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EU ROLE IN THE SETTLEMENT OF THE TRANSNISTRIAN CONFLICT

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The conflict sparked on the Dniester River at the beginning of the 1990's caught the international community off-guard, which, at the time of standoff didn't know how to react to it. At the same time, the young Moldovan state, still burdened by the Soviet heritage and lacking critical diplomatic experience, found itself drawn into a number of conflict settlement schemes, which, most of the times, proved worthless. Russia's "first violin" role in the negotiations ultimately made the Republic of Moldova sign agreements that further stalled the negotiation process and made Tiraspol authorities less "dependent" on Chisinau authorities. The European Union enlargement from middle 2000's, along with the falling of the Republic of Moldova under the EU "sphere of interest", reignited some hopes that the aforesaid conflict would be settled in a way that would uphold the sovereignty and territorial integrity of the RM. Nevertheless, opportunities did not translate into tangible results to date, as with EU and USA joining the new 5+2 format formal negotiations ceased at all. Therefore, one may raise a reasonable question, how could one capitalize on the EU potential in settling the Transnistrian standoff, so as to take the European path, while also complying with the national interests of the Republic of Moldova.

I

CONFLICT OUTBURST AND FIRST INTERNATIONALIZATION EFFORTS

The Transnistrian conflict blew up as an domestic affair in the Republic of Moldova, with the then-leadership bending efforts to resolve the standoff on its own, such as the Appeal of the Government of the Republic of Moldova to the residents living on the left bank of the Dniester River of 15 March 1992¹, whereby aiming at reaching ceasefire. At the same time, the international community was not fully aware of the scale and eventual consequences of such conflict. Russia was the only “visible” stakeholder back then, perceived as the successor of the “Center” of the Soviet Union and which was the key decision-maker, and Ukraine, to a lesser extent, given the shared borders and the use of Ukrainian territory as transit grounds for the mercenaries and Cossacks who fought for the secessionist leaders. Moreover, Romania also played an important role in supporting the constitutional authorities from Chisinau.

Therefore, it is not mere coincidence that the first efforts to settle the conflict with the help of foreign mediators was the Helsinki meeting of the ministries of foreign affairs from the Republic of Moldova, Romania, Russian Federation and Ukraine, called on 23 March 1992, following which a statement was issued on the principles of peaceful settlement of the Transnistrian conflict. At subsequent meetings convoked in the same format throughout April – May 1992 it was decided to establish a Ceasefire Observers Committee. Nevertheless, not only such attempts failed, but on the contrary, those escalated the confrontation, thus resulting in the tragic events at Bender in the June of 1992. Making allowance for the intensity of meetings and the appeals made by the leadership of the Republic of Moldova in the following period, in particular the Appeal made by the then-president Mircea Snegur to Boutros-Boutros Ghali, UN Secretary General, on 23 June 1992, to let the Security Council know about the attack led by the joint Russian and secessionist troops on the town of Tighina (Bender), and the appeal launched at the Helsinki Summit of the Commission on Security and Cooperation in Europe (CSCE), when Chisinau authorities called on considering the opportunity of resorting to CSCE peacekeeping mechanisms under the circumstance that Moldova was facing, one may conclude that those were the first efforts to internationalize a standoff, which used to be thought of as an internal affair before.²

Despite Chisinau authorities being presumably aware of Russia’s role as party to the dispute, specifically after having the Russian troops, and Russian tanks in particular, directly involved in the war, a Moldovan-Russian Ceasefire Agreement was signed on 21 July, following which the RM found itself dragged into a protracted and tedious period of negotiations, somewhat being held hostage to that standoff to date.

¹ Appeal of the Government of the Republic of Moldova to the residents living in the districts located on the left bank of the Dniester River, available on: www.transnistria.md/ro/articles/0/536/5

² Aparece Gheorghe, Transnistrian Conflict Settlement. Brief Overview of the Negotiation Process, p. 5, available on: http://ipp.md/public/files/Proiecte/blacksee/rom/Aparece_ROM.pdf

II

POST-CONFLICT PERIOD – PRIMAKOV MEMORANDUM

The concluding of the Moldovan-Russian agreement should have underpinned the basic principles for the Republic of Moldova development as a country, the sovereignty and territorial integrity of which have to be observed, and the Russian troops deployed in Moldova had to be taken out of country³. This principle was also reiterated during the sessions of the CSCE Conference in Stockholm on 14 December 1992, with a decision being taken on 3 February 1993 to establish a CSCE mission (thereafter, OSCE) in the Republic of Moldova.⁴

