

Moldova in the Framework of European Peace Facility

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Abstract

In 2021, EU established EPF via Council Decision (CFSP) 2021/509 as a means to preserve peace, prevent conflicts and strengthen international security. EPF is used for the financing of EU operations and missions with military or defense implications and of assistance measures. Specifically, those measures aim to strengthen the capacities of third states and regional and international organizations relating to military and defense matters as well as support the military aspects of peace support operations led by third states or the aforementioned organizations. Till 2024 EPF's budget has seen a tremendous increase of 99,9% which is implicitly related with the war in Ukraine. Hereto, EU has provided to Ukraine under the EPF €6,1 billion to address Ukraine's pressing military and defense needs. Moldova is a beneficiary of the EPF having received until today a series of assistance measures in support of its armed forces. Hence, since its entry to EPF Moldova was provided with up to €197 million as a means to modernize its short-range air defense capabilities. The purpose of this article is to analyze the institutional functioning of EPF as well as evaluate EPF assistance in case of Moldova as a candidate country of the EU.

Keywords: *European Peace Facility, Moldova, EU Membership, EU Common Foreign and Security Policy.*

Introduction

The Council of the European Union adopted Decision (CFSP) 2025/809 of 23 April 2025 on an assistance measure under the European Peace Facility to support the Armed Forces of the Republic of Moldova with military equipment designed to deliver lethal force.

This has been another one Decision (CFSP) of the Council in favor of Moldova as a means of support of its armed forces ahead of the country's continued fears of an armed attack especially by Russia. European Union's (EU) assistance to Chişinău in the defense sector since 2021 has mainly been provided through the European Peace Facility (EPF) in order to strengthening the military and defense capacities of the Moldovan army as well as support the cooperation between Moldova and EU in the framework of the Union's Common Foreign and Security Policy (CFSP) and the Common Security and Defense Policy (CSDP).

The EPF is a fund set up by the EU to support military and defense actions, including military missions and operations as well as assistance to the militaries of partner countries (European External Action Service, 2024). Thus, EPF consists of an instrument aimed at enhancing the EU's ability to prevent conflicts, build and preserve peace and strengthen international security and stability (Council of the EU, n.d.). It is financed outside the EU Budget for a period of seven years (2021-2027), with a single mechanism to finance all CFSP actions in military and defense areas and a worth over €17 billion (European External Action Service, 2025) replacing the Athena mechanism as well as the African Peace Facility (Bilquin, 2024, p. 3).

As far as Moldova is concerned, the Council of the EU has adopted so far a series of assistance measures setting up the total EPF support to the country to €197 million (Council of the EU, 2025a, p. 1). In this respect, it should be mentioned that after European Council's decision to grant the status of candidate country to Moldova on 23 June 2022 (European Council - Conclusions 2022, p. 4), Chişinău has received the vast majority of the aforementioned EPF support.

Moreover, in case of Moldova's accession in the EU, Chişinău's security and defense issues will become Union's issues (Marias, 2024, p. 1).

The purpose of this article is firstly to analyze the institutional functioning of EPF as an instrument - fund subject to the authority of the Council of the EU. Secondly, evaluate EPF assistance in case of Moldova as a candidate country of the EU.

Methodology

The article proceeded in an in-depth analysis of the institutional framework of EPF as regards Moldova in relation to the assistance measures provided from the EU as a means of support of its armed forces. Article's research methodology is based primarily on European Union secondary law, on the Lisbon Treaty as well as on scientific papers, policy papers and press releases from EU institutions.

Institutional framework of European Peace Facility (EPF)

The Council of the European Union adopted Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility, and repealing Decision (CFSP) 2015/528.

As mentioned in the preamble of the 2021/509 Council Decision (CFSP), EPF is established to finance the common costs of military operations and missions under the CSDP, as well as the operating expenditure, as a means to improve the capacities relating to military and defense matters of third States, regional and international organizations, and of support to military aspects of peace support operations led by regional or international organizations or by third countries (point 11, Council Decision (CFSP) 2021/509). Hence, EPF consists of a facility functioning under the general provisions on the Union's external action and especially under Article 21(2) point (c) of the Treaty on the European Union (TEU) pursuant to which "the Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to preserve peace, prevent conflicts and strengthen international security..." (Treaty on European Union).

