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THE LEGAL FRAMEWORK OF COOPERATION IN RELATIONS BETWEEN THE REPUBLIC OF MOLDOVA AND THE REPUBLIC OF TURKEY

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CONCEPTUAL FRAMEWORK OF THE RESEARCH

The research theme relevance. The necessity of the cooperation of the states is recognized indispensable in addressing the international problems that appear.

The mutations that occur in the modern world highlight the interdependence of the states in most of the fields that become more numerous and complex. The modern society rapidly advances being accompanied by extreme danger as terrorism, cyber-crimes and climate changes.

In these conditions the international legal order that has the aim to face the new challenges, and in order to be efficient it should always be in permanent change. To attain this goal, the international law as a trainer of international legal order needs to encapsulate adequate norms of the new demands of the reality. As a response to these necessities in the modern international law a new principle is stated as a mandatory rule, the principle of cooperation of states, initially sanctioned in the United Nations Organization Charter and later in universal and regional documents all over the continents. Besides the fact that the principle of cooperation of states from the very beginning experienced an improvement and characterization concerning its legal content, in doctrine and international practice was stated the concept that it is not only an option but also an obligation of the states.

As a result the reports of the international cooperation know an ample assessment and diversity as to the bilateral level through signing treaties and agreements between two states as well as to multilateral level within international organizations or other formalized structures. International law examines the legal basis for the international relations and sets upt its rules. Most of the international law rules and regulations are founded in the treaties [36, p.3], in which a clear determination of the rights and responsabilities of the members of international community is foreseen [34, p.101].

At the same time international cooperation is not an anarchical phenomenon, it has to develop itself following other principles of the international law, first of all the sovereign equality of the states, respecting the independence of each nation, as well as the equality in rights of the partners in cooperation, of the mutual advantage, meeting their legal interests without discriminating smaller or less developed countries.

From this point of view a special interest presents the investigation that targets the legal framework of cooperation between the Republic of Moldova and the Republic of Turkey in which is elucidated the practical application of the principle of cooperation of the states on bilateral level between these two states. Here will be an explanation concerning the ways and methods used by the parts in the process of cooperation, there will be identified the norms on which is based their international cooperation and their achievements.

Creation process of the legal framework in cooperation relations between the Republic of Moldova and the Republic of Turkey is a constituent part of the cooperation and presents an interest of its dinamic formation, of legal forms of expression and structural efficiancy.

As a result of amplification of the volume of legal settlments, stabling the conformation of the multiple agreements concluded between both states at the validity coditions devoted in the content of Vienna Convention on the Law of Treaties 1969 and internal law norms of the states [33, p.884], individualization of the specific characteristic treasure of these agreements, the content and reglementation object is a positive and beneficial action in the favour of the moldo-turkish cooperation.

Legal framework that is formed or in the process of creation between the Republic of Moldova and the Republic of Turkey will continue to be applyed in the situation of major geopolitical changes, that happens in contemporary world, of substancial transformations in european space, of the new challenges that the government shall face. In these conditions, except for traditional forms, appears a new type of interstates contacts for exemple trans-border cooperation, which influences on certain regions and territories of the states, having the destination of approaching the connections between people, administrations and reglementations.

Such a cooperation, being as a decentralized cooperation is accommpanied by internal and international legal problems regarding the maintaning of the harmony between the suveranity of the states [35, p.125] and territorial independency.

The importance of this research finds itself also in the interest of the Republic of Moldova and Republic of Turkey in the context of the development process of economic cooperation with memebrs states of OBSEC.

Addopted agreements and Programs under the Organization of Black Sea Economic Cooperation target various and extensive sizes. In the first part of the 2015 year, during the presidency of the Republic of Moldova in the Organization, was determined the program regarding the support of the trade, transport development, cooperation on turistic, culture and cooperation domains, and development of the relations with European Union.

At the same time was confirmed the strategis role of the Black Sea region in the Common Declaration regarding the prospective of the development of transport in the Black Sea region [37], addopted during the reunion of the ministers of transport of the member states of OBSEC on 14 May 2015, at Chisinau.

When the relations between countries achieve a high, multiple and stable level, appear a new aspect in international cooperation through the acceptance of the strategic partnerships, legal nature of which can be found in the Strategic Partenship Agreement's expression.

A confirmation in this regard serves the preparation for signing in the nearest future of the Strategic Partnership Declaration bewteen the Republic of Moldova and the Republic of Turkey.

This document stables the priority of the cooperation and the continuation of the economic cooperation development, with an accent on special areas. The content of the document follows to target also continuation of the efficiantization process of the cooperation based on consensus, dynamic and thoroughly interaction with EU.

Declaration will focus on domains for both parties interests on cooperation sector: transports, fighting criminality, energy, medium and the organization of the projects according to existant financial resources.

Being treated according to the stipulations of the modern international public law applied in the relations of cooperation on a new basis, just and equitable between the Republic of Moldova and the Republic of Turkey, we find the theme of investigation up-to-date, original and important.

The identification of the problem and the description of the investigation. The analysis of the degree of the scientific research can be completed after evaluating the study of different authors concerning the characteristic features of the principle of states' cooperation and its legal devotion in international documents in power. Following the analysis of the applicability of this principle in the experience of cooperation between the Republic of Moldova and the Republic of Turkey reflected from different points of view. According to the doctrines of the moldovan authors we ascertain partial exposure on the content of the principle of cooperation of the states in relation to the term „peaceful coexistence", the study „International public Law" performed by the authors: Balan Oleg, Serbenco Eduard [3]. A thorough investigation is made in the other volume of the work "International public Law", the author Serbenco Eduard, edition of 2014 [18]. Some ideas are expressed by N. Suceveanu in the work "International public Law", the fourth edition, revised in 2012 [4], in the chapter "Fundamental principles of the Public International Law". The researchers Nastase Adrian [13], Scaunas Stelian [17], Cassese Antonio [8], Mazilu Dumitru [12], Coman Florian [9], Rizie David [16] set forth in their didactic materials on the principle of cooperation of states in different periods of time. A concrete and thorough analysis of the cooperation of states belongs to the case of displaying some concrete domains and forms of cooperation of states.

Concerning the practical application of the principle of cooperation of states in the relation between the Republic of Moldova and the Republic of Turkey Victor Tvircun and Aurel Tverdohleb [20] expressed their opinion from historical point of view. Marian Kosienkowski and William Sehreebek [11] touched upon political aspect of the subject and on juridical aspect an elucidation was made by R. Grosu [10].

A great number of international documents make up the standard basis of the investigations such as international multilateral and bilateral treaties, interstates, intergovernmental and interministerial agreements, protocols, conventions.

Analysing the situation in the investigated area is determinated the lack of a complete work with many aspects concerning legal framework of cooperation between the Republic of Moldova and the Republic of Turkey in the context of the stipulations of modern international law. This is a problem of investigation in the thesis and an argument for choosing the theme of the research.

The goal and the objectives: The aim of this PhD thesis is to research and evaluate the legal framework in relations between the Republic of Moldova and the Republic of Turkey, resulting from the applicability of the principle of states' cooperation at bilateral level, in order to identify and consolidate legal base for new oportunities of Moldo-Turkish cooperation trough rigurous selection of the sustenable initiatives and continuation of initiated projects in the context of European Union implication in the region.

