Chapter 4
Moldova and the Transnistrian Conflict

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The Transnistrian conflict emerged with the dissolution of the Soviet Union in the late 1980s. The two sides have been unable to agree on any of the proposals tabled by the international mediators, Russia, Ukraine and the OSCE. The EU played a negligible role during the first decade of the Transnistrian conflict, but has recently become more engaged. This was preceded by a growing emphasis on the EU and Europeanization in Moldovan political discourse. Disillusionment with the negotiating format has grown in Moldova, increasing support for Europeanization of Moldova independently of the settlement of the conflict. The EU engagement has led to a growing resentment towards the EU in Transnistrian political discourse. Differences among the major external actors have become more pronounced, with Russia disapproving of the 'interference' of the West and the growing engagement of the EU.

4.1 A brief history of Moldova[1]

Moldova traces its roots to the Principality of Moldova established in the late Middle Ages. Centred in present-day Romania to the northwest of today's Moldova, the Principality reached its peak during the 15th century, before becoming a vassal state of the Ottomans in the early 16th century. Moldova was never fully incorporated into the Ottoman Empire. Its vassal status was withdrawn and Greek administrators were appointed in the early 18th century, following anti-Ottoman insurrections. The revolt was supported by the expanding Russian empire, which reached the Nistru river in the late 18th century.[2]

In 1806, Russia invaded the Eastern part of the Principality known as Bessarabia, an annexation accepted by the Ottomans in 1812.[3] The rump Moldovan principality on the west side of the Prut, in present-day Romania, remained part of the Ottoman Empire. Russian annexation of Bessarabia caused a massive exodus of peasants fearing serfdom (which, however, was never introduced in Bessarabia) and conscription in the Russian army, as Tatars and Turks were expelled, partially replaced by Bulgarian and Turkish

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[1] This section is based primarily on Charles King, *The Moldovans – Romania, Russia and the Politics of Culture* (Stanford, California: Hoover International Press, 2000); and Wim van Meurs, *The Bessarabian Question in Communist Historiography – Nationalist and Communist Politics and History-Writing* (New York, NY: Columbia University Press, 1994).

[2] Spelling of names has changed frequently throughout Moldovan history. For consistency, current Romanian place names are used in this text, for instance the Nistru river (and not the Dnestr, Dniestr or Dniester) and Transnistria (and not Transdniestria, Trans-Dniestr or other Latin-Slavic hybrids).

[3] Before the Russian annexation, the area between the Prut and the Nistru rivers had no particular name and was simply considered the eastern part of the Moldovan Principality. The name Bessarabia was initially applied to an area bounded by the Black Sea, the Nistru and the Danube, which was part of the other (southern) Romanian principality of Wallachia governed by the Wallachian house of Basarabs from around 1400.

Christian Orthodox Gagauz immigrants who feared Ottoman reprisals. The Russian Tsar granted several privileges to Moldovan nobility who pledged loyalty to Moscow soon after the annexation, and Bessarabia was granted autonomous status within the Russian empire in 1818. Moldova also saw considerable immigration of mainly Russians and Ukrainians, but also German and Jewish colonists, who were given special privileges by the Russian government. Bessarabian autonomy was revoked in 1828 and Chisinau became increasingly 'russified,' with an influx of Russian officials and administrators. Bilingualism was abolished and Russian introduced as the only official language after the Crimean war (1854-1856), followed by the outright prohibition of education in Romanian from 1867. Russification failed however to reach beyond the Moldovan nobility and the urban population to the rural masses of Bessarabia. During the 19th century, the Moldovan share of the population of Bessarabia fell from almost 90% of the population in 1817 to approximately two-thirds in the middle of the century to half around 1900.

After the Crimean War, the Paris peace conference determined that the Russian protectorate should be replaced with a protectorate consisting of the seven victorious powers plus Russia, and redrew the Russian border, ceding southwestern Bessarabia to Moldova. The Moldovan and Wallachian thrones soon became vacant and the Moldovan Alexandru Ion Cuza was elected as prince of both principalities, effectively creating a Romanian state. The Berlin Congress of 1878 acknowledged Romania's independence from the Ottoman Empire, while returning southwestern Bessarabia to Russia. The creation of the state of Romania led to calls for the unification of all Romanians – including Bessarabia – in one state. But there was little revolutionary or nationalist activity in Bessarabia before the Revolution of 1905, which as a mainly rural country without big cities lacked a significant domestic intelligentsia and industrial proletariat. During and after the 1905 revolution a Moldovan national movement briefly emerged in Bessarabia, before being suppressed during the conservative reaction in the Russian Empire from 1907. The Russian administration of Bessarabia then became known for its reactionary Russification policies, and the province also saw a rise in anti-Semitism.

Following the revolution in Petrograd in March 1917, Moldovan intellectuals in Chisinau created the Moldovan National Party with the aim of creating an autonomous Bessarabia within the planned Russian Federation, as well as demands for Moldovan units in the Russian army, Moldovan schools and socio-economic reforms. This was followed by the organization of rural interests and demands for land reform, and after the March Revolution, also the creation of local soviets of soldiers, workers and peasants in the major cities. These movements increasingly called for the formation of a local parliament, a *Sfatul Tarii* (Country Council). Given the lack of a local working class and intelligentsia, the revolutionary movement in Bessarabia was led by soldiers in the Russian army. The Moldovan Central Committee of Moldovan Soldiers and Officers was founded in June 1917, and convened a congress to decide the future of Bessarabia in November. The delegates at the congress agreed on the goal of autonomy for Bessarabia, and initiated the formation of the *Sfatul Tarii*.

The *Sfatul Tarii* met for the first time on 4 December 1917, and declared the creation of the Moldovan People's Republic on December 15, envisaged as an autonomous part of the proposed Russian federation. In early 1918, Bolsheviks organized uprisings and took control over local Russian military forces. Romania intervened militarily, and after a week of fighting between the Bolsheviks and Romanian forces, the

Sfatul Tarii was able to re-establish control over the country, declaring the independence of Moldova on 5 February 1918.

Moldova's unification with Romania had been agreed between Germany and Romania in a secret clause to their peace treaties in 1918, and was supported by the Moldovan elite. On April 9, the *Sfatul Tarii* voted for unification with Romania, with more than a two-thirds majority, with limited opposition mainly from peasants and minorities. Unification was initially tied to a number of conditions such as land reform and provincial autonomy for Bessarabia, and special commissions to plan the land reform and to draft a Bessarabian constitution were created. But when the *Sfatul Tarii* met on 9 December 1918, a proposal for unconditional unification with Romania was adopted by acclamation, and the *Sfatul Tarii* itself dissolved. It was argued that the new democratic Greater Romania would offer enough guarantees to make the previous conditions unnecessary.

Agreement was reached on all of Romania's borders except the one with Russia at the Paris peace conference. A special committee on Bessarabia was established, and in spite of Soviet protests, a special treaty on Bessarabia was signed by Romania, France, Britain, Japan and Italy in October 1920. The treaty argued that the region belonged historically and ethnically to Romania and provided guaranteed protection by these four powers of the border along the Nistru. Soviet Russia broke off diplomatic relations with Romania in 1918, which were not restored until 1934. Although there were several rounds of bilateral Romanian-Soviet negotiations on the 'Bessarabian question', the Soviet Union never recognized Bessarabia as part of Romania, and provided support for local Bolsheviks as well as instigating border incidents along the Nistru.

The mainly Ukrainian areas on the eastern left bank of the Nistru had for centuries had a significant number of Romanian-speaking inhabitants. In the early 1920s, local Moldovan nationalists, together with Bessarabian communists who had fled to the Left Bank, protested against the 'Ukrainification' of the local government and demanded regional autonomy. In October 1924, the Moldovan Autonomous Soviet Socialist Republic (MASSR) was established as part of the Ukrainian Soviet Republic, including today's Transnistria as well as large areas to the east in present-day Ukraine.

On 23 August 1939, the Molotov-Ribbentrop Pact was signed. Article 3 of the secret protocol attached to the agreement setting out the division of spheres of influence states: "With respect to Southeastern Europe, the Soviet party expressed its interest in Bessarabia. The German party clearly expressed its total disinterest in these territories." In late June 1940, the Soviet army invaded and occupied Bessarabia, followed in August by the creation of a new Moldovan Union Republic, the predecessor of the current Republic of Moldova. This consisted of half of the MASSR (Transnistria) and the central part of Bessarabia, incorporating the rest in the Ukrainian Union Republic. The Moldovan constitution was ratified in February 1941, followed by nationalisation of industry, collectivisation of agriculture, and deportation of Moldovans to Siberia. From the German invasion of the Soviet Union in summer 1941 to the time when the Soviet counteroffensive reached Moldova in 1944, Moldova was under Romanian military administration. The peace treaty signed in Paris in February 1947 restored the Soviet-Romanian border of 1941 and recognized Soviet sovereignty of Moldova.

The 'Sovietization' of Moldova had a considerable element of Russification. In the early post-war period, 500,000 people, mainly ethnic Moldovans, were deported to

Siberia. While Moldovans constituted a growing share of the members of the Communist Party in Moldova, most of its leaders, such as Leonid Breshnev in the early 1950s, were non-Moldovans. But in contrast to other Soviet republics such as the Baltic states, there was virtually no political unrest, and no significant dissident movement emerged. Sovietization, like russification, also had consequences for other minorities in Moldova, with a dramatic decline among the Ukrainians in Moldova familiar with the Ukrainian language.

Soviet post-war economic policy was to develop Western Moldova as an agricultural area, with industry, often military-related, mainly located in Transnistria. Immigrants from other parts of the Soviet Union, mainly Russians, whose share of the total population nearly doubled between 1936 and 1989 (see Table 4.1), as well as Ukrainians and Belorussians, were brought in to work at the new plants. This entailed that the two sides of the Nistru river diverged in demographic and economic terms: a rural, Moldovan, agricultural region to the west, and a more urban, Slavic and industrial area on the left bank.