For the purposes of the Decision, EU member states granted legal capacity to EPF. Hereto, EPF can employ staff, hold bank accounts, acquire or dispose assets, enter into contracts, discharge its liabilities, be a party to legal proceedings (Article 3(1), Council Decision (CFSP) 2021/509). However, as stated "the Facility shall not have the purpose, or the effect, of making a profit" (*ibid*). On the other hand, EPF is liable for damages. Hence, pursuant to Article 16(4) in the event of "non-contractual liability for damage caused by an operation headquarters, force headquarters and component headquarters or by their staff in the course of their duties, as well as non-contractual liability for damage caused in the implementation of an assistance measure" (Article 16(4), Council Decision (CFSP) 2021/509), EPF is engaged to cover any damages, i.e. contributing member states and contributing third parties.

As far as the scope of action is concerned, EPF has a global one. Thus, EPF firstly is in charge with improving EU's ability to prevent and swiftly respond to crises and conflicts primarily but not exclusively in areas that display the most urgent and critical security threats for the Union (point 18, Council Decision (CFSP) 2021/509) including its citizens, though there is no explicit reference to them. Secondly, EPF aims at strengthening the ability of partner

countries to prevent and respond to crises, and contribute to their resilience, in order to enable them to protect their populations better, as well as support regional and international organizations (*ibid*). Hence, any assistance measures adopted and implemented in the framework of EPF shall take the form of a specific measure or a general program for support with a given geographical or thematic focus (Article 59(3), Council Decision (CFSP) 2021/509). In this framework, pursuant to Article 59(3) a "Council decision establishing a general program shall specify the scope of actions eligible under that program" (*ibid*).

As regards the governance of EPF, it operates under the authority and direction of a Facility Committee which is composed of a representative of each EU member state (Article 11(1), Council Decision (CFSP) 2021/509). The Facility Committee is chaired by a representative from the member state holding the rotating Presidency of the Council of the EU (*op.cit*, (2)). In the same vein, Article 10(1) foresees that EPF is managed by a) an administrator for operations, b) an operation commander of each operation, an administrator for assistance measures, c) an accounting officer for operations and d) an accounting officer for assistance measures (Article 10(1), Council Decision (CFSP) 2021/509). At the meetings of the Facility Committee representatives of the European External Action Service (EEAS) and the European Defense Agency (EDA) in particular are invited to attend (Rodrigues, 2023, p. 1161).

EPF comprises two financing pillars in a single instrument, thereby simplifying decision-making procedures, bringing greater unity and coherence to EU actions (Rehr, 2021). Each pillar is coordinated by a secretariat. Thus, on one hand the Council of the EU controls the operations pillar, which supports the costs borne by CSDP missions and operations with military or defense implications. On the other hand, the assistance measures pillar, under the aegis of the European Commission's Foreign Policy Instruments Service, deals with EU actions for third countries and regional international organizations to bolster their military and defense capabilities, as well as to provide assistance to peace support operations (Bosica, 2024, p. 10).

More specifically, the operations pillar finances the common costs of CSDP missions and operations having military or defense implications in accordance with Articles 42(4) and 43(2) TEU (Council of the EU, n.d.). In this context, Article 1(2) point (a) of Council Decision (CFSP) 2021/509 foresees that common costs of EU operations under the aforementioned TEU articles that have military or defense implications, "according to Article 41(2) TEU cannot be charged to the Union budget" (Article 1(2) point (a), Council Decision (CFSP) 2021/509). The same applies also for assistance measures "consisting of Union actions under Article 28 TEU where the Council decides unanimously, pursuant to Article 41(2) TEU, that the operating expenditure arising therefrom shall be charged to the Member States" (Article 1(2) point (b), Council Decision (CFSP) 2021/509).

On the other hand, the assistance measures pillar finances EU actions for third states and regional or international organizations aimed at strengthening military and defense capacities and supporting military aspects of peace (Bilquin, 2022, p. 1). In particular, the EU Military Assistance Mission in support of Ukraine (EUMAM Ukraine) has received direct additional funding from the EPF's assistance pillar, with assistance measures totalling €255 million (Bilquin, 2025, p. 7). Hereto, EU member states have been reportedly discussing a corresponding measure to establish a €20 billion EPF fund to aid Ukraine (Ostanina, 2023, p. 7). Also, Somalia and the African Union Transition Mission in Somalia (ATMIS) have received funding of €110 million from the EPF's assistance pillar. More specifically, €40 million the former and €70 million the latter respectively (Bilquin, 2025, p. 9).