To achieve this goal is necessary to fulfill the following objectives:

- to approach cooperation principle as a guideline of development of the legal framework in relations between the Republic of Moldova and the Republic of Turkey, revealing doctrinal views and normative provisions elaborated;
- to substantiate the applicability of the principle of cooperation on the basis of bilateral treaties concluded between the Republic of Moldova and the Republic of Turkey and multilateral treaties to which both countries are parts;
- to highlight and analyze both the legal form and the role of recognition of the Republic of Moldova by the Republic of Turkey as a crucial element for the manifestation of the Republic of Moldova as a subject of international law;
- to identify the legal aspect of the main areas of cooperation between the Republic of Moldova and the Republic of Turkey, following the correlation with the provision of international law regarding international treaties;
- to elucidate the Moldo-Turkish cooperation in regional international organizations and its reflection on the development of both countries.

The methodology of scientific research: Dialectical method, systemic method and statistical method served as research methodological basis. Methods of analysis and logic synthesis, historical and legal, deductive, comparative and other general scientific methods have been applied in the generalization of scientific papers of oficial and normative documents.

The works of authors from different countries like: A. Burian, O. Balan, E. Serbenco, N. Suceveanu, R. Grosu (the Republic of Moldova) A. Nastase, S. Scaunas, D. Mazilu (Romania), Gh. Tunkin, K. Bekeaşev, A. Movcean, G. Melcov, N. Voznesenskaia (Russia); F. Pocar, R. Ricard, F. Rigaux, F. Poisson, V. Schnebel (France); A. Cassese, C. Focarelli (Italy); Kuran Selami, Aksar Yusuf, Doğan İlyas, Gündüz Aslan, Gemalmaz Mehmet Semih, Çakmak Cenap, Pazarcı Hüseyin (Turkey) constitute the scientific and theoretical support of the thesis.

The normative framework of the research includes national normative acts, treaties, agreements, international conventions which affect this thesis. The provisions of the Constitution of Moldova, the Law of Moldova on principles of foreign economic activity dated 03.01.1992, the law on foreign investment dated 01.04.1992, the Civil Aviation Act dated 09.07.1997, the UN Charter, the Charter of the Black Sea Economic Cooperation Organization, Bilateral treaties concluded between the Republic of Moldova and the Republic of Turkey published in the official edition Moldpress "International treaties to which Moldova is a party" occupy a special place in this work.

The Declaration on establishing a strategic partnership between the Republic of Moldova and the Republic of Turkey are indicated as documents in the process of concluding.

Scientific novelty: Scientific novelty of the research results from the purpose and tasks of the work, from the presentation and assessment of applicability of the principle of States' cooperation in the Moldo-Turkish relations and from the main conclusions and recommendations proposed.

The thesis is among the first study to investigate legal framework of cooperation between the Republic of Moldova and the Republic of Turkey in a complex and fully manner taking into consideration the provisions of public international law. Detailed analysis of the most relevant scientific works and international legal instruments tangent thesis allowed knowing the quality of the enlargement process and diversify cooperation relations between both countries. He carried out scientific research has resulted in an integrity study, multyaspectual content of the moldo-turkish cooperation. The result has been possible to perform generalization on strengthening bilateral cooperation relations between the Republic of Moldova and the Republic of Turkey with its proposals for perspective.

The main scientific results submitted to support:

1. The increase of interdependence of States in most areas as a result of amplification of challenges in international legal order places in the foreground the need and importance of the principle of cooperation not only as an option but an obligation of States.
2. The establishment of cooperation relations between the Republic of Moldova and the Republic of Turkey is an outcome of the opportunity to apply the principle of cooperation of the States at bilateral level carried out through high political actions, the adoption of legal acts, the conclusion of treaties and agreements in various fields of mutual interest.
3. The ascendant development of Moldo-Turkish cooperation process is determined by the fact of recognizing by Turkey of the independence of the Republic of Moldova, after that followed the creation of the legal cooperation between both parties.
4. The conclusion of treaties and bilateral agreements between the Republic of Moldova and the Republic of Turkey in accordance with the requirements of international law provides for

reciprocity of advantages, substantiates the decisions of authorities responsible for their implementation and excludes promoting the interests of a party over other party.

5. Conducting cooperation of the Republic of Moldova and Turkey at the multilateral level occurs efficiently in international and intergovernmental organizations and other formations newly created on the basis of membership organizations by accepting the scope and direction of their activities by developing the activity in organization bodies, by participation in creating norms of international law, by submitting proposals and initiatives on work programs and how to achieve them.
6. Strengthening political stability, economic progress and social development in the Black Sea region takes place within the Organization of Black Sea Economic Cooperation, which includes multiple areas of cooperation, whose implementation corresponds to aspirations of Member States.

The major scientific problem solved in PhD thesis, consists of the identification of durable Mold-Turkish perspective cooperation, in the context of the consolidation of the bilateral relations with a major impact of the interests of the both regional countries, reflected in two drafts of the agreements regarding the trans-border cooperation and international recognition of the permanent neutral status of the Republic of Moldova by Republic of Turkey, which could be revaluated by the competent authorities of both countries in their pursuit activities.

Theoretical significance: The theoretical aspect of the thesis consists in the investigation of the content of the principle of cooperation of states in current conditions and its application in bilateral cooperative relations between the Republic of Moldova and the Republic of Turkey, highlighting the effects of the institution of recognition in international public law across the moldo-turkish reports, the contribution of this event in the strengthening of the international legal capacity of the Republic of Moldova and creation the legal base of cooperation of both states in multiple areas of common interest; the development of the cooperation into international intergovernmental regional organizations in which both countries are members.

Applied value of the thesis is that it provides the opportunity of deepen understanding of the content of the legal framework of relations between Moldova and Turkey through the principle of states' cooperation; ensure the application of the doctrinal interpretation of documents from the thesis in training in institutions of higher education in legal profile; allows to use the research results by public officials, businessmen and interested staff; recommendations from the thesis can be used by state authorities to deepening and improve the level of Moldovan-Turkish cooperation.

Approval of the results. The thesis was produsedat International and European Law Department of Moldova State University. It was discussed and proposed for further discussion in

Scientific Seminar. After that the thesis was evaluated and proposed fosr public presentation in Specialized Scientific Council.

The results of the investigation, the conclusions and the recommendations were used in scientific articles, published in speciality Jurnals: Revista Moldovenească de Drept internaţional şi Relaţii internaţionale, Revista Institutului Naţional al Justiţiei, Meliksah Law Jurnal (Kayseri, Turkey). The investigation materials were presented at the national and international conferences: International Conference on Humanities, Tirana, Albania (May 2014); International Conference for syudents of I, II cycles and PhD students (April 2014). National scientific conferance with international participation, Chisinau, USM, (November 2014).

