# Analytical Report

## The EU Accession Path for Ukraine and Moldova: Anticipated Reforms on Migration, Asylum and Border Management

Agnieszka Kulesa, April 2025

# About the author

Agnieszka Kulesa is a political scientist and migration policy expert with over 13 years of experience in research, project management and team leadership. Her work focuses on labour markets, international migration and migration policy. Currently a Lead Consultant at Ecorys Poland, she worked as an economist at CASE – Center for Social and Economic Research between 2018 and 2024, and as Vice President of the CASE Management Board from 2021. She also worked at the Institute of Public Affairs in Warsaw (2017–2018), including as Head of the Migration Policy Programme, and at the Migration Policy Department of the Polish Ministry of the Interior (2010–2014), where she was responsible for international cooperation in the field of migration and coordinated activities within the Prague Process.

Agnieszka holds a PhD in Political Science from the Warsaw School of Economics. She has published extensively and led various migration and labour market research projects for institutions such as the European Parliament, the European Commission, the Committee of the Regions and the European Economic and Social Committee.

# Executive Summary

This analytical report explores the challenges Ukraine and Moldova face in aligning their migration, asylum, and border management policies with EU standards as part of their accession process. Following Russia's invasion of Ukraine in 2022, both countries received EU candidate status, sparking a renewed focus on the enlargement process. Ukraine's unique position as a country in active conflict and Moldova's geopolitical vulnerabilities amplify the complexity of their accession.

The EU accession process is structured around 35 acquis chapters, with Chapter 24 – Justice, Freedom and Security – playing a pivotal role. This Chapter encompasses policies on migration, asylum, and border management, demanding legislative alignment, institutional reforms, and capacity building. Both countries must implement the EU laws, address demographic crises, and invest in technological and operational upgrades to manage borders effectively.

Ukraine faces immense challenges due to war, displacement, and emigration. With millions of citizens abroad and internally displaced, its labour market struggles to meet demands in key sectors. Legislative reforms have largely aligned with EU standards, but practical implementation lags, particularly in asylum and refugee integration as well as border management.

Moldova, grappling with demographic decline and emigration, has made progress in modernising institutions and aligning policies. However, resource constraints, inadequate infrastructure, and reliance on international aid hinder long-term sustainability. The country also must enhance border management and improve asylum procedures.

The report concludes by emphasising the need for sustained reforms, financial investment, and public support to navigate the accession process.

# Table of Contents

# Introduction

Following Russia's full-scale invasion of Ukraine on 24 February 2022, the EU's enlargement process gained renewed momentum. Ukraine's prompt application for EU membership on 28 February 2022, followed closely by Moldova on 3 March 2022, catalysed a strong response from the EU. European Commission President Ursula von der Leyen's swift endorsement, stating that Ukraine is "one of us and we want them in the European Union"[1], signalled a decisive political commitment. This was further reinforced by the European Parliament's call for Ukraine's EU candidate status just days later[2]. The Versailles Declaration, adopted by EU heads of state or government on 10–11 March 2022[3], affirmed Ukraine's European ties and the EU's commitment to support its European path. This rapid mobilisation by EU institutions and Member States, including the eventual support from French President Emmanuel Macron, who shifted from caution to advocacy for swift accession, underscored the high stakes involved.

By June 2022, the European Commission recommended candidate status for both Ukraine and Moldova, reflecting the progress in implementing their Association Agreements with the EU[4]. On 23–24 June 2022, the European Council granted candidate status to Ukraine and Moldova[5], balancing the geopolitical urgency against the long-term requirements of the Copenhagen criteria and the EU's capacity to integrate new members. This decision also reaffirmed the EU's broader commitment to the Western Balkans, signalling a renewed vigour in its enlargement policy.

On 8 November 2023, the European Commission published a new Enlargement Package[6], proposing the conditional opening of accession negotiations with Ukraine and Moldova, while also providing a comprehensive assessment of the key areas where reform progress is needed in each country. Additionally, the Enlargement Package included the Commission's existing proposal for a €50 billion financial support instrument for Ukraine. The decision to open accession negotiations was made by the European Council during its meeting on 14-15 December 2023[7].

Following the European Commission's confirmation in early June 2024 that Ukraine and Moldova had met the necessary prerequisites, EU ambassadors "agreed in principle" on the negotiating frameworks for the accession negotiations with both countries[8]. On 25 June 2024, the EU formally opened negotiations with Ukraine and Moldova during the first intergovernmental conferences, marking the transition from political endorsement to technical scrutiny[9].

These negotiations will cover 35 chapters of the EU acquis, with Chapter 24 on Justice, Freedom, and Security being particularly pivotal. Progress in Chapter 24 is not merely a bureaucratic requirement but a crucial test of each country's readiness to align with EU norms and values. The pace and success of the accession process will hinge on advancements in the areas included in Chapter 24. Under Chapter 24, Ukraine and Moldova must implement specific solutions that align their laws and practices with EU policies, including the newly adopted EU Pact on Migration and Asylum.

This Analytical Report explores the specific challenges Ukraine and Moldova face in aligning their migration, asylum, and border management systems with EU standards under Chapter 24. It aims to support strategic planning and policymaking by identifying key gaps in the adoption of the EU acquis and offering actionable recommendations to guide both countries on their path toward EU membership. The report begins with an overview of the main provisions of Chapter 24, assesses the current standing of Ukraine and Moldova, highlights areas requiring reform, and concludes with a synthesis of key insights and final reflections to support effective alignment with EU requirements.

# 1. Chapter 24

## 1.1. Key Policies and Areas Covered

Chapter 24 is central to establishing the core elements of safety, stability, and governance that are essential for both candidate countries and the EU. It is positioned within the **Cluster Fundamentals**, which is opened first and closed last in the negotiation process, determining the pace of accession. This Chapter encompasses **critical policies and regulations designed to maintain public order, protect citizens' rights, and ensure effective judicial and law enforcement cooperation.** For candidate countries, adherence to these standards is non-negotiable; it is vital for upholding the rule of law, safeguarding human rights, and bolstering EU security. This demands substantial reforms, including the modernisation of legal frameworks, enhancing institutional capacities, and promoting international cooperation.

A key focus of Chapter **24 is the judicial system and the protection of fundamental rights**. Candidate countries must ensure that their judiciary operates without political interference, upholding the rule of law with efficiency and impartiality. This independence is crucial for maintaining public trust and delivering justice fairly. The Chapter also mandates universal access to justice, guaranteeing that every individual can seek legal remedies and receive a fair trial.

**Box 1. Areas covered by Chapter 24**

| | |
|---|---|
| 19.10.10 | **Elimination of internal border controls** |
| 19.10.20 | **Crossing external borders** |
| 19.10.30 | **Asylum policy** |
| 19.10.40 | **Immigration & the right of nationals of third countries** |
| 19.20 | **Judicial cooperation in civil matters** |
| 19.30 | **Police & judicial cooperation in criminal & customs matters** |
| 19.40 | **Programmes** |
| 19.50 | **External relations** |

See: Directory of European Union legislation

**Migration and asylum policies** are another cornerstone of Chapter 24. Establishing asylum procedures that align with EU standards is paramount not only for protecting those in genuine need but also for maintaining the integrity of the asylum process. **Effective border management** is equally important, as it prevents irregular migration and secures the EU's external borders. Additionally, policies that support the **integration of migrants into society** are vital for inclusive communities.

Chapter 24 also covers **police cooperation and the fight against crime**. Enhancing cooperation between national police forces and EU agencies like Europol is vital for combating cross-border crime. This collaborative approach ensures a unified response to law enforcement challenges across the EU. Developing strategies to combat organised crime, terrorism, human trafficking, and drug smuggling is essential for dismantling criminal networks and safeguarding public safety. Moreover, robust anti-corruption measures are necessary to maintain transparency, integrity, and public trust in institutions.

**Visa policy** is another significant part of Chapter 24. Aligning national visa policies with EU requirements, including the issuance of Schengen visas, is essential for facilitating seamless travel and enhancing security. Travel documents must meet EU standards to help prevent fraud and improve overall security, protecting the integrity of cross-border movement.

## 1.2. Migration, Asylum and Border Management Provisions

The EU's approach to migration, asylum and border management is dynamic, continually evolving to address emerging challenges. The EU acquis in these areas comprises a wide range of legislative and policy measures designed to manage both legal and irregular migration, ensure the rights of migrants, and establish a common approach to asylum and refugee protection. The overarching objective is to manage migration in a way that benefits both migrants and host societies, while maintaining security and upholding international protection standards. Candidate countries must comprehend and implement a comprehensive list of instruments on migration, asylum and border management policies, key of which are listed below.

**Legal migration and integration.** The EU promotes legal pathways for migration, particularly for skilled workers, students and researchers. Relevant policies include:

The **Blue Card Directive** aims to attract highly qualified professionals from non-EU countries.

The **Students and Researchers Directive** regulates the admission and rights of non-EU nationals entering the EU for research, studies, training, and voluntary service, as well as optional rules for school pupils and au pairs.

The **Seasonal Workers Directive** sets the conditions of entry and stay of non-EU nationals for the purpose of employment as seasonal workers.

The **Family Reunification Directive** establishes the rules under which non-EU nationals can bring their family members to any EU country, where they legally reside.

The **Directive on Intra-corporate Transfers** sets conditions under which non-EU nationals can enter and work in the EU for an intra-corporate transfer, facilitating the mobility of professionals within multinational companies.

**Long-Term Residence Conditions** allow non-EU nationals to obtain a long-term residence permit in the EU.

The **Single Permit Directive** simplifies the application process by introducing a single permit for both the right to work and reside in the EU.

**Asylum and refugee protection.** The EU's **Common European Asylum System (CEAS)** sets out the legislative framework and practices in the area of asylum, whereas the **European Union Agency for Asylum (EUAA)** contributes to improving the functioning and implementation of the CEAS by providing operational and technical assistance to Member States in the assessment of applications for international protection. The CEAS is governed by the following instruments:

The **Asylum Procedures Directive** aims at setting out the conditions for fair, quick and quality asylum decisions.

