

## REPUBLICA MOLDOVA ȘI TRANSNISTRIA: PROBLEME DE ORIGINE ȘI MODALITĂȚI DE SOLUȚIONARE A CONFLICTULUI

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*Prezentul articol conturează geneza conflictului transnistrean, concentrându-se pe percepțiile în interiorul și în afara Moldovei și pe un proces de reglementare care nu a adus rezultate substanțiale. Lipsa unei soluții privind problema transnistreană ridică întrebări mai ample cu privire la utilitatea formatelor și proceselor existente de soluționare a conflictelor. Abordările pentru soluționarea conflictului au creat o poziție înșelătoare conform căreia problema este pur internă a Moldovei, Rusia jucând rolul de mediator imparțial și furnizor de forțe de menținere a păcii. Experiența Republicii Moldova arată că o soluție durabilă a unor astfel de conflicte, bazată pe respectarea dreptului internațional și a principiilor și angajamentelor Organizației pentru Securitate și Cooperare în Europa, este imposibilă fără un accent mai mare pe responsabilitatea Rusiei. Astfel, cheia pentru soluționarea conflictului, în conformitate cu dreptul internațional și principiile OSCE se află la Moscova și mai puțin la Chișinău sau Tiraspol.*

**Cuvinte-cheie:** conflict, separatism, negocieri, reglementare, forțe de menținere a păcii, demilitarizare, trupe militare străine.

### THE REPUBLIC OF MOLDOVA AND TRANSNISTRIA: ORIGIN ISSUES AND WAYS OF CONFLICT RESOLUTION

*This article outlines the genesis of the Transnistrian conflict, focusing on perceptions inside and outside Moldova and on a settlement process that has brought no substantial results. The lack of solution to the Transnistria issue poses wider questions about the usefulness of existing conflict resolution formats and processes. The approaches to resolving the conflict have created a misleading position that the issue is purely internal to Moldova, with Russia playing the role of impartial mediator and provider of peacekeeping forces. The Moldovan experience indicates that a sustainable solution to such conflicts, based on respect for international law and Organization for Security and Co-operation in Europe principles and commitments, is impossible without a greater emphasis on the accountability of Russia. In this way the key to solving the conflict in line with international law and OSCE principles lies in Moscow and less in Chisinau or Tiraspol.*

**Keywords:** conflict, separatism, negotiations, settlement, peacekeeping forces, demilitarization, military foreign troops.

### RÉPUBLIQUE DE MOLDOVA ET TRANSNISTRIE: PROBLÈMES D'ORIGINE ET MOYENS DE RÉSOUDRE LE CONFLIT

*Cet article décrit la genèse du conflit transnistrien, en se concentrant sur les perceptions à l'intérieur et à l'extérieur de la Moldova et sur un processus réglementaire qui n'a pas donné de résultats substantiels. L'absence de solution sur la question*

*transnistrienne soulève des questions plus larges sur l'utilité des formats et processus de résolution des conflits existants. Les approches pour résoudre le conflit ont créé une position trompeuse selon laquelle le problème est purement interne à la Moldova, la Russie jouant le rôle de médiateur impartial et de fournisseur de forces de maintien de la paix. L'expérience de la République de Moldova montre qu'une solution durable à de tels conflits, fondée sur le respect du droit international et des principes et engagements de l'Organisation pour la Sécurité et la Coopération en Europe, est impossible sans une plus grande insistance sur la responsabilité de la Russie. Ainsi, la clé du règlement du conflit, conformément au droit international et aux principes de l'OSCE, se trouve à Moscou et moins à Chisinau ou à Tiraspol.*

**Mots-clés:** *conflit, séparatisme, négociations, réglementation, forces de maintien de la paix, démilitarisation, troupes militaires étrangères.*

## РЕСПУБЛИКА МОЛДОВА И ПРИДНЕСТРОВЬЕ: ПРОБЛЕМЫ ПРОИСХОЖДЕНИЯ И ПУТИ УРЕГУЛИРОВАНИЯ КОНФЛИКТА

*В данной статье рассматривается генезис Приднестровского конфликта, основное внимание уделяется восприятию внутри и за пределами Молдовы, а также процессу урегулирования, который не дал существенных результатов. Отсутствие решения приднестровской проблемы поднимает более широкие вопросы относительно полезности существующих форматов и процессов разрешения конфликтов. Подходы к урегулированию конфликта создали вводящую в заблуждение позицию, что проблема является чисто внутренней для Молдовы, а Россия играет роль беспристрастного посредника и поставщика миротворческих сил. Опыт Республики Молдова показывает, что устойчивое решение таких конфликтов, основанное на соблюдении норм международного права и принципов и обязательств Организации по Безопасности и Сотрудничеству в Европе, невозможно без большего акцента на ответственности России. Таким образом, ключ к урегулированию конфликта в соответствии с международным правом и принципами ОБСЕ лежит в Москве и, в меньшей степени, в Кишиневе или Тирасполе.*

**Ключевые слова:** *конфликт, сепаратизм, переговоры, урегулирование, миротворческие силы, демилитаризация, иностранные вооруженные войска.*

### Introduction

The techniques of research have been founded on the acknowledged ones, among them there is case study, content analyses, descriptive research, activity theory, action research, research and development, document analyses and survey method. During the period under the analysis the concrete research methods as a systematic procedure and historical has been used to solve the defined research task. The present research constitutes an interdisciplinary approach with the use of research methodology that involves the interpretation and systematization of the data developed through the analysis and presentation of the final results vis-à-vis the quintessential Transnistrian conflict. The Transnistria represent a frozen geopolitical conflict, it is a

breakaway region that comprises 12% of Moldova's territory, mainly on the eastern shores or the "left bank" of the Dniester river. It is home to approximately 350,000 people, in three similarly sized ethnic groups: Moldovans, Russians and Ukrainians. All three groups are mainly Russian-language speakers. At present, the officially accepted terms for the two parts to the conflict are the Republic of Moldova's authorities (the "right bank"), on one side, and the Transnistrian region represented by its local leaders (the "left bank"), on the other. Is worth to be mentioned that following the break-up of the Soviet Union, the Transnistrian conflict was based on political-economic and military rather than ethnic or religious factors.

