

EXAMINING THE LEGAL ASPECTS OF AGRICULTURAL POLICIES IN RELATIONS BETWEEN THE EU AND REPUBLIC OF MOLDOVA

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ABSTRACT. *At the time of the establishment of the common market by the Treaty of Rome, in 1958, the agriculture of the six founding member states was characterized by strong state intervention. In order to include agricultural products in the free movement of goods, while maintaining state intervention in the agricultural sector, it was necessary to eliminate national intervention mechanisms incompatible with the common market and to transpose them at the community level: this was the main reason for the emergence common agricultural policies (www.europarl.europa.eu). In April and May 2022, the Twinning project assisted the Ministry of Agriculture and Food Industry in the final stages of public presentation of the final product regarding the National Strategy for Agricultural and Rural Development (NSARD 2023-2027) and interventions (www.eeas.europa.eu, p. 83). To ensure that information on agriculture and rural development is collected efficiently, of high quality, reliable and accessible to relevant stakeholders, Twinning experts develop a model that can guide beneficiaries in the process of establishing a data system. Our research, carried out in the targeted field, showed that the efforts of the Republic of Moldova in view of the role of the legal aspects of the EU's agricultural policy and the essence of agricultural products in the relations between the EU and Moldova, are based on three main directions: the actions of government institutions, especially in the sector agricultural and energy; the national and international efforts, first of all, in common with the European ones, within some programs and projects, as well as the efforts undertaken at the microeconomic level by some companies.*

Key words: Agriculture and Food Security policies, Agricultural production, Crops, Legal aspects.

INTRODUCTION

There is also the appropriate legal basis for this - the Partnership and Cooperation Agreement between Moldova and the European Union, signed in 1994 and entered into force on July 1, 1998 after a long ratification procedure. The implementation of the Partnership and Cooperation Agreement (PCA) between the EU and the Republic of Moldova (1998) meant that the given country is accepted by the EU as a partner, that the legal norms and institutions that regulate these relations are defined (Gudîm, 2002, p. 27).

Thus, all the most important aspects of the state's life, from human rights or the protection of intellectual property to such specific areas as the financial one, were placed in the scope of the Agreement: monetary policy, taxation, investments, anti-dumping measures, etc.; social - employment, working conditions, social protection, consumer protection; cross-border cooperation;

the development of special sectors and branches - energy, transport, telecommunications, the agricultural sector, tourism and regional development. The EU Partnership and Cooperation Agreements are similar and entered into force practically at the same time (1997-1998) in all the new states in the post-Soviet space, except Belarus and Turkmenistan. A little earlier, in the years 1994-1996, the ECE countries applied for EU membership, countries with which, after appropriate negotiations, EU Association Agreements (Association Agreements / European Agreements) were signed. The Cooperation Council was convened for the first time on July 14, 1998, two weeks after the entry into force of the EU-Moldova PCA, after which the annual convocation of the Council followed (once a year), with the aim of evaluating progress in the implementation of the Agreement and determining the areas that require increased attention from Moldova, as well as help from the EU, if it is necessary (Gudîm, 2002, p. 28).

In December 2001, the Cooperation Committee approved the EU-Moldova Interaction Strategy for the period 2002-2006 (Moldova Country Paper 2002-2006), in which it was especially noted: „Since Moldova is located directly on the expanding EU border, the instability and the poverty of this country concerns the EU. From a political point of view, democracy has been established in Moldova, but further progress is needed in the consolidation of civil society, state administration and the rule of law. It is necessary to use all accessible instruments of European cooperation, to contribute to the political, economic and financial stabilization of Moldova... The potential of the Partnership and Cooperation Agreement must be used for these purposes as a driving force...”. The main goal of Moldova's policy in the field of justice and internal affairs is integration into all European cooperation mechanisms, including structural dialogue, entry into Europol and the Schengen Area, which will allow Moldovan citizens to cross borders freely. Knowing the EU legislation, the institutions, the policy and the procedures underlying it are of vital importance for the fruitful participation of Moldova in the European processes. In this sense, it is necessary to develop the training system for officials from central and local public bodies, with the aim of familiarizing them with European norms and values. Of particular importance will be the increased interest in studying European languages. (Country Strategy Paper 2002-2006, p. 31; 43).