List of publications on the thesis topic:

1. The legal cooperation between the Republic of Turkey and the Republic of Moldova to strugle against organised crime and trafiking of human beings and drugs. In : Rezumatele comunicărilor la Conferinţa internaţională pentru studenţii ciclului I, II, şi doctoranzi „Jurisdicţia teritorială a statelor: obligaţii pozitive şi responsabilitate,, 8 aprilie 2014, Chişinău, 2015, p.89 -93.
2. Turkey and Moldova: Towards a strong collaboration. In: Abstract Book, May 2014. 3th International Conference on Humanities. Tirana, Albania, 2014, p.54.
3. The legal Bases of the Collaboration of the Republic of Turkey and the Republic of Moldova. In: Meliksah Law Jurnal, Kayseri, Turkey, 2014, p.143-160.
4. Elemente semnificative în raportul de cooperare dintre Republica Moldova şi Republica Turcia. În: Materialele Conferinţei ştiinţifice naţionale cu participare internaţională. 10-11 noiembrie 2014. Rezumate ale comunicărilor. Chişinău, 2014, p.176-178.
5. Judicial assistance in Moldo-Turkish relations. În: Revista Institutului Naţional al Justiţiei, n.3 (34), 2015, p. 40-48.
6. Common issues of Moldova and Turkey in the organisation of the Black Sea Economic Cooperation. În: Revista Moldovenească de drept internaţional şi relaţii internaţionale. N.3, 2015, p. 63-77.
7. New perspectives and platform of cooperation between the Republic of Moldova and the Republic of Turkey. În: Materialele Conferinţei ştiinţifice naţionale cu participare internaţională 10-11 noiembrie 2015. Rezumate ale comunicărilor. Chişinău, 2015, p. 176-178.
8. The cooperation of the Republic of Moldova and the Republic of Turkey within the Council of Europe. In: Conferinţa ştiinţifică naţională „Interacţiunea dreptului intern cu dreptul internaţional: provocări şi soluţii,, (Palatul Republicii, 14 noiembrie 2014) Volumul III. Chişinău. Editura: Î. S. „Tipografia Centrală,,, 2015., pp. 172-176.

Thesis structure: introduction, three chapters, general conclusions and recommendations applications, bibliography, including sources 246 and 154 pages of text. The results of the PhD thesis have been published in 3 scientific articles and 5 posts at scientific conferences and symposia in the specialty.

Keywords: legal framework, the principles of cooperation, international recognition, the scope of cooperation, cooperation in the field of justice and international organizations.

Abbreviations used: *in Romanian:* OCEMN – Organizaţia Cooperării Economice a Mării Negre; *in Russian:* Организация Черноморского Экономического Сотрудничества: *in English:* Organization of Black Sea Economic Cooperation.

THESIS CONTENT

Thesis structure complies with the purpose and objects of research consisting of the list of abbreviations, annotation in English, Romanian and Russian, introduction, three chapters, general conclusions and recommendations, bibliography and appendices.

Introduction is based on timeliness and importance of the problem approached, description of the situation in the field of research and identification of the research problem. There is established the purpose and objectives of the thesis, research methodology, scientific novelty, theoretical importance and applicable value of the work.

Chapter I "ELUCIDATING THE CONDITION IN THE APPLICABILITY OF PRINCIPLE OF COOPERATION BETWEEN STATES". This chapter includes two thematic subchapters and conclusions of the first chapter. It shows the degree of scientific research of the principle of cooperation between States, its legal consecration by exposing doctrine and specifying concomitantly provisions of the international acts.

Reference has been made to the authors of Moldova, Romania, France, Great Britain, Russia, Italy, Turkey.

The analysis conducted confirms that the principle of States' cooperation has a broad legal consecration in the Charter of the United Nations [5] in the constitutive documents of several regional international organizations such as the Charter of the Organization of American States [13], the Pact of the League of Arab States [14], the Charter of the Organization of African Unity [7]. A detailed and full account of the mode of legal confirmation of the fundamental principles of international law is expressed by the author Antonio Cassese in the study "Diritto internationale" from 2006.

In the work is mentioned different opinions regarding the establishment of the provision that should be aligned at the imperative norms *jus cogens*, because in Vienna Convention of the Law of International Treaties from 1969 is given the definition of *jus cogens* norms, but does not contains the list of such norms.

Theoretical work determines the content, legal nature, applicability of the principle of cooperation in relations between States and other actors of international society. Being a highly important principle, it occurred at a certain stage to complete the content of other International Law principles as there are: cooperation in accordance with the principles of equality, sovereignty, non-intervention in the internal affairs of a state, respect for human rights respect for international order as well as maintaining peace and international security. Indeed, each of these principles can be achieved once there is a productive and cooperative cooperation between states, or between states and other subjects of International Law. The principle of International Cooperation between states is not just an obligation, but also a right of the states. Each state reserves the right to initiate the cooperation relationships with members of international community in any sphere of mutual interest. There are no provisions to limitate the right of the states to choose the form and type of International Cooperation. But we can't closely examine the legal nature of this principle, without making a resolution in the legal nature of all principles of general international law.

At the current stage, the cooperation between states became more of a necessity objective to conduct inter-state relations. Penetration of the human being in inaccessible areas as for example outer space, or underwater regions, the usage of these areas as well as the discoveries conducted as a result of their exploration and exploitation for the benefit to highlight the importance of the International Cooperation as a new principle of interstate relations, in the conditions of contemporary international society. The right of cooperation results directly from the States; right to exist, sovereignty, independence, security etc. According to this legal basis, each state has the right to establish bilateral cooperative relationships with other members of international community, to participate in different projects, initiatives of cooperation, but cooperation in itself can be institutionalized, regionally or worldwide.

The areas in which it can require to be promoted are from the most diverse. In the economic domain – the duty of all States is to contribute to the harmonious development of international commerce without barriers and discrimination. This can be accomplished by the agreement regarding the common principles of the International Law, promotion of electronic commerce, equitable conduction of commerce etc.

In the political domain International Cooperation at the present time consists in finding the effective and efficient methods of global governance adjusted to regional and local circumstances, and a cooperation that has as an aim maintaining of peace and international security by adopting, the legal acts in this regard, and measures to prevent any initiative of aggression against the sovereignty of a state and the reglementation of the disputes through diplomatic or other peaceful methods. More recently in political field the states are called to

unite its forces to fight for the security of mankind and combating terrorism that can be infiltrated in any country.

In the scientific and technical field International Cooperation requires provisioning on the basis of justice and in strict accordance with the legal provisions to the access to all Nations scientific innovations and contemporary technology, elimination of discrimination practices that can be a barrier in the way of ensuring the freedom of movement of scientific and technical values. It is noted that the content of the principle of cooperation between States experienced a substantially completion at this stage. If the original purpose unanimously recognized of this principle was to maintain international peace and security, now it covers narrower purposes, but of particular importance such as: environmental protection, rational use of natural resources, information management, global governance etc.

Accepting the opinion, that the principle of states' cooperation is an imperative norm of modern international law, we can mention that the legal nature of this principle, as other imperative norms of international law system, is exposed in art.53 of the Vienna Convention on the law of treaties, concluded at Vienna on 23 May 1969 and Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations 1986 as follows: Treaties conflicting with a peremptory norm of general international law *("jus cogens*") "A treaty is void, at the time of its conclusion, if it conflicts with a peremptory norm of general international law. For the purposes of the present Convention, a peremptory norm of general international law is a norm accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character".

In addition, Article 64 of the Vienna Convention on the law of treaties, concluded at Vienna on 23 May 1969: „Emergence of a new eremptory norm of general international law *("jus cogens*"). If a new peremptory norm of general international law emerges, any existing treaty which is in conflict with that norm becomes void and terminates".