Historically, the Republic of Moldova lies in the region situated between the Prut and Dniester river

and the Black Sea coast. As part of the ancient principality of Moldova which comprised areas of today's Romania, this region was under Ottoman rule until it was ceded to the Russian empire in 1812 and became a province called "Bessarabia". But even before, in 1792, the Ottoman Empire cedes the Transnistrian region to the Russian Empire. It is worth to be mentioned that following the break-up of the Soviet Union, the Transnistrian conflict was based on political-economic and military rather than ethnic or religious factors. The research is based on theoretical approach of the origins of conflict till our days last evolutions of the Transnistrian conflict.

However, today, after 31-year confrontation between the Republic of Moldova and the separatist regime in Transnistria, it has become a protracted case. The Chisinau authorities want a solution to the Transnistrian conflict in the context of which region on the left of the Dniester can receive a special form of autonomy within the Republic of Moldova. And the new geopolitical configuration, the Russian-Ukrainian war has increased security risks for Transnistrian peace settlement, which for decades represent a frozen political conflict.

### **The Conflict in the Left Bank of Dniester**

In parallel-with Moldova's process of emancipation from the Soviet center, from 1989 onwards protest movements in the regions with predominantly non-Moldovan populations, i.e. in the left bank areas and in the south of the country, began organizing themselves to resist Moldovan independence efforts. This resistance was mainly motivated by the fear that Moldova, once fully independent, would wish to reunite with Romania. In addition, a strong tendency for the preservation of the Soviet Union and of "Socialist values" was present within these protest movements, in particular among the Slav population and its leadership in the left bank areas.

A major element which led to the escalation of tensions was the adoption of a language law on 31 August 1989, giving Romanian, written in the Latin alphabet, the status of official language. The adoption of the law was accompanied by massive demonstrations in support of its passage in the capital and by counterdemonstrations and protest strikes by ethnic minority groups throughout the country.

One year later, in response to Moldova's declaration of Sovereignty, a congress of representatives of the Gagauz minority announced the formation of a "Republic of Gagauzia" on 19 August 1990, and on the following 2 September, a "Transnistrian Moldovan Republic (in Russian Pridnestrovskaya Moldavskaya Respublika, abbreviated PMR, Приднестровская Молдавская Республика, ПМР) was proclaimed in Tiraspol, Moldova's second largest city, on the left bank of the Dniester river. That same year, both self-styled independent entities elected their respective parliaments and presidents; in both cases, the elections were boycotted by the Moldovan population and declared invalid by the authorities in Chisinau.

On the left bank the situation escalated into larger scale violence and fighting. The first armed clashes between the Transnistrian separatists and Moldovan police for control of municipal bodies occurred in Dubasari on the left bank as early as 2 November 1990, which resulted in three civilian casualties. In the following months, communist leaders on the left bank started to set up paramilitary "worker's detachments", on the basis of which a fully armed and professional "Republican Guard" was created in 1991. The 1991 August coup in Moscow, which was condemned by the Moldovan authorities but enthusiastically welcomed by the PMR leaders, led to further tensions.

Reacting to Moldova's declaration of independence, the PMR Supreme Soviet voted to join the

USSR on 2 September 1991. Paramilitary formations began to take over, step by step, previously Moldovan public institutions such as police stations, administrative bodies, schools, radio stations and newspapers. Buildings targeted for “take-over” were reportedly defended by human chains of unarmed Moldovan peasants, since the Moldovan police was apparently instructed not to respond with force. On 13 December 1991 however, Moldovan police for the first time returned fire in defending the regional government building in Dubasari. New clashes took place in March of the following year, and a state of emergency was introduced in Moldova on 28 March. However, fighting intensified in May and culminated on 19 June 1992, when a large scale military battle, involving the use of heavy armies, took place over the control of the city of Tighina/Bender, situated on the right side of the Dniester but claimed by the PMR authorities. On 21 June, the Moldovan units were driven out from Tighina/Bender. There have been numerous allegations that the Russian 14<sup>th</sup> Army, stationed on the left bank, directly or indirectly supported the secessionists [1, p. 5]. The fighting caused several hundreds of deaths and some 100,000 refugees.

### **International Peace efforts**

On 23 March 1992, the Ministers of Foreign Affairs of Moldova, Russia, Romania and Ukraine met at Helsinki in the margins of the 9th Committee of Senior Officials (CSO) meeting and adopted a declaration in which they laid down a number of principles for a peaceful political settlement of the conflict, and agreed to create a mechanism for political consultations to co-ordinate their efforts. At subsequent meetings in April and May in Chisinau, the four Ministers decided to establish a Quadripartite Commission and a group of military observers (five from each country), to monitor the implementation of the terms of an eventual cease-fire. However, since

the escalation of violence in June 1992, the Quadripartite mechanism has not been working actively and is today in a state of “quasi-hibernation”. Medium-ranked representatives nevertheless remained in Chisinau, mainly as members of the respective regular diplomatic missions.

