



The evolution of the diplomatic relation between Republic of Moldova and Ukraine

NEWS, COMMENTARIES AND INTERVIEWS

NEWS

- 1. The visit of Petro Poroshenko, Minister for Foreign Affairs of Ukraine to Moldova. Ministry of Foreign Affairs of Ukraine. 17.12.2009.**
- 2. Cooperation Council between the EU and the Republic of Moldova. Swedish Presidency of the European Union. 21.12.2009.**

INTERVIEWS, STATEMENTS

- 1. Joint Statement, EU - Republic of Moldova Cooperation Council Brussels, 21 December 2009. Swedish Presidency of the European Union. 21.12.2009.**
- 2. Interview with Andrei Popov: Relations between Republic of Moldova and Ukraine: the view of Moldovan diplomacy. Vocea Basarabiei. 06.12.2009.**
- 3. Interview with Victor Osipov: Transnistrian Settlement Process: Current Status and Future Prospects. Vocea Basarabiei. 13.12.2009.**

NEWS

- 1. The visit of Petro Poroshenko, Minister for Foreign Affairs of Ukraine to Moldova. Ministry of Foreign Affairs of Ukraine. 17.12.2009.**

On December 17, 2009 Minister for Foreign Affairs of Ukraine Petro Poroshenko started his working visit to the Republic of Moldova during which he held bilateral meetings with the Prime-Minister Vlad Filat and the Deputy Prime-Minister, Minister of Foreign Affairs and European Integration Iurie Leanca. During the meetings with the high officials of the Republic of Moldova Petro Poroshenko confirmed the concernment of the Ukrainian leadership to continue the active political dialogue with the Moldovan Party on the whole range of the bilateral issues. The Parties paid particular attention to the issues related to the finalization of the demarcation of the Ukrainian-Moldovan state border and especially its central



(Transnistrian) segment. In this regard the Parties reached the agreement to install the first border sign on the central segment of the Ukrainian-Moldovan state border by the end of 2009. Another important issue of the bilateral consultations was the collaboration of the two countries in the area of European integration. It was underlined that the integration to the European Union was a key foreign policy priority of the Ukraine and the Republic of Moldova. The signing by Petro Poroshenko and Iurie Leanca of the Joint Appeal of the Ministers for Foreign Affairs of Ukraine and the Republic of Moldova to the EU on the use of the financial mechanisms of the Eastern Partnership Initiative for founding the Dniester Euroregion became a practical step of the both countries towards the realization of the European integration goal.

2. Cooperation Council between the EU and the Republic of Moldova. Swedish Presidency of the European Union. 21.12.2009.

The eleventh meeting of the EU-Republic of Moldova Cooperation Council was held in Brussels today, 21.12.2009 chaired by Moldova's Prime Minister Vlad Filat and Sweden's State Secretary for Foreign Affairs Frank Belfrage representing the EU Presidency. Discussions at the meeting focused on the ongoing development of relations between the EU and the Republic of Moldova, political developments in Moldova and, over a working lunch, efforts to achieve a sustainable settlement of the frozen conflict regarding the Transnistrian region. The meeting adopted a Joint Statement. "This has been an important and productive meeting, coming at a time of significant positive dynamics in our relations. We have confirmed our intentions to start negotiations on an EU-Republic of Moldova Association Agreement on 12 January, and that we will strive to set up a dialogue with Moldova in 2010 to examine the conditions for visa-free travel as a long-term goal. We have of course also discussed the challenges facing Moldova, including in the fields of human rights, democracy and rule of law, as well as concerning the economy. We warmly welcome the clear commitments made by our Moldovan interlocutors", stated Mr Belfrage. "Moldova has been at the centre of EU attention during the Swedish Presidency, including a Ministerial Troika visit to Chisinau in mid-October and a visit of Commissioner Ferrero-Waldner in late November, so it is fitting that we more or less round up with this Cooperation Council." The EU delegation was led by Mr Belfrage and included the EU Special Representative for Moldova Dr Kálmán Mizsei, Deputy Director General Hugues Mingarelli from the Commission, and representatives of the incoming Spanish Presidency. Mr Filat was accompanied by Deputy Prime Minister and Minister of Foreign Affairs and European Integration Mr Iurie Leanca, Deputy Minister of Foreign Affairs and European Integration Ms Natalia Gherman and others.

http://www.se2009.eu/en/meetings_news/2009/12/21/cooperation_council_between_the_eu_and_moldova

INTERVIEWS, STATEMENTS



1. Joint Statement, EU - Republic of Moldova Cooperation Council Brussels, 21 December 2009. Swedish Presidency of the European Union. 21.12.2009.