In the same time, Viena Convention on the law of treaties in art.66 lit.a and the similar article of Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations 1986 provides the possibility to resort unilateral to the International Court of Justice in case of a dispute relating to the invalidity of treaties concerning the application or interpretation of articles 53 or 64 of those conventions.

Analyzing the legal nature of the principle of International Cooperation we can emphasize the main aspects of it:

-states have both the right and obligation to cooperate between them;

-they must lead to the principle of sovereign equality in International Cooperation;

-states can cooperate between them, or other subjects of International Law there are international nongovernmental organizations and multinational companies;
-cooperation relates both to the general purpose to maintain international peace and security and to special purposes as to the rational use of natural resources, science and technology, culture;
-states must cooperate based on such values and principles widely recognized as the universal observance and the applicability of the rights and fundamental freedoms for all;
-the member states of United Nations have the obligation to act both together and individually to cooperate with United Nations, in accordance with relevant provisions of the Charter;
-the member states of United Nations have a duty under the circumstances and possibilities to promote economic development to take mutual efforts to raise the level of living of the population of all countries, with increased attention on developing countries;
-the member states of United Nations are called to cooperate to enhance the progress of culture and education in the world;
-states are called to cooperate to eliminate the obstacles in the world trade to promote a stable expansion and the raising of liberalization etc.

The threats of contemporary society as there are terrorism, cybercrimes, and climate change necessitates mutual efforts of the global society. There are needed mutual efforts that transcend the boundaries of a country. The current organization is no longer working just in the limits of one state – these must enclose all actors-participants at global governance – State, Governments, international organizations, multinational companies and civil society.

In subchapter two it is clarified the practical application of the principle of cooperation of States between the Republic of Moldova and Turkey.

The principle of international cooperation is applicable to bilateral and multilateral relations of States. As a result of this opportunity the cooperation between the Republic of Moldova and the Republic of Turkey develops upward and is achieved by such forms as political actions at high level, the adoption of legal acts, conclusion of agreements and cooperation treaties in various spheres of mutual interest. Adressing the topic of bilateral Moldo-Turkish relations starts with the recognition of the independence of the Republic of Moldova by the Republic of Turkey. The Republic of Turkey was one of the first country which recognized the independence of the Republic of Moldova on 16th of December 1991, only 3 months after its declaration. This step was followed by the establishment of official diplomatic relations on the 3rdof February 1992 through the Protocol on establishing diplomatic relations between the Republic of Moldova and the Republic of Turkey, document which was signed and entered into force in the same day and that is the start of evolutionary cooperation between these two states. The first high-level meeting between the leaders of the Republic of Moldova and the Republic of Turkey constituted

an opportunity to open new chapters within the bilateral relations and the cooperation between the Ministries of Foreign Affairs of these States and cooperation on **tourism**.

The relations of cooperation in the field of **education** were launched in 1993, when as a result of a local initiative was founded the branch of the private Theoretic Lyceum „Orizont" from Ceadîr-Lunga, Gagauzia. Later in 1994, it was opened another branch of this lyceum in Chişinău, district Buiucani, and in academic year 2000-2001 have begun the activities of the branches from Durleşti and district Ciocana. So, in present days, in the Republic of Moldova activate 4 branches of the Theoretical Lyceum „Orizont" (Chişinău: Buiucani, Ciocana, Durleşti and Ceadâr-Lunga) with teaching in Romanian and Turkish languages, where study around two thousand students.

The treaty of Friendhip and Cooperation between the Republic of Moldova and the Republic of Turkey which represents the document on which are based the relationships between these two states was signed on 3rdof Junie 1994. In this way, the cooperation between these two states is based on cooperationa and understanding principles, to contribute to the support of this states to the maintainance of peace and stability within this region as an independent and sovereign state and to improve the atmosphere of friendship and cooperation at a bilateral, multilateral and regional levels that serves the mutual interest of both countries.

During the next years there have been a series of visits in the Republic of Turkey of many moldovan statesmen and specialized delegations, important both from political, economical and cultural points of view that indicates further flourishing of bilateral relations between Moldova and Turkey [20]. Withing this context can be mentioned a series of Agreeements in the field of **transportation** and Agreeement on the International Carriage between the Government of the Republic of Moldova and the Government of the Republic of Turkey, Agreement on Air Services between the Government of the Republic of Moldova and the Government of the Republic of Turkey signed on the 3rd of June 1994, in the field of Industry–Industrial Cooperation Protocol between the Ministry of Industry of the Republic of Moldova and the Minsitry of Industry and Trade of the Republic of Turkey**, Health Care –** The Agreement on Cooperation in the field of health between the Ministry of Health of the Republic of Moldova and the Minsitry of Health of the Republic of Turkey signed on the 11th ofNovember 1997, Protocol on Cooperation in the field of Pharmaceutics between the Ministry of Health of the Republic of Moldova, Ministry of Industry of the Republic of Moldova and Minsitry of Health of the Republic of Turkey signed on the 25th of June 1998, **Agriculture** – the Protocol of Technical, Scientific and Economic Cooperation between The Ministry of Agriculture and Food of the Republic of Moldova and the Ministry of Agriculture and Rural Affairs of the Republic of Turkey signed on the 3rd of June 1994, the Agreement between The Ministry of Agriculture and Food of the Republic of Moldova and the Ministry of Agriculture and Rural Affairs of the

Republic of Turkey regarding Economic Cooperation and Technical- Scientificin the domain of Agriculture signed on the 4th of June 2003, **Culture** – Cultural Cooperation Agreement between the Government of the Republic of Moldova and the Government of the Republic of Turkey signed on the 3rd of June 1994, Cultural Cooperation Agreement between the Ministry of Culture of the Republic of Moldova and the Minsitry of Culture of the Republic of Turkey signed on the 22of May 1996, Cultural Exchage Program between the Ministry of Culture of the Republic of Moldova and the Minsitry of Culture and Tourism of the Republic of Turkey for 2003-2005, signed on the 4th of June 2003, etc.

One of the significative aspects of the bilateral relations between the Republic of Moldova and the Republic of Turkey represents the issue of **Transnistrian region and UTA Gagauz-Yeri**. The consolidation of the relations with Turkey was an essential step made by the Moldovian officials to strain relations with UTA Gagauz-Yeri community and convince the radical fractions from the UTA Gagauz-Yeri to solve the problem of autonomy through a peaceful dialogue [10].

Turkey's policy regarding the matters relating to UTA Gagauz-Yeri and Transnistrian region have been constant and clear from the begining. The Republic of Turkey has not supported the independence of breakaway regions and made constant and systematic appeal to territorial integrity of the Republic of Moldova. Over the years the actions and speeches of the Turkish Government have not deviated from this position.

It is established that the origin of cooperation between Republic of Moldova and the Republic of Turkey lies on a historical, ethnic, geographic and political course favors their further strengthening. It is affirmed the existence of challenges in the cooperation between these two countries, but mainly the fact that bilateral relations between them are based on understanding and the contribution of both States to maintain peace and stability in the Black Sea region and improve the atmosphere of friendship and cooperation at bilateral and regional level, in mutual interest and for the mutual benefit.

