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# RECENT UPDATES TO MOLDOVAN CITIZENSHIP LEGISLATION

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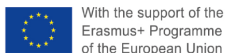
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### **Recent Updates to Moldovan Citizenship Legislation**

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# Recent Updates to Moldovan Citizenship Legislation

*Eleanor Knott*<sup>1</sup>

## 1. Introduction

In the first few decades after Moldova's independence from the Soviet Union, changes to the legal framework of citizenship responded to its multi-ethnicity and territorial transformations. In particular, citizenship legislation responded to the Transnistrian conflict and the regulation of dual citizenship, with Romania's policy of citizenship "reacquisition".<sup>2</sup> These issues persist, not least because Transnistria remains a *de facto* secessionist state and frozen conflict. However, more recent changes to Moldova's legal framework of citizenship chart a different path, away from domestic conflicts (Transnistria) and kin-state politics of citizenship (Romania), towards the opening and closing of Moldova's citizenship by investment (CBI) program between 2016 and 2020.

In the past, citizenship statistics were available via the Ministry of Information and Technology.<sup>3</sup> However, statistics on citizenship acquisition, including naturalisation and reacquisition, are no longer currently publicly available. The only public information available concerns the names and country of origin for those acquiring citizenship (except by birth, adoption, or investment). In 2019, Moldova's state registry for legislation was also changed.<sup>4</sup> This change means that individual amendments to legislation can now only be viewed, rather than consolidated legislation as was available previously.

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<sup>2</sup> Viorelia Gasca, 2012. 'Country report: Moldova.' [GLOBALCIT], EUDO Citizenship Observatory, 2010/18, Country Reports. Available at [https://cadmus.eui.eu/bitstream/handle/1814/19626/RSCAS\\_EUDO\\_CIT\\_2012\\_12.pdf?sequence=3&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/19626/RSCAS_EUDO_CIT_2012_12.pdf?sequence=3&isAllowed=y).

<sup>3</sup> See Viorelia Gasca, 2010. 'Country report: Moldova.' [GLOBALCIT], EUDO Citizenship Observatory, 2010/18, Country Reports. Available at <https://cadmus.eui.eu/bitstream/handle/1814/19626/Moldova2010.pdf?sequence=1&isAllowed=y>; Gasca 2012 for previous citizenship statistics.

<sup>4</sup> Registrul de Stat al actelor juridice al Republicii Moldova (State Register of Legal Acts of the Republic of Moldova) n.d. (<https://www.legis.md/>) was introduced to replace Registrul de Stat al actelor juridice al Republicii Moldova (State Register of Legal Acts of the Republic of Moldova) n.d. (<http://lex.justice.md/>).

## 2. Key Amendments and Implications

Before 2016, according to Moldovan law, citizenship could be acquired by birth, adoption, recognition, reacquisition, naturalisation, including for stateless persons and those who were beneficiaries of international protection.<sup>5</sup>

Minor changes in 2018 extended the right of acquisition (and reacquisition from Moldova's former territories) from second to third generation descendants (i.e. great-grandchildren), including for those born abroad.<sup>6</sup> For acquisition, the requirement for eligibility is now to have at least one parent, grandparent, or great-grandparent born on the territory of the Republic of Moldova. For reacquisition, the requirement is to have a parent, grandparent or great grandparent that resided until 28 June 1940 in Bessarabia, the North of Bukovina or the Herța county (currently in Ukraine), Moldovan Autonomous Socialist Soviet Republic, or were deported or refugees from the territory of the Republic of Moldova after 28 June 1940 (i.e. during the Soviet period). With the increasing time passing since 1940, this change expands the base of those able to claim eligibility and, in turn, Moldova's potential citizenry. This change also mirrors changes made in 2009 in Romania which extended the right of reacquisition for those born on former territories from second to third generation.<sup>7</sup>

The most significant change to Moldova's legal framework of citizenship came in 2016 when new legislation was drafted to allow acquisition of citizenship by investment (CBI).<sup>8</sup> However, this legislation was also subject to various moratoria between August 2018 and September 2020, before being finally repealed in June 2020 and coming into force on 1 September 2020.<sup>9</sup> The following sections map the introduction, moratoria and repealing of CBI in Moldova in the last few years.

