



# **THE NEUTRALITY OF THE REPUBLIC OF MOLDOVA IN THE LIGHT OF UKRAINE'S SECURITY POLICY**

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Unlike Republic of Moldova, Ukraine never anchored the principle of neutrality in its Constitution, although it announced this intention in the 1990 Declaration of Independence. Ukraine's experience in terms of neutrality is only limited to the period of 2010-2014, when Kiev passed a law regarding Ukraine's non-adherence to military blocs – so called non-bloc status. After repealing of this law, Ukraine comes back to the idea of adherence to NATO, even though there is hardly any possibility for this idea to become reality in the near future, due to the war in the region. Observing Kiev's fluctuations between a country with a neutrality status and the desire to come under the Western security umbrella, the Chisinau Government could draw some conclusions related to the functionality of the neutrality principle enshrined in Article 11 of the Constitution.

### **The Principle of Neutrality and Ukraine's Security Policy**

Ukraine declared its intention to become a state with permanent neutrality in July 1990, when the Declaration of Sovereignty was adopted. By announcing this intent, Ukraine, did not adhere to the CIS Collective Security Treaty signed in Taskent in May 1992, just like Moldova. In 1993 a law admitting Ukraine's engagement in European security structures was passed, which essentially, does not conflict with the principle of neutrality. Additionally, in 1994, the Treaty of Budapest is signed, which gives Ukraine security assurances from three nuclear forces – Russia, USA and Great Britain. It is worth noting, however, that these assurances never took the form of fixed commitments and guarantees. Still, Ukraine does not formalize the principle of neutrality in the 1996 Constitution.

Subsequently, Ukraine initiates a process of renegeing neutrality, even though this principle was never duly enshrined. In 2003, the law on Principles of National

Security was passed which determines the adherence to EU and NATO as important objectives for Ukraine. In 2004, president Kuchma issues a decree to remove all entries related to Ukraine's adherence to NATO from the laws. Later, following the Orange Revolution, the new president Yushchenko restores in official documents the idea that the final goal of the country is to adhere to NATO. This new fluctuation did not lead to the expected outcomes during the 2008 Bucharest Summit, during which Ukraine and Georgia were refused membership of MAP.

In 2010, the president of the country, Yanukovich, signs a law voted by the Parliament that fixes non-bloc status as a fundamental principle of Ukraine's foreign policy and removes all entries related to NATO adherence from the official documents. It is worth mentioning that Ukrainian experts often distinguish between the non-bloc status (which implies non-adherence to NATO) and the principle of alignment or non-alignment, which includes adherence or non-adherence to the EU. The 2010 law envisaged non-adherence to NATO but did not concern the European Union. Similarly, not participating in military blocs represents a weak form of permanent neutrality since it admits the presence of foreign troops on the territory of the state.

By the end of 2014, after the situation in the eastern part of the country has worsened, the Ukrainian Parliament repeals the principle of non-participation in military blocs. At first sight, this move would reflect Ukraine's intention to re-embark on the NATO path and to request a new Plan of Actions. In reality, however, it becomes more and more obvious that this law does not ensure a fast track to NATO, but represents a new swing from the minimalism of neutrality to the maximalism of the Ukrainians' idealistic desire to solve their security problems in a categorical manner. It is most unlikely for

NATO to make tempting offers for Ukraine under war circumstances.

Thus, over the last 25 years Ukraine has undergone a continuous wavering between two fundamental positions – ensuring security either by affirming neutrality or by getting closer to NATO. From this point of view, Moldova chose a different approach – staking on permanent neutrality. Even if, at times, there was strong pressure in favor of giving up neutrality, Moldova resisted these temptations, the greater part of the political class remaining devoted to the Article 11 of the Constitution.

### **How to Explain Ukraine's Deviations in Terms of Neutrality?**

The arguments for and against Ukraine's neutrality are similar to those existent in Moldova. The supporters of neutrality consider that the non-bloc status gives Ukraine the necessary flexibility to maneuver between two neighboring but not exactly friendly forces – NATO and Russia. The neutrality aims at decreasing Russia's concerns but does not obstruct the collaboration between Ukraine and NATO. Each estrangement from this bivectorialism implies unjustified risks for Ukraine's security.

The opponents of neutrality and supporters of approaching NATO state that the principle of neutrality has failed in ensuring security for Ukraine, the annexation of Crimea and the war in Donbas representing convincing examples in this sense. While viewing Russia as an aggressor, Kiev is looking for an alliance with a power comparable to the one of Russia in order to preserve its sovereignty. Under these circumstances, NATO remains the only option.