According to the Report of the United Nations Food and Agriculture Organization and the World Health Organization, the ecological development of agriculture, natural resources and ecological balance are recognized as priority sectors for solving the problem sustainable global development. Environmental degradation, pollution and unsustainable use of natural resources are a major challenge for the development agenda of the Republic of Moldova. Short-term economic and social considerations still often prevail over long-term environmental benefits (UN Partnership Framework - Republic of Moldova for Sustainable Development 2018-2022, p. 45).

The EU has been a member organization of FAO since 1991. For us, FAO is a leading actor in sectors that are focal points of our common agricultural policy: sustainable agriculture; balanced rural development; food security (www.agriculture.ec.europa.eu).

The European vector is the guarantor of a stable future. Considering this fact, the state is going to solve a difficult and long-term problem in order to strengthen the „European foundation” of the Moldovan society, starting with the democratization of its political and social-economic system and ending with the preservation and development of the agri-food sector.

DATA AND METHODOLOGY

Regarding the research methods used, we referred and focused on the actions of government institutions, on the analysis of policies, laws and aspects aimed at the agricultural sector and food security in the Republic of Moldova. Thus, we can mention that the legislative framework on the basis of which the agrarian sector of the Republic of Moldova is regulated in the agri-food field: Law no. 115 of 06.09.2005 regarding organic agri-food production; Decision no. 149 of 10.02.2006 for the implementation of the Law on organic agri-food production and Government Decision no. 1078 of 22.09.2008 on the approval of the Technical Regulation "Organic agri-food production and labeling of ecological agri-food products". The mechanism for the development of green entrepreneurship in the agri-food sector was developed by the Ministry of Agriculture and Food Industry (MAIA) incorporated in the „Program for the promotion of ecological production and marketing for the years 2010-2015” (<http://old.maia.gov.md>). With regard to those mentioned in this program, it can be seen that ecological agri-food production is on the rise worldwide, being practiced in about 154 countries, on an agricultural surface of about 31,584,720 ha. The resources of other public institutions were also used intensively. Most importantly, a number of ministries shared concrete sectoral and policy data and information. The National Agency for Rural Development (ACSA) provided survey-based data on agricultural productivity, and the National Federation of Farmers of Moldova, AGROinform, shared with the authors the database on agricultural prices. Other secondary data were collected through discussions with government officials and various stakeholders (eg, non-governmental organizations and representatives of the private sector). Relevant legal documents and other available reports were studied and cited, where appropriate.

We certainly believe that the success of our country depends on the success of other countries. Thus, the EU gives humanity the tools they need to lift themselves out of poverty, creating a more stable world.

RESULTS AND ANALYSIS

In the activity report of the Ministry of Agriculture and Food Industry it is mentioned, at fair value, that for the Republic of Moldova eco-agri-food production, as well as its commercialization, represents „a real chance to penetrate foreign markets, which are oversaturated with products from conventional agriculture and feel the lack of ecological products”. The European Union market, for the most part, is no exception. This fact contributes to the positive and upward evolution of EU cooperation with the Republic of Moldova in the given field. But our analysis revealed the double and even contradictory character of this cooperation.

In 2013, the average nutritional intake in the Republic of Moldova contained 54% carbohydrates, 35% fats and 11% proteins. Carbohydrate and protein quotas are within the limits recommended by the WHO, but the fat quota is higher than the recommended intake (Table 1).

Table 1. Daily intake of nutrients: Republic of Moldova in relation to WHO recommendations

The name	WHO recommendations		Republic of Moldova (2013)	
	The targets of the contribution of nutrients, % of calories	Recommended daily contribution, calories	The actual contribution of nutrients, % of calories	Daily caloric consumption
Carbohydrates	55-75	1155-1575	54	1312.5
Fats	15-30	315-630	35	833.1
Proteins	10-15	210-315	11	266.4

Source: WHO „World Health Organization”; World Economic Outlook Databases.

After services and industry, agriculture is the third by size of the economy of the Republic of Moldova. Although the share of agriculture both in the gross domestic product (GDP) and in the occupation was declining over the last decade, the contribution of the sector to the economy in 2012 was still considerable, representing about 11% of GDP and ensuring the occupation in the field of work. for about 26% of the workforce. In the rural area, the agricultural activity remains predominant, and the important role of agriculture is even more amplified by the agricultural processing industry, which includes half of the industrial production and represents about 40-50% of the total exports of the Republic of Moldova.

