among which there are: the realistic analysis of the interests of all the actors in the region and the elaboration of concrete strategies for conflict management in the neighborhood, ensuring long-term stability at its borders.

By applying the analytical approach and modeling filtered through a theoretical framework, to the European Union's actions in the Eastern Neighborhood for border management, and to the strategies, policies, initiatives and legislative framework that grounded its decisions, I determine the degree of efficiency of the European norms for border management in the Republic of Moldova and Ukraine and the actual level of achievement of the EU's goal of building a secure neighborhood through the Neighborhood Policy and the Eastern Partnership. I also emphasize the limitations of this approach and the various ways to

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<sup>23</sup> *Ibidem.*

overcome them and making them more efficient from the perspective of the European security activity in its vicinity.

## **Conclusions**

The European Neighborhood Policy acts as a link between the EU and its neighbouring states, being directly related to security issues and clearly connected to the objectives of the EU's Global Strategy for Foreign and Security Policy. Although it is highly ambitious, its rather broad focus and coverage may overshadow the intensity of some of its concrete measures. Nevertheless, the ENP is extremely useful in the relation management of the EU and its neighbors and in securing the neighborhood. The EU's Eastern neighbors are mostly open to cooperate, either stimulated by financial support and expertise from the EU, by the prospects of improving their own trade balances through exchanges with the European market, or just because some hope that embracing European values, and adopting the *acquis communautaire* may increase their chances of becoming EU members, although the ENP does not promise them this.

However, a cost-benefit calculation of the ENP indicates that large investments have been made - especially financial - but it is not yet possible to say whether the results are commensurate to the efforts. However, consistent results do not appear immediately and so the achievements should be assessed rather in a long-term perspective. In similar terms, the Eastern Partnership, which emphasizes the learning and internalization of democratic practices by six states in the Eastern Union, which continue to stay in a weak position in relation to conflict prevention, management and resolution, should not be ignored either. Russia's influence also slows down the pace of various initiatives for ensuring security in the area, leading to a high degree of opacity in some bilateral relations and undermining the EU's ability to engage effectively in the management of conflicts in the eastern neighborhood.

The analysis of the evolution of the Republic of Moldova and Ukraine strongly emphasizes the influence that the Russia has on the eastern states; Moscow often considers itself entitled to interfere in the internal affairs of its neighboring states, such as the Republic of Moldova. Therefore, Russian influence in the former area of Soviet influence should be taken into account, particularly when evaluating the effects of the ENP and of the Eastern Partnership.

The European Union maintains a relatively strong commitment to ensure and security in its Eastern neighborhood, and it pays attention to various problematic issues that neighboring states have, not only to those that are strictly related to security. Thus, the EU has initiated

action plans, programs and projects addressing a wide range of issues faced by the neighboring states, including statehood, good governance, democratic consolidation, strengthening of the separation of powers, fighting corruption, disseminating good practice in public administration, supporting civil society organizations and engaging with the construction of democratic practices. All this outlines a comprehensive European vision of security.

In conclusion, the steps taken by the European Union towards security relations management in its neighborhood are significant, and they show that a shift of vision may perhaps have taken place. In terms of tangible results, the EU's approach needs several improvements related to the need to acquire effective decision-making levers, by expressing a stronger and sharper position vis-à-vis particular issues and by ensuring its participation in different important decisions in which the security stakes are high. Moreover, the EU needs concrete strategies for intervention in its Eastern neighborhood, and it should not shy away from putting more pressure when needed; in turn, this may lead to a more streamlined EU strategy and may present benefits for both European and global security.

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