The **Dublin Regulation** streamlines the process of establishing the state responsible for examining an asylum application, enhancing protection of asylum seekers, and clarifies the rules governing inter-state relations.

The **Reception Conditions Directive** sets common standards for reception of asylum seekers across the EU, such access to housing, healthcare, education and employment under certain conditions, ensuring a dignified standard of living in accordance with the Charter of fundamental rights.

The **EURODAC Regulation** supports the Dublin system by enabling the determination of the Member State responsible for processing an asylum application through the use of the EU fingerprint database, while also allowing law enforcement under strictly limited conditions access to this database to prevent, detect or investigate serious crimes, such as murder, and terrorism.

The **Qualification Directive** clarifies the grounds for granting international protection and provides access to rights and integration measures for beneficiaries of international protection.

**Border management and security**. Candidate countries must demonstrate their ability to manage and secure their borders effectively, which is essential for preventing irregular migration, human trafficking, and smuggling. On their path to accession, they should comply with the **Schengen acquis**, as part of the EU acquis, which includes rigorous border checks and efficient border control systems. This step is also essential to become part of the Schengen Area, which facilitates passport-free travel among most EU countries. Once a country joins the EU, it does not automatically become part of the Schengen Area but must first undergo an evaluation process to demonstrate its ability to manage external borders effectively and meet the requirements of the Schengen acquis.

Management of EU external borders is a shared responsibility of EU Member States and of the EU, including the relevant institutions and EU agencies. An important policy instrument in this context is **European integrated border management (EIBM),** implemented by the **European Border and Coast Guard Agency (Frontex)** and the **European Border and Coast Guard** composed of the Member States' border and coast guard authorities. The EU also closely works with non-EU countries to prevent irregular migration, combat human trafficking and improve living conditions in countries of origin. To this end, the **EU Return Directive** serves the framework for returning irregular migrants to their countries of origin in a humane and dignified manner.

**Crisis Response and International Cooperation.** The EU has mechanisms to respond to migration crises, such as sudden increases in refugee flows. This includes the Temporary Protection Directive, which provides immediate protection to displaced persons, and the EU's efforts to relocate asylum seekers among Member States during times of high influx. In addition to that, the EU engages in partnerships with countries of origin and transit to address the root causes of migration, such as poverty, conflict, and climate change. These partnerships often include development aid, support for capacity building and agreements on readmission.

**The Pact of Migration and Asylum.** The EU policy on migration, asylum and borders is continuously evolving in response to changing migration patterns and geopolitical developments. On 14 May 2024 the Council of the EU formally adopted the **new Pact on Migration and Asylum** – a prime example of this evolution. The Pact is anchored on four main pillars to ensure comprehensive and cohesive migration management across the EU.

The first pillar, **securing external borders**, involves robust screening processes to identify and manage those entering the EU, enhancing the **EURODAC database** for tracking asylum seekers and irregular migrants, and implementing mandatory border procedures for high-risk individuals, alongside crisis protocols for emergencies. The second pillar focuses on **fast and efficient procedures** by establishing clear asylum rules to determine responsible EU countries, ensuring adequate living conditions for asylum seekers, harmonising refugee status qualifications, and preventing abuses through stringent asylum procedures. The third pillar emphasises an **effective system of solidarity and responsibility**, with a permanent framework for EU countries to receive support, including relocations and financial contributions, supported by EU agencies and funds. It also clarifies responsibility rules for asylum applications and prevents secondary movements by requiring applications to be made in the first entry country. The fourth pillar **integrates migration into international partnerships**, aiming to prevent irregular departures by strengthening border management in partner countries, combating migrant smuggling through tailored partnerships, enhancing cooperation on readmission, and promoting legal migration pathways through initiatives like the EU Talent Pool and Talent Partnerships.

Candidate countries need to understand and effectively integrate these comprehensive measures into their national policies during their accession journey. The complexity and breadth of issues covered necessitates extensive reforms to achieving full compliance with EU standards in Chapter 24.

# 2. Ukraine: Current State of Play and Key Challenges
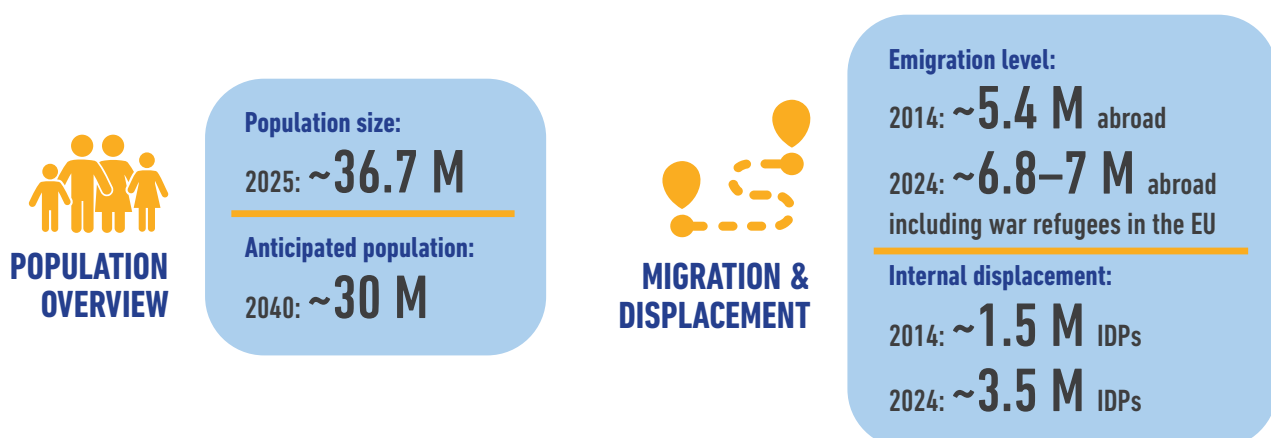
## 2.1 Accession Context

Ukraine is the first country to apply for EU membership while actively engaged in a full-scale war on its territory, making its candidacy uniquely complex from both geopolitical and security perspectives. Its accession path is not only about aligning with the EU acquis but also closely tied to the broader security of Europe. Ukraine, as a prospective EU member state, will serve as a frontline defender of the EU's eastern borders, which brings additional expectation in managing migration flows, upholding refugee protection standards, and safeguarding the EU's future external borders – all amidst an ongoing war economy and wartime governance.

The war with Russia has dramatically reshaped Ukraine's migration landscape, bringing both immediate challenges and profound long-term implications. The invasion has triggered a **severe displacement crisis, adding to an already high displacement and emigration rates** seen over the past decade. According to UNHCR, more than 6.8 million displaced Ukrainians have sought protection worldwide, as of December 2024[10], creating a **demographic shift** that threatens Ukraine's recovery. The eventual return of these displaced people will be critical for Ukraine's reconstruction, but it is uncertain, as many may establish permanent lives abroad by the time circumstances allows for their return. This poses a risk to Ukraine's labour market and its stability, particularly in sectors that rely on female workers, given that 70% of displaced adults are women[11]. Moreover, the potential for a sustained "brain drain" of skilled workers who choose not to return may further impede the country's economic growth and technological advancement[12].

Both the 2023 and 2024 Ukraine Reports, which accompanied the EU's Communications on Enlargement Policy, highlighted Ukraine's progress in implementing the EU acquis in the area of justice, freedom and security[13]. However, the 2023 Report also underlined the urgent need for a **context-sensitive migration policy strategy** and a revised Integrated Border Management Strategy, while the 2024 Report underlined the need for **greater alignment with EU IBM standards and enhanced inter-agency cooperation**, among other things.

In February 2024 the Cabinet of Ministers of Ukraine approved an Action Plan to implement the European Commission's recommendations from the 2023 EU Enlargement Package report[14]. This document, spanning over 100 pages, outlines more than 350 specific measures to address political and negotiating recommendations aimed at preparing Ukraine for EU accession talks. However, the Action Plan's emphasis on **flexible and adaptive policies** suggests a potential shortfall in long-term, proactive planning. The ongoing conflict has compelled Ukraine to focus on immediate migration crises rather than developing sustainable, forward-looking migration policies – an approach that will soon become essential for both EU integration and long-term national post-war recovery.

**Figure 1: Key population and migration dynamics, Ukraine, 2024/25 & 2040**



**POPULATION OVERVIEW**

Population size:
2025: ~36.7 M

Anticipated population:
2040: ~30 M

**MIGRATION & DISPLACEMENT**

Emigration level:
2014: ~5.4 M abroad
2024: ~6.8–7 M abroad
including war refugees in the EU

Internal displacement:
2014: ~1.5 M IDPs
2024: ~3.5 M IDPs

**LABOUR MARKET & DEMOGRAPHICS**

**1. Labour needs (2025):**
– Severe shortages in skilled trades, healthcare, IT, and manufacturing
– Key sectors: construction, agriculture, green energy (aligned with the EU Green Deal)

**2. Anticipated labour needs (2040):**
– High demand for young workers and reskilling for digital and green economies
– Focus on reintegrating returning refugees and leveraging diaspora skills

**KEY DEMOGRAPHIC PARAMETERS**

**1. Aging population:**
– Median age rising from 41.8 (2025) to 48.2 (2040)
– Increasing dependency ratios

**2. Fertility rate (2024): ~1.441**

**3. Gender imbalance:** male conscription and war casualties skew the population

**4. Urban-rural divide:** rural decline exacerbates regional labour shortages

Sources: World Bank DataBank, IOM Displacement Tracking Matrix, Operational Data Portal UNHCR, World Population Review, Macrotrends, Statista

## 2.2 Assessing Policy Shortfalls

### Migration Policy and Key Reforms for EU Accession

The State Migration Policy Strategy 2017-2025 was updated in January 2024. The amendments made to the Strategy represent a pivotal **evolution in the country's migration policy, shaped by the dual imperatives of wartime resilience and European integration.** Confronting the immense displacement caused by Russia's invasion, the Strategy prioritises the protection and integration of IDPs and refugees, while simultaneously crafting incentives for the return of Ukrainian migrants essential to post-war recovery. By harmonising migration frameworks with EU standards – through visa policy updates, interdepartmental coordination, and enhanced data systems – Ukraine signals its readiness to align with European norms. The amendments also address broader demographic challenges by encouraging repatriation, attracting skilled labour, and bolstering the labour force needed for economic reconstruction. However, the Strategy highlights several critical gaps, including the **absence of comprehensive repatriation programmes for Ukrainians abroad, inadequate integration policies for foreigners, limited job prospects for foreign graduates of Ukrainian institutions, and ongoing challenges related to irregular migration.** Addressing these issues would mark a significant advancement in Ukraine's migration policy; however, they alone may not suffice to guarantee progress towards EU accession. These efforts must be complemented by additional measures, such as strengthening legal frameworks to combat racism, xenophobia and discrimination, as well as ensuring humane treatment of migrants, among other essential reforms.