Chapter II is entitled ***"AREAS AND FORMS OF BILATERAL COOPERATION BETWEEN THE REPUBLIC OF MOLDOVA AND THE REPUBLIC OF TURKEY"*** and finds its embodiment in three consecutive chapters and conclusions to chapter.

In the first subchapter there is exposed the role of recognition of the Republic of Moldova by the Republic of Turkey, as well as political and legal effects of this event. With the proclamation of sovereignty and independence in 1991, Moldova had the necessity to be recognized as an independent state. Directly, the Declaration of Independence of the Republic of Moldova from 27th of August 1991 says, *"as a sovereign and independent state, the Republic of Moldova solicits to all states and governments of the world to recognize its independence as well as it was proclaimed by the freely elected Parliament of the Republic, and expresses its desire to establish*

political, economic, cultural and other fields of mutual interest with all the European countries, with all countries, being ready to proceed to the establishment of the diplomatic relations with them, according to the international norms of law and the existing practice on this matter" [23].

The birth of a new state and the appearance of a new subject of international law take place simultaneously. According to the international law the existing states, taken individually or as a part of the international organizations, cannot invest the new states with legal and international character, having it as a result of implementing the right of self-determination by peoples and the creation of the independent states [22]. At the same time, the international recognition of the state is an indispensable element of the incorporation of a state within the international and bilateral relations [24].

The recognition is not a simple formality and its legal use is real, fact which explains that the principal concern of all the new states is to obtain recognition. Having the goal to establish the existence of a new state, the act of recognition causes changes in the legal situation of the new state.

The process of recognition of the Republic of Moldova together with the proclamation of the sovereigny and independence in 1991 has evolved rapidly, today the Republic of Moldova being recognized by the all member-states of the United Nations [4]. The Republic of Moldova achieved the status of a subject of international relations – equal to the other states of the world. This fact has determined the following steps of the young state, which was placed in front of the urgent necessity to accomplish a number of cardinal reforms in all spheres of political, economic and internal and social life. At the same time, next to the internal ones, multiple changes were necessary and in the domain of external policy. Immediately after the obtaining of the sovereignty and independence, Moldova has faced primordial needs to highlight the priorities of its external policy, to elaborate the main directions in this field and to begin the establishment and building of the political and diplomatic relations with closed and far neighbors as well as with the international structures [20].

From the first states that have recognized the independence and sovereignty of the Republic of Moldova and confirmed this thing by establishing diplomatic relations is the Republic of Turkey. The approach of the topic the bilateral Moldo-Turkish relations begins with the recognition of independence of the Republic of Moldova by the Republic of Turkey on December 16th, 1991 [20, p.1-2] just three months after the declaration of independence.

As a result of the recognition of the Moldovan independence by the Republic of Turkey the diplomatic relations were officially established on February, 3rd, 1992 through an exchange of diplomatic notes. As a result of these actions, it took place the opening of the Office of the General Consulate of Turkey in Chisinau.

In February 1994, the General Consulate of Turkey in Chisinau was turned into an Embassy, and in April 1994, through the Decree of the President of the Republic of Moldova was appointed the first Ambassador of the Republic of Moldova in the Turkish capital [20, p.5].

Official establishment of diplomatic relations between the two countries, opening diplomatic representatives at ambassadorial level, developing dynamic political dialogue became possible as a result of recognition of the Republic of Moldova as an independent State. Simultaneously it has been formed bilateral legal framework of cooperation between Moldova and Turkey [12].

Subchapter two includes analysis of the main areas of cooperation between Moldova and Turkey. Among them we can mention the economic, social, cultural, legal, information, educational, tourism, military, agricultural, transport area etc.

The main areas of cooperation between the Republic of Moldova and the Republic of Turkey are analyzed from a legal point of view, being taken as the basis for intergovernmental agreements entered into force between the parties. One of the main areas from the both countries is the economic cooperation. Contemporary international economic relations are regulated by a complex of rules and principles that were formed gradually, as the real needs and requirements [25, p.3]. In terms of appearance and development of integration processes and globalization, in the international economic system appeared new legal and institutional instruments of regulation [26, p.359-391]. The number of international pacts concerning the economic issues increasing considerably, there were formed special principles of the international economic law, the internalization occurred more questions of procedure of the states and their transition to international regulatory.

The international economic cooperation includes international trade, the attracting of investments, the creation of mixed enterprises or with foreign capital, of the air, sea and road transport, constructions, tourism, agriculture, hotel services etc. In legal plan the cooperation between the Republic of Moldova and the Republic of Turkey are regulated by a generation of agreements that follow the fairness and balance of the Moldo-Turkish relations. Till now there were signed 70 bilateral agreements between the Republic of Moldova and the Republic of Turkey [27]. They crystallized norms, created as the result of concordance of the wills [22] of the Contracting Parties in the most various areas with a practical purpose that is focused on the contribution of the bodies responsible for implementing the decision making. Only being permanently under the auspicies of the international law the cooperation can bring benefits to partners, to give assurance to the reciprocal benefits, and in no case to promote the interests of some over others.

In the current economic cooperation the international trade is central. Other varieties of the economic ties are correlated with the trading ones. For this reasons, the main bilateral

agreements that establish the legal basis of the multiple economic relations traditionally are trading agreements [28, p.211].

On February, 14, 1994 between the Government of the Republic of Moldova and the the Government of the Republic of Turkey there were concluded the agreements regarding both trading and economic cooperation [29, p.375-377], in force from June 7, 1994. The Agreement mentione the desire of both parties to promote and to diversify the economic and trading relations that are mutually beneficial on the stable and balanced basis according to the principle of equality, mutual respect and common benefit.

After three years of negotiations, on September 11, 2014 was signed the Free Trade Agreement between the Republic of Moldova and the Republic of Turkey. The agreement covers over 9000 names of products, which will not be subject to export duties and procedures of the two countries.

Cultural cooperation agreements, those on cooperation in the field of science and technology and education concluded between both parties serve to ensure cooperation between the Republic of Moldova and the Republic of Turkey on the basis of intellectual and moral solidarity. They are in line with the idea of creating a condition of lasting peace and a society based on knowledge and innovation.

Under the agreement on combating international illegal trafficking of drugs, international terrorism and other organized crime there is carried out cooperation of both countries on social security, rule of law, strengthening and deepening cooperation between the security services, the protection of values and conduct norms proper to human being.

The matters stated above confirm that the bilateral collaboration development between the Republic of Moldova and the Republic of Turkey is part of the process of growing political and economical interdependence between world's countries as a result of the growth of the volume and variety of cross-border transactions of goods and services, the international circulation of capital and people, the accelerated and generalized technology distribution. The expansion and deepening of the ties of both states in wider and more varied areas of economic, social, political and cultural life reflects their necessity and importance in which reciprocal legal assistance also falls between the Republic of Moldova and the Republic of Turkey.