The parties agreed to continue their efforts to bring the Republic of Moldova (hereafter referred to as Moldova) closer to the EU, acknowledging Moldova's European aspirations. They discussed the internal developments in Moldova and agreed on the importance of the ambitious reform-oriented agenda and of a stable political, social and economic situation in the country. They welcomed the staff-level agreement between the Moldovan Government and the International Monetary Fund (IMF), noted the commitment of Moldova to fully cooperate with the international financial institutions and the EU to ensure economic recovery and looked forward to the signing of the agreement with the IMF.

The sides agreed on the need to uphold human rights standards, democratic principles and the rule of law in Moldova, stressing the role of civil society in this context. They welcomed recent positive steps in this direction and the commitment of the Moldovan authorities to address outstanding human rights issues and ODIHR recommendations for future elections. They agreed that further progress by Moldova to consolidate respect for these principles will reinforce their mutual ties. The EU side welcomed Moldova's readiness to set up a regular dialogue on Human Rights.

The EU and Moldova took stock of concrete achievements in sectoral cooperation. They welcomed in particular the decision at the Energy Community Treaty Ministerial Council in Zagreb on 18 December concerning the accession of Moldova to the Energy Community and agreed on the importance of Moldova's implementation of the related commitments. They also agreed on the value of the annual Action Plan Implementation Tools, as instruments to strengthen the domestic reform process in Moldova as well as EU-Moldova relations.

The sides emphasized the many opportunities provided by the Eastern Partnership, as a specific Eastern dimension of the European Neighborhood Policy, to strengthen the relationship between the EU and Moldova as well as among the Partner countries. They expressed their joint commitment to continuing the implementation of the Eastern Partnership, in both its bilateral and multilateral track.

The parties noted the need to strengthen administrative capacity at all levels in Moldova in order to further advance relations. In this context, they agreed to cooperate closely in defining and implementing a Comprehensive Institution-Building programme, within the framework of the Eastern Partnership.

The sides agreed to promote further reforms and continued EU approximation in Moldova. They confirmed that negotiations on an EU-Moldova Association Agreement will be launched in Chisinau on 12 January 2010. They reiterated their vision of the new agreement as an innovative and ambitious



document going beyond the established framework of cooperation and opening a new stage in their relations, notably by enhancing political dialogue and deepening sectoral cooperation.

Recognizing that Moldova has exempted all EU citizens from the visa obligation, the parties underscored the need for full and effective implementation of the visa facilitation and readmission agreements by the authorities of EU Member States and Moldova. They welcomed the implementation of the Mobility Partnership. At the same time, they agreed to strive to set up in 2010 a dialogue examining the conditions for visa-free travel of Moldovan citizens to the EU as a long-term goal, taking into account the EU Global Approach to Migration and keeping in mind that gradual steps towards full visa liberalization would be taken provided that conditions for well-managed and secure mobility were in place.

The parties reaffirmed their shared objective to establish a Deep and Comprehensive Free Trade Area (DCFTA), when the relevant conditions are met and expressed their commitment to make progress in line with the agreed set of steps towards that objective. They agreed on the importance for Moldova to pursue reforms in line with the EU-Moldova Action Plan in general, and in particular in all areas relevant for a DCFTA.

The parties discussed ways to increase the efficiency and impact of EU assistance to Moldova. They praised the work of the EU Border Assistance Mission (EUBAM) as an example of successful and beneficial cooperation, and welcomed the extension of the Mission's mandate starting from December 2009. The sides agreed on the importance of finalizing the border demarcation process between Ukraine and Moldova, and acknowledged the possibility of using EUBAM's technical expertise to facilitate such a process.