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<sup>5</sup> Gasca 2012.

<sup>6</sup> Article 1 on Law on the citizenship of the Republic of Moldova no. 1024/2000 in Article 1, Law No. 132 from 21/12/2017 for the amendment and completion of the Law on the citizenship of the Republic of Moldova no. 1024/2000 Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 18-26 2018.

<sup>7</sup> Constantin Iordach Iordachi, 2013. 'Country Report: Romania.' [GLOBALCIT], EUDO Citizenship Observatory, 2010/20 (updated in 2013). Available at <[https://cadmus.eui.eu/bitstream/handle/1814/19633/RSCAS\\_EUDO\\_CIT\\_2013\\_19.pdf?sequence=3&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/19633/RSCAS_EUDO_CIT_2013_19.pdf?sequence=3&isAllowed=y)>. Accessed 21 January 2020.

<sup>8</sup> Article 17 (1<sup>1</sup>), Citizenship Law of the Republic of Moldova no. 1024-XIV from 2 June 2000 in Article 1, Law No. 283 from 16/12/2016 for amending and supplementing some legislative acts, Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 472-477 2016.

<sup>9</sup> Amendments to Citizenship Law of the Republic of Moldova no. 1024-2000 from 2 June 2000 in Article 1, Law No. 11 from 18/6/2020 to modify a normative act, Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 161-164 2020.

### 3. Introduction of CBI in Moldova

Moldova's CBI program was developed by the Government of Moldova in partnership with its service provider Henley & Partners and the Moldovan Investment Company (MIC).<sup>10</sup> Henley & Partners is among the largest consulting firms that works with states to establish CBI programs and private clients to facilitate citizenship acquisition via CBI. The consortium of Henley & Partners and MIC won the public tender contract for providing services to develop, implement and internationally promote Moldova's CBI program, according to Moldova's Ministry of Economy and Infrastructure,<sup>11</sup> with a further eight agents registered to process applications.<sup>12</sup> Moldova, therefore, joined a handful but growing number of states offering CBI schemes.<sup>13</sup> After being passed by Moldova's parliament,<sup>14</sup> the CBI program was officially launched internationally on 5 November 2018 during the Global Conference on Residence and Citizenship in Dubai, at an event also attended by Moldova's then Minister of Economy and Infrastructure, Chiril Gaburici.<sup>15</sup>

To acquire CBI, applicants had to make a one-off non-reimbursable economic contribution to the Sustainable Development Fund Moldova (Public Investment Fund) of €100,000.<sup>16</sup> Family members, namely the spouse, children and parents of the applicant, were also eligible to acquire citizenship via CBI with a further €15,000 contribution per family member.<sup>17</sup> This investment contribution is comparable to Caribbean islands whose CBI schemes require \$100-150,000 investment (Dominica, Antigua and Barbuda, Grenada, St Lucia, St Kitts and Nevis) but more expensive than EU member-states with CBI schemes

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<sup>10</sup> Ministry of Economics and Infrastructure. n.d. Programul de dobândire a cetățeniei prin investiție (Program for Acquiring Citizenship by Investment). Available at <<https://mei.gov.md/ro/content/programul-de-dobandire-cetateniei-prin-investitie>>. Accessed 19 January 2021; Henley & Partners. 2020. Moldova Citizenship-by-Investment. Available at

<<https://web.archive.org/web/20200620153405/https://www.henleyglobal.com/citizenship-moldova-overview/>>. Accessed 19 January 2021. According to MIC's website, it was founded in 2018 by "an Investor Group from the United Arab Emirates (UAE)" to facilitate inward investment into Moldova, including from CBI in collaboration with Henley & Partners, see Moldovan Investment Company 2018.