There is exposed in subchapter three the content of judicial assistance between the Republic of Moldova and the Republic of Turkey. A much wider presentation of international judicial assistance in relations between states constitutes on the legal framework a remarkable realization of the XX-th century. International cooperation including the part of the judicial authorities of different states has become a necessity of the first order, under the impact of rising steadily international economic exchanges, and thanks to the influence of the more emphasized scientific or technical activities taking place on the worldwide scale. The Republic of Moldova and the

Republic of Turkey desiring to promote their cooperation in the legal field on the basis of mutual respect of sovereignty, equality and mutual benefit have decided to conclude the Agreement on legal assistance in civil matters, commercial and criminal matters, was signed at Ankara on the 22nd of May 1996 and entered into force on the 23rd of February 2001 [1].

An essential part in this contemporary approach refers to Hague Convention regarding the civil procedure from the 1st of March 1954, that are duplicated by a network of increasingly dense bilateral agreements between states.

In based of the concluded agreements in this field, are highlighted forms in which legal assistance is conducted, the competent bodies with the power to carry it out, deficiencies appearing in the practice of law enforcement bodies.

Chapter III entitled ***"THE PROCESS OF MOLDOVAN-TURKISH COOPERATION IN REGIONAL INTERNATIONAL ORGANISATIONS"*** is divided into two subchapters and the third chapter includes the conclusions to chapter.

The content of the chapter reflects cooperation between the Republic of Moldova and the Republic of Turkey in regional international organizations in which both countries have membership and therefore accepted principles of activity and have agreed to adopt their values. The basic idea is that both States make a contribution to achieve the goals of the organizations to which they belong.

In detail it is exposed the cooperation of the Republic of Moldova and the Republic of Turkey in regional and subregional organizations such as the Council of Europe, the Organization for Security and Co-operation in Europe, as well as entities as the Southeast European Law Enforcement Center (SELEC), the Southeast European Cooperative Initiative (SECI). The fact that the Republic of Moldova and the Republic of Turkey have a common political goal - EU integration has not remained outside attention.

Specifically cooperation between the Republic of Moldova and the Republic of Turkey in regional organizations manifests itself in the development of organization bodies' activity, participation in the process of creating norms of international law, submitting proposals and initiatives on various activity programs and ways to achieve them. Cooperation between the Republic of Moldova and the Republic of Turkey has a special place in the Organization of Black Sea Economic Cooperation.

Regional cooperation is a component part of multilateral diplomacy of the Republic of Turkey and the Republic of Moldova which manifests itself in enhancement of political relations, security and commercial-economic relations within the organizations and initiatives from the extended region of the Black Sea.

Throughout its history the region of the Black Sea Basin marked a zone of interest of a number of states, as regional as outside the concerned aria. One of the reasons of the increasing

interest for the corresponding Black Sea zone represents its transit location: in this area are plotted the transport ways that link the West with states rich in hydrocarbon raw materials – Central Asia and Transcaucasia [30].

The globalization of the trade and industry growth ensure enormous opportunities for development of the Black Sea region, but in the same time the oil and oil spills polution presents an imminent danger to sea ecosystems. The risk connected to intensive traffic, in emergence cases requires the coodonation of all resources on national and regional level [31].

Despite of great variety between the 17 states in the field of natural conditions and social-economic characteristic, all countries face the similar problems, connected to the control over pollution (air, water, soil), environment and biodiversity protection.

The Black Sea state of environment and its associated territories decreased suddenly in the field of biological diversity, natural environment, fishing, aqua resourses, attractive aesthetics and water quality. The environment program of the Black Sea determined 50 outbreaks in the region that require immediate actions [32].

This topic and others subjects has formed the content of second sub-chapter, focused on elucidating the areas of cooperation within the OBSEC. These include the development of transport infrastructure of international importance in the Black Sea region, development of energy management standards of the Member States of OBSEC, development of international trade, small and medium agricultural enterprises, agricultural market, best practices for crossing the borders, granting aid and reacting upon in exceptional cases during natural and technogenic catastrophes, combating organized crime, environmental, health, education, tourism and culture protection.

Extension of the cooperation between the Republic of Moldova and the Republic of Turkey in regional international organizations can become one of the ways regulating the issues existing in bilateral relations, conflict situations, both within separate States, and between Member States, increasing the effectiveness of operation of these organizations.

The expression of Turkish President Suleyman Demirel is current in relation to the objective of cooperation between the Republic of Moldova and the Republic of Turkey in international organizations, namely: "Turkey is ready to grant Moldova political and economic aid. It can use its influence to support the Republic of Moldova on the international arena" [21].

Results obtained from research performed are presented in general conclusions and recommendations.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

The scientific research consolidates the cooperation between the Republic of Moldova and the Republic of Turkey, it allows to outline the following general conclusions and recommendations.

1. The Legal Framework of cooperation in relations between the Republic of Moldova and the Republic of Turkey is based on the principle of states' cooperation enshrined in the UN Charter and other multiple international acts. Cooperation of states is today an imperative dictated by growing interdependency existing in international society of states and nations generated by globalization, the information revolution, new technologies and intensification of international division of labor.

The applicability of the principle of cooperation in relations between the Republic of Moldova and the Republic of Turkey is determined not only by the major factors facing humanity but as well as by the close historical connections, geographical factors, economic, cultural, legal, ethnic, factors, etc. Relations between both countries know cohesive and continuous growth; embrace various domains, which are explained by Turkey's position as the major player in Southeastern Europe, with a particular role in security and the global economy.

2. The establishment of a wide range of areas and forms of bilateral cooperation between the Republic of Moldova and the Republic of Turkey contributed decisively act of international recognition of independence of the Republic of Moldova. It is proved that international recognition is not simply a legal formality and its usefulness is real. As a result of recognition of the Republic of Moldova by the Republic of Turkey on 16 December 1991 between the two countries were formally established diplomatic relations on 3 February 1992, common legal conditions conductive to political, economic, social, cultural exchanges between both sides has been created.

Treaty of friendship and cooperation between the Republic of Moldova and the Republic of Turkey signed on 3 June 1994 is the basic document for cooperation of these two countries. Moldo-Turkish cooperation include economic, social, cultural, informational, educational, tourism and others areas. This develops within the provisions of more than 70 bilateral treaties concluded between Moldova and Turkey, aimed at ensuring fairness and balance Moldo-Turkish relations. The rules of international law contained in the bilateral Moldo-Turkish reciprocity certainly give advantages; warn promoting the interests of a party over the other, ensuring benefits to partners.

In these conditions developed the priority areas of Moldo-Turkish economic cooperation, including bilateral trade, attraction of investments, creation of joint ventures, air, sea, road, communication, tourism, agriculture, hotel services etc.

3. For all areas of cooperation between the Republic of Moldova and the Republic of Turkey has special importance reciprocal granting of most favored nation treatment regarding customs duties and any applicable taxes in import and export, facilitating and accelerating the export and import licensing, establishing forms of payment for business operations and granted

services, promoting cooperation between banks on both sides, mutual protection and guarantee of investments, providing information and statistics and more.

4. Internationalization of economic activities, increase circulation of capital, goods, services and persons, are accompanied by parallel development of cross-border crime. This brought the need to develop cooperation between the Republic of Moldova and the Republic of Turkey in fighting organized crime, human trafficking and drugs. According this necessity the Agreement on combating international illegal trafficking of drugs, international terrorism and other organized crimes have been signed. Under this agreement was signed the Protocol between the Government of the Republic of Moldova and the Government of the Republic of Turkey on cooperation in combating human trafficking.