Yet, all initiatives aiming at a faster settling of the dissent between the Republic of Moldova and the eastern districts of the country have been obstructed by Russia, through the statements and steps taken by Transnistrian leaders, with the latter very soon becoming a factual party to the negotiations and conflict. Hence, secessionist leaders organized a number of referendums whereby the withdrawal of the Russian troops and ammunition was brought to a halt, and a referendum of 24 December 1995 whereby the constitution of the so-called Transnistrian Moldovan Republic was adopted, reiterating once again its independence.⁵

During the same period, the Russian side basically consolidated its position in the negotiation process in a triple role of “peacemaker, mediator, and guarantor” (a sort of participant wearing three hats: boxer, referee, and organizer of competitions), albeit the term “guarantor state” became a formal one only at a later time. The Russian *State Duma* has been attributed a special role in the so-called Transnistrian affairs. Russian lawmakers started to be frequent guests in Tiraspol and active defenders of Transnistrian leaders in Moscow.⁶

At the same time, Moldovan authorities persevered in their efforts to make its dialogue partners – Tiraspol leaders and Russian Federation leadership – both within the framework of bilateral contacts and during the meetings in the extended format, as well as at international forums – accept the concept of a “larger autonomy” status for Transnistria within the Republic of Moldova as a key solution for conflict resolution. The efforts bent by Chisinau authorities failed both in conflict settlement and in withdrawing the Russian troops.⁷

In order to break the deadlock in the settlement process, the new president of the Republic of Moldova – Petru Lucinschi – only four months after assuming the position, signed a Memorandum on the principles of normalization of the relations between the Republic of Moldova and Transnistria, known as the Primakov Memorandum (the then-minister of foreign affairs of the Russian Federation) on 8 May 1997. Next to Lucinschi’s signature there were signatures of the Tiraspol leader Igor Smirnov, president of the Russian Federation Boris Yeltsin, president of Ukraine Leonid Kuchma, and the Chairman-in-Office of the OSCE, minister of foreign affairs of Denmark Niels Helveg Petersen, with the latter acting as a representative of the international organization that was supposed to “contribute towards and mediate” the conflict settlement.

Pursuant to the provisions of the Moscow memorandum, the Republic of Moldova and Transnistria pledged to “normalize their relations” and to carry on “developing their legal and govern-

³ www.osce.org/documents/mcs/1992/12/4156_en.pdf //

⁴ www.osce.org/moldova/13173.html

⁵ Constitution of the Transnistrian Moldovan Republic (pursuant to the public referendum as of 24 December 1995 and endorsed by the president of the Transnistrian Moldovan Republic on 17 January 1996; current version as per the amendments made through the Constitutional Law no.310-KZID of 30 June 2000). www.olvia.idknet.com/constit.htm

⁶ Aparece Gheorghe, Transnistrian Conflict Settlement. Brief Overview of the Negotiation Process, p. 11, available on: http://ipp.md/public/files/Proiecte/blacksee/rom/Aparece_ROM.pdf

⁷ Stăvila

ance ties” as “one state”, within the borders of the Soviet Moldova as of January 1990. The nature and principles underpinning the above relations had to be defined in the “Transnistrian Statute”, the development of which had to start once the aforesaid memorandum was signed, making allowance for all the agreements in principle concluded to date. As expected from the appropriate dialogue on the status *per se*, Transnistria would be entitled “to take part in exercising the foreign policy of the Republic of Moldova in matters affecting its interests”, with such decisions being ought “to be made with the consent of both parties”. Chisinau authorities would also acknowledge Transnistria’s right “to establish and keep up on its own international ties in the field of economy, technology, research and culture, as to the other realms – with the consent of both parties”. Parties were reiterating their commitment not to resort to the use of force or to threat of making use of force, to work out dissensions by peaceful means only. Both parties welcomed the readiness of the Russian Federation and Ukraine to act as “guarantor states to watch over the observance of the provisions set forth in the Transnistrian Statute”, backed up the continuation of peacekeeping actions and the development of a “guarantee mechanism” with involvement of all parties to the negotiations.