Table 4.1: Population of Transnistria, 1936 and 1989				
	1936		1989	
Moldovans	122,683	41.8%	239,936	39.3%
Ukrainians	84,293	28.7%	170,079	28.3%
Russians	41,794	14.2%	153,393	25.5%
Jews	23,158	7.9%	-	-
Others	21,873	7.4%	38,252	6.4%
Total	271,928	100.0%	601,660	100.0%

Source: King, *op. cit.,* p. 185. The figures are for the current region of Transnistria in both 1936 and 1989, and are thus comparable.

These differences should not be overestimated, however. According to the 1989 census, Moldovans remained the biggest ethnic group in Transnistria with 39.3% of the population, whereas there were 28.3% Ukrainians and 25.5% Russians (see Table 4.1). Overall, Moldova remained predominantly Moldovan throughout the Soviet period, with the share of Moldovans declining moderately, accounting for around two-thirds of the population.

Table 4.2: Nationality breakdown of the population of the Moldovan Soviet Socialist Republic			
	1941	1970	1989
Moldovans	1,620,800 (68.8%)	2,303,916 (64.6%)	2,794,749 (64.5%)
Ukrainians	261,200 (11.1%)	506,560 (14.2%)	600,366 (13.8%)
Russians	158,100 (6.7%)	414,444 (11.6%)	562,069 (13.0%)
Gagauz	115,700 (4.9%)	124,902 (3.5%)	153,458 (3.5%)
Bulgarians	177,700 (7.5%)	73,776 (2.1%)	88,419 (2.0%)

Others	23,200 (1.0%)	145,275 (4.1%)	136,299 (3.1%)
Total	2,356,700	3,568,873	4,335,360

Source: King, *op. cit.,* p. 97.

4.2 History of the recent conflict

Perestroika and *glasnost* had a great impact on Moldovan politics and society, and two distinct movements, a reform movement and a national movement, emerged. The former took shape in the summer of 1988, through the creation by reform-minded Moldovan journalists, writers and teachers of the Moldovan Democratic Movement in Support of Perestroika, which organized mass demonstrations and soon acquired a large following. The democratic movement demanded socio-political reforms and democracy as espoused by Gorbachev, as well as more important positions for ethnic Moldovans. The national Moldovan movement was led by the Alexei Mateevici Literary and Musical Club, and focused initially on cultural demands. The two movements united in May 1989 and formed the Moldovan Popular Front. The Moldovan Communist Party initially condemned both movements and was opposed to reforms, but after pressure from Moscow, the local Party made some minor concessions at the end of 1988.

The principal demand of the Popular Front beyond the legalization of the Front itself was the language question. On 31 August 1989, the Supreme Soviet of Moldova adopted three new language laws, making Moldovan the official ('state') language using Latin script, and acknowledging the unity of the Moldovan and Romanian language.[4] Russian would be used as the language for inter-ethnic relations ('language of communication'). The Gagauz language was to be protected and developed, and was to be the 'official language' alongside Moldovan/Romanian and Russian in areas of Gagauz population. The use of other minority languages such as Ukrainian and Bulgarian was to be protected. The non-Moldovan/Romanian-speaking minorities of Moldova were against these changes to the language laws. Russian and Ukrainian groups staged mass meetings, strikes, and violent protests, as organizations to defend the use of the Russian language were established on the right bank (*Edinstvo)* and in Transnistria (the Union of Work Collectives). The Turkish-speaking Gagauzi in Southern Moldova also demanded national and cultural rights. Not content with the minor concessions granted by Chisinau, a Gagauz Autonomous republic was proclaimed in November 1989, to be immediately declared invalid by the Moldovan parliament.

In elections to the Moldovan Supreme Soviet in March 1990, the Popular Front won, obtaining 40% of the mandates. The idea of unification with Romania was increasingly supported within the Popular Front after the fall of Ceausescu in December 1989. The new Moldovan Supreme Soviet adopted the Romanian tricolour with a Moldovan coat of arms as the national flag, and the Romanian national anthem as the Moldovan national anthem in late April. This was followed on 23 June by a declaration of state sovereignty, giving local legislation priority over all-union laws, renounced the Communist Party and enshrined multiparty democracy as the basis for political life in

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[4] The latter had been a source of dispute during the Soviet era, with intermittent, though in the end failed, attempts by Soviet authorities to develop a distinct Moldovan language different from Romanian. See King, *op. cit.*

Moldova. This was followed by the proclamation of the Gagauz Union Republic on 19 August 1990, and of the Dnestr Moldovan Republic by local authorities in Transnistria on 2 September 1990. Both proclamations were immediately condemned by the Moldovan parliament. Forces had to be brought in to Gagauzia from Chisinau, and the Moldovan government managed to restore order in the region only after the Gagauz Republic was outlawed by a decree from Moscow. Local parliamentary elections were allowed to take place in both Transnistria and Gaguzia before the end of the year.

Talk of unification with Romania continued in Chisinau, as well as in Bucharest, although in public opinion, only a small minority supported unification. The Front lost many of its leading personalities and constituents as a result of this radicalization of the movement, as well as aggravating relations with Transnistria and Gagauzia.[5] By early 1991, most of political élite in Chisinau had come to a consensus around a 'two state' doctrine, with Moldova completely sovereign, and perhaps eventually independent, with strong cultural ties with Romania. Following mass demonstrations in early May 1991, the Moldovan parliament voted to change the Soviet name, MSSR, to the Republic of Moldova, which on 25 June 1991 proclaimed itself a sovereign state within a future confederation of sovereign states among the Soviet republics. The Moscow coup attempt by conservative forces within the Communist Party in August 1991 was condemned in Moldova, and the official independence of the Republic of Moldova was declared on 27 August 1991. The Moldovan Communist Party was banned and dismantled within weeks, and communist media was suspended. Both the Transnistrians and the Gaguz supported the coup-makers in Moscow, and on September 2, the Transnistrian Supreme Soviet voted to join the Soviet Union.

The first violent clashes between Transnistrians and Moldovan police for control over municipal bodies had taken place in early November 1990 in Dubasari in central Transnistria. Paramilitary 'worker's attachments' had been created on the left bank from late 1990, and were the core of the Transnistrian 'Republican Guard' which was established in 1991. These were aided by Cossack volunteers, whose support later became an important part of the power-base of the Transnistrian authorities. Towards the end of 1991, the so-called 'creeping putch' of gradually taking control over public institutions such as municipal and local administrative buildings, police stations, schools, newspapers and radio stations in towns and villages on the left bank was stepped up. Wanting to avoid violence and escalation, and fearing that the untrained and ill-equipped Moldovan forces would be unable to match the superior Transnistrian forces, Chisinau did at first not interfere with force. On 13 December, however, the Moldovan police returned fire for the first time while defending the regional government building in Dubasari. New clashes took place in March 1992, followed by a declaration of a state of emergency on March 28. Around the same time, a force of 600 was created by the Gagauz, which conducted occasional raids on government facilities in Southern Moldova. Fighting between Moldovan and Transnistrian forces intensified again in May and June. The principal and decisive battle took place in Bender (Tighina) on June 19-21, and ended as Russian forces intervened and Moldovan forces were driven out of the town.

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[5] Steven D. Roper, "Regionalism in Moldova - The Case of Transnistria and Gagauzia", in James Hughes and Gwendolyn Sasse (eds), *Ethnicity and Territory in the Former Soviet Union: Regions in Conflict*, (London: Frank Cass, 2002), p. 105.

The Russian forces stationed in Moldova, the 14th Soviet army, played a decisive role in the brief military conflict in Moldova. While Chisinau got jurisdiction over the former Soviet army stationed on the right bank in March 1992, the forces on the left bank were integrated into the Russian armed forces. In addition to its direct intervention in the battle of Bender, the 14th army provided arms to the Transnistrian paramilitary groups, including the transfer of an entire battalion to the Transnistrian authorities, as well as training for the 'Republican Guard'. General Aleksandr Lebed, commander of the Russian forces in Moldova from June 1992, supported the Transnistrian leader Igor Smirnov, denouncing the Chisinau leadership as 'war criminals' and accusing Moldova of being a 'fascist state'.[6]

Various international mediation attempts had been made as fighting escalated in spring 1992. On March 23, the Foreign Ministers of Moldova, neighbouring Ukraine and Romania as well as Russia, met on the sides of a CSCE ministerial meeting in Helsinki and adopted a declaration on the principle of peaceful settlement, agreeing to establish a joint consultative mechanism to coordinate their efforts. A Quadripartite Commission and a group of five military observers from each country to monitor an eventual cease-fire agreement was established following further ministerial meetings in April and May, but did not meet after the intensification of fighting in June 1992.

Discussions on a potential peacekeeping force in Moldova was discussed within the CIS (Commonwealth of Independent States) from late June, and a preliminary agreement on the deployment of a CIS peacekeeping force was reached at the CIS summit on July 6. While the Moldovan parliament issued the required invitation for a CIS peacekeeping force, which was to consist of Russian, Ukrainian and Belarussian forces, as well as non-CIS Romanian and Bulgarian troops, the following day, some of the countries involved withdrew their consent to participate, and the CIS-led force did not materialise. The Moldovan government then turned to the CSCE and the UN. At the CSCE summit on July 10, Moldova requested that a CSCE peacekeeping mechanism to Moldova be considered. However, one of the main conditions for this – an effective cease-fire – had not yet been met.