The parties acknowledged the increased engagement of the EU in the Transnistria settlement efforts, including through the EUSR and by supporting confidence-building measures. They reiterated their commitment to constructive co-operation with all sides in the "5+2" settlement negotiations, with the aim to resume the "5+2" talks so as to achieve a sustainable settlement of the Transnistrian conflict, in full respect of territorial integrity and sovereignty of Moldova.

http://www.se2009.eu/en/meetings_news/2009/12/21/joint_statement_eu_-_republic_of_moldova_cooperation_council_brussels_21_december_2009

2. Interview with Andrei Popov: Relations between Republic of Moldova and Ukraine: the view of Moldovan diplomacy. Vocea Basarabiei. 06.12.2009.



**Excerpt from a radio broadcast, from 6th of December, produces by the Foreign Policy Association (APE) in collaboration with Imedia News and Analysis Agency and with the assistance of the German Foundation Friedrich Ebert Stiftung (FES). The broadcast is aired on Radio Vocea Basarabiei every Sunday.*

Corneliu RUSNAC: *Recently you visited Ukraine, where you met with your colleagues from Kyiv. What was discussed at this meeting that, actually, took place after a considerable pause?*

1. Deputy Foreign Minister, Mr. Andrei Popov, visit to Kiev

Andrei Popov: Yes, indeed, a week ago we held bilateral consultations in Kiev with the Ukrainian part, first on the level of experts, then we had a full round of consultation with my counterpart, the Ukrainian Deputy Minister of Foreign Affairs, Constantin Eliseev. In these talks we discussed the whole spectrum of cooperation issues between Moldova and Ukraine and tried to feel the ground in order to identify mutually acceptable and advantageous compromise formulas to provide policy makers from the two states concrete solutions to remove the deadlock in Moldova-Ukraine relations, which have been practically overshadowed for almost a decade by several unresolved "nodes", especially related to regulation of property relations and completion of border demarcation process.

There were very complex consultations in which we addressed the unresolved issues point by point and I think we made an important step towards identifying some compromise solutions. It will take some time to shape the compromise proposals. But I think it is important to tell our listeners that there are converging strategic interests between our countries – I also mean here promoting the common goal of European integration and the need to join efforts to solve the Transnistrian conflict and the interests of Moldova to cooperate with Ukraine in order to ensure our energy security. This coincidence of interests and objectives should have drawn us nearer and should have created natural prerequisites for building a genuine strategic partnership between Moldova and Ukraine. But in reality we are rather far away from having a relationship of trust and openness up to this time. Paradoxically, although Moldova has only two neighbors - Romania and Ukraine – we have not managed to establish real partnership relations, a strategic partnership with any of them. Instead of focusing on major issues, attracting investments, promoting common interests, coordinating our agendas of European integration, increasing the constructive involvement of Ukraine in the Transnistrian settlement efforts, we got stuck all these years in some issues that are not necessarily small, as I was incorrectly quoted once, but on issues that, when balancing them all out and considering what Republic of Moldova and Ukraine have to lose, if they are not able to focus on big issues, once can see that there is a tremendous opportunity cost for Republic of Moldova and the outside perception is that Moldova, however, there is something happens to this state, if after so many years, so many governments that have succeeded each other failed to find a "modus vivendi" to move away from post-Soviet and focus on building modern relations.



We must break the vicious circle of "lose-lose" judgment, get out of the trenches, and on behalf of major interests that should unite us, build relationships based on the "win-win" paradigm. Change of government in Chisinau, the adoption of pragmatic approaches in relations with neighbors and with external partners, undertaking a dynamic and predictable foreign policy course, in my opinion create encouraging prerequisites for capitalizing together on this window of opportunity and improving relations between Moldova and Ukraine.

Cornelius RUSNAC: *But what are currently the thorniest issues in relations between Moldova and Ukraine? Let's take them one by one, to begin with demarcation.*

2. Thorny problems in relations between Moldova and Ukraine

Andrei Popov: Moldovan-Ukrainian border is a relatively long one - 1222 kilometers. It is divided into three sectors. From north-west, from Criva in Briceni district along the Prut river, it goes 300 kilometers to the east, after which 450 kilometers is the center, the Transnistrian sector, and descends down from Palanca to Giurgiulesti where there are another 470 kilometers .