That paper was an asymmetrical one, politically favoring the Tiraspol regime at the expense of Chisinau authorities. Furthermore, the Russian diplomats and Transnistrian representatives made clever use of the provisions of the aforesaid paper to advocate for their own models for conflict settlement. Such syntagms as “normalization of relations” or “leadership of the Republic of Moldova and Transnistria” put Chisinau leadership and Tiraspol authorities on equal terms, whereas the blurred and controversial notion of “one state”, basically imposed upon by Primakov, provided Chisinau opponents with the opportunity to carry on advocating for a “Moldovan confederation” or an “union of two sovereign states”. The memorandum said nothing about the need to observe the principle of sovereignty and territorial integrity of the Republic of Moldova⁸.

The only positive thing for Moldovan officials was the joint Declaration of the presidents of the Russian Federation and Ukraine when signing the memorandum⁹, stating that the provisions of the above memorandum may not be “interpreted or enforced if those are contrary to the principle of sovereignty and territorial integrity of the Republic of Moldova”, and the special status of Transnistria had to define this region “as an united and territorially integral part of the Republic of Moldova”. The signing by the head of the Ukrainian state of the Moscow memorandum and of the additional declaration was a telltale proof of Kiev interest to play a more active role in the Transnistrian conflict settlement.

That used to be a quite controversial period, during which the Republic of Moldova concluded a number of tradeoffs in a bid to settle the Transnistrian conflict. On the other hand, Transnistrian leaders, encouraged and supported by Russia, succeeded in halting and further impeding the conflict resolution process.

⁸ Evolution of Foreign Policy in the Republic of Moldova (1998-2008), available at: <http://ape.md/lib.php?l=ro&idc=156>

⁹ Joint Statement of the presidents of the Russian Federation and Ukraine related to the signing of the Memorandum on the principles of normalization of the relations between the Republic of Moldova and Transnistria, as of 6 May 1997. Addendum Transnistrian regulations (baseline paper) <http://www.niss.gov.ua/book/Perep/pril.htm>

III

PERIOD BETWEEN 2001 AND 2009 – SHIFTING FROM THE “5” FORMAT TO THE “5+2” FORMAT

The conflict resolution process took a qualitatively new turning point since Moldovan communists came to office following the Parliamentary elections from February 2001 and the appointment of Vladimir Voronin as the country’s president. The new Chisinau leadership undertook a complex array of measures meant to prove a stronger, more resolute and pragmatic political commitment that the one displayed in the past, in order to speed up the finding of a final solution to the Transnistrian issue, including by considering of a new political paradigm. In his actions, president Voronin was relying on the support of the Russian Federation most of all, the leadership of which was expected to highly appreciate the political steps taken during the election campaign to give the Russian language the status of an official state language, to join the Russia-Belarus Union, and readiness to have tradeoffs and concessions in the Transnistrian conflict resolution.

A Ministry of Reintegration was established some time later, replacing the relevant line cross-department Committee that worked before. Following two meetings between president V.Voronin and the Transnistrian leader I.Smirnov during April – May of 2001 there was a joint declaration drafted, with four protocols on how to harmonize the customs laws, guarantee investments, and beef up media activities. The most controversial of those was the protocol on the “mutual” acknowledgement of the acts issued by line institutions, including, among other, Transnistrian “passports”.

Yet, shortly afterwards, the flexible and conciliatory attitude of Chisinau authorities was dented by the uncompromising and irreconcilable position of Tiraspol regime leaders, the ambition of which was to get the recognition of Transnistrian independence. As early as in the summer of 2001, the dialogue and direct “high-level” relations between Chisinau and Tiraspol ceased for a long time to subsequently be resumed in April 2008. “Parties” returned to open confrontation, triggering a real “cold war” between the two banks of the Dniester River.

The sudden tensions escalating between Chisinau and Tiraspol have had a negative impact upon the Moldovan-Russian relations, yet those did not prevent Chisinau and Moscow from carrying on the dialogue, which the Moldovan president was mostly relying on. A remarkable success to that end was the Friendship and Cooperation Treaty between the Republic of Moldova and Russian Federation, signed by presidents V.Voronin and V.Putin in Moscow on 19 November 2001. This event had an outstanding political connotation in the context of the Transnistrian dispute resolution. However, the concluding of such treaty was no obstacle for the Russian Federation to further back Tiraspol administration through political, military and financial support and to undertake hostile measures against the Republic of Moldova for the purpose of shattering the country’s economy.