The contents of nominated agreements reflect the concept regarding the fight against the criminality that includes all activities undertaken by bodies of Contracting Parties to reduce crime and, decreasing the degree of social threat, to establish the causes and conditions of crimes and identification of persons who commit crimes.

5. The legal assistance between the parties is achieved through procedural service that contribute to facilitating the administration of justice in the State of origin while ensuring mutual respect for sovereignty, equality and mutual benefit without admission of unacceptable interference in the work of their authorities. This is done by sending and handling legal documents; collection of evidence by means of letters of request; knowledge and enforcement of judgments and arbitral bodies, which subject is performed to certain procedures.

6. Bilateral treaties concluded between the Republic of Moldova and the Republic of Turkey correspond to Vienna Convention on the Law of Treaties from 1969, parts being a real subjects of public international law, having specific characteristics of sovereign and independent states with the views and own positions on international affairs and territorial supremacy at internal level, with the exception at the moment, for the Republic of Moldova, with the existence of Transnistrian region problem.

In the process of concluding the treaties between the Republic of Moldova and the Republic of Turkey are used practices of free expression of the improvement of both parts, in this way being excluded possible consent errors.

7. Cooperation between the Republic of Moldova and the Republic of Turkey in international organizations appears as a new model of regional cooperation that enables the development of unique skills in evaluation of the issues in a transnational context. From the perspective of regional cooperation particular interest for the Republic of Moldova and the Republic of Turkey has the Council of Europe, Organization for Security and Cooperation in Europe, the Black Sea Economic Cooperation Organization and a number of other regional

structures recently created such as the South Centre East European law enforcement, the South East Europe cooperation process (SEECP), South East Europe Cooperation Initiative (SECI).

The legal base of cooperation of the Republic of Moldova and the Republic of Turkey under the regional international organizations is founded on the constitutive acts of the organizations, with the form of multilateral international treaties as the Statute of the Council of Europe, Statute of the Organization of Black Sea Economic Cooperation at which both countries are part of them, or legal document that confirms their political vector – European Union Association Agreement.

8. Compliance evaluation of political and legal framework on cooperation relations between the Republic of Moldova and the Republic of Turkey in relation to the general rules of public international law identified as a major scientific problem of the content of this thesis fully confirms the applicability and sustainability of the system of international law norms in Moldo-Turkish cooperation practice.

For further development of cooperation between the Republic of Moldova and the Republic of Turkey and improvement of thepolitical and legal framework for such cooperation are proposed following recommendations:

- operational measures to be taken at national level to control full and correct implementation of the provisions of the Moldo-Turkish bilateral agreements in various fields including diminishing the bureaucracy, intensifying the fight against corruption, providing a favorable environment for investment and social stability.

- Moldavian and Turkish aspirations of European integration to materialize in the content of bilateral agreements of the parties by resuming their content to European standards; A further practical use of dialogue and mutual tolerance in cases of natural occurrence in the life of problematic situations to deal with them amicably.

- holds objective and impartial position of the Republic of Turkey, regarding territorial integrity of the Republic of Moldova, and special Turkish interests, to contribute on the development of the UTA Gagauz Yeri community and their local government, determined by ethnic factor.

To promote the concept of European integration in UTA Gagauz Yeri, valuing the importance of the European vector for the Republic of Moldova, confirming the position of Turkey on the territorial integrity of the Republic of Moldova, is proposed to use the practice of cross-border cooperation, including the UTA Gagauz Yeri as an interference area of economic social and cultural fields with adjacent territory of Ukraine, Bulgaria, the Republic of Turkey, by initiating and developing strategic activities and programs in this regard. To achievement of this goal, the draft of a new conceptual agreement has been formulated. (Annex nr.6)

- legal value of the principle of cooperation in bilateral Moldo-Turkish relations needs to be confirmed by signing a Declaration of Strategic Partnership outlining strategic priorities for cooperation development. Named document may establish as sectoral priorities the main areas of cooperation, such as: commercial, economic, transport development, freedom of movement, the protection of environment, agriculture, justice, culture and education.

Priority actions reflected in the Declaration could be conducted in concrete institutional forms:

- Intergovernmental cooperation (by organizing visits, conducting working meetings to define and monitor cooperation actions for increasing collaboration);
- Entrepreneurial cooperation (through the establishment of a Business Council to promote and coordinate initiatives in this area);
- Financial cooperation to improve investment climate (by creating a Moldo-Turkish joint commission);
- Scientific cooperation (through higher education and research institutions in various fields as a reflection of the impact of scientific and technical progress).
- Ensuring security as a significant element in the content Moldo-Turkish Strategic Partnership Declaration could be achieved through:

- *determination of policy that can be accepted*

Political vector foreseen by the Friendship and Cooperation Agreement between Republic of Moldova and Republic of Turkey that is based on the cooperation principles should be completed with the determination of the Turkish's position regarding the recognition of the permanent neutrality of Republic of Moldova consecrated in art.11 of the Constitution. Being declared in an unilateral mode, without an international recognition and guarantees, the effects of the permanent neutrality of the Republic of Moldova are not effective opposable in international plan.

This situation could be changed through the signature of the bilateral Agreement between the Governments of the Republic of Turkey and Republic of Moldova, regarding the recognition, respect and guarantee of the permanent neutral status of the Republic of Moldova. In this context the draft of the agreement is proposed as instrument and identification of aims that may be achieved (Annex 7).

- *Identification of possible methods for achievement of proposed goals*

Methods of achievement of the proposed goals, could be consultations with the Government of Republic of Moldova regarding the main interests of both countries, in the same line regarding the neutral status of Republic of Moldova, in case of appearance different situation that can lead to the threat of the peace and security or violets the international peace, Government of Republic of Turkey with common agreement with Government of Republic of

Moldova, will get in touch in the context of the coordination positions and taking measures to exclude the threat and to restore the peace.

Thus it would be possible to maintain and even advancing the high level of cooperation between the Republic of Moldova and the Republic of Turkey.

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ADNOTARE

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Structura tezei: introducerea, trei capitole, concluzii generale şi recomandări, anexe, bibliografia din 246 titluri, 154 pagini text de bază. Rezultatele tezei de doctorat au fost expuse în 8 lucrări ştiinţifice, publicate în culegeri şi reviste de specialitate din Republica Moldova, Turcia şi Albania.

Cuvinte-cheie: cadrul juridic, principiul cooperării, recunoaşterea internaţională, domenii de cooperare, cooperare judiciară, organizaţii internaţionale.

Domeniul de studiu: cadrul juridic al cooperării în relaţiile dintre Republica Moldova şi Republica Turcia în corelaţie cu dreptul internaţional public.

Scopul lucrării este efectuarea unei cercetări a cadrului juridic al cooperării între Republica Moldova şi Republica Turcia în raport cu normele dreptului internaţional public şi a elucidării aplicabilităţii principiului cooperării statelor la nivel bilateral în relaţiile moldo-turce.

Obiectivele ştiinţifice ale lucrării constau în cercetarea procesului de stabilire, dezvoltare şi concretizare a principiului cooperării statelor în lumina noilor realităţi a societăţii internaţionale; identificare, în rezultatul unei analize generale, aplicabilitatea principiului cooperării statelor în practica relaţiilor dintre Republica Moldova şi Republica Turcia; analiza şi evaluarea impactului recunoaşterii independenţei Republicii Moldova de către Republica Turcia; cercetarea aspectului juridic al principalelor domenii de cooperare între ambele ţări; elucidarea procesul de cooperare moldo-turcă în organizaţii internaţionale.