The initial action plan designed to implement the Strategy lacked coherence and depth needed to achieve its stated objectives. Instead of delivering a clear roadmap, the plan contained scattered measures that were neither aligned with the Strategy's goals nor actionable. In 2024, the State Migration Service published a draft order for the Cabinet of Ministers to approve the action plan for 2024–2025, aimed at implementing the final stage of the Strategy. The draft plan, developed with input from state authorities, regional councils, scientific institutions, and international organisations, included interdepartmental measures to achieve the Strategy's goals, considering the impact of Russia's military invasion. Although the document invited public comments and suggestions, no feedback was received. The lack of public engagement suggests a **disconnect between policy–makers and the wider population**, raising concerns about the transparency and inclusiveness of the policy-making process.

The action plan was approved by the Cabinet of Ministers on 3 September 2024. This rather ambitious **framework for modernising migration management** emphasises digital transformation, administrative efficiency, and inclusiveness. It outlines specific tasks, measurable indicators, and defined responsibilities for key agencies, with the aim of streamlining processes such as the issuance of digitised document and integration measures. However, while the plan demonstrates strategic intent, its effectiveness depends on the precision of its indicators and the feasibility of its timelines. Some objectives remain vaguely defined and lack quantifiable benchmarks or intermediate milestones, which could make it difficult to track progress. In order to fully achieve its objectives and be consistent with EU accession aspirations, the **future strategy and related action plans must prioritise clear, measurable results, robust inter-agency coordination, and proactive risk management.**

In response to anticipated labour market challenges, the Ministry of Social Policy of Ukraine released a draft Demographic Development Strategy until 2040 in May 2024, which was adopted by the Cabinet of Ministers on 30 September 2024. The Strategy focuses on promoting population growth through migration, including efforts to attract foreign workers. However, gaps in the legal framework, such as **the lack of single residency and work permits, inconsistent rules for labour market access for students, asylum seekers, and stateless persons**, hinder effective labour market integration for immigrants. These shortcomings may lead to a mismatch between policy goals and the actual capacity of Ukraine to attract and retain the skilled immigrant workforce, crucial for reconstruction and post-war recovery.

Several other gaps in Ukraine's migration management legal framework could affect its ability to meet EU accession standards. The **absence of approved inter-agency coordination mechanisms for migration crises** suggests a lack of preparedness for managing large-scale influxes of migrants and refugees. The **limited application of voluntary return** due to funding shortages signals weaknesses in the return system. The integrated migration management information system, albeit being put in place, remains underutilised due to insufficient legislation governing biometric data processing. This limitation weakens the **capacity for inter-agency cooperation**, a critical component of effective migration management. Without robust data-sharing and coordination mechanisms, Ukraine may struggle to meet the EU's stringent standards for managing migration, particularly in terms of identifying and tracking irregular migrants and combating human trafficking.

Finally, the substantial scale of Ukrainian migration to the EU raises concerns about a potential **over-reliance on EU labour markets**. While addressing gaps in its migration management framework, **Ukraine needs to develop strategies to effectively manage both outward and inward migration** in order to integrate smoothly into the EU, particularly given its experience with the large number of non-EU migrants living on its territory before the outbreak of the full-scale war with Russia[15]. Aligning its migration policies with EU standards is crucial, but it is equally important to ensure that Ukraine's domestic labour market remains resilient, competitive and capable of meeting its own workforce demands. Achieving this balance will be vital for Ukraine's long-term economic recovery and successful EU integration.

## Asylum: The Gap Between Legislation and Its Implementation

Ukraine's asylum **legislation broadly aligns with EU standards**, but practical implementation faces obstacles, particularly in the context of the ongoing war. Capacity constraints, legal adjustments under martial law, and bureaucratic inefficiencies are weakening the system's functionality, revealing a gap between policy and practice.

The 2024 Ukraine Report highlights the need to **further improve the management of asylum**. A crucial pillar of any robust asylum system – refugee integration planning – has faced serious setbacks. Although Ukraine began crafting a **refugee integration plan** in 2021, the process was disrupted by the outbreak of war. Without this framework, asylum seekers risk being left on the margins of society, making it harder for them to build stable lives and contribute to their new communities. Adding to the challenge, financial constraints and the limited capacity of local authorities are making matters worse. The war has pulled resources away from long-term refugee integration and redirected them towards urgent, immediate needs. Without adequate funding and strong local support, integration efforts risk being reduced to mere surface-level fixes – turning the asylum system into a temporary crisis management tool rather than a sustainable, long-term solution.

Although the 2024 Report confirms that no cases of refoulement or non-admission at the borders were reported, recent amendments to the Law on Refugees in April 2023 may rise another critical issue. By **restricting the State Border Guard Service (SBGS) from accepting asylum applications** from persons arriving from safe countries during martial law, Ukraine risks violating the principle of non-refoulement. While the restriction may be framed as a wartime necessity, it raises ethical and legal concerns, particularly for individuals fleeing persecution and transiting through safe countries. Such measures could undermine Ukraine's compliance with international obligations, including the 1951 Geneva Refugee Convention relating to the Status of Refugees.

The 2024 Ukraine Report highlights a second major area for improvement: the limited support available to asylum seekers due to staffing shortages and capacity constraints. A particularly pressing concern is the limited provision of **psychological and social support for asylum seekers**, which remains underfunded and understaffed despite being legally mandated. Ukraine's **asylum infrastructure**, including its accommodation centres, is **under-resourced**, providing minimal integration support and psychosocial care. This disparity between legal obligations and practical realities weakens the credibility and impact of the asylum system, revealing a lack of preparedness to handle large-scale of long-term asylum demands.

Lastly, despite its legislative alignment with EU asylum standards, Ukraine lacks an established roadmap for cooperation with the European Union Agency for Asylum (EUAA). This gap indicates **insufficient international coordination**, which is essential for managing asylum claims efficiently and ensuring Ukraine's practical alignment with EU norms. The 2024 Ukraine Report identifies this issue as the third critical issue and states that Ukraine should be ready to start discussions with the EUAA.

## Border Management: Navigating EU Accession Amid Conflict and Migration Pressures

Ukraine's future role as a "border guard" on the EU's eastern frontier introduces a range of complex challenges in the context of EU accession. While its geographic position makes it crucial for controlling migration flows from Asia to the EU, it also places an **immense pressure on Ukraine's infrastructure and resources**. Managing the transit of migrants – including those in irregular situation – will require resources to implement and enforce EU migration standards, including in areas like border control and combatting human trafficking.

The 2023 amendments to [Ukraine's Integrated Border Management (IBM) Strategy reflect](#) the dual pressures of the ongoing war with Russia and the demands with EU candidacy. With a focus on modernising infrastructure, adopting cutting-edge technologies like biometric checks and automated risk analysis, and enhancing cooperation with the European Border and Coast Guard Agency (EBCGA), the updates aim to transform border management into a streamlined, secure, and human-rights-centred system. Proposed measures prioritise the reconstruction of borders in de-occupied areas, completion of demarcation efforts, and improved conditions at border crossings to meet growing needs.

Despite such an ambitious vision, the Strategy still faces significant gaps that challenge its effectiveness. **Limited funding, understaffed border operations, and outdated infrastructure** are critical weaknesses, especially in de-occupied and remote areas of the country. While the Strategy emphasises modernisation and EU alignment, delays in demarcation, incomplete IT systems, and weak inter-agency coordination are hampering progress. Additionally, the 2023 Ukraine Report highlighted the **absence of sufficient monitoring mechanisms** and a lack of concrete, quantitative indicators to track progress related to the implementation of the Strategy. The [2023–2025 action plan for the implementation of the IBM](#) made only some progress in these areas.

Legislatively, Ukraine has aligned many of its border control policies with the EU. The remaining gaps, as highlighted in the 2023 Ukraine Report, include the absence of **legislation requiring airlines to provide Advanced Passenger Information** (API), a key component of modern EU border control systems. Despite pilot testing at Kyiv Boryspil International Airport, the lack of a nationwide API system hampers Ukraine's ability to prevent irregular migration and enhance security. In parallel with tackling existing issues in this area, Ukraine shall also consider expected legislative changes in the EU. On 1 March 2024, the European Parliament and the Council reached a provisional agreement on new legislation requiring air carriers to collect and transmit API to improve security at the EU's external borders and combat crime. The new rules will standardise and harmonise how passenger

data is collected during check-in and shared with authorities, while minimising disruptions to the travel experience. Ukraine will face the task of adapting to these new standards too.

Another challenge is Ukraine's **delayed development of a Schengen action plan**, a crucial step toward eventual membership in the Schengen Area. This delay raises concerns about Ukraine's ability to adapt its border management practices to Schengen requirements, particularly in areas of surveillance, risk analysis, and inter-agency coordination. While Ukraine's risk analysis mechanisms are reportedly progressing toward compliance with EU standards, significant gaps remain in operational cooperation and information exchange, limiting Ukraine's situational awareness at the borders.