Following these rejections, the Moldovan government turned to Russia, and an agreement was signed between Presidents Snegur and Yeltsin in Moscow on 21 July. The Snegur-Yeltsin accord provided for an immediate cease-fire and the creation of a demilitarized zone extending 10 km from the Nistru on each side of the river, including the important town of Bender on the right bank. A set of principles for the peaceful settlement of the dispute was also announced, including respect for the sovereignty and territorial integrity of Moldova, the need for a special status for Transnistria and the right of its inhabitants to determine their future in case Moldova were to unite with Romania. The 21 July Agreement also provided for the establishment of a Joint Control Commission (JCC) to monitor and implement the cease-fire agreement. Based in Bender, the JCC consisted of Moldovan, Transnistrian and Russian delegations assisted by a group of military observers, 10 from each of the parties. The JCC was authorised to take 'urgent and appropriate measures' in case the cease-fire was broken to restore the peace and re-establish law and order. Approximately 6,000 peacekeeping forces consisting of 6

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[6] See Trevor Waters, *Security Concerns in Post-Soviet Moldova* (Conflict Studies Research Centre, April 2001), pp. 5 and 8, and *Report No. 13 by the CSCE Mission to Moldova*, 13 November 1993, available from the OSCE website – www.osce.org/moldova.

Russian, 3 Moldovan and 3 Transnistrian battalions under a Trilateral Military Command subordinate to the JCC was also provided for, and were deployed from July 29 onwards. Following the agreement, Moldova lifted the state of emergency and Transnistria resumed supplies of gas and electricity to the right bank.

The number of dead, wounded and refugees caused by the conflict varies among different sources, with casualty figures from a few hundred upwards to almost a thousand, and more than 100,000 refugees (internally displaced persons).[7] The military and paramilitary groups were ethnically mixed on both sides, and casualty figures reflected the ethnic composition of the population at the time.

Following the July 1992 cease-fire and the deployment of peacekeepers (initially 6,000), there were numerous small incidents in the demilitarized zone. However, there was no outbreak of large-scale hostilities and the cease-fire has been largely respected for more than a decade. Beyond the commitment to a peaceful solution to the conflict on both sides, the absence of violence can also be attributed to the military balance of power, with the relative high-quality Russian forces more than outweighing the numerical superiority of the Moldovan army vis-à-vis the Transnistrian forces.[8]

The Moldovan National Army currently consists of 8,500 military personnel, whereas the Transnistrian forces, divided among the defence, interior and security ministries, consist of approximately 5,000-7,000 troops, many of them from the now defunct Soviet 14th Army.[9] The principle of withdrawal of the Russian forces in Moldova was acknowledged in the July 1992 agreement, and the Russian military presence in Moldova has been gradually reduced during the 1990s. In mid-1992, the 14th Army had approximately 9,000 troops in Moldova, reduced to 5,000 in 1994, to 2,500 by the end of the 1990s, and 1,600 in early 2003. The number of Russian peacekeepers was halved in 1994, and by mid-2003, the three parties maintained one battalion each in the security zone, with a total of approximately 1,300 troops.[10] Whether or not withdrawal should be linked to a political settlement remains the main point of contention, with Chisinau contesting the Russian position that these two processes should be synchronized. While the Russian forces in Chisinau were withdrawn within two years after Moldova's independence, little was done to the 14th Army stationed on the left bank. There were numerous rounds of negotiations between Chisinau and Moscow on the withdrawal of the remnants of the 14th Army between 1992 and 1994. Agreement was reached in October

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[7] See Waters, *op. cit.,* p. 5; King, *op. cit*., p. 178 and *Report No. 13 by the CSCE Mission to Moldova*, *op. cit.,* p. 2.

[8] Capability estimates of the various military groupings in Moldova in 2000 found that the Moldovan army and the Russian Operative Group Forces were of roughly equal strength, whereas the Transnistrian forces were approximately half of these two. See Oleg Graur, "The armed forces of the Republic of Moldova – an evaluation of existing capacities, dimensions, and missions", in Institute for Public Policy, *National Security and Defence of Moldova* (Chisinau: 2002), p. 139. On the peacekeepers, see Ion Constantin, *Peace Consolidation Mission Moldova – Parties and Interests,* available at www.azi.md/news?ID=25351, 15 August 2003, p. 2. An additional Transnistrian peacekeeping battalion is stationed outside the security zone.

[9] Different sources give different figures. See Ion Mastac, "The concept of national security of the Republic of Moldova for the new millennium", in Institute for Public Policy, *National Security and Defence of Moldova* (Chisinau: 2002), p. 97; *BASA-PRESS,* 4 September 2000; and Dov Lynch, *Managing separatist states: A Eurasian case study* (ISS-WEU Occasional Paper No. 32, November 2001), p. 10.

[10] King, *op. cit.,* p. 202, and European Parliament, *Note on the political and economic situation in Moldova and its relations with the European Union*, NT/474619EN.doc, 16 July 2002, p. 6.

1994, and the Russian troops were to be withdrawn over a period of three years. This was to be synchronized with a settlement of the Transnistrian conflict.

A bilateral agreement on withdrawal of Russian troops was reached in October 1994, foreseeing the departure to be completed within three years, to be "synchronized" with the granting of a special autonomous status for Transnistria. Russia began its withdrawal in 1995, coinciding with the reorganization of the 14th Army. General Lebed was replaced and the Russian forces in Moldova were renamed the Operational Group of Russian Forces (OGRF). However, the Russian State Duma stalled the withdrawal and the changing status of the Russian forces created uncertainty about Russia's legal obligation to withdraw its forces, although Moldova refused to allow Russia basing rights in the country. Russia later announced to the OSCE that it would reduce its forces from 5,500 troops to 2,500 by the end of 1997, and that the withdrawal of troops and equipment would be determined by the two parties.

One of the main concerns about the Russian military presence has however been the more than 40,000 tonnes of equipment and ammunition stockpiled in Transnistria. While both the Russian and Moldovan governments agree that these should either be destroyed or removed, the Transnistrian leadership insisted that it should be turned over to the Transnistrian authorities, and this issue was not addressed in the 1994 agreement on withdrawal.[11]

The current population of Moldova and Transnistria and its ethnic divisions are uncertain, as there has been no official tally since the Soviet census of 1989. There has been considerable migration into, through and in particular out of Moldova since the census, and estimates vary significantly. These indicate important differences in the trends between Transnistria and the rest of Moldova, although figures are disputed. While some sources claim that Transnistria has seen an increase in population since the conflict of approximately 10%, others claim that the population in Transnistria has decreased by more than 10% in the 1990s.[12] Moldova has seen an enormous emigration since independence. According to official figures, 600,000 Moldovans have left Moldova to work abroad (many to Western Europe and often illegally), while unofficial estimates indicate that the real number may be one million, or almost 25% of the 1989 population. A large number of the emigrants are from rural districts, which are predominantly ethnic Moldovan.[13]

The economy of Moldova has declined precipitously since independence in 1991, and Moldova is currently the poorest country in Europe, with a GDP/capita of only 350 Euros (excluding Transnistria). Agriculture accounts for 40% of Moldova's GDP, and much of Moldova's small industrial base is located in Transnistria. Although Transnistria has less than 20% of the total population of Moldova, it accounts for more than 40% of its total industrial production and produces more than one third of its total national income. The economic dependence on the former Soviet Union has been reduced

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[11] Tony Vaux with Jan Barrett, *Conflicting Interests – Moldova and the Impact of Transdniestria* (London: Humanitarian Initiatives (DFID), January 2003), p. 13.

[12] Ibid., pp. 11-12; Dov Lynch, *Crisis in Moldova* (ISS-EU Newsletter No. 2), May 2002; King, *op. cit.,* p. 208.

[13] Moldovans account for 80% of the rural population, but only 46% of the urban population of Moldova. On the various figures on Moldovan emigration, see Vaux with Barrett, *op. cit*., pp. 5 and 11; Trevor Waters, *The 'Moldovan Syndrome' and the Re-Russification of Moldova Forward into the Past!*, Conflict Studies Research Centre, February 2002, p. 2; and European Parliament, *op. cit.*

somewhat throughout the 1990s, but Russia and the other CIS countries remain the most important trading partners of Moldova.

4.3 Story of attempted solutions

4.3.1 Early proposals for a political settlement and the involvement of the OSCE
Direct talks between Moldovan authorities and the Transnistrian leadership on a political settlement of the Transnistrian conflict were initiated in early 1993. The Transnistrian legislature tabled a 'draft treaty on the separation of powers between the subjects of the Moldovan confederation', which would yield virtual independence for Transnistria. The two subjects would be equal independent states subject to international law, but with a single membership in the CIS. This virtual independence for Transnistria was vehemently opposed in Chisinau, and was met by a counter-proposals in the shape of a draft law on a special status for Transnistria within the Republic of Moldova, which was discussed in the Moldovan parliament during 1993. However, this was rejected by Transnistria.

In April 1993, a CSCE Mission was established in Chisinau.[14] The Mission was initially mandated to assist the two parties in negotiations on a settlement and to encourage negotiations on the withdrawal of foreign troops. It should also provide advice on issues such as human and minority rights, democratisation and refugee return.

The CSCE Mission made an early contribution towards a political settlement in November 1993, in a report outlining a proposal as a basis for talks among the two parties.[15] Although secession was dismissed, the report suggests that Transnistria should have the right to 'external self-determination' in case Moldova decides to give up statehood and merge with Romania. In the longer-term, the report recommends a general decentralisation of Moldova, justified both by the principle of subsidiarity and to reduce the singularity of Transnistria's status. Moldova could eventually be subdivided into eight or ten regions, with Transnistria divided into two regions. While emphasising the restoration of Moldova's territorial integrity as the primary objective, the report considered calls for a special status 'differing from the constitutional condition of other parts of Moldova' justifiable. The Special Region would be an integral part of Moldova enjoying considerable self-rule, with its own executive, elected legislature and court. A proportional number of parliamentary and supreme court seats, as well as positions in key ministries of defence, foreign affairs and security, should be reserved for Transnistria. As far as the division of competences is concerned, most jurisdictions would be mixed.