Even though in relation to neutrality Ukraine uses arguments similar to Moldova's (the Transnistrian situation is envisaged in this case), the conclusions drawn by Ukrainians are diametrically opposed – compared with Moldova, the dominant model in Ukraine is

to give up on neutrality. Still, the reluctance towards neutrality does not lead to Ukraine adhering to a military bloc and get under a security umbrella. This difference in approaches requires some explanations.

One reason why Ukraine is resistant to accepting neutrality is linked to the special role this country wanted to undertake in the region. Unlike Moldova, Ukraine envisaged itself in a double dimension – both as a regional power and as stability factor in the region. Ukraine targeted a special role in the Black Sea basin together with Georgia, and aspired to become a stability factor in Central and Eastern Europe, together with Poland. Henry Kissinger himself declared in 2004 that Ukraine is a stability factor in Europe. Taking up such a role requires an active political involvement which does not go hand in hand with the idea of neutrality.

Another aspect, seen from Moldova's perspective, relates to the existence of separatist conflicts. Even if Kiev has always encountered difficulties in imposing itself in Crimea, Ukraine has never had the experience of large scale confrontations, similar to those in Georgia, or, at a smaller scale, in Moldova. Because of this, the feeling of danger can be slightly weaker in the case of Ukraine, which might have led Kiev to not accepting the idea of neutrality – a principle taken up by those states, which have a strong sense of the threats to which they are exposed.

### **Applying the Finnish or the Transnistrian Model to Ukraine?**

Lately, one might hear more often about two plots, which could be applied to the Ukrainian situation – the Finnish or Transnistrian model. On the one hand, the Finnish model represents a manner of control that a larger state has over a smaller state, by imposing some restrictions over the foreign policy of the neighboring country, without interfering too much in its domestic policy. On the other hand, the



Transnistrean model implies that the larger state creates a separatist enclave (or more) within the neighboring state in order to control the foreign politics of the country referred to, which also creates bottlenecks at the level of domestic politics. The Finnish model can be associated with neutrality and is preferable to the Transnistrean one, since it maintains the territorial integrity of the state. The Transnistrean model, in turn, does not oblige the state to declare neutrality; however, the existence of the enclave itself imposes serious restrictions in actions to the country under question. From this point of view, the Finnish model is once again preferable to the Transnistrean model because it creates the appearance of a voluntary acceptance of the restrictions and does not harm its sovereignty.

One might encounter several major difficulties in applying the Finnish model to Ukraine (and, possibly, to Moldova as well). First, a plot like this will lead to a new swing towards neutrality on behalf of Kiev, by re-adopting the law regarding the status of non-participation in military blocs (or even that of permanent neutrality). Secondly, applying the Finnish model to Ukraine would mean not only blocking once and for all Ukraine's endeavors in adhering to NATO, but also restricting the European Integration of this country, a fact which is not yet admitted at the level of political discourse. Thirdly, the Finnish process does not imply territorial losses, which is not the case of Ukraine at present (there are some exceptions as well – the case of Austria and Southern Tyrol).

In Moldova's perspective, applying the Transnistrean model to a state represents a drastic decrease in the ability to act and exercise sovereignty. Under these conditions, the main goal of the state is not necessarily accomplishing a state project (for instance the European integration), but mostly surviving, realistically speaking. Thus, a fundamental priority becomes minimizing the risks, while neutrality, even if not

mandatory and unrecognized, becomes a tool of state protection - an insecure and precarious one. This tool allows the state to try to stop the escalation of tensions, minimize the risks of disintegration, and create enough space for maneuvers in relation to the forces in the region, in order to obtain some security assurances.

## Conclusions

Even if neutrality is not capable of ensuring the security of a state in the Eastern Europe, it represents the lesser of two evils, being an example of moderated security policy. The existence of the Transnistrean conflict compelled Moldova to undertake such a political approach, even if in certain situations there have been strong temptations to abandon this course. Unlike Moldova, Ukraine constantly fluctuated from moderate politics to a more radical one, which aimed at abandoning the idea of neutrality. The dramatic situation in Ukraine suggests that this cycle of fluctuations is not over yet.

Despite of the harsh criticism brought to the principle of permanent neutrality, Moldova will continue to imitate the behavior of a neutral state, fostering the illusion of functionality of this principle. For Moldovan politicians, this is a way to ensure security at minimum costs. The principle of neutrality might be abandoned only when the state will opt in favor of an approach, promoting an increase in funding for maintaining of state security.

*\*This publication has been produced from the resources provided by the National Endowment for Democracy. The opinions expressed are those of the author and do not necessarily reflect the views of the Foreign Policy Association and the National Endowment for Democracy.*



**Foreign Policy Association of Moldova (APE) is a foreign policy think-tank, committed to support Republic of Moldova's integration into the European Union and promote democratic reforms as well as political settlement of the Transnistrian conflict.**

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