<sup>11</sup> Ministry of Econ Ministry of Economics and Infrastructure. 2018. Chiril Gaburici: Semnăm contractul de implementare a Programului de dobândire a cetățeniei prin investiție cu încrederea că în următorii 5 ani volumul investițiilor va atinge o valoare cumulativă de 1,3 miliarde de euro (Chiril Gaburici: We sign the contract for the implementation of the Program for acquiring citizenship through investment with the confidence that in the next 5 years the volume of investments will reach a cumulative value of 1.3 billion euros). Available at <<https://mei.gov.md/ro/content/chiril-gaburici-semnam-contractul-de-implementare-programului-de-dobandire-cetateniei-prin>>. Accessed 27 January 2021.

<sup>12</sup> Moldova Citizenship by Investment. n.d. Agents: MCBI Accredited Agents List. Available at <<http://cbi.gov.md/agents.php>>. Accessed 27 January 2021.

<sup>13</sup> Antigua and Barbuda, Austria, Dominica, Grenada, Malta, Montenegro, St. Kitts and Nevis, St. Lucia and Turkey all have current CBI programs, facilitated by Henley & Partners, see Henley & Partners. n.d. Leading Citizenship-by-Investment Programs. Available at <<https://www.henleyglobal.com/citizenship-investment>>. Accessed 22 January 2021. Cyprus also had a CBI program before it was repealed in 2020, see Al Jazeera 2020.

<sup>14</sup> Article 17 (1<sup>1</sup>), Citizenship Law of the Republic of Moldova no. 1024-XIV from 2 June 2000 in Article 1, Law No. 283 from 16/12/2016 for amending and supplementing some legislative acts, Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 472-477 2016.

<sup>15</sup> Gaburici was also Moldova's Prime Minister for four months in 2015.

<sup>16</sup> Moldova Citizenship by Investment n.d.

<sup>17</sup> In addition, applicants had to pay a "post-approval government service provider" fee of €35,000 per application, government fees of €5,000 for the main applicant and further government fees for family members, due diligence fees of €6,000 for the main applicant and €5,000 for family members, and passport fees of €300 per individual.

(Malta which requires investment of €738,000) and other recent CBI programs in Turkey and Montenegro.<sup>18</sup>

Besides an economic contribution, acquisition required neither knowledge of constitution nor the state language, as exemptions that only previously applied to pensioners and those with disabilities. The main requirement concerned investigation that applicants and family members had “a good economic and financial reputation” and “did not pose a danger to public order or risk for state security.”<sup>19</sup> Later changes in the draft law, offered applicants and family members anonymity with their names not be published in the Official Gazette,<sup>20</sup> making CBI acquisition more opaque than naturalisation or reacquisition of Moldovan citizenship.

Within Moldova, several MPs were instrumental in drafting the law from Moldova’s Democratic Party (then-parliamentary speaker, Andrian Candu, Sergiu Sârbu, Igor Vremea and Corneliu Padnevici and Liberal Party (Roman Boțan), in collaboration with Henley & Partners.<sup>21</sup> These MPs argued that CBI offered Moldova the “unique chance to capitalise” on its recent visa liberalisation agreement with the EU (2014) and contribute “hundreds of thousands of euros” of investment to Moldova and its state budget, as well as “increase salaries and pensions, create new jobs”.<sup>22</sup>

However, anti-corruption experts from civil society, Moldova’s National Anti-Corruption Centre (NCA), Transparency International Moldova, as well as opposition MPs, argued that CBI was a grave source of potential threat to state security and, counter-productively, threatened Moldova’s visa liberalisation with the EU. In particular, Moldova’s NCA argued that CBI was almost designed to “legalise money of criminal origin”,<sup>23</sup> a particular concern since Moldova’s 2014 banking theft of over one billion dollars.<sup>24</sup> The EU

<sup>18</sup> Henley & Partners n.d.

<sup>19</sup> Article 17 (1), Citizenship Law of the Republic of Moldova no. 1024-XIV from 2 June 2000 in Article 1, Law No. 283 from 16/12/2016 for amending and supplementing some legislative acts, *Registrul de stat al actelor juridice al Republicii Moldova*, *Monitorul Oficial* Nr. 472-477 2016.