In the Soviet period, it was a rather conventional border. It was an internal administrative border; it was not marked with any border signs. After 1991 we had to jointly write down the line of this administrative border on the maps- basically to build a new border line, as it should be between two independent states. This process is called delimitation. And this process was not an easy one, lasting for years, since 1995, when the delimitation commission was set up, until 1999, when, as the result of several compromises, the State Border Treaty was signed and was ratified by Parliament in 2001.

Once ratified, the Border Treaty has become a fundamental interstate document, which, moreover, under international law, can not be unilaterally canceled. This is a reality. And all the commitments that we have made under this Treaty are the commitments of the Republic of Moldova, thus are not related to who governs in Chisinau, which alliance or political party colors.

Since 2002 we went to the second phase, namely –demarcation of the border, involving the transfer on the ground and marking of the field line agreed on maps. Border posts were being installed.

Today, the demarcation of the north has been practically completed, except for the hydro station and dam on the river Nistru at Novodnestrovsk or Dnestrovsc, Ocnița district, Naslavcea. Also in the southern sector demarcation has been almost entirely completed, except for several points still not yet agreed upon, remaining portion of 470 km has been demarcated. But among the most sensitive areas are a remaining portion of a few hundred meters of state border at Giurgiulesti still not demarcated and the



crossing point at Palanca. There we have to find compromise solutions and complete the demarcation process, so that - very important – Republic of Moldova should have the confirmation, including by the means of border posts, of its 430 meters access to the Danube stipulated in the Treaty and which is essential for the proper functioning of the port and terminal in Giurgiulesti.

Similarly, we have a problem in Palanca – there is a needed to complete the demarcation process, but also to deliver on the Republic of Moldova's commitment to transfer into the property of Ukraine not only the asphalt but also the land area of 7.7 kilometers of road (which is a portion of the 300 km road between Odessa and Reni), and also to clarify the situation with the land, which under the Treaty of 2001, should be transferred into the property of Ukraine. Moreover, attention - even those who are trying today to politicize this issue and making all sorts of speculation have already passed the road surface and land pertain to the road into the property of Ukraine in February 2002. Thus, the surface was transferred, yet without transferring also the land from under the road. It may be a more complicated problem to be understood.

But what is important to note is that the issue is being examined in a serious and responsible manner, so as to ensure that the transfer of land into the ownership of Ukraine, which has to be finally undertaken by Moldova in accordance with the border Treaty, does not affect people's lives in Palanca, so that they are able to cross the road in certain equipped places and to cultivate their land that is beyond the road. We are talking about setting pedestrian crossings, some traffic lights, and underground passages. I wonder why this was not done before. We have already initiated contacts in this respect between the respective agencies of the two countries. We consult with citizens of Palanca village. I cannot exclude that we may need to agree on amendments to the intergovernmental agreement on the rules for using the road, so that citizens' interests are fully protected. But as a European state, we must respect our obligations, and that, after solving all the problems to which I referred, we will have to submit the Act of land ownership under this road to Ukraine.

Corneliu RUSNAC: *How are things in the third sector of the border, the Transnistrian sector? Did you agree with the Ukrainian side that would start the demarcation process of this segment also?*

Andrei Popov: Indeed, we have agreed in principle that it is time to find a practical solution, including the involvement of representatives of the Transnistrian region, particularly representatives of public land registry, in the process of demarcation and, secondly, to involve the Assistance Mission at the Moldovan-Ukrainian border EUBAM in the process of demarcation in the field, so that this process can be conducted in accordance with European standards on the matter and this was also one of the topics under the discussions held in Kiev.



We arrived in Kiev by car, thus we traveled from Platonovo checkpoint towards the modern Odessa-Kiev highway, the point of connection Liuboșevka, those were 90 km of an inconceivable road, from the nineteenth century, full of holes and no street lights ... I will say one thing: for the last years, but particularly during the last decade, not only because of the unsolved Transnistrian conflict, but also because of the inability of the two capital cities - Kiev and Chisinau – to focus on construction, on investment project, we found ourselves in a situation where major highways bypass the Republic of Moldova, instead of Republic of Moldova becoming indeed a transit state, to connect Ukraine with Romania, the East with the West.

