

Executive Summary: Moldova's Transnistrian Conflict¹

On the origins and present situation in the Republic of Moldova, with an evaluation of likely consequences of different initiatives to end the prolonged stalemate.

Origins: In June 1990, following general elections, the new Supreme Soviet of the Soviet Socialist Republic of Moldova declared its sovereignty. Soon thereafter, on Sept 2, 1990 the portion of the republic situated on the left bank of the Nistru river declared, in response, the Transnistrian Moldovan Soviet Socialist Republic. The Constitution of the Republic of Moldova declares its permanent neutrality. RoM is part of the CIS, though not its military cooperation.

Pre-history: The Soviet Socialist Republic of Moldavia was created in 1940 as a result of the Molotov-Ribbentrop Pact, which led to the incorporation of Romania's province of Bessarabia into the USSR and its formal unification with the Moldavian autonomous region. This region (by and large, the present territory of Transnistria) had for two centuries been a part of Russia and the Ukrainian SSR. The 1940 construction of a Soviet Socialist Republic out of a piece of Ukraine and a piece of Romania became the Republic of Moldova of today. (Romania has played a rather passive role during the conflict.)

During Soviet times, the Soviet Socialist Republic of Moldova's economy was supposed to concentrate on the production of agrarian goods (today's territory West of the Dneestr river) and armament materiel (Transnistria), which is at the root of a number of today's problems.

Since 1997, 98% of the energy consumed in Moldova is supplied by Russia from a natural gas pipeline transiting to Romania, Bulgaria and Macedonia.

Population: 4,4 million at independence, about 17% are inhabitants of Transnistria. Ethnic distribution of entire country: acc to USSR 1989 statistics on self-declared nationality, 65% are Moldovans (Romanian speaking), of the remaining 35% Ukrainians and Russians make up 26%, the Gagauz minority about 2%. Ukrainians and Russians are more concentrated on the Transnistrian side.

Loyalties: Information is scarce and disputed. According to one well-informed source most of the Romanian-speaking population on the Transnistrian side feel solidarity with the separatist regime. Others dispute this. To some observers, there is an obvious ethnic / "Russification" background to the crisis. Some sympathies for union with Romania or Ukraine exist on the respective sides, but both cases are in minority. (Agreements also prevent this, see below.)

Violence: By RoM's actual independence in 1991 a large military concentration (troops and ammunition depots + armament industry) of the USSR was still located on the left bank of the Nistru River. Serious fighting erupted in spring 1992 between separatists and Moldovan police and regulars. Entering from outside, Ukrainian nationalists fought side by side with Russian mercenaries ("Cossacks") and with the troops of the 14th Russian Army, supporting the separatist regime.

Agreements: - Moscow July 21, 1992 'Convention on principles of peaceful settlement of the armed conflict in the Transnistrian region of the Republic of Moldova'; gave Transnistria 'the right to decide its future independently in case of the modification of the status of an

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independent state of the Republic of Moldova² [such as a union with Romania]; and established a peacekeeping force to consist of Russian, Moldovan and TRM forces.

- 'Memorandum on the bases for normalization of relations between the Republic of Moldova and Transnistria', signed on May 8, 1997 in Moscow; Russia and Ukraine guarantor states, giving Transnistria equal status to the Republic of Moldova within the format of one state as it existed in January 1990, extending the peacekeeping indefinitely.

Military personnel: About 7-8000 on either side, counting the 2 500 Russian troops on the Transnistrian side. Many of the Russian troops originally there have now become Transnistrian 'citizens', thus confounding the figures on Russian military personnel. According to Transnistrian legislation, even non-citizens 'who live on a permanent basis on the territory', are enrolled in their armed forces. Personnel at upper levels of the 'TRM' military command have Russian citizenship. Russia has repeatedly been requested by the OSCE to withdraw, the latest deadline being end of 2002. Still, Russian troops and most of the ammunition remain. While Russia has often declared readiness to proceed towards a resolution of the conflict, most recently in March 2005 vis-à-vis the EU, action has not followed.

Deadlock: The Transnistrian regime wants the Russian forces to remain. The Republic of Moldova is constrained by agreements yielding extensive freedoms to the separatist side. Igor Smirnov, separatist leader in 1990, is still Transnistria's political leader. A regime of mafia bands is allowed to rule parts of Transnistria. Corruption extends into the Moldovan government.

Current developments: The EU adopted an action plan on Moldova in February 2005, aiming at fulfilling the provisions of the Partnership and Cooperation agreement [more info: http://www.eu.int/comm/external_relations/moldova/intro/index.htm]. Mr. Adriaan Jacobivits de Szegeed was nominated Special Representative of the EU in the Republic of Moldova on March 16, 2005. The elections of 2005 brought President Voronin and the Communist Party back for a second term. Voronin, after first seeking Moscow's agreement in his first term, has given up on that line and now pursues a policy approaching Euro-Atlantic institutions.

EU border assistance mission launched in December 2005.

EU and U.S. added as observers in the 2+5-negotiations since October 2005.

Six Scenarios:

These scenarios can be launched singly or in combination, at the same time or in sequence. Scenario a. The OSCE demands a speedy implementation of the Russian withdrawal and initiates a process of demilitarization under broad international supervision - the OSCE supplemented by the EU and NATO. Scenario b - Rep of Moldova renounces all previously signed agreements [with its province of Transnistria and with the Russian Federation] as fundamentally detrimental to its territorial integrity and economic survivability. Offers to take the case to the International Court of Justice. Scenario c - Emplacement of an international border control unit between Moldova and Ukraine, by a new agreement with Ukraine and in association with the EU. Scenario d. - Initiation under the aegis of the Council of Europe an internationally supervised process for the negotiation of a new state structure. Scenario e – No negotiation. Instead, implementation of scenarios a, b, and c. Scenario f – Moldova renounces Transnistria in order to pursue full European integration.

² Quoted from Natalia Chirtoaca, "Juridical Study of the Documents Signed in the Course of the Negotiations Process on the Transnistrian Conflict Settlement," in Arcadie Barbarosie and Oazu Nantoi, *Aspects of the Transnistrian Conflict*, Chisinau: Institute of Public Policy, 2004 (PDF file, 255 pp), p 45.

Evaluation: The first scenario is held to be uncertain of success. Scenario b may have some chance of succeeding, but entails legal and practical complications. Scenario c seems more likely to succeed. Scenarios d and e require first the effectuation of scenarios a, b, and c.

Key factors: A more pro-active policy of the EU and a close cooperation with the government of Ukraine. Willingness to confront, if necessary, Russia's renewed obstruction. Ultimately, after the departure of the Russian military element, the political conflict remains. It will have to be resolved – after demilitarization and democratization - by the population residing within the Republic of Moldavia's borders. The people of Moldova will need outside support from European institutions for the process to proceed peacefully and democratically.