The **war has also strained Ukraine's border management capabilities**. The State Border Guard Service has redeployed over half its workforce. Combined with pre-existing infrastructure and technical deficiencies, this reduction in personnel undermines Ukraine's ability to carry out effective border surveillance and anti-smuggling operations. Furthermore, while the Inter-Agency Working Group on Integrated Border Management has been reactivated, the war disrupted its operations, and interagency cooperation, especially in real-time information sharing and joint risk analysis, remains limited.

**Equipment shortages**, particularly for detecting weapons and concealed persons in vehicles and containers, pose additional security risks, both in the context of the ongoing war and meeting EU requirements. Efforts to modernise border infrastructure, such as the expansion of the eQueue program, aim to improve the efficiency of border crossings for citizens and businesses alike. However, the digitalisation of international passenger routes and trade facilitation processes remain in their early stages, limiting the full potential of these initiatives to streamline border management.

**Corruption** remains a persistent issue also at the border, where preventive measures by the SBGS and the State Customs Service are deemed insufficient. Despite anti-corruption efforts, more robust strategies are necessary to combat systemic issues effectively.

Ukraine has benefited from substantial EU support through programs like the European Union Border Assistance Mission (EUBAM) and the EUAM Ukraine mission, which provide guidance and capacity building. However, the **reliance on external missions** to implement and enforce EU border management standards raises concerns about Ukraine's ability to sustain these improvements independently. EU-funded projects such as the EU4IBM-Resilience project are crucial for immediate capacity building, but long-term success will depend on Ukraine's ability to institutionalise these changes beyond donor-driven initiatives.

## 2.3 Key Areas for Improvement

Key areas for improvement for Ukraine's migration, asylum and border management include:

**New migration strategy.** To support Ukraine's EU accession aspirations, the country must adopt a comprehensive and forward-looking migration strategy that integrates demographic needs, labour market demands, and EU migration standards. The strategy should focus on the following key priorities:

1. **Developing a comprehensive migration framework.** Ukraine should transition from reactive, short-term migration policies to a holistic framework that anticipates demographic and migration trends post-war. This framework must include: 1) proactive policies for managing future migration crises; 2) comprehensive repatriation programs to encourage the return of Ukrainian migrants while offering reintegration support such as housing, education, and employment assistance; 3) legal pathways for skilled foreign workers and simplified residency and work permit systems, aligning with EU standards.

2. **Prioritising economic recovery and labour market needs.** Addressing labour shortages and demographic imbalances requires policies that: 1) attract foreign workers in key sectors, particularly skilled professionals, through streamlined procedures and incentives; 2) promote voluntary return programmes for displaced Ukrainians abroad and reintegration measures to support their economic participation; 3) remove legal barriers for students, asylum seekers, and stateless persons to access the labour market effectively.

3. **Addressing social and human rights concerns.** To align with EU standards, Ukraine must strengthen protections for migrants and ensure human treatment by: 1) combatting racism, xenophobia, and discrimination through legal reforms and public awareness campaigns; 2) expanding social services and integration programs, including language training, job placement, and access to healthcare for both returning Ukrainians and foreign migrants.

**Refugee integration framework and preparing for EUAA discussions.** To strengthen its refugee integration framework and prepare for discussions with the EUAA, Ukraine should adopt a strategic and comprehensive approach that aligns with EU standards while addressing the unique challenges posed by the ongoing war and post-war recovery. Ukraine should revive the refugee integration action plan, which was suspended due to the war, and ensure that it reflects current challenges and post-conflict realities. It should include benchmarks in line with EU standards and focus on access to housing, healthcare, education, employment, and language training. Civil society, international organisations, and local communities should be involved in the process developing and implementing the plan.

**New border management strategy.** The new strategy should focus on the following critical areas:

1. **Modernising border infrastructure.** Ukraine should prioritise the reconstruction and modernisation of border facilities to meet EU standards, ensuring proper surveillance, security, and capacity for growing transit demands. Investments in advanced equipment for detecting weapons, concealed persons, and illicit goods in vehicles and containers are needed.

2. **Advancing digitalisation and data systems.** A unified platform for tracking migration, trade, and risk analysis should be established, ensuring compatibility with EU systems. Also, legislative gaps to ensure collection, processing, and sharing of biometric data in compliance with EU standards should be addressed.

3. **Strengthening human resources and operational capacity.** Ukraine should reinforce the workforce of the SBGS, particularly in high-risk and remote areas. It should also train border personnel in EU-aligned practices, anti-corruption measures, risk analysis, and the use of advanced technologies. Ukraine could also consider creating specialised teams equipped to handle emergencies, irregular migration, and smuggling operations.

4. **Establishing robust legal and policy frameworks.** Ukraine should establish a roadmap to meet Schengen requirements, focusing on surveillance, risk analysis, and inter-agency coordination. Nationwide API system to align with EU border control standards should be implemented.

**Coordination and inter-agency cooperation.** The lack of a unified, inter-agency coordination mechanism for managing migration crises is a significant weakness in Ukraine's migration management. Strengthening inter-agency cooperation, particularly in data sharing and coordination of responses, is essential for effective management of large-scale influxes of migrants. However, the need to improve coordination and cooperation also applies to general areas of migration, asylum, and border management. Ukraine should streamline its efforts to improve coordination and cooperation between key institutions in these areas (e.g. through leveraging advanced IT systems for real-time data sharing, joint training, regional hubs, etc.).

**Strategies' and action plans' progress monitoring and accountability.** For national strategies and action plans on migration, asylum, and border control, Ukraine should develop clear benchmarks and timelines for implementing their objectives, with regular reporting to track progress. Ukraine could also partner with international or domestic organisations to audit implementation and ensure compliance with EU standards.

During the active phase of the war, Ukraine can advance its migration, asylum, and border management efforts by focusing on immediate, scalable reforms in line with long-term EU integration instruments. In the longer term, the overlap between Ukraine's post-war recovery and its EU accession process presents both opportunities and challenges. On the one hand, the prospect of EU membership could provide a strong incentive for reform and attract international investment. On the other hand, meeting the EU's strict criteria in areas such as governance, human rights, and economic reform may prove more difficult amid the immediate demands of reconstruction.

# 3. Moldova: Current State of Play and Key Challenges

## 3.1 Accession Context

Moldova's EU accession path is affected by its geopolitical position between the EU and Russia, which has historically involved political and economic pressure from Moscow, particularly due to Moldova's dependence on Russian energy and the unresolved conflict in Transnistria. This territorial dispute, a frozen conflict, adds complexity to Moldova's accession, making it more challenging than most other candidate countries. In addition to the security-related context, the country is facing a profound demographic crisis, characterised by massive emigration and a shrinking population. Almost a quarter of Moldovans live abroad, and more than a third of the country's workforce is employed in other countries[16]. This ongoing exodus has had far-reaching short-term and long-term effects on Moldova's society, economy, and its labour market. The country is heavily reliant on remittances from its emigrant population, making it unusually dependent on its diaspora for economic stability. The high emigration rates highlight the need for policies that balance outward migration, return migration, and the reintegration of Moldovans who may return if EU membership offers improved opportunities.
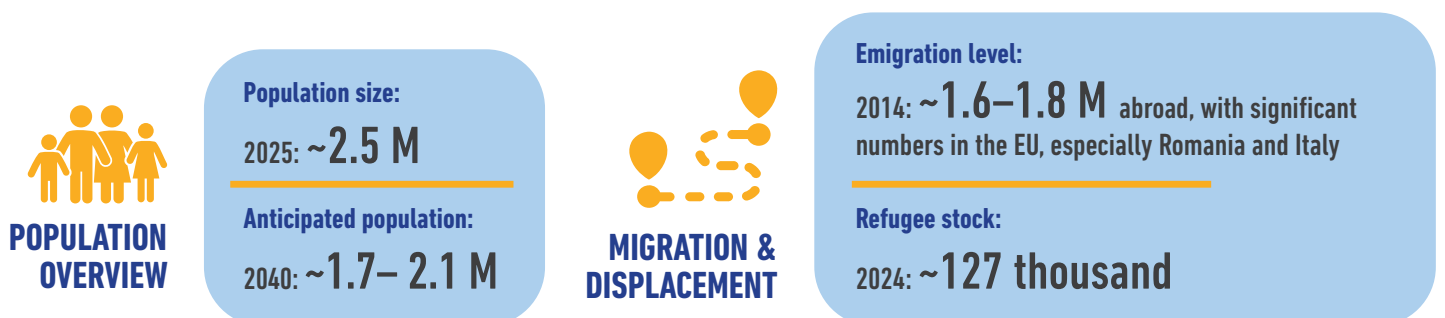
Compounding the complexity of Moldova's migration landscape is the presence of some 120,000 displaced Ukrainians on its territory[17] – an influx that Moldova is managing despite its limited resources – the pressing issue of human trafficking, and Moldova's own rich mosaic of ethnicities, languages, and religions. Many Moldovans due to the historical ties with Romania also hold Romanian passports, giving them access to EU labour markets, which creates a unique cross-border dynamic between Moldova and the EU.

Against this backdrop, Moldova has established **a sound institutional framework in the areas of migration, asylum, and border management**, and has significantly progressed in aligning its policies with European standards and global best practices. The 2023 Moldova Report, accompanying the EU's 2023 Communication on Enlargement Policy, recognised these achievements, noting that Moldova has partially aligned its legislation and is reasonably prepared to implement the EU acquis in the area of justice, freedom, and security. The Report also acknowledges Moldova's strong efforts to strengthen its institutional capacity in related areas, particularly through the modernisation of its central structures, including the General Inspectorate for Migration (GIM), and the reorganisation of the border police. The integration of the Migration and Asylum Directorate, responsible for processing asylum applications, into the GIM has enhanced the country's capacity to prevent, monitor, and combat the irregular presence of foreigners in the country. Moldova continues to engage constructively with EU Member States and EU law enforcement agencies in furthering cooperation on migration, asylum, and border management.