In February 1994, President Yeltsin took an initiative to re-start negotiations between Chisinau and Tiraspol, and the leaders met twice in April 1994. At the second meeting, a joint declaration was signed in the presence of the OSCE[16] and Russian representatives whereby the two sides agreed to start negotiations on Transnistria's legal and constitutional status based on the OSCE proposals. While there was to be limited movement towards a political settlement for Transnistria, talks between Chisinau, Tiraspol, Moscow, Kyiv and other capitals led to a number of agreements of relevance to the conflict: on Russian troop withdrawal, a border agreement with Ukraine, and, in

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[14] See OSCE website (www.osce.org/Moldova) for information and documentation.
[15] *Report No. 13 by the CSCE Mission to Moldova*, op. cit.
[16] The CSCE became the OSCE in January 1994.

1995, for Ukraine to become the third official 'mediator' in the Transnistrian conflict and eventual 'guarantor' of a settlement.[17] On 19 January 1996, Russia, Ukraine and Moldova signed a Joint Declaration recognising the sovereignty and territorial integrity of the Republic of Moldova.

4.3.2 The 'common state' and the five 'common spaces'

Towards the end of 1995, as negotiations based on the 1993 OSCE proposal had stalled, talks on a new document on basic principles were initiated by the OSCE. In spring 1997, after almost 18 months of negotiations, Russian Foreign Minister Evgeny Primakov suggested the formation of a 'common state' as a way out of the deadlock. This led to the signing a 'Memorandum of Understanding on the Bases for the Normalization of Relations between the Republic of Moldova and Transdniestria' on 8 May 1997 in Moscow.

Reaffirming the territorial integrity of Moldova, the two parties and the three guarantors agreed that "[t]he Parties shall build their relations in the framework of a common state within the borders of the Moldovan SSR as of January of the year 1990." The text established what were called "state-legal relations" between the two sides, the details of which were to be determined later. The Memorandum allows Transnistria to participate in the foreign relations of "the Republic of Moldova – a subject of international law – on questions touching its interest", including the establishment of its own international contacts. Russia, Ukraine and the OSCE are invited to continue as mediators. The text further welcomes the willingness of Russia and Ukraine to act as guarantor states for observance of the settlement, requests the assistance of the OSCE and the CIS, and determines that the presence of the peacekeeping force should continue.[18]

The memorandum was heavily criticized, in Moldova in particular by the Christian Democratic Popular Front, and in Transnistria by the 'ultra-left', pro-independence, pro-Russian opposition, such as the Union of Defenders of Transnistria. There were also widely diverging interpretations of what had actually been agreed. On the Moldovan side, the signing of the Moscow Memorandum was interpreted as providing Transnistrian acceptance of the territorial integrity of Moldova and thus reunification, while on the left bank it was seen as Moldova's implicit recognition of the Transnistrian republic, which had no intention of becoming an integral part of the Republic of Moldova.[19] Soon after the signing of the Moscow Memorandum, President Luschinschi proposed negotiations on a number of other issues not directly linked to the negotiations towards a comprehensive settlement.[20]

An OSCE draft agreement was tabled in June 1997, and several ultimately unsuccessful rounds of negotiations between Tiraspol and Chisinau took place in autumn

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[17] See International Crisis Group (ICG), *Moldova – No Quick Fix* (Brussels: ICG Europe Report 147), 12 August 2003.

[18] See Gheroghe Cojocaru, *About the mirage of the so-called "common state" between Transdniestria and Moldova,* available from http://www.cipdd.org/cipdd/_States%20in%20tranzition/cojcaru.htm.

[19] Gottfrid Hanne, *Playing Two Different Tunes, as Usual, in Moldova,* available from http://archive.tol.cz/transitions/playitwo.html.

[20] These included removing border posts and controls between Transnistria and the rest of Moldova, with common guards along the Ukrainian border, the restoration of bridges across the Nistru river that were damaged during the conflict in 1992, and participation by Transnistrians in the 1998 Moldovan parliamentary elections (which was rejected by the Transnistrian Supreme Soviet).

1997. Progress was made, however, on some of the secondary issues, with the signing of the Agreement on Confidence Measures and Development of Contacts between Republic of Moldova and Transdniestria in Odessa on 20 March 1998. The Odessa Agreement called for a swift reduction in the number of peacekeepers, and invited peacekeepers from Ukraine, which until then had only provided monitors. The agreement further called for the reconstruction of two bridges crossing the Nistru, a joint working group to be established to combat illegal trafficking of drugs and arms, as well as a number of joint programmes on investment, industrial and environmental policy.

In November 1998, the mediators presented yet a new draft agreement, but the two parties were unable to agree on the draft text. However, a Joint Statement on Issues of Normalization of Relations between the Republic of Moldova and Transnistria was signed in Kyiv by the two parties and the three mediators on 16 July 1999. The signatories noted that "in the absence of historical, religious, national and other contradictions there are no objective obstructions to achievement of a political settlement." The two sides agreed to intensify negotiations on the status of Transnistria based on their own proposals presented at the Kyiv meeting, as well as those of the mediators. It was further agreed that five 'common spaces' – common borders, common economic, legal, defence, and social domains – were to be established. However, Transnistria insisted on keeping separate military forces and its own policies concerning weapons and ammunition stationed on its territory. Moldova, on the contrary, insisted on having a single military force.[21]

New proposals from Moldova and Transnistria were tabled in spring 2000. Although both sides now agreed to create a 'common state', there was disagreement as to what the concept implied, and Transnistrian leader Igor Smirnov called the Moldovan proposals "totally unacceptable." In July 2000, President Putin visited Moldova and announced the formation of a State Commission on the Transnistrian conflict, to be led by Evgeny Primakov. Ukraine established a similar commission in August 2000. A Russian proposal known as the 'Primakov project' was presented in August 2000, but received no support either in Tiraspol or Chisinau.[22] Compared with the Moscow Memorandum, the 'common state' proposed a broadened Transnistrian participation in Moldovan foreign policy. In contrast to the five 'common spaces' agreed in 1999, no defence space was envisaged.

In spite of disagreement on the fundamental questions and the uncertainties in domestic Moldovan and Transnistrian politics, agreement was reached on a number of issues of relevance to the conflict. Most important was the OSCE summit in Istanbul in November 1999, where Russia committed itself to the withdrawal of Russian troops and equipment in Moldova. The weapons of the forces in the region were to be removed by the end of 2001, and personnel and stockpiled equipment by late 2002. On 9 December, the mandate of the OSCE Mission in Moldova was expanded to include ensuring transparency of the removal of Russian armaments and ammunition, and coordinating financial and technical assistance for their withdrawal and destruction. Agreement on the reconstruction of two key bridges across the Nistru, on cooperation among commercial

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[21] Roper, *op. cit.,* pp. 113-114.
[22] International Crisis Group, *op. cit.*, p. 8.

courts and on the important question of issuing customs stamps for exporting products was reached in mid-May 2000.[23]

4.3.3 The new Communist government

In parliamentary elections in February 2001, the Communist Party increased its share of the votes from 30% to 50.2%, and with 71 out of a total of 101 seats in parliament got not just an absolute majority, but also the number of votes required to elect a president (61) and change the constitution (68). Only two opposition parties managed to exceed the 6% threshold, with the centre-left bloc the Braghis Alliance and the Christian Democratic People's Party receiving 19 and 11 seats, respectively. On April 4, the parliament elected Communist Party leader Vladimir Voronin as President of Moldova.

Meetings between Tiraspol and Chisinau resumed after the 2001 elections, and on 16 May 2001, President Voronin presented a new proposal for a final settlement, with new Transnistrian proposals tabled a few weeks later.[24] There was little progress and negotiations ended in August, as the Moldovan government introduced a number of "restrictive political and economic actions" vis-à-vis the Transnistrian leadership.[25] In August, restrictions on travelling abroad for more than 70 people in the Transnistrian leadership and administration were introduced, including a request to diplomatic missions in Moldova not to issue visas to the persons on this list, nor to engage in direct contacts with them. A new law on territorial and administrative reform, which re-introduced the structures of the Soviet-era, with 31 districts and 2 autonomous regions (Gagauz and Transnistria), was approved by parliament in December 2001.[26]

The Moldovan government had provided Transnistrian authorities with legal customs stamps for Transnistrian exports since 1996. But on 1 September 2001, the Moldovan government introduced new customs stamps, ostensibly as a consequence of Moldova's entry into the WTO in May. Although Transnistrian companies were to be given a waiver on paying any fees, they would need to register with the Moldovan customs authorities. In order to control trade across the Transnistrian-Ukrainian border, Moldova requested permission to deploy joint customs and border control on Ukrainian territory, which Ukraine subsequently did not agree to. The Transnistrian leadership complained vehemently against these actions by Chisinau, describing them as "economic blockade" representing a breach of the 1996 agreement.[27] In spite of the lack of Moldovan control over the Ukrainian-Transnistrian border, the new customs procedures had a devastating effect on the Transnistrian economy. While the economy grew by 11.5% in the first nine months of 2001, the same period in 2002 saw a drop in GDP by 13.5%, with exports in particular affected (down almost 50%).[28]

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[23] *INFOTAG*, 16 May 2000.

[24] Ceslav Ciobanu, *Hearing: Moldova - Are the Russian troops really leaving*? (Commission on Security and Cooperation in Europe), available at http://ww.csce.gov/witness.cfm?briefing_id=1999&testimony_id=205.