During the first half of July 1992, intensive discussions took place in the framework of the CIS on the question of the possible deployment of a CIS peace-keeping force in Moldova in accordance with the terms of the “Treaty on Groups of Military Observers and Collective Peace-keeping Forces in the CIS”, which had been signed on 20 March 1992 in Kiev. At the CIS Summit in Moscow on 6 July, it was agreed on a preliminary basis to deploy a CIS Peacekeeping Force consisting of Russian, Ukrainian, Byelorussian, Romanian and Bulgarian troops, if formally requested by Chisinau. Moldova’s Parliament delivered a request the following day, but some countries withdrew their consent to participate in a CIS force thereafter. At the Helsinki Summit on 10 July, President Snegur asked that consideration be given to “the question of applying the CSCE peacekeeping mechanism in a way adequate to our situation”. However, one of the conditions for CSCE peacekeeping contained in the Helsinki Document, namely the establishment of an effective and durable cease-fire, was considered to be unfulfilled.

A fundamentally new initiative was launched on 21 July, when an agreement was signed in Moscow between the Republic of Moldova and the Russian Federation on principles of a peaceful solution of the armed conflict in the Transnistrian region of Moldova. The agreement provided for an immediate ceasefire and the creation of a demilitarized security zone between the parties, 10 km left and right of the Dniester river, including also the city of Tighina/Bender. In a communiqué, the presidents of Moldova and Russia announced a set of principles for a peaceful solution of the conflict, including respect

for the sovereignty and territorial integrity of Moldova, the need for a special status of the left-bank Dniester region, and the right of the population of the left bank to decide on its own future if Moldova were to reunite with Romania.

To implement the cease-fire, a tripartite Joint Control Commission (JCC) was established in Tighina/Bender, consisting of Moldovan, Russian and PMR delegations assisted by a group of 30 military observers, 10 from each of the parties. In the case of violations of the cease-fire agreement, the JCC was authorized to take urgent and appropriate measures to restore the peace and re-establish law and order, and also to prevent the occurrence of similar violations in the future” (Art. 4). The July 21 Agreement also provided for trilateral peacekeeping forces, consisting of 5 Russian, 3 Moldovan and 2 Transnistrian battalions. These forces operate under the Trilateral Joint Military Command, which in turn is subordinated to the JCC. The peacekeeping troops began deployment on 29 July 1992. The cease-fire has largely been observed until the present, although numerous incidents in the security zone guarded by the trilateral forces have been alleged by both sides [2, p. 2].

### **The Main Problems on the Way to Political Resolution of Conflict**

Based on the reporting of the CSCE Mission, the following, are an attempt to describe the four main issues which have been at the core at discussions since the beginning of the conflict and which are crucial to a political settlement: the language issue, the question of unification with Romania, the 14th Russian Army and the discussion on a special status for Transnistria.

#### **a. *The Language Issue***

The language issue was, as already mentioned, at the very origin of the conflict in Moldova. In particular on the left bank, the language legislation intro-

duced in 1989 is widely regarded as the cause of the subsequent political troubles and the armed conflict in Transnistria. Long before the declaration of sovereignty and months before the possibility of unification with Romania was publicly discussed, the language legislation became the clear signal for a process of emancipation from the Soviet legacy. On 30 August 1989, the Constitution of the Moldavian SSR was amended by Article 70 which introduced Romanian as “the State Language”, written in the Latin alphabet. Russian was described as the interethnic “language of communication”, and the language of the Gagauz population was to be protected and developed. On the following day, a “Law on the Use of Languages on the Territory of the Moldavian SSR” was passed, stating that Russian would be the language of communication to be used throughout the Republic on the same footing as Romanian, and that Romanian, Gagauz and Russian would be the “official languages” in areas with a predominantly Gagauz population. The use of various minority languages (i.a. Ukrainian, Bulgarian, Yiddish) was also guaranteed.

Article 7 of the law prescribes that persons holding positions in state administration and public organizations, which bring them in contact with citizens (public health, education, culture, mass media, transport, trade, services, etc.) must know Romanian, Russian, and, in areas with a Gagauz population, also Gagauz at a “level necessary for fulfilling their professional obligations”. Such persons would have to undergo language examinations from 1 January 1994 onward, which would determine if they could keep their current jobs.

It is this - at first glance quite moderate - language legislation which sparked the disturbances at the origin of the secessionist movements in Moldova. The main focus of criticism was the *de facto* abolition of Russian as official language, and Article 7 of the language law, which was perceived as a threat to their existence by Russian speakers on both sides of the



Dniester river. Article 7, although seemingly balanced, has an asymmetric impact, since practically all Romanian speakers know Russian, but not all Russophones speak Romanian.

On the left bank, the Supreme Soviet of the self-proclaimed PMR abolished the 1989 language law on 9 September 1992, and reinstated the use of the Cyrillic alphabet for Romanian, including the teaching of the language in schools. The schooling situation for Romanian-speaking children is further complicated on the left bank since Romanian schools have been closed apparently in “retaliation” for the conversion of Russian-speaking schools on the right bank. The Moldovan authorities however point out in this regard that Romanian language schools were heavily underrepresented during Soviet times.

The language question has continued to deepen the rift between Chisinau and Tiraspol. According to Moldovan statistics, 33,000 Russians and Ukrainians emigrated in 1992. The 1 January 1994 deadline was later relaxed, but apprehensions about language testing have persisted.

#### **b. *The Question of Unification***

The initial stages of Moldova’s process of emancipation from communist rule brought about a reassertion of Romanian ethnic and cultural awareness. This was not surprising since under the former regime, everything was done to discourage cultural exchanges with Romania and to eliminate references to the existence of a common cultural heritage. Since December 1989, after the overthrow of the dictatorship in Romania, a movement within the Popular Front openly advocated (re-)unification, an idea which was encouraged by some official circles in Romania as well. Drawing on historical arguments, many Romanians deny that there is such a thing as a Moldovan national identity at all.

However, it became evident quite soon that a majority of the population of Moldova would not support a merger with Romania for a number of reasons.