Being strongly committed to promptly overcome the Transnistrian standoff with more international presence in the region, given the general aversion of Moldovan society to the controversial models of the federalization of the country as a suggested scenario for conflict resolution, in the summer of 2002 V.Voronin started up extended and audacious discussions on some options, the cornerstone of which was the so-called concept of “asymmetrical federation”. Pursuant to the above project, which was developed with the support of experts from Chisinau authorities, Tiraspol leadership, OSCE, Russian Federation and Ukraine, the Transnistrian region was ought to be vested with powers specific to some known federations, yet not based upon an agreement concluded with other federal subjects, but rather following a constitutional act that had to be approved of through referendum.

As a result, a group of international experts under the aegis of OSCE drafted a statute of that kind for Transnistria, which was put forward in Kiev in July 2002. The above draft – a model of the distribution of powers between Chisinau and Tiraspol, inspired / taken from the Constitution of the Russian Federation – was welcomed in principle by Moldovan officials, but was turned down by Tiraspol administration. Soon the efforts to come up with their own plans for the Transnistrian conflict settlement, pursued by Chisinau authorities targeting the “reintegration of country” and by Tiraspol leadership aiming at getting a “civilized divorce”, failed due to diametrically opposed political approaches.

Under this circumstance, a “Memorandum on the core principles of establishing a unified state” emerged in November 2003, with strong echoes reverberating in “space and time”. Well known as the “Kozak Memorandum”, after the name of its main author – Dmitri Kozak – the second high-ranked official in the Russian president V.Putin administration – this new Russian plan has come to become with time one of the most controversial scenarios for the settlement of the Transnistrian conflict, which Moscow still did not give up on to date. Pursuant to the provisions set forth in the above paper, which was basically a materialization of the idea of “one state” launched by Primakov, the Transnistrian issue had to be sorted out once and forever by “transforming the way the state is organized in the Republic of Moldova aiming at building up a single, independent and democratic state on federal principles, as defined within the boundaries of the Moldovan SSR as of 1 January 1990”.

However, the aforesaid Memorandum was never signed because of some last-minute provisions pushed by the Russian Federation, as well as because of the protests sparked by local opposition and international stakeholders. Albeit exacerbating the Moldovan-Russian relationship afterwards as a result, the refraining from signing that paper saved the Republic of Moldova from a fallacious conflict resolution, which would have otherwise made Moldova a state that was unable to work out its domestic problems on its own and highly dependent directly on Russia.

Against such a background, starting in 2005, the European Union and Ukraine became prominently more involved in the settlement of the Transnistrian conflict. The EU enlargement and the shifting of its borders eastward to settle on the Prut River, as of 1 January 2007, contributed considerably to heightening the interest of Brussels for the Republic of Moldova and, by default, for the Transnistrian standoff, which is perceived as a dangerous hotbed of tension for the entire continent¹. A telltale proof to that end was the signing of a Republic of Moldova – European Union Action Plan in February 2005 and the appointment of a special EU representative to the Republic of Moldova in March 2005. The RM-EU Action Plan had a specific chapter on the Transnistrian conflict and on the building of good neighborhood relations with Ukraine².

In the mean time, following the victory of the “orange coalition”, Ukraine started to play a much more important role in the region, in particular after the Yuschenko plan was made public³. In the same vein, a joint letter was filed with the EU leadership asking to establish a specific border assistance mission at the crossing points between Moldova and Ukraine, as well as an appropriate protocol whereby the Republic of Moldova supported the joining of Ukraine to the World Trade Organization. Moreover, the prime ministers of Moldova and Ukraine signed a joint statement on 30 December 2005, whereby the two governments committed to enforce the protocol concluded by the border customs services of the two countries back in May 2003, whereby the access of goods to the customs areas of the two countries was granted based upon legal customs insignia only.