With regard to the budget of the EPF, the facility has a financial ceiling over €17 billion for the period 2021-2027 (Article 2(1), Council Decision (CFSP) 2021/509). However, as it is

stated in point 11 of the preamble of the Council Decision (CFSP) 2021/509 "the Facility will not finance capabilities which are funded under the Union budget. The financing of any action under the Facility will require the prior adoption by the Council acting unanimously of a basic legal act establishing such an action" (point 11, Council Decision (CFSP) 2021/509). Nevertheless, the budget of EPF has marked a remarkable increase over the last four years. In particular, when the facility was established in March 2021 it had a budget of €5,69 billion. In March 2023, the budget increased to €7,98 billion, a raise of 33,4%. In June of 2023, the budget increased again at €12,04 billion, an increase of 71,6% compare to 2021. Then, in March 2024 the budget increased by €5 billion reaching over €17 billion, an increase of 99,9% compare to 2021. The lion's share nonetheless goes to Ukraine with over €11 billion through the Ukraine Assistance Fund as a means of support to Kiev in order to cope with the ongoing war of Russia against Ukraine. Thus, making use of Article 75(1) the Council of the EU has the right to review the Decision (CFSP) establishing EPF either every three years either at the request of a member state (Article 75(1), Council Decision (CFSP) 2021/509).

Apart from the annual budget of EPF which includes the common costs for ongoing or planned operations and the costs of assistance measures established or to be approved by the Council of the EU (Article 18(3), Council Decision (CFSP) 2021/509), the administrator for operations or the administrator for assistance measures can propose an amending budget. Thus, the draft amending budget is submitted to the Facility Committee within a period of four months after its approval by the Council of the EU unless a longer deadline is decided by EPF's Facility Committee (Article 19(2), Council Decision (CFSP) 2021/509).

Furthermore, in the framework of their financial obligations, the participating EU member states and third parties are subjected to certain obligations such as due date payments. In the event thought of non-compliance with such requirement an interest on late payment has been set "at a rate equal to the European Central Bank's main refinancing rate increased by 3,5 percentage points" (Article 31(1), Council Decision (CFSP) 2021/509) as a means on behalf of the Council of the EU to verify conformity with the corresponding requirements that derive from financial obligations.

Moldova in the Framework of European Peace Facility

A) Council Decision (CFSP) 2025/809 of 23 April 2025 on an assistance measure under the European Peace Facility to support the Armed Forces of the Republic of Moldova with military equipment designed to deliver lethal force

Council Decision (CFSP) 2025/809 of 23 April 2025 on an assistance measure under the European Peace Facility to support the Armed Forces of the Republic of Moldova with military equipment designed to deliver lethal force consists of the most recent assistance measure provided to Chişinău on behalf of the EU.

Council Decision (CFSP) 2025/809 follows on Council Decision (CFSP) 2024/1713. Both of them designed to deliver lethal force to Moldovan armed forces unlike the previous ones Council Decisions (CFSP) that provided to Moldova with assistance other than lethal military equipment. More specifically, via Council Decision (CFSP) 2025/809 EU broaden the objective of assistance towards Moldova in order to contribute to strengthening the military and defence capacities (Article 1(2) point (a), Council Decision (CFSP) 2025/809) of its forces as a means to supplement country's national security and defense. In this context, EU member states decided to increase the amount of assistance financed under the EPF to support the Moldovan armed forces to €20 million (Article 2(1), Council Decision (CFSP) 2025/809).

Key role to the implementation as well as the monitoring of the aforementioned Council Decision (CFSP) plays the High Representative of the Union for Foreign Affairs and Security

Policy. Hence, the High Representative is responsible to monitor the compliance of Moldova with certain obligations (Article 5(1), Council Decision (CFSP) 2025/809) through a final evaluation conducted upon completion of the assistance measure assessing whether the provided assistance measure has reached the pursued objectives (*op.cit*, (3)). Hereto, the High Representative has to ensure Moldovan armed forces' compliance with international human rights law and international humanitarian law (Article 3(2) point (a), Council Decision (CFSP) 2025/809) since any breach in particular of this obligation could lead to suspension and termination of the assistance measure on behalf of the EU (*op.cit*, (3)). Moreover, the EU High Representative is in charge to provide the Political and Security Committee (PSC) with six-monthly reports regarding the implementation of the assistance measure (Article 6, Council Decision (CFSP) 2025/809) which shall cover the political, operational and financial aspects of the assistance measure (Article 63, Council Decision (CFSP) 2021/509). Finally, the PSC has the power to decide whether to suspend wholly or partially, the implementation of the assistance measure or even recommend to the Council of the EU to terminate the assistance measure (Article 7, Council Decision (CFSP) 2025/809).