First and foremost, the prospect of becoming a small rural province in a relatively centralised country which, in addition, had grave economic problems, became less and less attractive. Furthermore, the prospect of unification was totally unthinkable for Moldova’s Slav minorities on both sides of the Dniester, and became one of the motors of the Transnistrian and Gagauz secession. It is worth recalling in this context that between 70 and 75 % of Moldova’s Slav population lives West of the Dniester river.

In other words, “cultural Romanianness” was soon complemented by a current of “political Moldovanness”. Support for the Popular Front, whose representatives still advocated reunification, began to erode massively in 1991, but the Front managed to block the Parliament until the elections on 27 February 1994, where it received only some 7.5 % of the votes. Parties standing for an independent Moldova, the Agrarian Democratic Party of Moldova and the Socialist/Unity Bloc, received 43.2 % and 22 % of the votes respectively, and obtained a solid majority in the new parliament. The first post-communist elections were however boycotted by the PMR authorities, who prevented the elections from taking place on the left bank.

One week after the elections, a “public opinion poll” was held on 6 March on the future status of Moldova. Again, it could not be held on the left bank. Although the opposition had called for a boycott of this non-binding referendum, the turnout was 75% of the total population, of whom more than 95% expressed their support for the continued independence of Moldova.

Allegations that Chisinau was seeking unification with Romania had always been promoted in the propaganda of the authorities in the left-bank areas. The outcome of the public opinion poll therefore sent an important signal and eliminated a major obstacle on the road to negotiations with the leadership of the secessionist regions.

### c. *The 14th Russian Army*

In December 1991, Soviet forces on the territory of Moldova, mainly consisting of units of the 14<sup>th</sup> Army, were taken over by the CIS command structures. However, Moldova claimed jurisdiction over these forces, and in negotiations with the CIS command in March 1992, obtained jurisdiction over most forces on the right banks of the Dniester only. A decision on the forces of the left-banks was deferred. On 1 April 1992, the forces on the left bank were integrated in the Russian armed forces by decree. Numerous rounds of negotiations between Moldova and Russia took place during the following two years on the withdrawal of the Russian 14th Army, with the last - 9th - round taking place in Moscow on 7 and 8 June 1994. The principle of withdrawal has been accepted by the Russian side and is confirmed in the Moscow Agreement of 21 July 1992. However, negotiations on a corresponding timetable have so far been unsuccessful. Russia's position, contested by the Moldovan authorities, is that the withdrawal should be synchronized with a political settlement of the conflict in the left bank areas.

The presence of the 14th Russian Army in the left-bank areas remains the major military issue in the region. Numbering an estimated 5000 soldiers and extremely well armed, it is the only armored force in Moldova capable of offensive action. Many inhabitants and officials of the self-proclaimed PMR believe that the 14th Army protects them against the right bank and contributes to a stable political situation in the region, whereas in Chisinau, its presence is regarded as creating an atmosphere of instability [Ibidem, p. 4].

The role of the 14th Army in the left-bank areas is ambiguous. During the time of armed confrontations in 1992, the army took an active role and intervened to end fighting in Tighina/Bender. Moreover, it can be said with reasonable certainty that arms transfers from the 14th Army to civilians and paramilitary

groupings took place during the hot phase of the civil war. An engineering battalion, previously an engineering unit of the 14th Army, was transferred with its equipment to the jurisdiction of the military authorities of the PMR. It is also established that great numbers of left bank soldiers of the "Dniester Republican Guard" were and are being trained by the 14th Army and use its facilities. There has been a considerable military build-up under the rule of the separatists in Tiraspol: it is estimated that PMR forces consist of 5,000 active personnel, divided into four motorized brigades with supporting units. A relatively large reserve capacity is also being trained. In addition, there are various paramilitary units ("Delta" and "Dnestr" battalions), border guards and Cossacks.

It has to be said, however, that the relations between the PMR leadership and the 14th Army have become anything but harmonious. The commander, General Lebed, has repeatedly accused the left bank authorities, and in particular "President" Smirnov of corruption. Lebed is a popular figure among the Slav population, because in their perception he put an end to the civil war by deploying his forces against it.

The continued presence of a Russian army in this area - more than 1,000 km west of Russia's borders - also raises concerns in the neighboring states of Moldova and is viewed by them as internationally destabilizing. In this context, the strategic importance of the territory of Moldova, lying at the crossroads of the Slav world, the Black Sea and the Balkans, needs to be kept in mind. In the assessment of the CSCE Mission, the continued presence of the 14th Army contributes to the maintenance and solidification of attitudes and political structures which are incompatible with the principle of territorial integrity of Moldova.

### d. *The Status of Transnistria*

Direct talks between the executive branches of Moldova and the PMR were initiated at the beginning of 1993, and unofficial negotiations almost led to an

understanding on the principles of mutual relations. However, the understanding was blocked by the “Supreme Soviet” of the PMR, which instead proposed a “draft treaty on the separation of powers between the subjects of the Moldavian confederation”, amounting to an international treaty establishing virtual independence for Transnistria. Other contacts took place between formally appointed parliamentary delegations, without success: PMR parliamentarians proposed the establishment of a “Moldavian Confederation” as a member of the CIS, consisting of equal and independent states subjects of international law. Moldovan representative aimed at restoring national unity consisting of equal and independent states subjects of international law. Moldovan representatives aimed at restoring national unity with a “special constitutional and legal status being granted to the Transnistrian regions of the Republic”.

Meetings of the “troikas”, i.e. of the Presidents, the Speakers of Parliament and the Prime Ministers of both sides which have taken place twice in 1993, were an encouraging sign in itself, but failed to achieve any progress on the question of the future of Transnistria either.