As a result, EU has been involved in sorting out the problems in the region by having the EUBAM mission established on 30 November 2005. Some time earlier, since September 2005 the negotiation format was expanded to make up a new “5+2” format by letting the European Union and U.S.A. in as observers, thus opening up promising prospects for the efforts bent to identify an adequate solution to the standoff. Yet, given the obstructionist conduct of the Tiraspol regime representative, who

¹ Evolution of Foreign Policy in the Republic of Moldova (1998-2008), available at: <http://ape.md/lib.php?l=ro&idc=156>

² Republic of Moldova – European Union Action Plan, http://aap.gov.md/common/util/PlanulActiuniRM_UE.pdf

³ Evolution of Foreign Policy in the Republic of Moldova (1998-2008), available at: <http://ape.md/lib.php?l=ro&idc=156>

has been backed by Russian diplomats all throughout, the formal meetings ceased in February 2006 after five rounds of negotiations in the “5+2” format.⁴

After the formal negotiations were suspended, the conflict settlement process entered a new chaotic phase, during which Chisinau authorities, in a bid to settle this affair as soon as possible, considered several conflict resolution models, in particular by advocating for a direct dialogue with the Russian Federation in a “1+1” format, which led to nothing else but merely making it even more difficult and moving further away from finding a solution to the problem, in particular after Vladimir Voronin has signed a joint Statement with Igor Smirnov and Dmitriy Medvedev on 18 March 2009.⁵

However, the role and weight of EU significantly increased in the Republic of Moldova and Transnistrian region alike during this period, in particular after having signed the Action Plan, having opened the office of the Delegation of the European Commission to Chisinau, and after having appointed a Special Representative for the Transnistrian conflict settlement. Hence, EU became more omnipresent, while also improving its image, whereas the efforts bent by Adrian Jakobovitz de Szeged, the first Special Representative, and those bent by Kalman Mizsei, the successor of the former, have contributed to starting up an open dialogue with Tiraspol administration, too, which opened up a lot, thus laying down the foundation for resuming the negotiation process.

⁴ Ibidem

⁵ Joint Statement concluded following the negotiations between the president of the Russian Federation D.A.Medvedev and the president of the Republic of Moldova V.N.Voronin and the head of Transnistria I.N.Smirnov, Barviha, 18 March 2009. http://www.mid.ru/brp_4.nsf/0/0C29B78403398C46C325757D0056C04E

IV

NEGOTIATION PROCESS DURING 2010

Following the elections of April-July 2010, the Alliance for European Integration assumed the office in the Republic of Moldova. The appointment of Victor Osipov, deputy prime minister for reintegration issues, was a change in the approach taken by Chisinau authorities to the settlement of the Transnistrian conflict. By giving up on the confrontation policy and by taking the path of its own example of openness and transparency, Chisinau authorities reported a number of achievements within a relatively short time, including, among other:

- Called on meetings of the political representatives of Chisinau and Tiraspol authorities on a regular basis – deputy prime minister for reintegration issues Victor Osipov and Vladimir Yastrebnichak respectively. It is worth mentioning that one of the meetings was convened in Tiraspol to launch the working groups. Such meetings on a regular basis led to the working out of current pending issues and to building up trust between the two banks of the Dniester River.
- Convoled informal meetings in the 5+2 format – although such meetings have been informal, the former not only provided all participants to the 5+2 negotiation format with updates on the achieved progress and outstanding challenges, but it also suggested new steps meant to enhance the life of citizens from both banks of the Dniester River. Despite Tiraspol representatives regarding this format as an ancillary one, it still is the only platform for negotiations involving international stakeholders: Ukraine, Russia, and OSCE as mediators, EU and USA as observers, besides the two parties to the negotiations, namely Chisinau and Tiraspol authorities.
- Organized meetings between Filat and Smirnov, or “football diplomacy” – during the two meetings those two fine-tuned the final aspects of the railroad communication for the passing of the Chisinau – Tiraspol – Odessa train, as well as the facilitation of railroad exports for the economic agents from the left bank of the Dniester River. Moreover, there were discussions on the measures needed to restore normal telephone communication between the two river banks.
- Adopted Government Decisions aiming at facilitating the operations of economic agents from the Transnistrian region – there were amendments made to the GD 1001 whereby economic agents from the Transnistrian region shall no longer be registered with Moldovan authorities on an annual basis. Another amendment made it possible for the economic agents from the left bank of the Dniester River that are registered in Chisinau to be able to export goods to the EU via the railroad segment passing Transnistria, thus cutting down on the transportation costs. In the same vein, the Chisinau – Tiraspol – Odessa train was put back in circulation.
- Signed a border agreement between Romania and the Republic of Moldova, which would also contribute towards curtailing the stereotypes on the so-called Romanianization of the Republic of Moldova.
- Launched an open dialogue with parties to the negotiation process – the openness and transparency of the Republic of Moldova in discussions with its foreign stakeholders is one of the key elements for the settlement of Transnistrian conflict. To that end, the visits that the deputy prime minister for reintegration issues, Victor Osipov, paid to all capitals of its negotiation partners, thus contributing towards putting the Transnistrian matter on the agenda in the discussions held between Russia and EU, played an important role.