<sup>20</sup> Article 27 (2), Citizenship Law of the Republic of Moldova no. 1024-XIV from 2 June 2000 in Article 2, Law No. 61 from 31/5/2018 for amending and supplementing some legislative acts, *Registrul de stat al actelor juridice al Republicii Moldova*, *Monitorul Oficial* Nr. 295-308 2018.

<sup>21</sup> Parliament of the Republic of Moldova. 2016. *Proiectul legii pentru modificarea și completarea unor acte legislative [Legea cetățeniei RM – art.1, 17, 23, ș.a.; Legea cu privire la investițiile în activitatea de întreprinzător – art.12; ș.a.]* (The draft law for amending and supplementing some legislative acts [Law on the citizenship of the Republic of Moldova - art. 1, 17, 23, etc .; Law on investments in entrepreneurial activity - art. 12; etc.]). Available at <<http://parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/3504/language/ro-RO/Default.aspx>>. Accessed 22 January 2021.

<sup>22</sup> Anatolie Eșanu, 2018. ‘Cetățenia prin investiție: șansă unică pentru R. Moldova sau riscuri majore pentru siguranța și securitatea statului?’ (Citizenship by investment: a unique chance for the Republic of Moldova or a major risk for state security and safety?). *Ziarul de Gardă*. Available at <<https://www.zdg.md/reporter-special/reportaje/legea-cetateniei-prin-investitie-sansa-unica-pentru-r-moldova-sau-riscuri-majore-pentru-siguranta-si-securitatea-statului/>>. Accessed 19 January 2021.

<sup>23</sup> National Anti-Corruption Center, Republic of Moldova. 2016. *Raport de expertiză anticorupție asupra nivelului coruptibilității proiectului legii pentru modificarea și completarea unor acte legislative [Legea nr.1024/2000, Legea nr.81/2004, Legea nr.200/2010, Legea nr.180/2008]* (Anti-Corruption Expertise Report on the level of corruption for the draft law for amending and supplementing some legislative acts [Law no. 1024/2000, Law no. 81/2004, Law no. 200/2010, Law no. 180/2008]). Available at <[https://cna.md/public/files/raport\\_expertiza/rea-dep453-investitstrainid6398.pdf](https://cna.md/public/files/raport_expertiza/rea-dep453-investitstrainid6398.pdf)>. Accessed 19 January 2021.

<sup>24</sup> Paul Radu, Mihai Munteanu, and Iggy Ostanin. 2015, ‘Grand Theft Moldova. Organized Crime and Corruption Reporting Project.’ Available at <<https://www.occrp.org/en/investigations/4203-grand-theft-moldova>>. Accessed 25 January 2021.

also warned in 2018 in a general statement that EU visa liberalisation “should not be used to attract individual investment in exchange for citizenship”.<sup>25</sup>

Following the introduction of CBI, Transparency International Moldova argued that this program was worryingly attractive for “dubious persons from outside the country” and, like the NCA argued, was designed to legalise money from illegal money laundering schemes. In particular, they noted that the program was drafted by the “political elite” around Moldova’s most infamous Vladimir Plahotniuc (who later fled Moldova in June 2019) and alongside an additional law to offer capital amnesty. Together, both of these schemes created “favorable conditions for international money laundering”.<sup>26</sup> Directly opposing those who drafted the CBI law, Transparency International Moldova argued further that:

The Moldovan authorities, in fact, sell rights and freedoms offered to citizens by the Visa Agreement between Moldova and the EU, implemented since April 2014. Moldova’s “citizenship through investment” program is not actually about foreign investments, investments in business development, jobs creation or economic growth in the Republic of Moldova. This program promoted and implemented in Moldova has other sponsors and beneficiaries - interest groups that trade rights and freedoms in exchange for a passport that offers such rights.<sup>27</sup>

As an example of the validity of such concerns, the wife of Ilan Șor, Sara Șor, and her brother and father, were among the first applicants for CBI.<sup>28</sup> Ilan Șor was heavily implicated in initiating the “billion dollar theft”.<sup>29</sup> Sara Șor is a Russian citizen who could also have acquired Moldovan citizenship via marriage after 3 years, although her family members could not. Media reports suggest she and her family members acquired citizenship via CBI as a representative of a company that related to the “billion dollar theft”,<sup>30</sup> suggesting the NCA’s worst fears that the CBI itself was an object to launder money as well as obtain citizenship for those engaged in corruption.