On the one hand, due to the fact of the overload of the EU market with chemical fertilizers, these substances are appreciated at a low value, becoming the object of marketing to the markets in which the purchasing power is low, the Republic of Moldova taking part in them. The economic agents from the Republic of Moldova, procuring such fertilizers, in fact contribute to the loss of its competitive advantage that it creates as an opportunity for the ecological entrepreneurship. Such economic agents are encouraged in the development of chemical fertilizers markets, promoting the interests of transnational chemical corporations, including European origin, who are co -interest in eliminating potential competitors, incorporated into companies that are part of the ecological entrepreneurship.

Thus, we state that, the main objective of the EU agricultural policy, regarding the rural development, is the promotion and development of a compatible relationship between agriculture and the environment. Ecological agriculture makes a great contribution to lasting economic development and plays an important role in improving environmental conditions, preserving soil, improving water quality, biodiversity and protecting nature.

From the current situation in the country, we note that in the Republic of Moldova it is registered to increase the participation of ecological agricultural producers, both indigenous and foreigners. At the same time, ecological production is distinguished by its high costs.

The Republic of Moldova is a relatively small regional producer in most of the agricultural sectors, compared to the EU. In fact, we see that, the largest categories of production, are at the cereal cultures (figure 1) at the balance of food resources and their use for 2020, out of the total agri-food sector of the Republic of Moldova (National Bureau of Statistics. Agriculture). And the consumption of agri-food products (per inhabitant in the year; kilograms), are rendered in Figure 2.

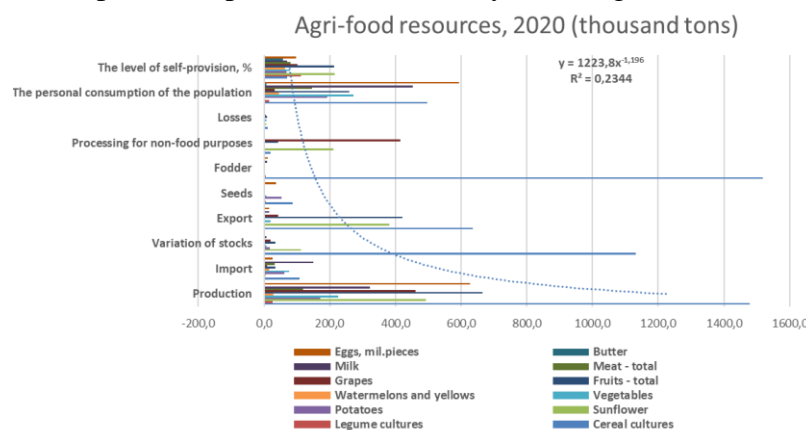


Figure 1. Agri-food resources in the Republic of Moldova, 2020 (thousand tons)