- With the Transnistrian issue put on the international agenda – in this context one may point at the Medvedev–Yanukovich Statement of 17 May 2010¹, comprising some positive elements for the negotiation process despite certain speculations made. Moreover, the Merkel–Medvedev Memorandum² of 5 June 2010, which, among other, stresses out the Transnistrian conflict as a key priority, as well as the turning of the peacekeeping mission into an international affair. The settlement of the Transnistrian conflict was also mentioned in the Statement made by Baroness Catherine Ashton, EU High Representative for Foreign Affairs and Security Policy on 17 May 2010³, as well as during a reunion of Angela Merkel, Nicolas Sarkozy and Dmitriy Medvedev in Deauville on 19 October this year.⁴

The emergence of the Transnistrian issue on the agenda of great chancelleries and in particular the openness of the Russian Federation sets opportunities for a viable and sustainable settlement of the standoff, while observing the sovereignty and territorial integrity of the Republic of Moldova.

These discussions held between Russia and some of the EU member states, along with the growing role played by EU in the Republic of Moldova, may have a decisive impact upon resuming the talks and unblocking the deadlock from the Transnistrian region, which, however, still is quite a plight. To do so there is need for concerted efforts on the side of the Republic of Moldova, alongside its international stakeholders, in particular the EU because of its position and influence.

¹ Joint Statement of the presidents of the Russian Federation and Ukraine on the Transnistrian Conflict Settlement. Kremlin. ru. 17.05.2010., available at: <http://ape.md/libview.php?l=ro&idc=154&id=1082>

² Memorandum of the meeting of the president of the Russian Federation D.Medvedev and the Chancellor of the Federal Republic of Germany A.Merkel, 4–5 June 2010, Meseberg, available at: http://news.kremlin.ru/ref_notes/575

³ Statement of High Representative Catherine Ashton on Moldova/Transnistria, available at: <http://ape.md/doc.php?l=ro&idc=154&id=1084>

⁴ Final Statement of the tripartite meeting between Germany-France-Russia. French Presidency (site) 19.10.2010, available at: <http://ape.md/libview.php?l=ro&idc=154&id=1218>



CONCLUSIONS AND RECOMMENDATIONS

When reviewing the steps taken by the EU to settle the Transnistrian conflict, one may notice a more dynamic and growing interest in the matter, as well as an improving dialogue with the Republic of Moldova overall.

One may cite a number of achievements, among other, accomplished to date, such as the EU joining the negotiation process as observer (2005), the opening of the Delegation of the European Commission, the appointment of a EU Special Representative for the settlement of Transnistrian conflict, the establishment of a Mission for Border Assistance and Control (EUBAM) on the Transnistrian segment of the Moldovan-Ukrainian borders, granting of Autonomous Trade Preferences (ATP) to the RM (including the economic agents from the Transnistrian region), support for the actions advocating for the building of trust between the two banks of the Dniester River, including through funding and expertise, resumption of the Chisinau – Tiraspol – Odessa train connection, discussions on the liberalization of visa regime, the making of Transnistrian issue to the international agenda, in particular the Russian-German dialogue.

When listing the above accomplishments, one has to mention, though, that the EU is not yet playing a critical role in what one would phrase as contribution to a viable settlement of the Transnistrian issue, while observing the sovereignty and territorial integrity of the Republic of Moldova. To that end, we reckon it appropriate for the EU to beef up their efforts in the following areas:

- **Intensifying political dialogue** – To that end, we deem it appropriate that the EU has to pay more attention to the settlement of the Transnistrian conflict in its dialogue with other stakeholders from the 5+2 format – Russia, Ukraine, and USA. In this context, the Russian-German initiatives and the Russian-French-German discussions from Deauville were quite relevant. At the same time, any agreements struck between the major stakeholders have to be done in an open way, with observance of the territorial integrity and sovereignty of the Republic of Moldova, avoiding parties concluding deals without having previously consulted with and notified the latter.
- **Resumption of formal negotiations in a 5+2 format** – Despite having 5 formal meetings in the 5+2 format organized during 2010 alone, which was an achievement in itself if compared to past years, the informal nature of those makes Tiraspol administration treat that negotiation format as being an ancillary one and that the decisions made within that framework were not mandatory to comply with. To that end, the EU together with other stakeholders may work towards resuming negotiations in the formal format, which would be the only and most effective platform for negotiations and consultations. Moreover, making allowance for the suggestion put up by the Republic of Moldova to grant the EU and the USA the status of mediators with full rights in the negotiation format, the EU shall make itself crystal-clear on this suggestion. However, having its status changed would contribute towards streamlining and actuating the negotiation process, thus curbing the attempts to identify other negotiation formulas that may be counterproductive and nonviable.
- **Consolidation of trust building measures between the two banks of the Dniester River** – The EU may eventually be playing a very important role in the strengthening of trust building measures between the two banks of the Dniester River, through political support and funding for the joint projects designed to enhance the living standards of population on both banks of the Dniester River. Yet, in order to exclude politics from the implementation of such projects, efficiency-wise it would make more sense to work directly with local authorities. To that end, one example would be the start of discussions on the establishing of a Dniester

Euro-region. Taking into account the previous experience of having the Tiraspol administration turn down similar initiatives in the past on several occasions, it would take additional strains to persuade it by applying a number of conditionalities and performance criteria to make it more accountable and open to getting involved in potential initiatives. The projects implemented on the left bank of the Dniester River shall also be coordinated with Chisinau authorities beforehand, in order to ensure the transparency of this process. The implementation of this process may also lead to mitigating the effects of the global economic crisis, which had ripple effects on the region.

- **Strengthening of security in the region** – The EU may play a significant role in turning the current peacemaking mission into one of international civil observers. The mission in place is no longer efficient, whereas the presence of the Russian military on the territory of the Republic of Moldova is an intimidation tool rather than a consolidation factor. The frequent incidents reported in the Security Zone are a telltale sign to that end. The shifting of the peacekeeping mission focus is a critical element to settle the Transnistrian conflict. Moreover, the EU may play a critical role in cutting down armament and the number of military on both banks of the Dniester River with the support of military retraining programs and by withdrawing the Russian troops and ammunition as per the agreements of the Istanbul Summit back in 1999. Carrying out all of the above may also boost the negotiations on the adapted Treaty on Conventional Armed Forces in Europe (CAFE), thus contributing towards strengthening the security in the region.
- **Control at the Moldovan-Ukrainian borders** – The establishing of a EUBAM mission at the Moldovan-Ukrainian borders in December 2005 was an important step forward to ensure a more efficient control on the Moldovan-Ukrainian borders, in particular on the Transnistria-neighborly segment. Furthermore, the EU may play a decisive role in ensuring an efficient and transparent control of boundaries, thus contributing towards reducing the number of smuggling cases to the EU. By starting up negotiations on the liberalization of visa regime for Ukraine and Moldova, the EU paved the way to sorting out all issues still pending between the Republic of Moldova and Ukraine.
- **Respect for Human Rights** – The recent arrest cases of the newsman Ernest Vardanean and Ilie Cazac, countless incidents around schools teaching in Romanian language, and Corjova incidents – all come as proof that there still are issues in the Transnistrian region in terms of the observance of fundamental human rights. To that end, we believe that the EU, together with other relevant institutions, could contribute to cutting down the number of human rights violations, in particular by working to sort out the outstanding problems referred to above.

Paying more attention to the above issues may have a hand in finding a more viable and prompt solution to the Transnistrian conflict settlement. At the same time, these measures, along with other, designed for the right bank of the Dniester River, too, may be conducive to improving the living standards of population, developing of the region in general, as well as to strengthening the security throughout Europe.



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The Foreign Policy Association of Moldova (APE) is Moldova's leading foreign policy think-tank, committed to supporting Moldova's Europeanization, integration into the European Union and a viable settlement of the Transnistrian conflict. It was established in fall 2003 by a group of well-known experts, public personalities and former senior officials and diplomats reunited by their commitment to contribute their expertise and experience to a comprehensive analysis of Moldova's foreign policy options and formulation of an efficient foreign policy.

The Romanian Center for European Policies (CRPE) is a think-tank established in 2009 by a group of experts bound by the shared objective of supporting Romania's role in Europe. CRPE's mission is to promote Romania as an influential leader in the development of EU agendas and policies. CRPE also aims to advance the Europeanization processes in Romania by providing expertise in various fields and by initiating or participating in public debates.