Moldova's journey toward EU membership is coordinated by the **Bureau for European Integration (BEI)**[18], a key department within the State Chancellery, which operates under the leadership of the Deputy Prime Minister for European Integration. This team is at the forefront of coordinating the country's accession efforts, also in the fields of migration, asylum, and border management.

In January 2024, in response to the 2023 EC Moldova Report, the country updated its National Action Plan for EU Accession, covering the period 2024–2027[19]. This update introduced 134 new actions, expanding the original plan first presented in October 2023 and bringing the total number of actions to 1,328. The Plan is structured around negotiating clusters and chapters, with 126 actions related to Chapter 24. By August 2024, Moldova was set to implement 386 of these 1,328 actions, with over half directly addressing the Commission's recommendations from the 2023 Enlargement Package.

**Figure 2: Key population and migration dynamics, Moldova, 2024/25 & 2040/50**



**POPULATION OVERVIEW**

Population size:
2025: ~2.5 M

Anticipated population:
2040: ~1.7– 2.1 M

**MIGRATION & DISPLACEMENT**

Emigration level:
2014: ~1.6–1.8 M abroad, with significant numbers in the EU, especially Romania and Italy

Refugee stock:
2024: ~127 thousand

**LABOUR MARKET & DEMOGRAPHICS**

**1. Labour needs (2025):**
– Acute shortages in agriculture, healthcare, education, & construction

– Key sectors: IT outsourcing, sustainable energy, & agribusiness aligned with EU frameworks

**2. Anticipated labour needs (2040):**
– High demand for younger workers to support aging industries

– Emphasis on reskilling & upskilling for green & digital economies

– Leverage diaspora expertise & reintegrate migrants returning from EU countries

**KEY DEMOGRAPHIC PARAMETERS**

**1. Aging population:**
– Median age rising from 38.1 (2024) to 39.74 (2050)
– Dependency ratios expected to surge, driven by declining birth rates

**2. Fertility rate (2024): ~1.321**

**3. Gender imbalance: male emigration & work migration skew gender ratios in working-age populations**

**4. Urban-rural divide: significant rural depopulation due to economic migration and urbanisation**

Sources: Macrotrends, Statista, IPN Agency, Operational Data Portal

## 3.2 Assessing Policy Shortfalls

### Migration Policy: Balancing a Whole-of-Government Approach with EU Integration Challenges

Moldova has adopted a **"whole-of-government" approach to migration**, integrating it into more than 25 sectoral policies. This reflects notable progress in recognising the multifaceted nature of migration and its far-reaching impact across various sectors of society. While this comprehensive framework is a commendable step forward, also in terms of EU accession, its practical implementation and long-term sustainability may face challenges. Amongst others, the country will need to **ensure policy coherence across the diverse sectors** – such as health, education, labour, social protection, and security – integrating migration there within. Successful integration requires **consistent inter-ministerial coordination, clear lines of responsibility, and shared goals**. Without these, there is a risk of conflicting policies or ineffective interventions that could undermine the benefits of this approach. A key challenge, however, lies in the **capacity of government institutions to manage such a comprehensive policy framework**. Moldova faces resource constraints and institutional limitations, particularly under economic pressures and external shocks, like the war in neighbouring Ukraine. Moldova's ability to sustain and implement such ambitious reforms will be tested by these challenges.

The whole-of-government approach to migration is reflected in several policy documents. In 2022, Moldova approved the **European Moldova 2030 National Development Strategy**, which aims to improve the living standards and accelerate economic development, largely shaped by migration. The creation of decent jobs, the promotion of entrepreneurship and the growth of small and medium-sized enterprises, among other things, are intended to stimulate repatriation and attract foreign talent. Another ambitious document aimed at modernising the country is the **Digital Transformation Strategy for 2023–2030**, adopted in 2023. One of its main objectives is the creation of an efficient, smart and transparent digital state by digitizing all public services for citizens and entrepreneurs. However, for this strategy to be inclusive, it must also ensure that digital services are accessible and secure for all, including digitised procedures for foreigners.

Other relevant policy documents include the **National Strategy "Diaspora 2025"** and its Action Plan, as well as the **Program on Migration Flow Management, Asylum, and Integration of Foreigners for 2022–2025**. The latter, while ambitious in aiming to align migration and asylum practices with European standards and international agreements, faces criticism for its emphasis on combating irregular migration, as this push to control migration flows may conflict with the need to protect the human rights of vulnerable groups such as refugees and undocumented migrants. Stricter policies, though addressing security concerns, risk marginalising undocumented individuals, potentially forcing them into even more precarious situations without access to essential services or legal protection. Here, Moldova faces the delicate task of **balancing national security with humanitarian responsibilities**.

Another challenge lies in Moldova's **attempts to improve data collection, centralise foreigner registration and ensure GDPR compliance**. While aligning with European standards is important, implementing complex data management systems with limited resources and administrative capacity poses a significant hurdle. Migrants, especially those fleeing conflict, often bring unique data security and privacy concerns. Moldova's ability to adequately protect sensitive information while maintaining compliance with EU regulations is uncertain. Moreover, beyond mere data collection, Moldova must i**ntroduce coherent and standardised definitions related to migration**, in line with EU standards, as a fundamental element necessary to guide both data collection and policy making.

Equally important is **improving infrastructure and information for returnees and immigrants**, as well as addressing the interconnected challenge of **building trust in public administration**. While providing better information is a necessary step, the more fundamental issue lies in the low levels of public trust in governmental institutions, which presents barriers to effectively managing Moldova's migration landscape.

Complicating matters further, Moldova's **heavy dependence on partnerships with the EU and international organisations** like the IOM raises concerns about its ability to shape its migration policies. Moldova risks being swayed by external pressures that prioritize EU security concerns over its domestic interests and the well-being of migrants. The country's internal economic and social limitations could struggle to keep pace with international demands. For example, focusing on European integration and GDPR compliance may unintentionally divert resources from addressing more immediate local challenges, such as improving basic infrastructure, health care, and social services for migrants. This disconnect between international policy frameworks and Moldova's on-the-ground realities could lead to critical needs being overlooked.

## Asylum Policy: Navigating EU Alignment, Refugee Influx, and Limited Resources

The 2024 Moldova Report makes a strong statement: the management of asylum needs to be improved. Moldova's asylum system, though aligned with EU standards, faces **challenges in handling the increased complexity caused by the Ukraine crisis**. The sharp rise in asylum applications has overwhelmed its infrastructure, creating backlogs despite efforts to reorganise institutions and increase staffing. Budgetary constraints and inadequate resources exacerbate bottlenecks in asylum processing and integration efforts. The Report underlines that the **financing of protection and asylum is the main challenge for national authorities** dealing with an unprecedented number of protection requests.

As noted in the 2023 Moldova Report, **Moldova's institutions have been reorganising and upgrading their infrastructure** to cope with the increasing number of asylum seekers. However, without **adequate funding and long-term planning**, these efforts could fall short. The 2024 Moldova Report confirms that the Moldovan authorities should continue the ongoing process of reforming the Bureau for Asylum and Migration into the General Inspectorate for Migration and provide it with more staff and equipment. Financial pressure remains high.

Another critical issue, mentioned in both 2023 and 2024 Moldova Reports, is the **limited access asylum seekers have to information** about their rights and the asylum process. Asylum seekers do not have adequate access to information and counselling at Chișinău International Airport, what is particularly important in the context of preventing refoulement[20]. Despite efforts to address human trafficking and related crimes, many asylum seekers face barriers in understanding the complex legal procedures, increasing their vulnerability.

Last but not least, the **reliance on international donor funding**, particularly for refugee integration programmes, calls into question long-term sustainability as humanitarian aid dwindles. While Moldova's response to the Ukrainian crisis has been commendable, the transition from international aid to government-led responsibility – particularly in social protection, healthcare, and education – remains unclear, risking inconsistent support for refugees over time.

## Border Management: Striving for EU Alignment Amidst Infrastructure and Capacity Gaps

Moldova's border management framework demonstrates a complex mix of progress and ongoing challenges as the country strives to align with EU policies. While Moldova has developed a national integrated border management strategy (2018–2023) and a follow-up program for 2022–2025 based on the 2006 EU concept, significant **gaps in infrastructure and technical capacity** continue to hinder full effectiveness. Efforts to align Moldova's border legislation with the Schengen Borders Code are underway, but significant gaps remain between strategic goals and operational realities, making compliance with EU standards a distant objective.

The National Council for Integrated State Border Management oversees the Action Plan, reflecting a structured approach, yet the **need for upgraded technical equipment** indicates how Moldova's border control mechanisms may struggle to keep pace with increasing migration and security risks. Initiatives such as integrating Moldova's systems with Interpol's Stolen and Lost Travel Documents database and using biometric readers and video surveillance are steps in the right direction, but they remain insufficient. The delayed implementation of a national Advanced Passenger Information system at Chisinau airport – scheduled for 2025 – further weakens Moldova's security infrastructure.

A major shortcoming is the **lack of an electronic biometric database for fingerprints and photos**, which is critical for border security and asylum management. Without this system, Moldova cannot fully integrate with the EU's Eurodac system, a key element for managing asylum applications and identifying irregular migrants. This gap leaves Moldova vulnerable to irregular migration and exploitation by criminal networks, undermining broader efforts to strengthen border control.

One of the most pressing challenges for Moldova's border management is the **need for improved inter-agency cooperation**. While collaboration between the Border Police and Customs is considered satisfactory, the lack of mutual access to databases and a secure, formalised system for information exchange limits the potential for truly integrated border management system. Plans to modernise the existing information system, developed by the Border Police under the Ministry of Interior's guidance, offer an important opportunity to improve information exchange between the Border Police and Customs, which is essential for enhancing border security.