As already mentioned, Council Decision (CFSP) 2025/809 follows on Council Decision (CFSP) 2024/1713. Comparing those two Council Decisions (CFSP) they are quite identical except two substantial differences. Firstly, as regards the financial arrangements, in Council Decision (CFSP) 2024/1713 the amount of the assistance measure in support of the Moldovan armed forces was €9 million (Article 2(1), Council Decision (CFSP) 2024/1713) compare to €20 million in Council Decision (CFSP) 2025/809. Hence, though the assistance measure, i.e. the finance of short-range air defence equipment, remains the same in both Council Decisions (CFSP), EU decided to raise the financial reference amount in order to enhance national security, stability and resilience defense sector.

Secondly, as far as the objectives of the assistance measure are concerned, Council Decision (CFSP) 2024/1713 stated that the EU acted so as to strengthen country's "capacities with respect to its participation in Union military common security and defence policy missions and operations" (Article 1(2) point (c), Council Decision (CFSP) 2024/1713) whereas in Council Decision (CFSP) 2025/809 the objectives of the assistance measure function as a means of cooperation between the EU and Moldova with a view to reinforce its competences to participate in Union's military common security and defense missions and operations through further "alignment with the Union's common foreign and security policy" (Article 1(2) point (b), Council Decision (CFSP) 2025/809). Hence, Council Decision (CFSP) 2025/809 in a roundabout way states Moldova's need to align more with CFSP which consists of a main obligation as an EU candidate country.

However, in European Commission's Report on Moldova for 2024 reference is made to Chişinău's alignment with CFSP as regards EU sanctions which increased from 80% in 2023 to 90% in 2024 (European Commission, 2024, p. 89). In this context, European Parliament's 2024 Annual Report on the implementation of the common foreign and security policy welcomed the substantial increase of Moldova's alignment with CFSP from 54% in 2022 to 86 % in 2024 (European Parliament, 2025a, p. 13). Also, the Committee of Foreign Affairs of the European Parliament in its Draft Report on the 2023 and 2024 Commission reports on Moldova commends the significantly increased alignment rate of Chişinău's with the EU's CFSP positions and restrictive measures (European Parliament, 2025b, p. 6). Finally, in paragraph 116 of the Council Conclusions of 12 December 2023 on enlargement, the Council of the EU expressed its satisfaction at the significant improvement in the country's alignment with the positions and restrictive measures under the EU Common Foreign and Security Policy (Council of the EU, 2023, p. 29) which played a crucial role for the European Council to open accession negotiations with Moldova. Accordingly, the European Council invited the

Council of the EU to adopt the respective negotiating frameworks once the relevant steps set out in the respective Commission's Report have been implemented (European Council, 2023).

B) Council Decisions (CFSP) on an Assistance Measure under the European Peace Facility to support the Armed Forces of the Republic of Moldova from 2021 to 2024

Via Council Decision (CFSP) 2021/2136 Moldova received its first assistance measure under the EPF. In particular, the EU provided to Chişinău €7 million as a means to "increase the capacities of the Military Medical Service and Engineer Battalion of the Armed Forces including their ability to provide their respective services to civilians in crises or emergency situations" (Article 1(2), Council Decision (CFSP) 2021/2136). Hence, the Council of the EU decided the financing of specific equipment to support the Moldovan armed forces such as medical equipment for the Military Medical Service and explosive ordnance disposal equipment for the Engineer Battalion (*op.cit*, (3)).

The EU High Representative has played a key role as regards the implementation of the aforementioned Council Decision (CFSP) as she is empowered to ensure the compliance of Moldovan armed forces with international human rights law and international humanitarian law (Article 3(2) point (a), Council Decision (CFSP) 2021/2136). Thus, any breach of any listed obligation could lead to suspension and termination of the assistance measure on behalf of the EU (*op. cit*, (3)). Furthermore, the High Representative had initially to conduct an evaluation six months after the first delivery of the equipment and in second place a final evaluation upon completion of the delivery of equipment, supplies assessing whether the assistance measure had contributed to reaching the stated objectives (Article 5(3), Council Decision (CFSP) 2021/2136). Also, the High Representative was in charge to provide the PSC with six-monthly reports regarding the implementation of the assistance measure (Article 6, Council Decision (CFSP) 2021/2136). Finally, the PSC had the power to decide whether to suspend wholly or partially, the implementation of the assistance measure or even recommend to the Council of the EU to terminate the assistance measure (Article 7, Council Decision (CFSP) 2021/2136).

Council Decision (CFSP) 2021/2136 was followed by three consecutive Council Decisions (CFSP) on the same issue, i.e. Assistance Measures under the European Peace Facility to support the Armed Forces of the Republic of Moldova. The institutional framework was the same to all Council Decisions (CFSP) differing only in equipment supplies and services, designed not to deliver lethal force.