Moreover, one the initiators of the CBI draft law resigned in protest from his position as President on the National Security, Defence and Public Order Commission. He resigned because of how the CBI law developed, including changes to protect the identity of those acquiring via CBI, and the record time in which the law was passed without much debate.<sup>31</sup> The chief concern was that while promising due diligence, by offering those acquiring via CBI

<sup>25</sup> Anatolie Eșanu, 2018, ‘Ce spune Delegația UE în R. Moldova despre Legea „cetățeniei prin investiție” și regimul liberalizat de vize’ (What the EU Delegation in Moldova says about the Law on ‘Citizenship by Investment’ and the liberalized visa regime). Ziarul de Gardă. Available at <<https://www.zdg.md/stiri/politic/ce-spune-delegatia-ue-in-r-moldova-despre-legea-cetateniei-prin-investitie-si-regimul-liberalizat-de-vize/>>. Accessed 19 January 2021.

<sup>26</sup> Transparency International Moldova. 2019. ‘The Gates to Europe: Moldovan Citizenship for Sale.’ Available at <<http://www.transparency.md/wp-content/uploads/2019/10/The-Gates-to-Europe-Moldovan-Citizenship-for-Sale.pdf>>. Accessed 19 January 2021.

2018.  
<sup>27</sup> Ibid.

<sup>28</sup> JurnalTV. 2019 'Exclusivitate: Soția lui Șor, fratele și tatăl acesteia, printre primii solicitanți ai cetățeniei RM prin investiție' (Șor’s wife, her brother and father are among the first applicants of the citizenship by investment in the Republic of Moldova). JurnalTV.md. Available at <<https://www.jurnal.md/ro/news/3c72ad684148a9bd/exclusivitate-sotia-lui-sor-fratele-si-tatal-acesteia-printre-primii-solicitantii-ai-cetateniei-rm-prin-investitie.html>>. Accessed 19 January 2021.

<sup>29</sup> Radu, Munteanu, and Ostanin 2015.

<sup>30</sup> JurnalTV 2019.

<sup>31</sup> Eșanu 2018; see also Transparency International Moldova 2019.



in Moldova anonymity, this would provide neither wider transparency nor journalists and civil society the ability to investigate the legal backgrounds of those acquiring.<sup>32</sup>

Table 1 Acquisition of Moldovan Citizenship via CBI<sup>33</sup>

|                      | Applicants | Family members |
|----------------------|------------|----------------|
| <b>March 2019</b>    | 1          |                |
| <b>May 2019</b>      | 1          |                |
| <b>July 2019</b>     | 3          | 3              |
| <b>August 2020</b>   | 6          | 5              |
| <b>October 2020</b>  | 1          | 3              |
| <b>November 2020</b> | 3          | 9              |
| <b>December 2020</b> | 5          | 12             |
| <b>Total</b>         | <b>20</b>  | <b>32</b>      |

While the names of those acquiring via CBI are not available in public records, these records do give some aggregate information about the number of applicants and family members who acquired via CBI (Table 1). Based on information from January 2021, 20 applicants and 32 family members have acquired via CBI, with only 5 applicants and 3 family members doing so before the first moratorium at the end of July 2019. These numbers are likely to continue to rise slightly as pending applications are still processed despite the repeal of CBI legislation in September 2020. For example, media reports suggest there are currently 97 investors from Russia, Great Britain, China, Australia, and the US who have filed applications.<sup>34</sup> Media reports also suggested in 2019 that the program raised just €545,000 for the Moldova's state budget after promising €1.3 billion.<sup>35</sup>

<sup>32</sup> Transparency International Moldova 2019.