If in the early days of independence the Moldovan Government advocated a unitary state, probably in reaction to long decades of Russification, it has now become ready to recognize a special status for Transnistria, even declaring that everything is negotiable with the exception of the idea of granting it a status as a subject of international law. A draft law on a special status for Transnistria was discussed in the Parliament in Chisinau in 1993, but without the participation of the Transnistrian delegates. The draft law on a special status of the “territory densely populated by the Gagauz people” seems to be further advanced since it has been accepted by the parliamentarians from the Gagauz areas. However, pro-Romanian members of the National Front considered it as a “crime against Moldova’s interests”.

Work on the new Moldovan constitution, of course most important in the present context, was much delayed due to the stalemate in the Parliament which persisted until the elections on 27 February 1994. Ironically, the absence of Transnistrian delegates had, by increasing the relative power of the National Front, made it even easier for the latter to block any progress in constitutional matters - in which it had no interest since it advocated unification with Moldova. One of the first tasks of the newly elected Parliament is to finalize the Constitution.

Reinforcement of the territorial integrity of Moldova along with an understanding about a special status for Transnistria is the declared policy of all OSCE States. The OSCE Mission has made detailed proposals for a special status of Transnistria involving substantial self-rule in the political, legal, economic, social and cultural spheres, and has pointed out the need for guarantees that Transnistria would have the right to determine its own future if Moldova were to decide to give up its statehood.

A new attempt to start negotiations between Moldovan and Transnistrian leaders and to reach an agreement on Transnistria settlement was initiated by the Russian President in February 1994. His personal representative from the Russian Ministry of Foreign Affairs visited Chisinau and Tiraspol in March and April and had talks with political leaders as well as with the OSCE Mission in Moldova.

As a result, leaders of Moldova and Transnistria met twice in April 1994. Their first meeting was a preliminary one with the limited group of advisers and took place on 9 April. The second one, on 28 April, ended with the signature of a declaration in the presence of the Head of the OSCE Mission and the Representative of the Russian President. The joint declaration includes statements of a determination to seek a comprehensive solution of existing problems, and undertakes to begin the process of negotiations on financial and economic problems, as well as on



questions of Transnistria's legal and constitutional status. The basis of negotiations - as was agreed - will be OSCE Mission proposals and ideas put forward by the Special Representative of the President of the Russian Federation [Ibidem p. 6].

In arguing against too far-reaching autonomy for Transnistria, it is sometimes pointed out that ethnic Moldovans form the largest single group with 40% of the area's population. Without the city of Tiraspol with its very high proportion of native Russian speakers, they would even represent the absolute majority. On the other hand, the Slavs themselves form a majority if the distinction between Ukrainians and Russians is ignored.

It has, however, been said in many instances that the conflict in the Transnistrian areas is not primarily an inter-ethnic one, but a dispute involving different values, ideologies and experiences, in which economic factors also play a role. The area east of the Dniester river produces 35% of the total national income.

In the assessment of the OSCE Mission, there is a distinct feeling of "Transnistrian" identity going beyond ethnic lines, justifying a special status for the area. Many ethnic Moldovans living on the left bank have an aversion against being governed directly from the centre, prefer to speak Russian, and do not consider themselves as "Bessarabians". Several prominent political figures in the self-proclaimed PMR are ethnic Moldovans. At the same time, it should be noted that west of the Dniester river - where the majority of ethnic Ukrainians and Russians live - Slavs and autochthonous Moldovans have peacefully coexisted since the dissolution of the Soviet Union, even during times of violence and heavy fighting in Transnistria. A spreading of violence to other parts of Moldova did not take place.

### **The Role of the International Community in Negotiations**

Resulting from the role assigned to the OSCE

in the process of regulation, Chisinau wants the increase of its visibility, with the formulation of clear, impartial positions and compatible with the principles of conducting negotiations, but also determining favorable solutions to legitimate interests of the population on both banks. However, with its specific mandate and institutional limitations, the OSCE, as one of the official mediators, has often ended up legitimizing the Tiraspol regime. The desire of some leading Western OSCE nations to obtain positive results from the conflict's settlement and, to the extent possible, avoid alienating Moscow has more often than not led to new regulations that favor the secessionist regime. Looking back over the past 31 years, obtaining concessions from Chisinau, rather than fostering human rights in the separatist region and making Tiraspol and Moscow accountable for their violation, has de facto been the main subject and outcome of the negotiations.

The role of the EU and the US as observers in the negotiations has been important in so far as the Transnistrian settlement depends to significant degree on the engagement of the great powers. Resolution of the Transnistrian conflict, however, is not a priority of EU or US foreign policy. The topic briefly attracted the interest of the EU as part of Chancellor Angela Merkel's Meseberg Process in 2010-2011. The Transnistria conflict served as a critical test case for Russia when Germany and France were seeking to integrate Russia into a wider European security architecture. However, once the Meseberg Process proved to be leading nowhere, Western interest in Moldova's territorial conflict declined.

Both the EU and the US have instead provided assistance to the Transnistrian region. The EU negotiated a tailored Deep and Comprehensive Free Trade Area (DCFTA) for the region and has been providing financial assistance via its Support to Confidence Building Measures Programme, which aims to increase trust between people on both sides

of the Dniester river. Nonetheless, there has been no change in the attitude of the Transnistrian region's separatist leaders following these efforts. In seeking to build confidence, the Western assistance to the region, which lacks any clear medium- to long-term strategy, tackles only insubstantial issues. Such help can even strengthen the secessionist regime and support its lack of accountability [1, p.9].