[25] Institute for Public Policy, "Federalization Experiment in Moldova" (*Russia and Eurasia Review*, Vol. 1, No. 4, 16 July 2002).

[26] Economist Intelligence Unit (EIU), *Belarus, Moldova, Country Report* (London: February 2002), p. 33.

[27] Ceslav Ciobanu, *op. cit.,* p. 3.

[28] Anatol Gudym and George Balan, *Idea of federalization and prerequisites for approximation of economic systems of the Republic of Moldova and Transnistria* (Chisinau: Center for Strategic Studies and Reform, December 2002), available at http://www.cisr-md.org/reports/cont-feder.html.

4.3.4 2002 Kyiv proposal for a federation

A new draft agreement was presented by the three mediators at a meeting in Kyiv on 1-3 July 2002. The document sets out the constitutional system of a united federal Moldovan state, and the system of external guarantors of this agreement. Although the most detailed proposals tabled until then, the text was unclear on certain key issues.[29] As far as the constitutional system is concerned, it does not explicitly state how many subjects ('state-territorial formations') the new federation would consist of. It envisaged a lower parliamentary chamber elected on a proportional basis and a smaller upper chamber where the seats are evenly divided among the state-territorial entities and where laws ultimately would require a two-thirds majority. Furthermore, and as seen also in previous draft agreements, the list of joint competencies is very long, increasing the probability of deadlock and conflict of competencies between the centre and the entities, although the competencies of the subjects are not listed. The dual role of the President, as both the head of the federal executive and as the arbitrator in conflicts between the different levels of government, combined with the absence of proper mechanisms for constitutional revision and oversight could exacerbate disputes between the federal level and the entities.

The Kyiv document provided some provisions on external political, economic and military guarantees. Russia, Ukraine and the OSCE would continue as guarantors of the agreement; the absence of Romania was criticized in Moldova.[30] Further, it was not clear what kind of action the guarantors could undertake, whether they could act individually or only jointly, or what would be the role of the OSCE as guarantor. Finally, the political guarantees proposed are quite extensive, also in politically sensitive areas often under the competence of a constitutional court.

Negotiations restarted in August 2002 at the invitation of the three mediators in the so-called Chisinau Round. Following numerous meetings during autumn 2002, the parties were unable to agree on amendments to the Kyiv document, and in December 2002 signed a protocol whereby it was decided that continued consultations should take place on the basis of the Kyiv document, as well as other previous draft proposals.

4.3.5 2003 Joint Constitutional Commission and the Kozak memorandum

In February 2003, yet another phase of negotiations was opened, with President Voronin inviting Transnistria to become co-author of a new Moldovan constitution. According to the Voronin initiative, a Joint Constitutional Commission would be established to draft a new constitution within six months. The Commission would be co-chaired by Chisinau and Tiraspol, and supported by the three guarantors as well as the Council of Europe and the EU. Following a two-month period of public consultation on the new constitution, Voronin envisaged a referendum no later than February 2004, with parliamentary elections to take place before February 2005.

On 27 February, the EU and the US decided to support Moldova's earlier measures sanctioning Transnistria by imposing a travel ban (visa black list) on 17 Transnistrian leaders. While Transnistria reciprocated by declaring 14 high-ranking

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[29] Bruno Coppieters and Michael Emerson, *Conflict Resolution for Moldova and Transdniestria through federalisation?* (Brussels: CEPS Policy Brief No. 25, August 2002), available at http://www.ceps.be.
[30] See Institute for Public Policy, *op. cit.*

Moldovans as *persona non grata* in March, the travel ban appeared to have helped change the Transnistrian position on participation in the Joint Constitutional Commission and the withdrawal of Russian munitions and troops. After repeated delays, the withdrawal process gathered speed in spring 2003, with 35% of the material removed by mid-2003.[31]

The parliaments of the two sides approved the protocol establishing this procedure in April 2003 and appointed their representatives. After some delays, the Joint Constitutional Commission met almost weekly in the following months. However agreement in principle to devise a Moldovan federation masked continued fundamental differences about the basic features of the constitutional settlement. Although agreement was reached in certain areas, this concerned mainly secondary issues, and the solutions preferred by the two principal parties remained far apart in autumn 2003.

In mid-November 2003, to the surprise of its OSCE co-mediators, Russia suddenly tabled a detailed memorandum "on the basic principles of the state structure of a united state,"[32] providing the most detailed proposal to date for a constitution of a Federal Republic of Moldova. The text was promoted by Dmitri Kozak, a senior figure on President Putin's staff. It proposed the basic principles of a new constitution for what would become the Federal Republic of Moldova, consisting of a federal territory and two 'subjects' of the Federation – the Transnistrian Moldovan Republic (Transnistria) and Gagauzia. The federal territory would consist of the rest of Moldova, excluding these two subjects. The term 'asymmetric federation' is being used to describe the proposal, since the federal territory and the two subjects would not have equal status. The federal government would be responsible for both the federation's competences and government of the federal territory.

For the Federal Republic of Moldova it was proposed that the competences of government be divided into three categories: those of the federation, those of the subjects and those of joint competences. There would be a large number of important joint competences, as opposed to exclusive competences for each tier of government. This would risk causing blockage in policy-making, which would be all the more serious when taken together with the electoral and voting rules proposed for the legislature. A lower house, elected by proportional representation, would pass legislation by simple majority. All laws would also need the assent of the senate, however, whose representation would be highly disproportionate with respect to population figures[33]: 13 senators elected by the federal lower house, 9 by Transnistria and 4 by Gagauzia. An alliance of the two subjects could block any law. However the voting strength of Transnistria would be even stronger since representatives from Transnistria in the federal lower house could use their votes to elect some more senators from Transnistria. This disproportion would be even more serious still during a transitional period lasting until 2015, before which federal 'organic laws' could only be passed with a three-quarters majority in the senate, where Transniestria would have 34% of the seats, and therefore an outright blocking minority. There is a similar situation for the Federal Constitutional Court, which would have six judges appointed by the lower house, four by Transnistria and one by Gagauzia. Until

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[31] International Crisis Group, *op. cit.,* p. 11.
[32] Published on the website of the Transnistrian Ministry of Foreign Affairs, see
http://www.mfa-pmr.idknet.com/documents/index.php?lang=eng&options=6&id=0&next=1
[33] According to the 1989 census, Transnistria has 14% and Gaguzia 3.5% of Moldova's total population.

2015, decisions by the court would require no less than nine votes, again giving an outright blocking minority to Transnistria.

The voting rules would be differentiated as between 'organic laws', which regulate joint competences, and 'ordinary laws', which regulate federal competences. Both types of laws may be passed by simple majorities of the two houses. Vetos by the senate of ordinary laws may be overridden by a two-thirds majority in the lower house, but vetos of organic laws may not be overridden. Changes in the constitution would require a four-fifths majority in the senate.

The potential blocking power of the Transnistrian minority is an essential issue. This would be crucial for Moldova's European prospects, since integration with the EU ultimately involves a large amount of legislation in domains that would be joint competences according to the Russian proposal. If Transnistria wanted to block Moldova's European integration ambitions, it could easily do so.

President Smirnov of Transnistria characterised the document as a compromise able to normalise relations between Moldova and Transnistria. However he also wants military guarantees, which are not mentioned in the proposal and a Treaty providing for a Russian military deployment in Moldova for 30 years. But assuming that the proposal would in the end have been endorsed by the Transnistrian leadership (it was first published in Russian on the website of Transnistria's Ministry of Foreign Affairs), the Kozak memorandum represented a break with their long-held position that Transnistria should have equal status with the rest of Moldova. This shift was used to justify the cautious optimism displayed by President Voronin in his first comments on the memorandum, stating that "Moldovan society will succeed in finding the optimal solution after studying, discussion and improvement of this document". The memorandum envisages that the JCC consider the principles included in the Memorandum as "definite and obligatory in preparing the draft Constitution" (Article 14.13), although its chief author, Dmitri Kozak, acknowledged that "not all points from the memorandum are ideal and acceptable".

Most Moldovan opposition parties joined forces against the Russian proposal, insisting instead on unconditional withdrawal of Russian troops from Transnistria and on EU, US, Romanian and Ukrainian participation in the process. Large demonstrations against the Kozak memorandum took place in Chisinau in the days following the publication of the Russian proposals.

The OSCE did not have the opportunity to participate in the drafting of the proposal and saw it for the first time on 14 November, before it was formally presented to the principal parties on 17 November. The EU and the US were critical of the memorandum itself and of the manner in which it had been proposed. On 24 November a press release of the OSCE indicated that its Chairman-in-Office, the Dutch foreign minister, had told President Voronin that there was no consensus among OSCE member states to support the Russian proposal. President Voronin issued a statement on 25 November that: "The plan proposed by the Russian federation is a response to a true compromise between the sides. … However the document is of such strategic importance that it cannot be adopted against the resistance of one or another side. … Obviously, Moldova's European integration option requires the support of the European organizations, in particular of the OSCE for this settlement plan. … Under these conditions Moldova's leadership describes the signing of this memorandum as premature

before the coordination of its text with the European organizations". A visit by President Putin to Moldova announced the previous day was cancelled. According to Russian Foreign Minister Ivanov, Voronin had refused to sign due to interference from Western countries.[34] Moldova and the Kozak memorandum was a key issue at the OSCE ministerial meeting in Maastricht on 1-2 December 2003, and disagreement between Russia on the one hand and the EU and the US on the other on Moldova was one of the principal reasons why a final joint declaration was not adopted after the meeting.

4.3.6 Current positions

The establishment of an asymmetric federation is the official position of Moldova (president, government and parliament). While the specific structure of such a federation is not clear, a model currently referred to by Moldovan officials is Spain, with different competencies accorded to the various entities.