Source: Created by authors, according to statistical data

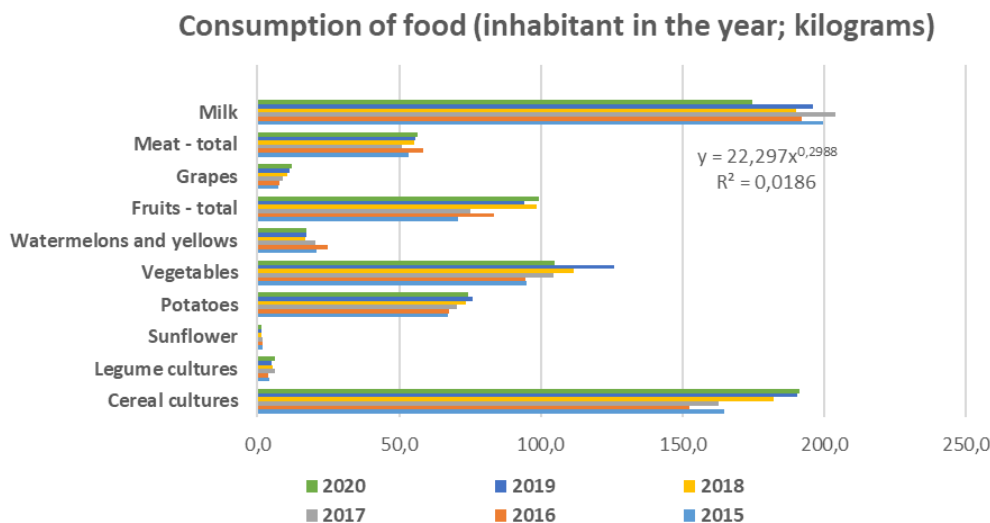


Figure 2. Consumption of food in the years 2015-2020 in the Republic of Moldova

Source: Created by authors, according to statistical data

According to the National Bureau of Statistics that global agricultural production, in all types (agricultural enterprises, agricultural households (farms) and households) during January-June 2022, according to preliminary estimates, constituted 94.3% (at comparable prices) compared to the face of the corresponding period of 2021. The decrease of global agricultural production was determined by the decrease of vegetable production by 7.6% and of animal production by 5.3%. In order to obtain harvests in 2022 the households of all categories sowed 1568.1 thousand ha or with 20.7 thousand ha (by 1.3%) more than 2021.

The structure of the surfaces sown with agricultural crops according to the categories of producers indicates that the highest weight is the agricultural enterprises, which are 856.7 thousand ha or 55% of all the sowing area, the peasant (farmer) households have 423.2 thousand ha. or 27% and population households - 288.2 thousand ha or 18%.

The favorable climate and the high native fertility of the soil make the Republic of Moldova very convenient for increasing the most temperate fruits, vegetables, cereals and oil seeds, these key cultures play a prominent role in the present economy, as well as from the past. In agricultural enterprises (www.statistica.md), most of the surfaces sown with tobacco (94% of the total area of the given culture), with maize for silo and green mass (92%), sugar beet (91%), autumn rapeseed (89%), wheat (76%), barley (75%), sunflower (69%) and soy (56%) is to be concentrated. At the same time, the households of the population and the peasant (farmer) households have 97% of the sowing with pumpkin food crops and the potato planted surfaces, 94% - of the areas planted with field vegetables and 75% of the surfaces sown with legume for grains.

In January-June 2022 compared to the respective period of 2021, it was marked the reduction of the production (raising) of cattle and birds (in the living mass) in all categories of households by 5.3%, generated by the decrease of production in the population households by 11.0 % also in agricultural enterprises by 1.3 %.

The key zootechnical product groups are meat, milk and eggs. The wool and honey are also produced, but their production is relatively small. Despite the fact that in agricultural enterprises the production of milk increased by 6.7%, in households of all categories the production decreased

by 12.3% as a result of its decrease in the households of the population by 14.3%. Egg production in households of all categories increased by 2.2% as a result of production in agricultural enterprises by 8.6%. At the same time, in the households of the population the production of eggs decreased by 2.2%. On July 1, 2022, compared to the respective date of the previous year, it was registered the reduction of the number of animals of all species in the households of all categories as a result of the decrease of animals in the households and the number of birds in agricultural enterprises. At the same time, in agricultural enterprises the growth of animal herds: cattle - with 42.4%, sheep and goats - with 42.3% and pigs - with 3.5%.

This fact indicates the comparative advantage existing in the Republic of Moldova, which represents a good basis for the development of the agrarian sector and the positioning on the market, both internal and external. Between 2001-2022 it is indicated that the severe droughts from 2003, 2007, 2012, 2015, 2017 and 2020 not only devastated the crop sector, but also had a negative impact (with a delay in time) on the zootechnical sector. The dramatic reduction of cereal crops in the drought years, consequently led to the reduction of the volume of production of the zootechnical sector during the next years, due to the slaughter of animals/birds due to the insufficiency of the feed.

According to the National Bureau of Statistics that global agricultural production, in all types of households (agricultural companies, farms and population households) in 2020, according to preliminary estimates, registered 72.9% compared to 2019. The decrease in global agricultural production (by 27.1%) was determined by the decrease of vegetable production by 35.9% (which reduced the global index of global agricultural production by 26.1%) and of animal production by 3.8% (-1.0%). Considerable decreases in the physical volume of agricultural production in 2020 compared to 2019 were registered in the following crops: maize for grains - by 63.4% (which generated the decrease of global agricultural production by 8.6%), sunflower - with 39.9% (-4.7%), wheat - with 50.5% (-4.3%), fruits, nuts and berries - with 21.2% (-2.0%), grapes - with 27.6% (-1.8%), vegetables-with 22.2% (-1.7).