Although the drive to harmonise border control standards and facilitate real-time data exchange is a positive step, success depends on Moldova's **ability to secure additional technical resources and develop its internal capacity**. Efforts to align legislation and reduce waiting times at border crossings are important, but they address only part of the issue. Without addressing deeper infrastructural and organisational weaknesses, Moldova risks falling behind in its broader efforts to secure its borders and meet EU expectations.

Balancing **border security with the protection of human rights** is another critical challenge as Moldova works to harmonise its legal framework with EU standards. Moldova's border strategy focuses on tightening border controls and mitigating security risks, but it must also ensure that increased security measures do not marginalise vulnerable populations, including refugees and survivors of trafficking. A robust border management system must protect both national security and human rights.

Finally, Moldova's **reliance on international expertise for border management reforms** highlights the need for greater self-sufficiency. Since 2005, the EU Border Assistance Mission has been instrumental in guiding Moldova's reforms, particularly in combatting trafficking in human beings and irregular migration. Such continued dependence on external bodies suggests the need to strengthen internal mechanisms to ensure long-term sustainability. The renewal of the status agreement with Frontex and the presence of a Frontex liaison officer demonstrate Moldova's commitment to international cooperation. These efforts, however, require stronger internal capacity to meet the country's long-term border management objectives.

## 3.3 Key Areas for Improvement

Key areas for improvement for Moldova's migration, asylum and border management include:

**Strengthening institutional capacity and resource allocation.** Moldova's ability to implement EU-aligned migration, asylum, and border management policies is constrained by limited institutional capacity and resource availability. In this context, Moldova could: 1) increase investment in human resources by recruiting and training additional staff across migration and border management institutions, focusing on EU-compliant practices; 2) diversify funding sources by integrating migration and asylum priorities into the national budget and reducing reliance on international aid; 3) build institutional resilience by enhancing technical capacity, streamlining workflows, and ensuring access to advanced equipment and technology; 4) establish a robust national training programme to build internal expertise and reduce reliance on international expertise.

**Modernising border infrastructure and enhancing operational capacity.** Improved border infrastructure and operational readiness are vital for security and compliance with EU standards. In this respect, Moldova should: 1) invest in modern border crossings, focusing on surveillance, detection equipment, and biometric systems; 2) train border personnel in risk analysis, anti-corruption measures, and the use of advanced technology; 3) expand digitalisation efforts to streamline border operations and risk management, prioritising high-traffic areas.

**Improving policy coherence, coordination, and data systems.** Strengthening inter-agency cooperation and integrating migration policy across sectors is crucial to avoid inefficiencies and policy conflicts. Adequate coordination should be ensured to align migration-related objectives across the health, education, labour, and social protection sectors. Moldova could also make efforts to modernise IT systems for real-time and secure data exchange between agencies and to establish a central platform for migration data collection. Particularly in the context of EU accession, the Bureau for European Integration should play a central coordinating role, and it is essential to ensure that it is adequately staffed and funded.

**Promoting integration and human rights.** The measures should include: 1) expanding access to counselling and information for migrants and returnees, particularly at key transit points like Chișinău International Airport; 2) developing tailored integration programmes offering housing, education, healthcare, and employment support; 3) balancing security measures with human rights protections for vulnerable groups, including victims of trafficking and undocumented migrants.

**Ensuring sustainability and long-term planning.** Moldova should acknowledge that in the longer term it should start transitioning from reliance on international aid to a self-sufficient, government-funded migration, asylum, and border management system. In this context, Moldova should: 1) develop a transition strategy to shift refugee and asylum programme funding to national resources, with private sector co-funding where feasible; 2) establish mechanisms for regular evaluation and adjustments of migration, asylum, and border management strategies to align with emerging challenges; 3) secure long-term funding through targeted grants, EU support, and domestic allocations to modernise asylum and border systems.

Moldova's integration of migration into more than 25 sectoral policies reflects a progressive and forward-thinking approach, but it also reveals considerable challenges in terms of coordination, capacity, geopolitical pressures, human rights, and public support. To ensure alignment with EU standards, Moldova must prioritise cross-cutting initiative that amplify their impact and sustainability. These include: inter-agency coordination; introducing measurable benchmarks and conducting regular evaluations; and building public trust in institutions by improving transparency and adopting inclusive policy-making practices. This ambitious approach has the potential to transform the way Moldova manages migration, both within its borders and in the wider European context.

# 4. Conclusions

Ukraine and Moldova face shared challenges in their pursuit of EU accession, particularly in addressing the substantial investments needed for implementation of EU acquis. Both countries must meet complex EU standards in governance, migration, border control, human rights, and economic regulation, requiring significant financial and infrastructural resources. Upgrading border management systems is a critical priority, involving investments in digitalisation, advanced equipment, data systems, and staff training. While Moldova has made progress in modernising its workforce, it still struggles with limited resources, and Ukraine faces even greater challenges due to the ongoing war and its demographic pressures. The economic strain in both nations compounds the difficulty of funding these necessary upgrades. Ensuring a professional, well-trained workforce capable of managing the complexities of migration and border control remains a costly yet essential step for both countries to align with EU standards.

Ukraine and Moldova can benefit greatly from the experiences of other countries that have gone through the EU accession process, including those from Central and Eastern Europe that faced similar challenges. Poland, Romania, and the Baltic states, for instance, have had to overhaul their migration policies and border management systems during their EU accession processes. These countries implemented large-scale reforms, including digitalisation of border management, staff training, and significant investments in data-sharing systems. Inspiring examples might also come from the Balkans. Croatia, which became a member of the EU on 1 July 2013, had to considerably strengthen its institutional capacity to manage its borders effectively and handle migration flows in line with EU requirements. The country had to establish and enhance its border management systems, including the training of personnel, the modernisation of infrastructure and the introduction of new technologies for border surveillance and control. This process highlighted the importance of robust institutions capable of managing complex migration and asylum systems. As a country bordering non-EU states, Croatia needed to engage in effective cooperation with its neighbours to manage migration flows and ensure border security. This included bilateral agreements, joint border patrols and information-sharing mechanisms, which were critical in preventing irregular migration and enhancing border control.

Long-term sustainability is key. Countries that rushed through reforms without ensuring their sustainability often faced difficulties after EU accession. Ukraine and Moldova must not only focus on immediate reforms but also ensure that their systems are designed to handle future challenges, including changes in migration patterns and potential economic downturns.

Finally, there is the question of public perception and political will. Migration, both internal and external, is politically sensitive. Public attitudes towards migrants and government migration policies can significantly influence how these policies are implemented and whether they succeed. Ensuring broad-based public support for a comprehensive migration strategy may require strong communication efforts, particularly to counter xenophobic or anti-migrant sentiments that might emerge.

# Annex

## Stages of the EU accession process and key terms

The EU accession process is a structured and multi-step journey, governed primarily by Article 49 of the Treaty on European Union (TEU). Each step in this process is crucial in assessing and preparing candidate countries for integration into the EU's political, economic, and legal systems. It starts with the expression of interest and ends with official membership. The process includes the following steps:

1. **Expression of Interest:** A country interested in joining the EU often begins by expressing its interest informally. This can include diplomatic discussions, visits from EU officials, and participation in EU programs or partnerships. Many countries in Southeast Europe, for instance, start by signing a Stabilisation and Association Agreement with the EU. This agreement sets out the framework for cooperation and gradual alignment with EU standards and policies. It is often seen as a first step towards eventual membership.

2. **Application for Membership:** A country submits a formal application to the Council of the EU ("the Council"), declaring its intention to become a member of the EU.

3. **Decision on Membership Suitability:** After the application is submitted, the European Commission, at the Council's request, evaluates the country's eligibility and issues recommendations on whether it should be granted "candidate" status or whether additional reforms before grating such status are required. To qualify for EU membership and receive candidate status, countries must meet the Copenhagen criteria, which include *stabile institutions*, guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; a *functioning market economy* and the ability to cope with competitive pressure and market forces within the EU; and the ability to take on the obligations of membership, including the *capacity to adopt EU laws and policies* (the acquis communautaire or simply EU acquis), and adherence to the aims of political, economic and monetary union.

4. **Granting of Candidate Status:** After consulting the European Commission and receiving the consent of the European Parliament, the Council decides whether to grant the country candidate status and to begin formal negotiations for its accession to the Union. All EU Member States (EU MS) must agree on this decision.

5. **Negotiation Phase:** The European Council decides whether to start negotiations. To initiate them, the Council of the EU must unanimously approve a negotiation framework that has been proposed by the European Commission. The EC may suggest that applicant countries meet specific benchmarks before starting negotiations. These negotiations can only commence once all EU MS agree to proceed. Negotiations are conducted in intergovernmental conferences involving the candidate state and the EU Member States. The European Commission plays a critical role in the negotiation phase. The EC screens the candidate country, evaluating its readiness to meet the EU acquis. This assessment is divided into six thematic clusters and 35 policy

### Key involved institutions

**The Council of the EU, the Council** is a key EU decision-maker. It brings together the ministers of the 27 EU countries. Under the General Affairs Council configuration, it establishes and supervises the EU enlargement process and the accession negotiations. On matters related to the enlargement policy, the Council generally operates by way of unanimous agreement between all the EU Member States.

**The European Commission** plays a central and multifaceted role in the EU enlargement process. Its responsibilities include assessing the preparedness of candidate countries (examination of the application in light of the accession criteria) and guiding them through the steps required for membership.

**The European Parliament** has an important oversight and approval role in the enlargement process. Its consent is required for any country to join the EU.

**The European Council**, composed of heads of state or government of EU Member States, provides overall political direction in the enlargement process. It makes the most important political decisions, such as granting candidate status and determining the political framework for enlargement.