### **The Main Positions of Parts in the Negotiations**

The Moldovan Government is seeking the full reintegration of the breakaway region based on 2005 Law No. 173 on the basic provisions of the special legal status of the localities on the left bank of the Dniester (Transnistria). The end goal expressed in this law is to provide the Transnistrian region with the status of an administrative entity within the Republic of Moldova, with the right to exercise its powers in accordance with and fully respecting the constitution and laws of the Republic of Moldova. This also implies the complete withdrawal of the Russian military, and the region's demilitarization and democratization. Restoration of Moldova's territorial integrity and sovereignty, and of the principle of a host nation's consent to the stationing of foreign troops on its territory would restore respect for international law and the key OSCE principles of the Helsinki Final Act and the Paris Charter.

As the separatist side, this pseudo-state currently functions independently in isolation from Chisinau, means that the constitutional authorities of the Republic of Moldova have limited leverage over the region. The Moldovan external borders with the Transnistrian region are controlled with the support of Ukrainian partners, and common border control checkpoints have been set up.

During the decades-long negotiation process, two major resolution plans have been presented to the conflict parties. In November 2003, the Russia put forward the "Kozak Memorandum" named af-

ter the Russian negotiator, Dmitrii Kozak, who was then Deputy Head of the Presidential Administration in Russia. His Memorandum foresaw the creation of a "federation" in the Republic of Moldova, a scenario that provided the Transnistrian region with its own state bodies and foresaw a blurred division of competences between the central authorities and the envisaged federal entities. This "asymmetric federation" would have had a Federal Parliament with two chambers—a Senate and House of Representatives. The description of their practical functioning in the adoption of federal laws suggested an absolute right of veto for Transnistria as a "subject of the federation". Among other things, Transnistria's local leaders would have had control over the foreign and security policies of the integrated Moldovan state. This would in practice have meant, for instance, that Moscow would be able to block Moldova's integration with the West, and especially into the EU and NATO. Moreover, although Kozak initially stated that Russia would not employ troops during the conflict resolution process, Russian officials later contradicted him. They spoke instead of a deployment of up to 2000 "peacekeepers" armed with light weapons and helicopters for the period of transition to complete demilitarization [3, p. 25].

Chisinau's last-minute withdrawal from the signing of the Kozak Memorandum led to a freeze in relations between Moldova and Russia. In response, Moscow introduced embargos on imports of Moldovan wine, fruit and vegetables. The aborted adoption of the Memorandum also meant the disgrace of Vladimir Voronin, the communist president of Moldova in 2001–2009, who lost Russia's political support.

The victory of the Orange Revolution in Ukraine and the election of the pro-Western Viktor Yushchenko as President in late 2004 changed the dynamics of Moldovan-Ukrainian relations. Ukraine had previously been regarded as not fully supportive of the

reintegration policies of the Republic of Moldova. After his inauguration in early 2005, Yushchenko offered a second major road map to settlement, which became known as the Yushchenko Plan. It envisaged the democratization and demilitarization of Transnistria. Chisinau accepted the Ukrainian plan and proceeded to implement its obligations. The Moldovan Parliament adopted Law No. 173 on the basic provisions of the special legal status of the localities on the left bank of the Dniester river (Transnistria) on 22 July 2005. This Law was met with reservations by the Transnistrian region's separatist leaders and the Russian Federation but its political repercussions led to two essential changes on the ground.

The European Union Border Assistance Mission to Moldova and Ukraine (EUBAM) was launched in November 2005, based on an October 2005 Memorandum of Understanding signed by the European Commission and the governments of Moldova and Ukraine. On 1 March 2006, Ukraine's Prime-Minister, Yuri Yekhanurov, signed a government edict, according to which only goods from the Transnistrian region that complied with Republic of Moldova customs legislation had a right to pass through the Ukrainian border with Transnistria. The motives for this step were to enhance the control of Moldova's constitutional authorities over the customs service at the border and to prevent the smuggling of illegal goods from the Transnistrian region to Ukraine, mainly through the Port of Odessa-an important source of income for Transnistrian political and business elites.

In Moldova, all the political leaders since independence have persisted with the idea that the only sustainable conflict resolution would involve providing the Transnistrian region with special legal status as an administrative/territorial entity within the Republic of Moldova, meaning that some form of "federalization" would give Tiraspol a degree of influence over Chisinau's political decision mak-

ing. However, the various government negotiations throughout these years have shown varying degrees of consistency in promoting the reintegration idea. There has been insufficient political will to take effective steps to attract the citizens of Moldova residing in the Transnistrian region, on the one hand, and to face up to the challenges posed by the Russia, on the other.

Moldova's systemic political and financial corruption, as well as its levels of poverty and socio-economic development have preserved the *status quo* favored by many decision makers in Tiraspol, Moscow and, in part, Chisinau. For some, the Transnistrian region has become an uncontrollable space for the smuggling and trafficking of goods, people and ammunition. For others, the region in its current set-up represents a peculiar form of political capital-the region provides consistent support for political parties on the left of Moldova's political spectrum. Even though the separatist leaders of the region have long called for independence, they encourage Transnistria's population to vote in Moldovan national elections on the right bank of the Dniester river.

Moreover, Moldovan citizens in the Transnistrian region are being bribed to vote for specific parties and candidates, usually pro-Russian ones. Left-bank voters were transported to the polling stations on the right bank and promised benefits in return for their vote [4, p. 2]. In Moldova's 2021 snap parliamentary elections, for instance, 28,173 Moldovan citizens residing in the Transnistrian region cast a vote, approximately twice the number of left-bank voters who took part in Moldova's 2020 national presidential elections. The fact that the national elections attracted residents from the Transnistrian region and led to their organized participation illustrates the artificial nature of the separatist leaders' endeavors.

Fighting corruption on the Dniester's right bank has been publicly identified as a prerequisite for conflict resolution by the new President of the Republic

of Moldova, Maia Sandu. Elected in 2020. President Sandu has proposed the adoption of a broadly agreed political settlement document in which the sovereignty and integrity of the country are respected, and which would secure the future functionality of the unified state. In his way, Mrs. Maia Sandu is returning to an approach that seeks fundamental conflict settlement rather than merely tackling technical issues in small steps, which has been the strategy for many years [5].