Various versions of *multi-entity federations* have been suggested in the previous years. The 1993 CSCE Report proposed cantonization of Moldova into 8 or 10 units, and a similar solution based on the Swiss federation has been proposed by the Social Liberal Party of Moldova.[35] The Turkish Gagauz minority in Moldova have been calling for a three-entities solution since the Kyiv Document was presented in July 2002. A five-entity federation was recently proposed by the International Crisis Group.[36] The centre-right and rightwing opposition in Moldova would prefer Moldova to be a *unitary state with regional autonomies*, a position with considerable support also within the governing Communist party. The principal argument against this solution has been that the centre would retain the power to revoke the autonomy earlier granted. Transnistrians point to the gradual reduction of Gagauz autonomy as evidence, while others point more positively to the development of Crimean autonomy in neighbouring Ukraine.[37] The Transnistrian leadership appears to prefer a *symmetric two-state federation*, with Serbia-Montenegro as the favoured model.[38] Moldovan officials have stated that a federation of two equal entities is unacceptable.[39]

Some smaller minority groups have been advocating more radical solutions. *Secession and internationally recognized independence* remains the position of the Transnistrian 'ultra-left', a small minority in Transnistria. *Unification with Romania* is supported by a small group of right-wing Christian Democrats in Moldova, as well as supporters of a 'Greater-Romania' in Romania. While this was a prominent position in the late 1980s and early 1990s, it has since become a marginal position. The prospect of unification with Romania does, however, play a significant role in anti-federation rhetoric in Transnistria. Indeed, the right of secession in case Moldova decides to unify with

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[34] For the diplomatic developments following the publication of the Kozak memorandum, see the daily News Digest of the OSCE Mission to Moldova, in particular in the period 18–25 November 2003.

[35] Meetings, Chisinau, 8/9 July 2003.

[36] The Brussels-based think-tank International Crisis Group (ICG) proposed a five-state federation for Moldova consisting of Chisinau, Transnistria, Gagauz-Teraclia, Northern Bessarabia, and Central and Southern Bessarabia, see ICG, *op. cit.*

[37] Meetings, Chisinau, July 2003.

[38] Approval of the protocol establishing the Joint Constitutional Commission by the Transnistrian Supreme Soviet (parliament) was conditioned on the treatment of Moldova and Transnistria as "equal subjects" in negotiations.

[39] Statement made by Moldovan diplomat at Council of Europe conference, Chisinau, 11-12 September 2003.

Romania at a later stage is specifically included in the main proposals tabled so far. Desperate voices in Transnistria call for a policy of autarchy and even provocation and sabotage to force the international community to establish an international protectorate similar to Kosovo.

De facto secession and non-recognized independence for Transnistria describes the status quo. Some suggest that this is the real preference of both the Transnistrian leadership and in the current Moldovan government, reflecting vested economic interests in the smuggling opportunities of the status quo. Another position is that Chisinau should *end attempts to solve the Transnistrian conflict and focus efforts on European integration,* and this seems to receive growing support in Moldova, in particular among the non-Communist opposition, but increasingly also within the ruling Communist Party.[40] Some forces in Moldova have long argued that Chisinau should not negotiate with the Transnistrian leadership, which is regarded as a criminal regime essentially run by Russia. The growing number of supporters of this position claim that the current stalemate constitutes the principal obstacle to the development of a fully democratic Moldova with a functioning market economy, and that the Transnistrian leadership is not genuinely seeking a settlement. It has been stated that the federalization of Moldova could exclude the possibility of joining the EU. Federalization would according to this view accelerate the 'Russification' of Moldova, consolidate the position of the pro-Russian, anti-Western wing in society, strengthen the shadow economy and improve the status of illegal economic activities, eventually forcing Moldovans to leave their country.[41]

4.4 Analysis of Europeanization

4.4.1 Development of EU-Moldovan relations

The Transnistrian conflict remained far down the list of concerns of the EU and its member states in the early 1990s, and direct EU involvement was never seriously considered.[42] To the extent that West European states were to get involved in the conflict, it was through other international institutions, mainly the OSCE, which became the leading international organization involved. Indeed, the limited violence relative to other concurrent conflicts and the early ceasefire led the EU to regard the Transnistrian conflict as a good example of conflict management for other post-Soviet crises.[43] Insofar as Western Europe provided assistance to Moldova's economic transition, this was provided primarily through the international financial institutions, and the EU did not, as in the case of Central and Eastern Europe, play a central role.

The EU-Moldova relationship in the early 1990s focused on establishing bilateral relations, as the previous EC-Soviet agreement became obsolete with the collapse of the

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[40] See Vasile Nedelciuc, *Anno domini 2007 in the Republic of Moldova, Independence, Federalization or Union?*, available at http://www.azi.md/cgi-bin/page.cgi, and the interview with Moldova's ambassador to the Council of Europe in *Moldpress,* 17 December 2003, where Cyprus is invoked as a possible model for Moldova's European integration efforts.

[41] Nedelciuc, *op. cit.*

[42] See Marius Vahl, "The EU and Moldova: A Neglected Partnership," in Ann Lewis (ed.), *The European Union and Moldova* (London: Federal Trust, 2004).

[43] See for instance the *EC statement to the UN General Assembly* in October 1992.

Soviet Union. Although the EC agreed that new bilateral agreements were to be concluded with the CIS states in October 1992, negotiations with Moldova did not take place until the spring of 1994, and the Partnership and Cooperation Agreement signed on 28 November 1994 did not enter into force until 1 July 1998.[44] Although one should not exaggerate the importance of PCA meetings, this late institutionalization of the relationship delayed potential socialization of Moldovan elites. The PCA focuses mainly on trade and economic cooperation, and represents a modest extension of the 1989 EC-USSR agreement, in particular if compared with the Europe Agreements between the EU and the countries of Central and Eastern Europe. In contrast to the earlier agreement, the PCA envisages the approximation of Moldova's legislation to that of the EU, as well as the prospect of an eventual free trade area. Cooperation is envisaged in a large number of areas, but with vague commitments and limited scope for the use of EU conditionality.

While the entry into force of the PCA in mid-1998 ushered in a period of enhanced cooperation between the EU and Moldova, this was part of a larger process of enhanced EU engagement with neighbouring countries. Indeed, as the Union focused on other issues and other areas, such as the enlargement process, the Western Balkans and relations with Russia, Moldova inadvertently came to play an increasingly marginal role in EU proximity policy in the period. Moldova was one of the very few European countries without a European Commission delegation, and although increasing amounts of economic aid was provided, EU assistance was much more limited than that provided by the World Bank and the IMF.[45]

EU enlargement has had significant consequences for Moldova, most notably relating to the Schengen agreement on external border policy. It is estimated that hundreds of thousands, perhaps as many as half a million Moldovans have Romanian passports, and that approximately 100,000 Transnistrians have Russian citizenship, including most of the leadership.[46] In December 2000, the EU Council decided to take Romania off its list of countries whose citizens require visas to enter the Schengen area from early 2002. This increased the demand for Romanian citizenship by Moldovans, but upon pressure from the EU, Romania has stopped issuing passports to Moldovans for a certain period, although Moldovans have since August 2003 again been able to apply for Romanian citizenship.

Since the late 1990s, Moldova repeatedly solicited EU support for an association agreement in the medium term and acknowledgement of the possibility of full EU membership in the long term. However, the EU has focused on Moldova's implementation of the mainly economic provisions of the PCA, and has been unwilling to consider Moldova as a potential EU membership candidate. Indeed, the formulation used in the declarations of the PCA Co-operation Council are even more restrictive than those used in joint statements with Ukraine, which is also aiming for eventual EU membership

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[44] *Partnership and Co-operation Agreement between the European Communities and their Member States and the Republic of Moldova*, Official Journal L 181, 24/06/1998, pp. 0003 – 0048.

[45] The commitments made under the Tacis programme were tripled during the 1990s, from 10.1 million ecu in 1991-93, to 32.7 million Euros in 1997-99. Approximately 52 million Euros of assistance to Moldova was committed through Tacis from 1996 to 2001. The World Bank's contribution of US$ 252 million was almost five times as large in the same period, and the US$ 310 million provided by IMF was ten times the 30 million Euros of macroeconomic assistance committed by the EU.

[46] Lynch, 2001, *op. cit.,* p. 22, and Vaux with Barrett , *op. cit.*, p. 11.

but is not considered a candidate by the EU. These divergent objectives dominated the relationship from the end of the 1990s.