**The Committee of the Regions and the European Economic and Social Committee** are advisory bodies that provide opinions and recommendations on how enlargement might impact regional development, civil society, and the socio-economic fabric of the EU.

### Key terms

**Accession criteria (Copenhagen criteria)** – a set of criteria that must be met for accession, notably the institutions to preserve democratic governance and human rights, a functioning market economy and the ability to accept the obligations and intent of the EU.

**Accession negotiations** – the process of agreeing the conditions under which the country will be admitted to the EU with the end point being an accession treaty.

**EU acquis** – a body of accumulated legislation, legal acts, and court decisions that constitute the body of EU law.

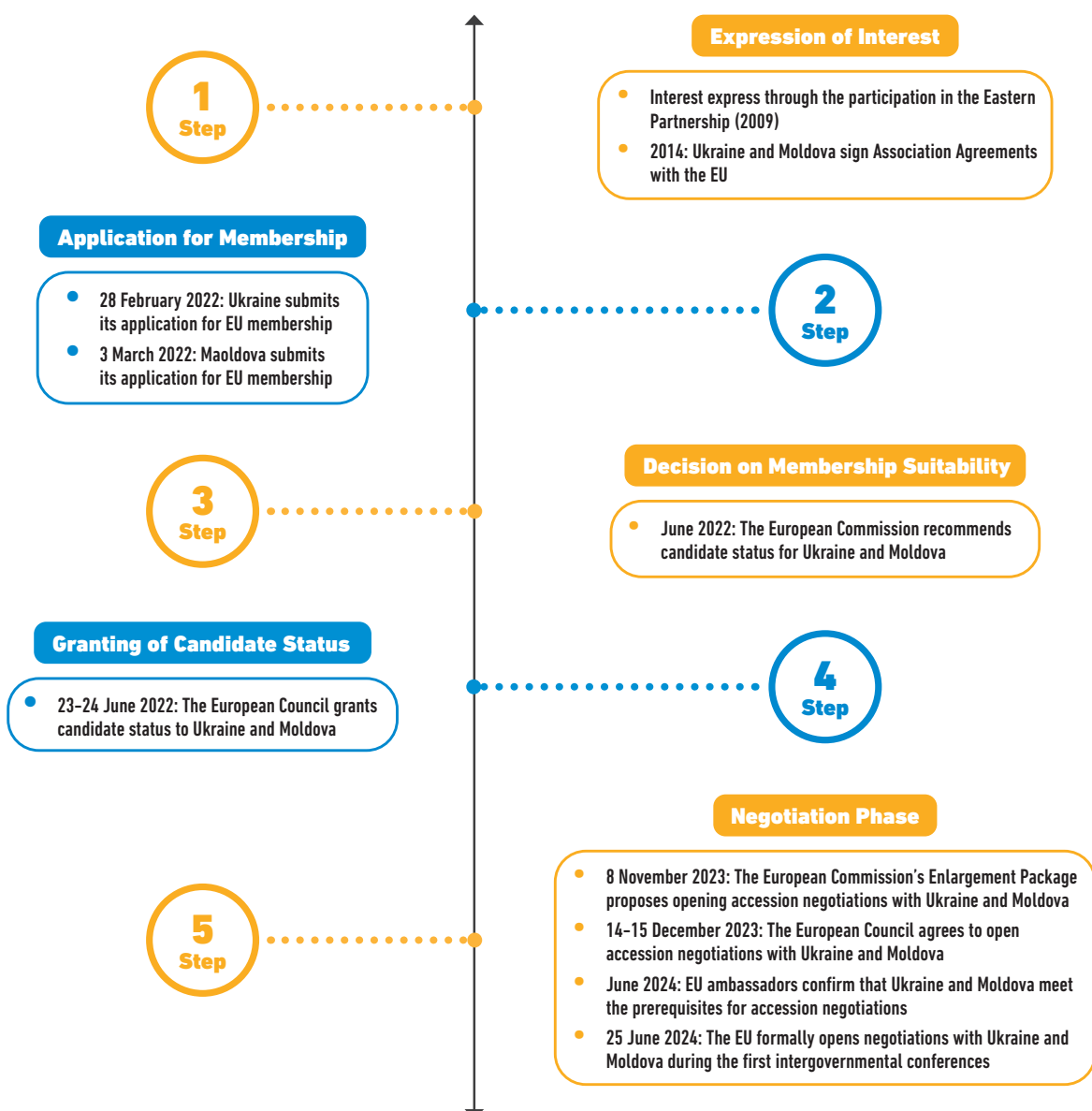**Screening** – a formal and technical exercise conducted by the European Commission to prepare for negotiations; it allows the candidate country to familiarize itself with the EU acquis, indicate its level of alignment with EU legislation and outline plans for further alignment.

**Negotiating chapters** – sets of issues for which the candidate country needs to take on the EU's body of law and other requirements of membership.

or thematic chapters. The Commission collaborates with the candidate country to gauge its preparedness for each chapter and then reports to the Member States, highlighting potential issues for negotiations and setting priorities for reforms or benchmarks. The Commission monitors progress and advises on opening or closing chapters based on the candidate's compliance. It informs the Council and the European Parliament continuously, including through an annual Enlargement Package that provides a detailed assessment and recommendations on the candidate's progress towards EU accession.

6. **Conclusion of Negotiations and Accession Treaty:** Negotiations conclude when all chapters of the EU acquis are satisfactorily closed, and the Commission recommends proceeding with accession. The Council and European Parliament must also agree. An accession treaty is then drafted, detailing membership terms, including any transitional arrangements and financial considerations. This treaty requires unanimous approval by the Council, a consent vote by the European Parliament, and signature and ratification by the candidate country and all current EU Member States.

7. **Integration:** Countries that sign the accession treaty become "acceding countries" and are expected to become full members on a specified date. During this interim period, they benefit from special arrangements, including being informed of EU legislation, commenting on proposals, and holding active observer status in relevant bodies, allowing them to speak but not vote.

## Figure 1. Ukraine and Moldova's path to EU accession



**1 Step**

**Expression of Interest**
- Interest express through the participation in the Eastern Partnership (2009)
- 2014: Ukraine and Moldova sign Association Agreements with the EU

**Application for Membership**
- 28 February 2022: Ukraine submits its application for EU membership
- 3 March 2022: Maoldova submits its application for EU membership

**2 Step**

**3 Step**

**Decision on Membership Suitability**
- June 2022: The European Commission recommends candidate status for Ukraine and Moldova

**Granting of Candidate Status**
- 23–24 June 2022: The European Council grants candidate status to Ukraine and Moldova

**4 Step**

**Negotiation Phase**
- 8 November 2023: The European Commission's Enlargement Package proposes opening accession negotiations with Ukraine and Moldova
- 14–15 December 2023: The European Council agrees to open accession negotiations with Ukraine and Moldova
- June 2024: EU ambassadors confirm that Ukraine and Moldova meet the prerequisites for accession negotiations
- 25 June 2024: The EU formally opens negotiations with Ukraine and Moldova during the first intergovernmental conferences

**5 Step**

Source: own elaboration

The 2020 revision of the enlargement methodology, which grouped negotiating chapters into six thematic clusters (see Figure 2.), introduced greater dynamism to the enlargement process, particularly for the Western Balkan countries. Negotiations for each cluster of chapters begin only after the country fulfils the opening benchmarks. Meeting the interim benchmarks for Chapters 23 and 24 is a precondition for advancing in all other clusters.

**Figure 2. Clusters of negotiating chapters, highlighting chapters relevant to migration, asylum and border management**



Source: European Commission
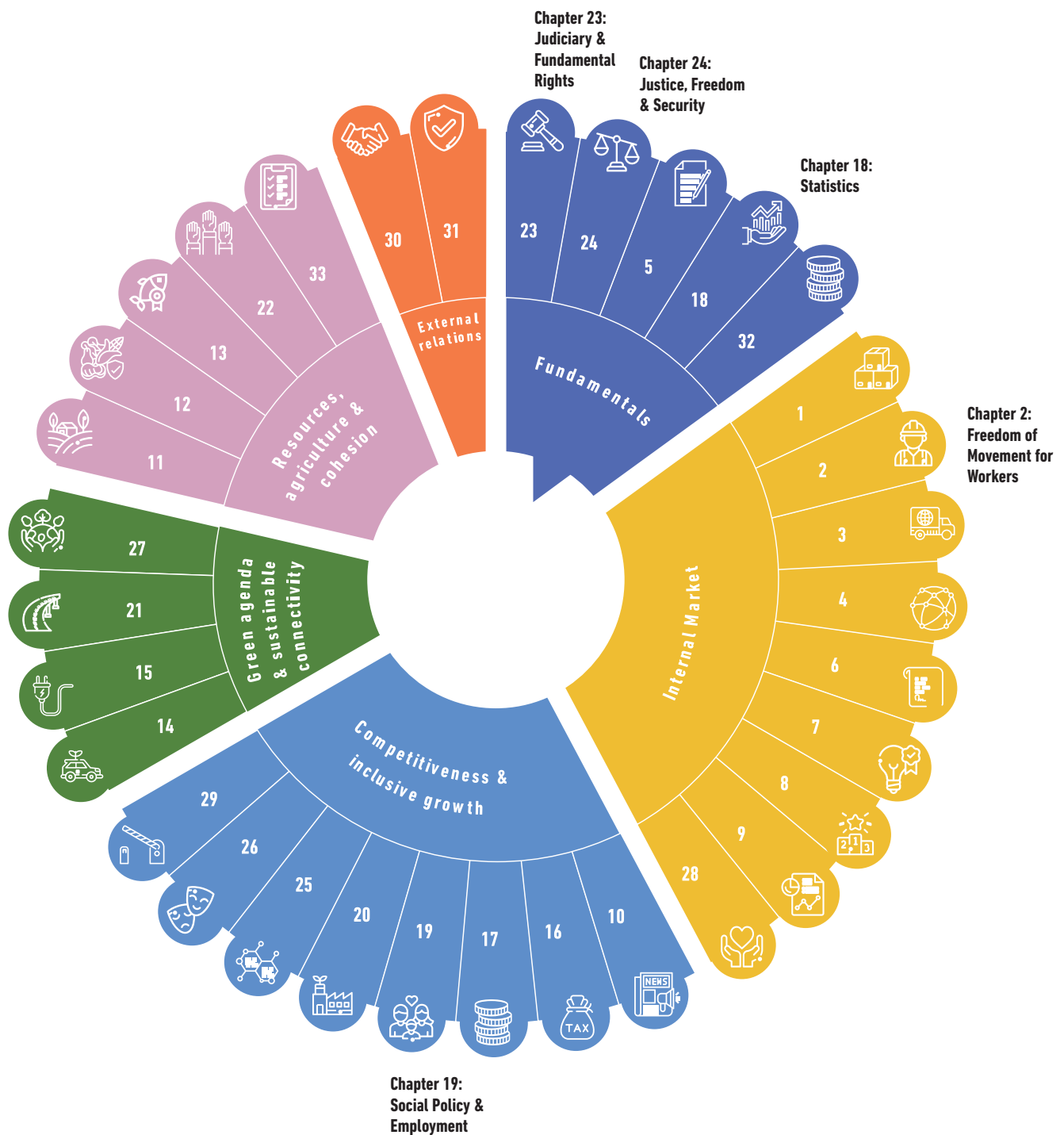
## Overview of EU acquis chapters relevant to migration, asylum and border management