In particular, in 2022 Moldova received its second assistance measure under the EPF pursuant to Council Decision 2022/1093. In particular, EU provided €40 million as a means to "strengthening the capacities of the Armed Forces of the Republic of Moldova in order to enhance national security, stability and resilience in the defence sector, in line with Union policy" (Article 1(2), Council Decision (CFSP) 2022/1093). Hence, the Council of the EU decided the financing of new equipment in order to support the Moldovan armed forces such as a) logistics equipment, b) mobility equipment, c) command and control equipment, d) cyber-defense equipment, e) unmanned aerial reconnaissance equipment and f) tactical communications equipment (*op.cit*, (3)). Apart from the aforementioned mentioned, Council Decision (CFSP) 2022/1093 was identical to Council Decision (CFSP) 2021/2136.

In 2023, Moldova received its third assistance measure under the EPF through Council Decision 2023/921. Specifically, EU provided €40 million "strengthening the capacities of the Armed Forces of the Republic of Moldova in order to enhance national security, stability and resilience in the defence sector, in line with the Union's overall policy on the Republic of Moldova" (Article 1(2), Council Decision (CFSP) 2023/921). Thus, the Council of the EU decided the financing of new additional equipment as a means of support to the Moldovan

armed forces including a) air surveillance equipment, b) mobility and transportation equipment, c) logistics equipment, d) command and control equipment, e) cyber-defense equipment (*op.cit*, (3)).

In 2024, Moldova received its fourth assistance measure under the EPF via Council Decision 2024/1049. EU approved €41 million to "contribute to strengthening the capacities of the Armed Forces of the Republic of Moldova in order to enhance national security, stability and resilience in the defence sector, in line with the Union's overall policy towards the Republic of Moldova" (Article 1(2), Council Decision (CFSP) 2024/1049). Hence, the Council of the EU decided the financing of new equipment in favor of the Moldovan armed forces such as a) mobility equipment, b) air surveillance equipment, c) electronic warfare equipment and d) logistics equipment (*op.cit*, (3)).

Conclusion

In 2021, EU established EPF through Council Decision (CFSP) 2021/509 in order to preserve peace, prevent conflicts and strengthen international security. EPF is used for the financing of EU operations and missions with military or defense implications and of assistance measures. Those measures aim to strengthen the capacities of third states and regional and international organizations relating to military and defense matters as well as support the military aspects of peace support operations led by third states or the aforementioned organizations.

EPF started with a small budget of €5,69 billion reaching to €17 billion in three years. This increase of 99,9% is implicitly connected with the war in Ukraine. Hereto, EU has provided to Ukraine under the EPF €6,1 billion to address Ukraine's pressing military and defense needs.

Moldova is a beneficiary of the EPF having received until today a series of assistance measures in support of its armed forces. Hence, since its entry to EPF Moldova has benefited by receiving EU funds up to €197 million as a means to modernize its short-range air defense capabilities. Council Decision (CFSP) 2025/809 of 23 April 2025 on an assistance measure under the European Peace Facility to support the Armed Forces of the Republic of Moldova with military equipment designed to deliver lethal force consists of the most recent assistance measure provided to Chişinău on behalf of the EU. Thus, EU has broadened the objective of assistance towards Chişinău providing to Moldovan armed forces short-range air defense equipment designed to deliver lethal force.

There is no doubt that Moldova's accession path is a key priority for the Union. Chişinău in a short period of time has managed to meet six of the nine benchmarks set by the European Commission. EPF's assistance support consists of a real proof of EU's interest. Therefore, depending on the political will of the EU and on the successful completion of all the necessary European prerequisites, Moldova will become one of the next Member States of the Union. However, this means that instantly, security and defense issues of the country will become EU's issues. Hence, the EU tries to strengthen the defense capabilities of Moldova including technical training to the units of the armed forces accelerating compliance with EU's standards and interoperability and promoting alignment with CFSP, pursuant to Council Decision (CFSP) 2025/809 objectives.

Moreover, Moldova can also be a beneficiary country of the Security Action For Europe (SAFE) instrument which was established pursuant to Council Regulation 2025/1106 of 27 May 2025 establishing the Security Action for Europe (SAFE) through the Reinforcement of European Defence industry Instrument. This was confirmed by a press release of the Council of the EU issued on 27 May 2025 stating that "SAFE will also allow acceding countries, candidate countries, potential candidates and countries that have signed a Security and

Defence Partnerships with the EU, such as the United Kingdom, to join common procurements" (Council of the EU, 2025b, p. 1).

The SAFE instrument provides financial assistance in the form of loans up to €150 billion to EU member states in order to carry out urgent and major public investments in support to their defense industry.

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