Non-economic issues, which were not covered extensively in the PCA, gradually became more prominent in the overall relationship, in particular in the field of justice and home affairs. This broadening of EU-Moldovan relations, mainly the result of the development of new EU competences and the progression of the enlargement process, was followed by a greater willingness by the EU to enhance its engagement with Moldova. Thus, Moldova was in June 2001 invited to join the European Conference, a forum for political dialogue between the EU and the candidate states. This was followed in early 2002 by an initiative to strengthen relations with the 'new neighbours' of the EU after enlargement, identified initially as Belarus, Moldova and Ukraine. Again, the greater EU involvement with Moldova was part of the development of a stronger EU policy towards its neighbours after the impending enlargement. Thus, invitations to join the European Conference were extended also to Ukraine and Russia, and by early 2003, the initiative towards the 'new neighbours' had under the heading 'wider Europe' been extended to include also Russia, Ukraine, Belarus, Moldova and the Mediterranean partners, none of whom aspire to EU membership.[47]

The EU Neighbourhood Policy proposed by the Commission aims for a considerable integration and cooperation across all policy areas between the EU and its neighbours, falling short, however, of the prospect of EU membership. But in the short- to medium-term, the new initiative is likely to have a limited impact. The scope of the new Neighbourhood Agreements is to be examined once existing agreements – the PCA in the case of Moldova – are implemented, and it is stressed that these would supplement, and not replace, existing contractual relations. Further, the 'wider Europe' proposals from the Commission are limited also on any possible EU involvement in the Transnistrian conflict, envisaging at most post-settlement support in civilian security arrangements with a vague promise of enhanced economic assistance for reconstruction. However, a number of proposals for an EU role in peacekeeping in Moldova emerged in 2003, from the Dutch OSCE chair and from think-tanks, and have been discussed internally by the EU.[48] The increased EU focus on Transnistria has been accompanied, and indeed caused, by a growing awareness of the linkages between the unresolved conflict and Moldova's difficult economic and political situation. Concerns about the impact of the Transnistrian 'black hole' of smuggling and transnational crime on the EU itself are rising as enlargement brings the EU closer to Moldova. Such fears have intensified since the terrorist attacks in the US, and provide the context for the apparent growing willingness of the US government to engage with Russia over the Transnistrian conflict, as seen during the Bush-Putin summit in the summer of 2002.[49]

The EU's enhanced engagement started to produce more immediate effects in 2003. The travel ban on Transnistrian leaders in late February 2003 was followed by an

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[47] European Commission, *Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern neighbours*, COM (2003) 104 final, 11 March 2003.

[48] Dov Lynch, *Russia Faces Europe* (Paris: Chaillot Paper 60, EU Institute for Security Studies, May 2003), unpublished OSCE *Food-for-thought paper*, July 2003, and ICG, *op. cit.*

[49] Presidents Bush and Putin announced on 21 June 2002 that they would act together to push for a solution of the conflict. This followed an announcement that the US would provide assistance to Ukraine to help modernise its customs services on the Moldovan and Transnistrian border, see Vaux with Barrett, *op. cit.*, p. 8.

EU initiative to mediate a customs agreement between Ukraine and Moldova. In early March 2003 the European Commission invited the two parties to Brussels to negotiate a customs agreement, which was subsequently signed in May 2003, entering into force a few weeks later. The agreement required Transnistrian exporters to register in Chisinau in order to obtain the necessary customs stamp. This would allow the Moldovan government to tax these companies. They would either have to pay double taxes, making them less competitive and reducing exports, or the Transnistrian authorities have to reduce their taxation of these companies, reducing their revenues considerably.

The EU, as well as the Venice Commission of the Council of Europe, also participated as an observer and advisor to the Joint Constitutional Commission in 2003. However, the EU has not sought to be included as one of the principal mediators and eventual guarantors of a settlement, as proposed by President Voronin in September 2003.

4.4.2 Europe in the domestic discourse

Europe and the European Union played a limited role in political discourse in Moldova in the early years of independence. Preoccupied with the Transnistrian conflict and the transition to democracy and a market-based economy, and apart from the all-important relationship with Russia, foreign policy was a secondary issue. Otherwise, Moldovan foreign policy focused initially on the challenges of being a new state, and creating a basic network of relations and agreements with other states and international bodies such as the UN, the IMF and the World Bank.

From the middle of the 1990s, Moldova paid increasing attention to the EU. The idea of eventual accession was first raised officially in December 1996 by the then recently-elected President, Petru Luschinschi. In March 1998, EU membership was adopted as a key strategic objective of Moldovan foreign policy.[50] The Foreign Policy Guidelines called for the creation of institutional structures to administer a more pro-active policy geared towards eventual EU accession, with upgraded contractual relations through an association agreement as a priority in the medium-term. Moldova's 'European choice' was accompanied by a more sceptical attitude towards Russia and its dominant role in the CIS. In 1997, Moldova was one of the founders of GUUAM, a grouping of former Soviet republics intended as a counterweight to Russia, but which failed to play a prominent role in the foreign policies of its members.[51]

This 'European choice' had more limited effects in practice, and requires a number of qualifications. First, the increased attention paid to the EU was part of a broader trend whereby Moldova increased its engagement with European and international organizations more generally. In the mid-1990s, Moldova became increasingly engaged with other European and international organizations, joining NATO's Partnership for Peace in March 1994, the CIS Economic Union in April 1994 and the Council of Europe in July 1995. Furthermore, the rhetoric of European integration was not followed up in practice by successive Moldovan governments in the late 1990s. The institutional structures called for by the Foreign Policy Guidelines were

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[50] Ministry of Foreign Affairs of the Republic of Moldova, *The Foreign Policy Guidelines for the Period 1998-2000* (Chisinau: June 1998).
[51] Originally this consisted of Georgia, Ukraine, Azerbaijan and Moldova, known as GUAM, later joined by Uzbekistan to create GUUAM.

not established, and many of the reforms required, including Moldova's PCA commitments, were either not introduced or remained unimplemented. The unstable political situation in Moldova in the late 1990s was partially to blame for the stalled Europeanization process in Moldova, as the pro-European government installed after the 1998 elections collapsed in 1999 when the fragile parliamentary majority supporting it disintegrated.[52]

Europeanization became a key issue before the 2001 parliamentary elections. In the 2001 election campaign, the Communist Party was in favour of a 'Slavic choice' for Moldova, moving towards full integration with its CIS partners, including joining the Russian-Belarussian Union. Relations with the EU were rarely mentioned, and the 'European choice' dismissed, as Communist Party leader Vladimir Voronin stated during the campaign that Moldova's integration with the EU was a "crazy undertaking" and a "delirious idea".[53]

Since the ascent of the Communists to power in 2001, the Moldovan polity has become sharply polarised, with the pro-European opposition claiming that the Communist government was promoting the 'Russification' of Moldova. In early 2002, demonstrations with tens of thousands of protestors against this 'Russification' were organized by the Christian Democratic People's Party (PPCD) in Chisinau, leading to the suspension of the PPCD for one month. The protests were caused by the government's intention to introduce compulsory Russian language training in secondary school, and to replace the curriculum text on Romanian history to one on Moldovan history, and were followed by the withdrawal of the plans by the government.[54] These proposed measures, as well as a new law on territorial and administrative reform providing for the election of mayors by district councils rather than directly by popular vote,[55] plans to nationalize Moldovan TV and radio companies, and the government's unwillingness to recognize the Bessarabian Church in spite of a decision by the European Court of Human Rights to that effect, were all the subject of criticism from European institutions such as the Council of Europe, the European Parliament and the EU Troika in the spring of 2002.

Relations with Russia, on the other hand, improved following the Communist election victory. Voronin made his first foreign visit to Russia only two weeks after being elected, and stated that Moldova could not join the EU unless other CIS states joined.[56] In November 2001, Russia and Moldova signed a friendship treaty, providing for a special status for the Russian language in Moldova. Agreement on such a treaty had been blocked by Russia throughout the 1990s, on the grounds of insufficient protection of Russian minorities. The improvement of Chisinau-Moscow relations may also have contributed to the accelerated withdrawal of Russian military forces and equipment from Transnistria. In contrast to previous elections, and reflecting perhaps the improved relationship between Chisinau and Moscow, the Russian government did not send official observers to the presidential elections in Transnistria in December 2001 (where the incumbent Igor Smirnov won with 85% of the votes), nor did they recognize the results.

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[52] Nedelciuc, *op. cit.*
[53] *INFOTAG*, 11 May 2000.
[54] European Parliament, *op. cit.,* p. 8.
[55] Economist Intelligence Unit, *op. cit.,* p. 33.
[56] European Parliament, *op. cit.,* p. 8.

The 'Slavic choice' of the Communist government became gradually less pronounced after it took office. The idea of Moldova joining the Russia-Belarus Union was never seriously raised, and Moldova become an observer in the EurAsian Economic Community in May 2002, and not a full member as it had claimed to seek during the election campaign. The Communist government is increasingly emphasising its support for European integration and the objective of full membership of the EU. In September 2002, President Voronin launched the process of establishing political and administrative structures along the lines called for in the Foreign Policy Guidelines of 1998 to coordinate efforts towards integration with the EU. Among the political elites in Chisinau, differences between the 'Slavic choice' of the Communist government and the 'European choice' of the previous government and the current opposition, and thus about the desired degree of 'Europeanization' of Moldova, seem increasingly more apparent than real.

Although there is currently widespread support among Moldovan elites for EU membership as a long-term goal, there seems to be a limited and skewed understanding of what this entails and what is required by Moldova. Many of those in Moldova calling for a greater EU involvement in the conflict focus on the EU as an actor that could balance what is regarded as excessive Russian influence. A greater EU involvement would also lead to greater financial and economic assistance to Moldova. The inclusion of Moldova in South-East European structures and processes is currently the principal route through which Moldova's European aspirations is to be achieved. Participation in the Stability Pact from 2001, and inclusion in the South East European Co-operation Process (SEECP) in 2004, are thus regarded as steps towards Moldova's inclusion in the EU's Stabilisation and Association process with the Western Balkans, with the aim of concluding a Stabilisation and Association Agreement for the medium-term whereby the EU would acknowledge Moldova as a candidate for EU membership. But such acknowledgement by the EU is rarely linked directly to domestic reforms in Moldova in the political debate in Moldova, and the EU was reluctant to let Moldova into these processes. The consequences of eventual EU membership for the division of competences among various levels in a Moldovan federation, and how this could contribute to removing obstacles in the negotiations, is for instance not much discussed in Moldova.