### **The Escalation of Russian-Ukrainian War and Transnistrian Peace Settlement**

In the wake of the Russian invasion of Ukraine on February 24, 2022, were warnings of the imminent possible expansion of the conflict into the Republic of Moldova. Despite this speculation, authorities of both Moldova and Transnistria, managed to avoid military confrontation. Even without active military operations inside Moldova, however, the war in Ukraine radically transformed the variables of the Transnistrian peace settlement. In fact, the Russian invasion of Ukraine has generated a series of economic shocks that could accelerate the economic integration of the Transnistrian region into the economy of the Republic of Moldova. The same, should be mentioned that war in neighbor Ukraine has increased security risks for the Transnistrian peace settlement, raising the risk that decades of frozen conflict might boil over into open war once again. The fact that the two important mediators in the Transnistrian peace settlement, Russia and Ukraine, are engaged in an active military conflict has officially made further negotiations to resolve the Transnistrian conflict impossible.

However, the Ukrainian resistance against Russia has also created new premises for the possible resolution of the Transnistrian conflict and prospects for uniting the Republic of Moldova and Transnistria under the same political entity. All the unknowns

of the Russian-Ukrainian conflict have brought unprecedented changes to the economic variables of the Transnistrian peace settlement in favor of the Moldovan authorities. As a consequence Transnistria will finally lose its status as the “black hole” of Europe that it has held since the collapse of the Soviet Union. Thanks to the integration of Transnistria into the Moldovan customs zone, the illicit trade in drugs, weapons and other goods through the porous Transnistrian-Ukrainian border is already effectively controlled. Under new geopolitical configuration where Transnistria is unable to export goods to Ukraine, for 2022 year it exports 76 percent of its goods to Moldovan and EU markets. As a result, for the first time in decades, Moldova can finally control Transnistrian exports. In other words, the Russian-Ukrainian conflict has contributed to the integration of Transnistria trade into the legal framework of Moldova [6, p. 2].

The Russian-Ukrainian war has also generated an energy crisis for both Moldova and Transnistria. Both Moldova and Transnistria receive their gas supply from Gazprom via a transit pipeline through Ukraine. As Russian missile attacks have consistently targeted energy infrastructure in Ukraine, both Moldovan and Transnistrian leaders have voiced their concerns about the sustainability of Russian gas delivery. In October 2022, Gazprom reduced its gas supply to Moldova, and the Moldovan authorities claimed that Russia was using gas to subvert the Moldovan government. At the same time, Gazprom has also deepened the crisis in the Transnistrian economy, which is heavily dependent on Russian gas for its industries and electricity generation at the Moldavskaia GRES power station in Dnestrovsk.

As a result, Transnistrian authorities have introduced “a regime of economic emergency” that drastically reduces electricity and gas consumption. Under normal circumstances, gas-powered electricity generation plants in Transnistria supply most of Mol-

dova's electricity. However, in the face of the conflict between Russia and Ukraine, all major Transnistrian industrial enterprises are halted. The country cannot generate sufficient electricity for the whole Moldovan market. As such, Transnistria is facing a reduction in tax revenues because of the decrease in industrial output. In December 2022, Moldova and Transnistria reached a temporary agreement. Transnistria would receive all the gas that Gazprom agreed to deliver to the Republic of Moldova. In exchange, Moldova would receive 50 percent of its electricity at 73 USD per MW/h from the Russian-owned Moldavskaia GRES power station in Dnestrovsk, which generates electricity by burning Russian gas. The Moldovan authorities favored this agreement instead of purchasing gas from Romania, which had quoted a much higher price. Based on this agreement, the Republic of Moldova has opted for cheaper Russian energy supplies instead of aligning with its Western partners, many of which have taken decisive steps to limit their dependence on Russian gas in the wake of the Ukrainian conflict. The Moldovan government selected this short-term solution with the expectation that they would be able to switch to Western energy sources in the future once the prices drop.

Taking into consideration that the Republic of Moldova has already started elaborating its 2050 Strategy for Energy Development, which aims to liberalize the energy markets and gradually substitute Russian gas with alternative sources from the EU, the Transnistrian economy will lose the advantage conferred by cheap Russian gas. Already in October 2022, Moldova was able to cover some of the deficit of Russian gas with the purchase of gas from the EU energy market, supplied to Moldovan consumers through the Iasi-Chisinau pipeline that became fully operational in 2021 as an alternative to the Gazprom route.

In the long run, the lack of cheap natural gas will approximate the Transnistrian economy to the

Moldovan agricultural and service-based economy. The profitability of Transnistria's heavy industry and the welfare of Transnistrian residents is predicated on cheap Russian gas [Ibidem, P. 5.]. The loss of this competitive edge could lead to lost jobs and higher utility bills for individual consumers. Facing the difficulties of increasing spending and diminishing revenues, Transnistrian regime will likely have limited capacities to support the local population.

### **Conclusions and Recommendations**

Resolution of the Transnistrian conflict requires good will and commitment from all the actors involved, and in particular a fundamental reorientation of Moscow's approach to the region. Moreover, the Moldovan constitutional authorities need to own the reintegration process more demonstrably than hitherto. In these regards, the following changes and policies are recommended:

#### *To Moldova's Government and Parliament*

1. Moldova's authorities should formulate a comprehensive, clear, thematically focused and financially backed reintegration strategy based on the international commitments already made and the EU Association Agreement agenda. A viable resolution of the Transnistrian conflict requires a unified position or "untouchable consensus" among the political class in Moldova regardless of ideological viewpoint, a position based on the principles of the independence, sovereignty and territorial integrity of Moldova and not on geopolitical preferences.