<sup>33</sup> President of the Republic of Moldova. Decret Nr. 1143 din 27-03-2019 privind acordarea cetățeniei Republicii Moldova (Decree no. 1143 of 27/03/2019 on granting citizenship to the Republic of Moldova). Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 119-131; Decret Nr. 1165 din 27-05-2019 privind acordarea cetățeniei Republicii Moldova (Decree No. 1165 of 27/05/2019 on granting citizenship to the Republic of Moldova). Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 178-184; Decret Nr. 1230 din 31-07-2019 privind acordarea cetățeniei Republicii Moldova (Decree no. 1230 of 31/07/2019 on granting citizenship to the Republic of Moldova). Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 249; Decret Nr. 1715 din 03-08-2020 privind acordarea cetățeniei Republicii Moldova (Decree no. 1715 of 03/08/2020 on granting citizenship of the Republic of Moldova). Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 199-204; Decret Nr. 1813 din 01-10-2020 privind acordarea cetățeniei Republicii Moldova (Decree no. 1813 of 01/10/2020 on granting citizenship of the Republic of Moldova). Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 267-271; Decret Nr. 1820 din 02-11-2020 privind acordarea cetățeniei Republicii Moldova (Decree no. 1820 of 02/11/2020 on granting citizenship of the Republic of Moldova). Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 285; Decret Nr. 1884 din 15-12-2020 privind acordarea cetățeniei Republicii Moldova (Decree No. 1884 of 15/12/2020 on granting the citizenship of the Republic of Moldova). Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 344-351.

<sup>34</sup> Immigrant Invest. 2020, 'Moldova will close its citizenship programme for investment on September 1, 2020.' Available at <<https://immigrantinvest.com/en/insider/moldova-closes-citizenship-for-investments/>>. Accessed 19 January 2021.

<sup>35</sup> Corina Șeremet, 2019, 'Dobândirea cetățeniei prin investiții „luată la ochi” de organizațiile internaționale' (Acquisition of citizenship by investments has 'taken the eye' of international organisations). Ziarul de Gardă. Available at <<https://www.zdg.md/reporter-special/reportaje/dobandirea-cetateniei-prin-investitii-luata-la-ochi-de-organizatiile-internationale/>>. Accessed 25 January 2021.

## 4. CBI Moratoria and Repeal

With parliamentary elections in Moldova in February 2019, a new electoral bloc of ACUM and PAS gained ground. This electoral bloc was formed as an anti-corruption political force to challenge both Moldova's incumbent parties, namely the Democrat and Socialist (PSRM) parties, and their policies of state capture and corruption. ACUM and PAS were also, for a short time in the summer of 2019, able to build an unlikely coalition with PSRM allowing PAS leader, Maia Sandu to become Moldova's prime minister.

In this new political landscape, attention turned to the controversial CBI program with a four-month moratorium issued on 31 July 2019.<sup>36</sup> While it extended the contracts of those providing public services and international promotion of the program,<sup>37</sup> it did initiate a period of delay and scrutiny over the program. The government then ordered this moratorium to be extended by two months from 20 December 2019 and required various agencies within Moldova to present documents concerning the CBI program's risks to public order and state security, corruption, and money laundering.<sup>38</sup> A third moratorium was enacted from 20 March 2020 until 1 September 2020.<sup>39</sup>

However, the CBI program and its associated legislative acts were eventually repealed on 18 June 2020 to coincide with the end of the final moratorium on 1 September 2020.<sup>40</sup> While no further applications will be received, applications already submitted will continue to be processed.

In particular, there was pressure to repeal the CBI program to receive the second tranche of EU macro-financial aid.<sup>41</sup> There was also concern that the CBI program might affect Moldova's EU visa liberalisation regime with the EU which offers visa free travel of 90 days

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<sup>36</sup> Article 1 in Law No. 107 from 31/07/2019 to establish a moratorium for granting citizenship of the Republic of Moldova according to article 17 paragraph (1<sup>1</sup>) and (1<sup>2</sup>) of the Law on Citizenship of the Republic of Moldova no. 1024/2000, Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 261-268 2019.