Noutatea şi originalitatea ştiinţifică a tezei reiese din specificul obiectului de studiu şi cercetare în doctrina dreptului internaţional; în materializarea rezultatelor cercetării ştiinţifice efectuate într-un studiu integru, multiaspectual cu caracter juridic internaţional.

Problema ştiinţifică de importanţă majoră soluţionată în lucrare constă în identificarea unei perspective durabile de cooperare Moldo-Turce în scopul consolidării relaţiilor bilaterale cu impact major asupra intereselor ambelor ţări în regiune, reflectate în două proiecte de Acorduri vizînd cooperarea transfrontalieră și recunoașterii internaționale a statutului de neutralitate permanentă a Republicii Moldova de către Republica Turcia, care ar putea fi valorificate de organele competente ale ambeor state în exercitarea activității lor.

Semnificaţia teoretică a lucrării constă în expunerea extensivă a principiului cooperării statelor, a modului şi formelor de aplicare a acestui principiu în relaţiile bilaterale moldo-turce; a dezvoltării cooperării lor în organizaţii internaţionale interguvernamentale.

Valoarea aplicativă rezultă în posibilitatea utilizării lucrării în scopul cunoaşterii aprofundate a cadrului juridic, al cooperării Republicii Moldova şi Republicii Turcia de către studenţi, masteranzi, funcţionari publici, reprezentanţi ai mediului de afaceri.

Implementarea rezultatelor ştiinţifice. Concluziile şi recomandările formulate, pot servi la consolidarea cooperării între Republica Moldova şi Republica Turcia prin perfecţionarea cadrului juridic al relaţiilor lor.

АННОТАЦИЯ

Тургай Шен «Правовые основы сотрудничества в отношениях между Республикой Молдова и Республикой Турция». Диссертация на соискание ученой степени кандидата юридических наук. Специальность: 552.08 – Международное и европейское публичное право. Кишинев, 2016.

Структура диссертации: введение, 3 главы, общие выводы и рекомендации, __ приложений, библиография, включающая 246 источников, 154 страниц основного текста. Результаты кандидатской диссертации были представлены в 8-ми научных статьях и опубликованы в научных сборниках и в специализированных журналах Республики Молдова, Турции и Албании.

Ключевые слова: правовые основы, принцип сотрудничества, международное признание, сферы сотрудничества, сотрудничество в области юстиции, международные организации.

***Область исследования*:** правовые основы сотрудничества в отношениях между Республикой Молдова и Республикой Турция в соотношении с международным публичным правом.

Основные задачи работы являются: определить, в результате общего анализа, применимость принципа сотрудничества государств в практике отношений между Республикой Молдова и Республикой Турция; выявить роль международного признания независимости Республики Молдова со стороны Республики Турция; отображать правовой аспект основных областей сотрудничества между сторонами; осветить процесс молдо-турецкого сотрудничества в международных отношениях.

Научная новизна и оригинальность исследования диссертации исходит из того что впервые данный объект исследования освещен в науке международного права; в материализации результатов научного исследования в интегрированной, многоаспектной работе с международно-правовым характером.

Основная решенная научная проблема диссертации состоит в исследование устойчивой перспективы сотрудничества в отношенях между Республикой Молдова и Республикой Турция, в целях укрепления двусторонних отношений имеющих значимое влияние в регионе, нашедшие отражение в двух проектах соглашений о трансграничном сотрудничестве и о международном признании и гарантии статуса постоянного нейтралитета Республики Молдова Республикой Турция, которые могли быть применены эфективно в своей деятельности компетентными органами обеих стран.

Теоретическая значимость работы состоит в изложении расширенного содержания принципа сотрудничества государств, форм и способов его применения в двусторонних молдо-турецких отношениях; в освещении развития данного сотрудничества в международных организациях.

Практическая значимость исследования состоит в возможности использования работы в целях углубленного познания правовой основы сотрудничества Республики Молдова и Республики Турция студентами, мастерандами, официальными лицами, представителями предпринимательской деятельности.

Имплементация научных результатов Сформулированные выводы и рекомендации могут быть использованы в целях укрепления и дальнейшего развития сотрудничества между Республикой Молдова и Республикой Турция путем совершенствования правовой основы их отношений.

ANNOTATION

Turgay Şen "The Legal framework of cooperation in relations between Republic of Moldova and Republic of Turkey". The PhD thesis for the degree in law. Specialty: 552.08 – International and European Public Law. Chisinau, 2016.

Thesis structure: introduction, three chapters, general conclusions and recommendations applications, bibliography, including sources 246 and 154 pages of text. The results of the PhD thesis have been presented in 8 scientific papers, published in collections and specialized journals in the Republic of Moldova, Turkey and Albania.

Keywords: legal framework, the principle of cooperation, international recognition, the areas of cooperation, cooperation in the field of justice, international organizations.

Area of research: legal framework of cooperation in relations between the Republic of Moldova and the Republic of Turkey in correlation with international public law.

The aim of the Thesis is to investigate the legal basis of cooperation between the Republic of Moldova and the Republic of Turkey in relation to the norms of international law; lighting the applicability of the principle of cooperation at the bilateral level in the Moldo-Turkish relations.

The main objectives of the work are determined by the overall analysis of the applicability of the principle of cooperation among States in the practice of relations between Republic of Moldova and the Republic of Turkey; identification of the role of international recognition of the independence of Republic of Moldova by the Republic of Turkey; elucidation of the legal aspect of the main areas of cooperation between the parties; reflection of the process of Moldo-Turkish cooperation in international organizations.

Scientific novelty and originality of the dissertation comes from the specific object of research covered in the science of international law; in the materialization of the results of scientific research in an integrated, multidimensional study with international legal character.

The main scientific problem solving in the thesis consists of the identification of durable Mold-Turkish perspective cooperation, in the context of the consolidation of the bilateral relations with a major impact of the interests of the both regional countries, reflected in two drafts of the agreements regarding the trans-border cooperation and international recognition of the permanent neutral status of the Republic of Moldova by Republic of Turkey, which could be revaluated by the competent authorities of both countries in their pursuit activities.

The theoretical significance of the work is to present the expanded content of the principle of cooperation, forms and methods of its application in the bilateral Moldo-Turkish relations; to reflect the development of Moldo-Turkish cooperation in international organizations.

The practical significance of the study is the ability to work in order to use in-depth knowledge of the legal basis for cooperation between the Republic of Moldova and the Republic of Turkey by students and MA, officials, representatives of business.

Implementation of scientific results. The formulated conclusions and recommendations can be used to strengthen and further develop cooperation between the Republic of Moldova and the Republic of Turkey by improving legal basis for their relations.

Turgay ŞEN

THE LEGAL FRAMEWORK OF COOPERATION IN RELATIONS BETWEEN REPUBLIC OF MOLDOVA AND REPUBLIC OF TURKEY

Specialty: 552.08 - International and European Public Law

Abstract of PhD Thesis in Law

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