2. Knowledge of the Transnistrian conflict on both banks of the Dniester river is scarce. Even though the Transnistrian conflict heavily impacts the development of the Moldovan state, the topic is insufficiently salient for politicians and the wider public. People on both banks of the Dniester river do not associate the conflict's settlement with more



successful and sustainable socio-economic development. The Transnistrian issue should be opened up to the wider public and presented as a challenge to national security. All political parties should be encouraged to become involved in conflict resolution, to speak out more, and to provide information in a user-friendly format.

3. Moldova's National Public Broadcaster should develop an editorial policy that promotes reconciliation and unification, offers truthful information and identifies the parties' red lines. Training and education should be provided for journalists on ethical standards and conflict resolution, to make them better able to elaborate more professionally on such issues. The Audio-Visual Council of Moldova should set norms and regulations that address coverage of the Transnistrian conflict and its settlement, in cooperation with the Bureau for Reintegration Policy.

4. The Republic of Moldova should develop a unified position on the role of the Russian Federation in the settlement process. The hitherto prevailing approach not only makes dialogue with the Russia more difficult, but also allows an intensification of the existing problematic and controversial issues in such fields as socio-economic and trade relations, energy and security.

5. The Republic of Moldova authorities should intensify cooperation with their Ukrainian counterparts and elaborate a common position on the regional security architecture, given both countries' aspirations to join the EU. Mirror activities could be undertaken at the level of civil society, thereby increasing knowledge about each other and building bridges among institutions, civil society organizations and media outlets.

6. The Republic of Moldova as a consequence of the Russian-Ukrainian conflict must prepare a long-term integration strategy, including financial support for vulnerable social groups in Transnistria and legalization options for Transnistrian businesses.

#### *To international organization and foreign actors*

1. Under the OSCE umbrella, to avoid manipulation and disinformation, more clarity should be achieved on the issue of the Russian military presence in Moldova. The OSCE should take account of Moldova's request for the initiation of a monitoring mission of international experts in the Security Zone. Restoration of respect for international law and the OSCE principles and commitments set out in the Helsinki Final Act and the Paris Charter should underlie all OSCE efforts.

2. The stakeholders in the 5+2 negotiation format should develop mechanisms that guarantee execution of the agreed provisions and penalties for slowing down or jeopardizing their implementation. Given the largely unsuccessful attempts at conflict resolution over the years, and the lack of sustainable progress, the withdrawal of Russian troops and ammunition should be made a precondition for further talks.

3. The EU and the US should move the Transnistrian conflict higher up their foreign policy agendas in relation to other protracted conflicts in Russia's neighborhood, include it in their bilateral dialogues with Russia and hold Moscow accountable for its violations of international law, in general, and OSCE principles and commitments, in particular.

4. The US should use financial assistance and the EU the instruments in the Association Agreement, including the DCFTA, to make the Transnistrian region's authorities more accountable and more respectful of human rights and freedoms, and to initiate reforms that would foster reintegration. Such assistance should be closely coordinated with the Republic of Moldova's authorities and with reintegration plans.

5. The EU should review the effectiveness of its Confidence Building Measures and align its institutional support to the promotion of reunification. The EU should consider revising its practice of having a Special Representative for Moldova, a person dedi-

cated particularly to the solution of the Transnistrian conflict. A similar special representative for Moldova from the US would also be beneficial.

6. The OSCE, Ukraine, the EU and the US should pay greater attention and commit further resources to exposing corruption linked to the separatist regime and to other uses of the Transnistrian region for illegal activities.

7. The EU and its member states, the US and the international organizations present in the Republic of Moldova should continue to refrain from taking unilateral decisions related to the Transnistrian region without consultation with and the consent of Moldova's constitutional authorities. Such actions would hinder conflict resolution and could also deepen the conflict.

### **Bibliographic references**

1. ROSCA, V. *The Transnistrian Conflict: 30 Years Searching for a Settlement*. - Stockholm Center for Eastern Europe Studies. 12 P. <https://www.ui.se/forskning/centrum-for-osteuropastudier/sceus-report/sceus-report-no-4/> seen on March 10, 2023.
2. *Transnistrian conflict: origins and main issues*. - Vienna, 10 June 1994, CSCE Conflict Prevention Centre. 6 P. <https://www.osce.org/files/f/documents/4/3/42308.pdf> seen on March 3, 2023.
3. BOȚAN, I. *Procesul de negocieri ca modalitate de amânare a soluționării problemei*. // Matveev D., Șelari G., Bobkova E., and Cseke B., Moldova: Transnistria: Eforturi comune pentru un viitor prosper. – Chișinău. Editura Cu drag. 2009. P.14-27. seen on March 12, 2023.
4. Transitions Online. Transnistrian election fraud ‘a slap in the face of Moldovan democracy’. Global Voices. 3 P. September 2021, <https://globalvoices.org/2021/09/01/transnistrian-election-fraud-a-slap-in-the-face-of-moldovan-democracy/> seen on March 20, 2023.
5. Participation of Maia Sandu, President of the Republic of Moldova at the talk show ‘Moldova in Direct’, National Moldovan Broadcaster, Moldova 1, 3 June 2021, <https://www.youtube.com/watch?v=G8HaitDUfIY> seen on March 19, 2023.
6. LESANU, A. *The Economic Prospects of the Transnistrian peace settlement after the Russian invasion of Ukraine*. // Georgetown Journal of International Affairs, April 2023. 6 P. <https://gjia.georgetown.edu/2023/04/04/the-economic-prospects-of-the-transnistrian-peace-settlement-after-the-russian-invasion-of-ukraine/> seen on April 4, 2023.