<sup>37</sup> Article 3 in Law No. 107 from 31/07/2019 to establish a moratorium for granting citizenship of the Republic of Moldova according to article 17 paragraph (1<sup>1</sup>) and (1<sup>2</sup>) of the Law on Citizenship of the Republic of Moldova no. 1024/2000, Ibid.

<sup>38</sup> Republic of Moldova Government Decision No. 665 from 17/12/2019 for the extension of the moratorium on granting citizenship of the Republic of Moldova under the conditions of art. 17 para. (1<sup>1</sup>) and (1<sup>2</sup>) of the Law on Citizenship of the Republic Moldova no. 1024/2000, Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 380-387 2019.

<sup>39</sup> Article 1, Law No. 39 of 28/02/2020 to establish a moratorium on granting citizenship of the Republic of Moldova under the conditions of article 17 paragraphs (1<sup>1</sup>) and (1<sup>2</sup>) of the Law of the citizenship of the Republic of Moldova no. 1024/2000, Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 87-93 2020.

<sup>40</sup> Articles 17, 18, 23, 24, 27, 31, 33, 34 and 38, Amendments to Citizenship Law of the Republic of Moldova no. 1024-2000 from 2 June 2000 in Article 1, Law No. 11 from 18/6/2020 to modify a normative act, Registrul de stat al actelor juridice al Republicii Moldova, Monitorul Oficial Nr. 161-164 2020.

<sup>41</sup> Publika. 2020, 'Moldova required to pass necessary laws by May 31 to obtain EU aid's second tranche'. Publika.MD. Available at <[https://en.publika.md/moldova-required-to-pass-necessary-laws-by-may-31-to-obtain-eu-aids-second-tranche-\\_2661695.html](https://en.publika.md/moldova-required-to-pass-necessary-laws-by-may-31-to-obtain-eu-aids-second-tranche-_2661695.html)>. Accessed 19 January 2021.

within a 180 day period.<sup>42</sup> The EU, in particular, welcomed Moldova abolishing its CBI program noting the risks of corruption, tax evasion, and money laundering.<sup>43</sup>

## 5. Conclusion

In recent years, small changes were made to extend the eligibility for acquisition and reacquisition from second to third generation descendants, for those born abroad and with descendants from former territories as well as Soviet-era deportees and refugees. But the bulk of movement in Moldova's citizenship legislation concerned the introduction and repeal of acquisition via CBI. While a handful did receive Moldova citizenship via CBI, in 2020 Moldova returned to a status quo position on CBI.

In sum, this period demonstrates the politicisation of citizenship legislation with some politicians seeking to capitalise on the revenue that could be generated by such CBI schemes, as well as deflect from the risks such schemes might pose for state security, corruption and money laundering in a state that already suffers from these endemic problems. On the other hand, Moldova's political landscape shifted to more radical anti-corruption politics providing the platform to scrutinise and repeal schemes like CBI, in particular in an international landscape where Moldova needs EU support financially and politically for the benefits that EU visa liberalisation provide.

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<sup>42</sup> Alina Frunza. 2020, 'Abrogarea Legii cetățeniei prin investiții, votată în lectura a doua' (Repeal of the Law on Citizenship by Investment passed on the second reading). Ziarul de Gardă. Available at <<https://www.zdg.md/stiri/doc-abrogarea-legii-cetateniei-prin-investitii-votata-in-lectura-a-doua/>>. Accessed 19 January 2021.

<sup>43</sup> European Parliament. 2020. Report on the implementation of the EU Association Agreement with the Republic of Moldova. Committee on Foreign Affairs. Available at <[https://www.europarl.europa.eu/doceo/document/A-9-2020-0166\\_EN.html](https://www.europarl.europa.eu/doceo/document/A-9-2020-0166_EN.html)>. Accessed 19 January 2021.

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