While the accession process can be lengthy – often taking a decade for countries transitioning from different political and economic systems – it is essential for ensuring that new members are fully equipped to contribute to and benefit from the EU. Both Ukraine and Moldova will have to apply the EU acquis as it stands at the time of accession. This alignment goes beyond legislative changes; it requires effective enforcement of these evolving standards.

The acquis encompasses a vast array of content, principles, and legal frameworks, including[21] the foundational Treaties of the EU, acts adopted by EU institutions, case law from the Court of Justice of the EU, and various inter-institutional and international agreements concluded by the EU, between the EU and its Member States, and between EU Member States regarding Union activities.

The 35 negotiating chapters within the acquis collectively establish the legal and regulatory architecture necessary for the smooth integration of new Member States into the Union. From the perspective of migration, asylum, and border management, several chapters stand out as particularly critical:

**Chapter 2: Freedom of Movement for Workers** is pivotal in establishing the right of workers to move freely across the EU and reside in any EU Member State, eliminating discrimination based on nationality concerning employment, remuneration, and other working conditions, and ensuring mutual recognition of professional qualifications. It also ensures that people moving to another EU MS do not lose their social security cover, such as pension rights.

**Chapter 18: Statistics** focuses on reliable and harmonised statistics across EU Member States, being the backbone of evidence-based policymaking in the EU. It ensures that Member States align their data collection and dissemination practices, which is crucial for monitoring migration flows, amongst others,  and implementing related policies.

**Chapter 19: Social Policy and Employment** underpins the EU's commitment to high levels of employment, improved living and working conditions, and adequate social protection. It encompasses labour law, health and safety at work policies, social dialogue, measures supporting gender equality and anti-discrimination, and integration of people at risk of social exclusion, while considering options in response to societal changes such as aging populations and evolving labour markets.

**Chapter 23: Judiciary and Fundamental Rights** focuses on the judiciary system and fundamental rights. The chapter emphasizes the importance of judicial independence, the protection of human rights, and the fight against corruption, all of which are essential for maintaining the rule of law and public order.

Finally, **Chapter 24: Justice, Freedom, and Security,** discussed in detail below, covers measures to manage external borders, ensure internal security, and protect fundamental rights. Unlike Chapters 2, 18, 19, and 23, Chapter 24 directly governs the policies related to migration, asylum, and border management, making it the primary chapter where these issues are addressed comprehensively.

# Endnotes and Bibliography

**1** Mc Mahon, M. Ukraine is one of us and we want them in EU, Ursula von der Leyen tells Euronews, 27.02.2022, https://www.euronews.com/2022/02/27/ukraine-is-one-of-us-and-we-want-them-in-eu-ursula-von-der-leyen-tells-euronews

**2** JOINT MOTION FOR A RESOLUTION on the candidate status of Ukraine, the Republic of Moldova and Georgia, 22.06.2022, https://www.europarl.europa.eu/doceo/document/RC-9-2022-0331_EN.html

**3** Informal meeting of the Heads of State or Government, Versailles Declaration, 10 and 11 March 2022, https://www.consilium.europa.eu/media/54773/20220311-versailles-declaration-en.pdf

**4** European Commission recommends to grant Ukraine and Moldova EU candidate status, Georgia receives perspective to become EU member, 17.06.2022, https://euneighbourseast.eu/news/latest-news/european-commission-recommends-to-grant-ukraine-and-moldova-eu-candidate-status-georgia-receives-perspective-to-become-eu-member

**5** European Council conclusions on Ukraine, the membership application of Ukraine, the Republic of Moldova and Georgia, Western Balkans and external relations, 23 June 2022, https://www.consilium.europa.eu/en/press/press-releases/2022/06/23/european-council-conclusions-on-ukraine-the-membership-applications-of-ukraine-the-republic-of-moldova-and-georgia-western-balkans-and-external-relations-23-june-2022

**6** Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved, 8.11.2023, https://ec.europa.eu/commission/presscorner/detail/en/IP_23_5633; see also: Emerson, M., & Blockmans, S. The 2023 Enlargement Package – Major Political Proposals and Glimmers of a Staged Accession Approach, 21.11.2023. Sceeus Guest Report, No. 19 2023, https://cdn.ceps.eu/wp-content/uploads/2023/11/the-2023-enlargement-package.pdf

**7** European Council conclusions on Ukraine, enlargement and reforms, 14.12.2023, https://www.consilium.europa.eu/en/press/press-releases/2023/12/14/european-council-conclusions-on-ukraine-enlargement-and-reforms

**8** Chiappa, C. EU ambassadors agree on negotiating frameworks for Ukraine, Moldova, 15.06.2024, https://www.politico.eu/article/ukraine-moldova-european-union-members-negotiating-frameworks

**9** First Accession Conference with Ukraine, 25 June 2024, https://www.consilium.europa.eu/en/meetings/international-ministerial-meetings/2024/06/25/ukraine, First Accession Conference with Moldova, 25 June 2024, https://www.consilium.europa.eu/en/meetings/international-ministerial-meetings/2024/06/25/moldova

**10** Operational Data Portal, Ukraine Refugee Situation, https://data.unhcr.org/en/situations/ukraine

**11** Strengthening the human capital of forcibly displaced persons in and from Ukraine: Background note for the Ukraine Recovery Conference 2024, OECD, 11 June 2024, https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/06/strengthening-the-human-capital-of-forcibly-displaced-persons-in-and-from-ukraine_710d8b05/9afedf7c-en.pdf

**12** Darvas, Zsolt M. et al. (2024). Ukraine's path to European Union membership and its long-term implications, Bruegel Policy Brief, No. 05/2024, Bruegel, Brussels, https://www.econstor.eu/bitstream/10419/294900/1/1885849036.pdf

**13** Commission Staff Working Document, Ukraine 2023 Report Accompanying the document Comunication from the Commisson and the European Parlament, the Concil, the European Economic and Social Committee and the Committee of the Regions, 2023 Communication on EU Enlargement policy, Brussels, 8.11.2023, SWD(2023) 699 final, https://neighbourhood-enlargement.ec.europa.eu/document/download/bb61ea6d-dda6-4117-9347-a7191ecefc3f_en?filename=SWD_2023_699%20Ukraine%20report.pdf; Commission Staff Working Document, Ukraine 2024 Report Accompanying the document Comunication from the Commisson and the European Parlament, the Concil, the European Economic and Social Committee and the Committee of the Regions, 2024 Communication on enlargement policy, Brussels, 30.10.2024, SWD(2024) 699 final, https://neighbourhood-enlargement.ec.europa.eu/document/download/1924a044-b30f-48a2-99c1-50edeac14da1_en?filename=Ukraine%20Report%202024.pdf

**14** Action plan for implementation of European Commission's recommendations towards start of EU accession negotiations approved, Government portal, 9.02.2024, https://www.kmu.gov.ua/en/news/zatverdzheno-plan-zakhodiv-z-vykonannia-rekomendatsii-ievrokomisii-na-shliakhu-do-pochatku-peremovyn-pro-chlenstvo-v-ies

**15** An estimated 5 million migrants lived in Ukraine as of mid-year 2020. Of these, 75.9 per cent and 15.5 per cent were from European and Asian countries respectively. See: https://www.migrationdataportal.org/ukraine/migration-overview

**16** See: https://migration4development.org/sites/default/files/2023-10/Fiche%20Moldova-FV-EN.pdf

**17** Moldovan spirit: embracing and supporting Ukrainian refugees, 20.06.2024, https://civil-protection-humanitarian-aid.ec.europa.eu/news-stories/stories/moldovan-spirit-embracing-and-supporting-ukrainian-refugees_en

**18** See: https://gov.md/en/content/european-integration-office

**19** See: https://www.legis.md/cautare/getResults?doc_id=141812&lang=ro  (legis.md)

**20** Special Report on the evaluation of the procedures for taking asylum applications at the State Border Crossing Point "Chisinau International Airport" and ensuring the rights of asylum seekers in the Accommodation Centre of the General Inspectorate for Migration Chisinau, Republic of Moldova, July 2024, https://ombudsman.md/en/post-document/special-report-on-the-evaluation-of-the-procedures-for-taking-asylum-applications-at-the-state-border-crossing-point-chisinau-international-airport-and-ensuring-the-rights-of-asylum

**21** EU opening statement for accession negotiations, Brussels, 21.06.2024, https://www.consilium.europa.eu/media/hzmfw1ji/public-ad00009en24.pdf