Although the flow of goods between Ukraine and Romania is still growing, but the flow starts to go around Republic of Moldova, through the north and through the south, especially after the modern Odessa-Kiev highway was put into service and after they have begun to build some modern roads in the area of Carpathian Mountains - Chernivtsi region, Vinnitsa, where links are made with Romanian Moldova, Republic of Moldova is likely to become a white spot and be susceptible to a by-pass in terms of large flows. And it is very easy to lose the status of transit country and very difficult to regain it. [...]

3. Interview with Victor Osipov: Transnistrian Settlement Process: Current Status and Future Prospects. Vocea Basarabiei. 13.12.2009.

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1. The current state of the Transnistrian conflict settlement process

Corneliu RUSNAC, moderator, IMEDIA: *In what condition is the settlement process now?*

Victor Osipov, deputy prime-minister in charge of reintegration: There is an effort by the new Government of the Republic of Moldova, supported by our partners for dialogue and I would like to think that it is also accepted and understood by those from Tiraspol, in order to unlock the dialogue on this issue.

I think, and I have said this, a success of the current government is that it managed to assert itself as a credible discussion partner, was able to articulate the new approach, more open and more positive, as regards relations with Tiraspol and addressing the issues that are on the country's reintegration agenda. Thus, conditions were created for a whole series of meetings and actions in the 5+2 - in Vienna, here in Chisinau, visit of mediators and observers, leaving together for Tiraspol, where we can say that there was also an informal 5+2 meeting. There was also a seminar organized to enhance confidence among the



institutions defending the rule of law on the right and the left bank, an unprecedented action but also one of great opportunities. These signs are showing that there is a warming at least in what regards the settlement process.

I should remind you that we agreed on November 6 in Vienna that we will resume bilateral dialogue to resolve current problems in the region and create a platform for development projects, including those funded from outside - the EU and other donors, also all parties have shown the readiness to resume political negotiations in the 5+2 format, difficulties still remaining in terms of determining the date and, especially, the contents of a first round of the resumed process.

There were also a series of consultations at the meeting of OSCE foreign ministers in Athens on 1-2 of December, where the subjects on the agenda were also discussed and, although there was not a declaration on Moldova -- which is not a novelty, they have not managed to get one in previous years either - I think however that the talks have advanced. And I also think that the parties have shown enough common points of view, enough similar positions, despite retaining some differences which made it impossible to coordinate a text for the ministerial meeting within such a limited timescale.

Here is the situation. But most importantly I think it should be noted that following these agreements bilateral dialogue between Chisinau and Tiraspol was actually resumed. I have already had a first working meeting, without any publicity, with the political representative of Tiraspol, where we discussed current issues affecting the interests of economic agents on both banks, public interests, the interests of peasants on the plateau near Dubasari who have difficulties of accessing to their land beyond the Rybnitsa-Tiraspol route and many others - problems with movement of diplomats, and concerning the general freedom of movement of people and so on. We have already started a discussion in this regard, we are in the phase of finding solutions to problems that have been raised during the first meeting, and even try to schedule a second one. So we are trying to give this dialogue pace and content.

In this context, I repeat, we think our positive openness is perceived adequately by Tiraspol representatives and supported by the participants in the political settlement process.

2. Principles of Transnistrian conflict settlement

Corneliu RUSNAC: *How do you and the Alliance for European Integration envisage the settlement of the Transnistrian conflict? Based on which principles should this problem be settled? Is there any difference of principle regarding the way how the settlement of this crisis was perceived by the former authorities?*

Victor Osipov: I do not think that the basic principles make the difference. They are the same. And



perhaps one of the most precious things that Republic of Moldova's authorities were able to defend with the support of our international allies, was maintaining the status quo in which Republic of Moldova is recognized as a sovereign, independent and territorially integral state within its internationally borders recognized. This was also reconfirmed at the October meeting in the 3+2 format of mediators and observers to the process and subsequently in a bilateral manner by all our partners. It is a principle within which we see the solution of the Transnistrian conflict. And the form, which is also expressed by rather broad formula and liberal in terms of content, as a form we see the expression of this solution by granting special autonomy status to the Transnistrian region. So even here there is no difference.