Since the July 2002 Kyiv proposals for a federal Moldova, the divisions between the Communist Party and the opposition have increasingly revolved around the Transnistrian conflict and the desirability of a federal solution. While the government favours an 'asymmetric' federation, a large part of the opposition have become vocal in their opposition against federalization, which they regards as a recipe for 'Russification' and as an obstacle to Moldova's Europeanization. Although many in the opposition emphasise that their critique stems from the details of specific federalization proposals, such as the Kyiv document and the Kozak memorandum, others question the feasibility of establishing a federation in which the current political structures of Transnistria would be a component part. According to the latter view, the Transnistrian leadership is regarded as an authoritarian and illegitimate regime imposed and controlled by Russia, and its unification with the rest of Moldova would undermine the weak yet democratic independent Moldovan state, removing the prospects of its eventual integration into the EU.

The discourse in Transnistria, with media to a large extent controlled by the Ministry of Security, is dominated by the perceived threat from Moldova, Romania and the West.[57] Until quite recently, the EU as such played a secondary role among Western organizations, but perceptions of the EU are rapidly changing as EU involvement in Moldova has increased substantially in recent years. There is a growing skepticism about the EU in the Transnistrian leadership, understandably enough in light of recent EU actions such as the travel ban on the Transnistrian leadership and the brokering of the customs agreement between Ukraine and Moldova. Divisions within the Transnistrian elite with regard to the EU are becoming apparent, with a group of younger leaders pressing for a more pro-European policy. The latter are increasingly arguing for rapprochement with Chisinau, as Moldova's prospects for European integration, albeit vague and distant, are in any case better than the prospects for Transnistria. As Romania's accession to the EU approaches, it may be that Moldovan and Romanian political discourse will return to the idea of re-unification, with German unification seen as a precedent for simultaneous accession to the EU.[58]

Although the EU has become prominent in Moldovan political discourse, there was until recently little consideration of the EU playing a significant role in finding a solution to the Transnistrian conflict, with the Commission not even represented by a delegation in Chisinau. The role of the EU changed considerably in the course of 2003, and its potential role in the settlement is a principal issue in the current discourse on the Transnistrian conflict. "Moving towards the European Union" is increasingly seen as the principal "method of uniting the country and resolving the persistent Transnistria problem", as stated by President Voronin in a speech to the Parliamentary Assembly of the Council of Europe in September 2003. The OSCE is criticized as too pro-Russian by the opposition in Moldova, and has in the eyes of many Moldovans been discredited as an impartial mediator. No one seems much interested in any NATO involvement: any such talk is anathema for Transnistrians, but also 'pro-Europeans' emphasise the virtue of Moldovan neutrality, and there is broad consensus on the demilitarisation of Moldova. However, geopolitical perspectives dominate the discourse on the Transnistrian conflict in both Transnistria and in Moldova, and perceptions of Europe and the EU differ from those most often encountered in Western Europe.

4.5 Concluding discussion of possible scenarios

Moldova and Transnistria are a case where the local divide – across the Nistru river – coincides most clearly with Europe's old and new geo-political divides – between the former Russian and Soviet empires on the one hand, versus the Moldovans and the enlarging European Union on the other. This suggests from the outset that the external powers may well have to be actively cooperative in securing a settlement.

Moldova and Transnistria are also a case where the most complete set of conceivable solutions has been proposed by one party or another in the course of the last decade. This points to a positive feature conducive to settlement, namely that the parties

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[57] Lynch, 2001, *op. cit.,* p. 11.
[58] See for instance the article "The New Architecture. The System of Foreign Politic" by Boris Asarov of the Pro-Europe Movement in Tiraspol, 12 December 2003, see http://www.azi.md/investigation?ID=27081.

have at least kept on communicating and negotiating with each other, albeit off and on.[59] This reflects the fact that while inter-ethnic tensions have been serious, they have not degenerated to the point of ethnic cleansing or deep enmity.

The idea of an asymmetric federation seems to have made some advance in the recent past, meaning that Transnistria[60] would be a subject of the federation, but with a different status from the rest of the federal territory. This is progress over the former situation where Transnistria apparently sought a symmetrical dyadic federation despite having only a small minority of the total population. The key negotiation variables then become, first, the distribution of competences between the federation and Transnistria, and, second, the political weight of Transnistria in federal legislation and power structures.

The listing of competences by level of government seems not that difficult a matter, as long as there is clarity over maximum exclusivity of responsibilities, rather than a long list of joint competences which is a recipe for policy-making blockage. Here the Kozak memorandum went much too far in joint competences, but that could be corrected in a fresh proposal.

This links to the question of the political weight of Transnistria in federal legislation. Here one extreme position would be that Transnistria is a simple autonomous entity, i.e. that it has no special say in federal legislation, which in Chapter 1 has been described as an associated state or a federacy. While this is not an unusual formula (for example as for Scotland and Catalonia in the UK and Spain respectively), this is unacceptable to Transnistria. The other extreme is that Transnistria would have powers of virtual veto to block any federal legislation, which is how the Kozak memorandum was interpreted by many, and led to strong opposition in Chisinau. However here there are ways to compromise, for example by having a very restricted list of competences over which there would have to be specially high qualified majorities amounting to a requirement of virtual consensus. These special provisions would typically concern constitutional issues relating to the principles of the federation.

It is possible that no solution can be found that is politically acceptable to both parties at the present time. Therefore one has to consider, if the status quo is to continue, how over time the balance of power and interests between the two parties may change.

Here a first issue is the continuing viability of the status quo, with a de facto, but unrecognized, independent Transnistria. The model of the very small or even micro-state exists in contemporary Europe, with some highly successful and prosperous examples. However Transnistria is in much less favourable position in this respect than all the other three minority cases under review. Montenegro, Northern Cyprus and even Abkhazia are all much better placed because they are not landlocked and have outstanding tourist potential. Transnistria does however have a certain industrial capacity, including a highly productive steel works that at present relies predominantly on exporting to the EU market. A prospering Transnistria in the 21st century would probably have to become increasingly reliant on EU market access.

The second issue is the possible evolution of Chisinau's relationship with the EU. Already Chisinau is in discussion with the EU over its proposed place in the Wider

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[59] Following the demise of the Kozak memorandum at the end of 2003, Transnistria has cut off political contact with Chisinau.
[60] And possibly Gagauzia, but we restrict the discussion here to Transnistria.

Europe or New Neighbourhood initiative. As the 2007 date of Romania's probable accession to the EU approaches, the EU's motivation in enriching its relationship with Moldova is sure to increase. This raises the question whether Chisinau is able to respond to these new opportunities, and whether the incentives offered by the EU become sufficiently credible and vivid to make a real difference. But in general Chisinau is positioned to begin to be drawn into the Europeanization process. The EU could easily enhance its offers, firstly with the modest step of opening a EC delegation in Chisinau, and secondly by agreeing to bring Chisinau fully into mechanisms of its policies towards South East Europe. All the rest of South East Europe have the official perspective of full EU membership at least in the long run. Experience shows that this is by far the most powerful incentive for reforms that the EU can offer.

While the EU of course favours conflict settlement and re-unification of Moldova, this is not to be taken as a pre-condition of Chisinau advancing towards Europe. This would be to copy what the Cyprus model has become, with the larger party not being held hostage to the smaller secessionist entity. The relationship with Tiraspol could also develop in either of two directions. The current stance has been to sanction Tiraspol, as with the visa ban on a list of leaders, and cooperation with Chisinau and Ukraine to establish better control over Transnistria's cross-border movements. Whether the sanctions policy will be deepened or lifted will depend on Tiraspol. A current example concerns the removal of remaining munitions, with Russia itself actually wanting to withdraw these stocks. Tiraspol has recently resumed its attempted blocking of the scheduled shipment of munitions, which is sure to be viewed by the EU extremely unfavourably. The Transnistrian regime has to calculate carefully the possible response to such virtual 'hostage-taking' tactics, However signs of cooperative policy on the part of Tiraspol could be met by positive incentives offered by the EU, beyond cancelling the present sanctions.

Russia's own position as supporter of Transnistria is presumably also an open question, at least as regards the extent of economic aid it is willing to continue to grant, *inter alia* thorough favourable financial conditions for gas supplies. Transnistria might conceivably be attracted to the idea of becoming a second informal Kaliningrad. However the real Kaliningrad faces serious handicaps in trying to make a successful transition, even where there is a political will on the part of Russia and the EU to try to be cooperative in this case. Transnistria would be in a less favourable position, being a non-recognized secessionist entity.

The scene seems set for a continuous relative deterioration of the position of Transnistria should there be no political settlement with Chisinau, and should Chisinau begin to progress with Europeanising reform processes. In this scenario there could come a time when Tiraspol would have to bargain from a position of greater weakness, given also that the days before the munitions stocks are finally withdrawn are presumably numbered. This could lead into a scenario in which the Transnistrian regime would eventually collapse, for which there are many examples to contemplate from the recent history of post-communist Europe. While there is little point in trying to anticipate the precise model of regime change, the general idea would be that a new regime might seek to rejoin the rest of Moldova in a Europeanising direction from a weakened bargaining position. An asymmetric federative solution might then at last be reached, granting a degree of autonomy to Transnistria, which could be guaranteed both constitutionally and

internationally, but with less power over the Moldovan federal structures than might have been negotiated earlier.

On the Moldovan side it is conceivable that political preferences may evolve as Romania's accession to the EU becomes a reality, probably in 2007. If Moldova's relationship with the EU and more general Europeanization develops only at a disappointingly slow pace, and the Transnistrian problem remains unresolved, there could be a resurgence of the idea of union with Romania, forming perhaps an alternative, federative, asymmetric 'common state'. While the EU is surely not going to encourage such ideas, they might develop endogenously in Moldovan and Romanian political tendencies, bearing in mind how the German re-unification made instant accession of the former GDR (German Democratic Republic) possible.

Review of the options points to the advantages of the EU reaching a cooperative understanding with Russia over a sustainable federative solution for Transnistria to fit back in with the rest of Moldova.

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