In 2020 the share of plant production in total agricultural production constituted 64% (in 2019 - 73%), the animal production returning 36% (in 2019 - 27%). The harvest in 2020 compared to 2019 is characterized by the considerable reduction of the volume of grains and legumes - with 2054 thousand tons or 57.9% less (of them of corn for grains - with 1352 thousand tons (63.5%), of wheat-with 579 thousand tons (with 50.5%), of barley-with 62 thousand tons (with 36.6%) and of the legumes-with 24 thousand tons (with 47.0%), of the soy - with 33 thousand tons (with 52.4%), of the sunflower - with 324 thousand tons (with 40.0%), of the rapeseed - with 30 thousand tons (with 39.2%), of the food pumpkin with 15 thousand tons (with 35.1%), sugar beet with 183 thousand tons (with 30.2%), grapes - with 184 thousand tons (with 27.9%), vegetables, total - with 82 thousands (26.8%) and fruits, nuts and berries - with 198 thousand tons (with 23.3%). The production (raising) of cattle and birds (in the living mass of the agricultural enterprises) in 2020 compared to the previous year in the households of all categories decreased by 0.8%, due to the reduction of the volume of animal production by 10.7% in the population households. At the same time, in agricultural enterprises the growth of cattle and birds increased by 10.9%. The production of milk and eggs in households of all categories decreased, respectively, by 12.4% and by 6.6% as a result of the reduction of production in both agricultural enterprises and in the population households.

The zootechnical sector suffered a deep shock after the disassembly of the production and market structures specific to the former planned economy, which led to the decapitalization of the sector and the erosion of the genetic base of the zootechnical sector. Internal resources constraints (in particular feed and energy), together with increasing production prices (including feed and energy), difficult/unstable access to key foreign markets (EU) and fierce competition from imports, all have contributed to the reduced performance of the zootechnical sector in the Republic of Moldova. On January 1, 2021, compared to that date of last year, it was registered the reduction of the staff in the households of all categories, except for the number of cows in the agricultural enterprises that increased by 13.1%.

In the appearance of the market, the key task is for the internal offer to satisfy both the internal and international demand. Most agricultural products, currently cultivated in the Republic of Moldova, do not meet market requirements in terms of safety, quality, variety and packaging.

At the current member, there is the possibility that the Moldovan producers will ensure compliance with the demanding European standards.

The Republic of Moldova is a net exporter of cereals, fruits and wines, but a net importer of meat and dairy products. Fresh vegetables are also a net import category, because the internal production of vegetables is insufficient during the period outside the season, and on the other hand, the spectrum of vegetables produced inside is not sufficient to meet the demand. For example, even if the Republic of Moldova is a great wheat exporter (mainly non-food), it is also - in some years - a net importer of food quality and high-quality wheat flour. Due to the low wheat quality, bakeries import higher quality flour. The rapid import rhythms of the present import are an opportunity for the agricultural production of the Republic of Moldova, because this could - by improving the domestic production - satisfy the existing demand.

It has been found that about 80% of the agri-food exports of the Republic of Moldova in recent years have been sold in the CIS countries, today the CSI quota is practically below 0%. We can say with regret that the CIS and EU aspects dominate imports for our country. The EU quota in the food exports of the Republic of Moldova mainly includes reduced value products, so that primary agricultural goods (cereals and sunflower seeds) and semi-processing products that require basic and limited processing (dried fruits, nuts peeled, or concentrated apple juice in bulk packaging). Entry into the market with high EU requirements with high-value products is a challenge for the future: this will require expensive investments in modernizing domestic production and in processing methods, technologies and infrastructure, with compliance with demanding standards of food safety and quality controls.

CONCLUSIONS

The European vector is the guarantor of a stable future. Considering this fact, the state is going to solve a difficult and long-term problem in order to strengthen the "European foundation" of the Moldovan society, starting with the democratization of its political and social-economic system and ending with the preservation and development of the agri-food sector.

We certainly believe that the success of our country depends on the success of other countries. Thus, the EU gives humanity the tools they need to lift themselves out of poverty, creating a more stable world. Thus, we state that, the main objective of the EU agricultural policy, regarding the

rural development, is the promotion and development of a compatible relationship between agriculture and the environment. Ecological agriculture makes a great contribution to lasting economic development and plays an important role in improving environmental conditions, preserving soil, improving water quality, biodiversity and protecting nature.

At the current member, there is the possibility that the Moldovan producers will ensure compliance with the demanding European standards.

Summarizing the exposed, we find that the cooperation relations between the Republic of Moldova and the European countries in the agri-food field develop for the mutual benefit.

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