Moreover, I want to tell you that in terms of fundamental principles and strategic interests that Republic of Moldova has in this matter, one of our tasks was, and I think we managed, to demonstrate consistency. Because what a national strategy in a priority issue really means, is to demonstrate consistency. But novelty is that we try to approach the process differently. We try to address communication differently and try to address requests in a different way, including those coming from the Transnistrian side, in order to solve problems that they consider to affect their interests, negotiating in this framework other possible issues which affect our interests.

I think the so-called positive pressure is much better than the roughness they had before in their discussions - a manner which often led to a deadlock in the talks even in actual meetings, and we will not repeat this mistake.

I also think that a number of positions that are not related to issues of principle, but to rather more technical issues, need a new approach. And what we tried to do during this period, assuming the file of Transnistrian settlement, was to assess which of the mechanisms have not worked and should be changed or must be applied in a different manner.

3. Withdrawal of Russian troops and munitions from the territory of Republic of Moldova

Corneliu RUSNAC: *Although Russia has committed yet in 1999 to withdraw its troops from the Republic of Moldova, they are still stationed in the Transnistrian region. How could Moscow be persuaded to withdraw its troops and munitions from the Republic of Moldova?*

Victor Osipov: I would recommend those discussing the issue to be more nuanced and accurate. We should not create the impression, false in fact, that since Istanbul Summit of 1999 onwards things have not moved on this issue. It is false. We must view the situation in its real dynamics and find that the contingent of Russian troops from Transnistria is currently reduced to a total of one thousand soldiers and all heavy weapons have been discharged or discarded on site. Of the total arsenal of Russian ammunition from Republic of Moldova's eastern districts, amounting to over 40 thousand tons, nearly



half have already been evacuated. Out of the peacekeeping contingent, which originally numbered 2,500 Russian soldiers, today remained around 500, after an agreement made by parties in Odessa, but virtually a unilateral decision of the Russian Federation. I prefer to address and present the situation in terms of the positive dynamics that it recorded.

Similarly, we cannot deny that these processes stopped at some point. And we have yet to see the reasons why and who bears responsibility for this. I believe that each party bears some - Transnistrian, Moldovan, and the Russian one.

Our task, set in the work schedule of the Government, is very ambitious and yet very natural. When we talk about a peace mission, its aim is peace. Fortunately, for 17 years the situation is stable in Transnistria and in the Security Area, and we believe that in the end - and it would be better to happen sooner - the military component of peace mechanism should be replaced with a civilian monitoring mission under international auspices, possibly under the aegis of the OSCE.

But such a transformation can only be agreed by parties who are involved in the peacekeeping mission, and the settlement process. This is not easy and we will not benefit if we just point at the Russians and present in the form of blame what is actually a common goal and should be an achievement for the Russian Federation - evidence of successfully completing a peace mission, unlike in other conflict regions.

I think we should resume the positive dynamics and keep on trying to persuade those who are the owners of the troops and ammunition to continue until their final disposal. It will not be very easy, but I think we have chances.

4. The role of EU and the U.S. in resolving the Transnistrian crisis

Corneliu RUSNAC: *Until recently the emphasis was on the role that Russia plays in resolving the Transnistrian conflict. I would like to ask what role should the European Union and United States of America play in resolving the Transnistrian crisis?*

Victor Osipov: European Union and the United States are already involved and bring a significant contribution to the discussion of topics that are on the agenda of meetings. They participate equally, although they are only observers. The difference is that, unlike mediators, observers have no voting rights on documents. But discussions in the format is not the only way they can help in resolution of the Transnistrian conflict and the EU and the U.S. have a determination that we see growing to engage more seriously, in particular in development projects that should bridge the two banks. By engaging in joint



activities, by solving problems facing the people, by providing technical and financial assistance in solving problems of infrastructure, health care, the establishment of cultural bridges and so on.

I think there are many other instruments outside the actual settlement policy or political negotiation and through them we must insist, as we indicated in the government program, that the role of EU and the U.S. in this process is increases.