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Winds of Change
in the Transnistrian Settlement Process

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A RESOLVABLE CONFLICT AT THE BORDERS OF THE EUROPEAN UNION

The Transnistrian conflict is often referred to as the most easily resolvable territorial conflict in the neighbourhood of the European Union (EU). The reason is the nature of the conflict. For one, there has been no violence since the Transnistrian war in 1992 between the Republic of Moldova and Transnistria, the separatist entity and it is very unlikely that any violent clash would occur in the future. For two, as opposed to other territorial conflicts in the post-Soviet space, the conflict between Moldova and Transnistria is not based on ethnic differences. Both Moldova and Transnistria are ethnically mixed, there is no ethnic violence between Moldovans, Russians and Ukrainians, and the inhabitants of both territories generally have multiple citizenships. The resolution, nonetheless, despite several attempts, is still only a distant goal.

The EU became engaged in the resolution of the Transnistrian conflict in 2005 through the so-called ‘5+2 talks’ which got to a halt in 2006. However, after several years, in 2011 the conflicting parties managed to agree to restart the official negotiations. This development is first and foremost due to the changing domestic environment in Moldova and Transnistria as well as to the recent pro-active approach of Russia and the EU toward the issue of the settlement. The current situation is still highly uncertain, the positions are under formation, and no solution is foreseeable yet. Nonetheless, this is clearly the best chance in years for the parties to achieve some progress toward the settlement. It is in the EU’s best interest to contribute to the resolution of the conflict in order to ensure that a democratic and sustainable resolution is found.

The present study attempts to contribute to the common thinking about what role the EU should play in the Transnistrian settlement in light of the recent developments in Moldova and Transnistria. As neither Ukraine’s nor the OSCE’s position changed significantly in the analysed period they will be regarded as constants and will not be analysed here. Similarly, the United States which participates as observer in the ‘5+2 talks’ will not be the object of the present paper. However, one cannot neglect the most influential player, Russia, who, due to its mediator status, often dominated the settlement talks. Before proceeding to the analysis of the role of the EU, it is important to address briefly the main causes of the conflict and the most significant attempts to its resolution before the EU’s involvement.

THE TRANSNISTRIAN CONFLICT

Transnistria is a narrow strip of land located on the Eastern bank of the river Nistru spreading to the internationally recognized Moldovan–Ukrainian border. Today’s Transnistria is only a portion of what had been the Moldovan Autonomous Soviet Socialist Republic (MASSR) established in 1924. When Stalin annexed Bessarabia to the

Soviet Union in 1940, six Western *raions* of the MASSR were attached to this territory to form a new Moldovan union. This decision was mainly taken for ethnic reasons since the former MASSR in itself was more Ukrainian than Moldovan.¹ After uniting these six *raions* with parts of Bessarabia, a “more Moldovan” Moldova was created under the name of Moldovan Soviet Socialist Republic (MSSR).

During the Soviet period the part of Moldova which used to be part of the MASSR and which lay on the Eastern bank of the Nistru played the more important role in the country. It had already been successfully sovietised before it was attached to the Bessarabian parts and consequentially the leaders of the MSSR came from this part of the country without exception. This territory became industrialised and far more integrated in the Soviet Union, while the Western bank of the Nistru remained rural. As opposed to the common belief that first and foremost the Russian population living in Transnistria wanted separation from the MSSR for ethnic reasons, this strong connection to the Soviet Union was primarily the reason why the “Transnistrians” decided to declare their independence.² As Charles King puts it: “The key issue, though, was not how Russian the region became after the [Second World War], but how quintessentially Soviet.”³

The Moldovan Supreme Soviet, upon the demand of the Popular Front of Moldova, adopted Moldovan as the only official language of the MSSR in 1989 and declared that Moldovan should be written in the Latin alphabet instead of the Cyrillic script. The Russian-speaking minority of Transnistria feared that this would be a first step toward the unification of Moldova with Romania. As a response Transnistria declared its independence from the MSSR but still remained part of the Soviet Union in September 1990. It refused Moldova’s authority when a year later Moldova also proclaimed its independence.⁴

The rising tension led to a brief military conflict between Moldova and Transnistria in 1992 when the Russian 14th army intervened on the side of the separatists and stayed in Transnistria afterwards. A ceasefire agreement was reached in July 1992 and a trilateral peacekeeping force was set up to monitor the demilitarised territory along the Nistru. No violence has occurred ever since between Moldova and Transnistria.

Since 1993, when it opened its mission in Moldova, the Organization for Security and Co-operation in Europe (OSCE) has taken part in mediating the settlement of the conflict based on the principles of consolidating the independence and sovereignty of the Republic of Moldova and an understanding on the special status for the Transnistrian region. The OSCE set up a five-partite framework for the negotiations of the conflict settlement with the OSCE, Russia and Ukraine as mediators between the conflicting parties, Moldova and Transnistria. Nevertheless, despite providing this framework, the role of the organisation has always been rather limited. Its biggest achievement was the Moscow Memorandum on the Principles of the Normalization of the Relations between the Republic of Moldova

1 Charles King: *The Moldovans*. Stanford: Hoover Institution Press, 2000. pp. 181–182.

2 In 1936 the ethnic Russian population of the six *raions* that were later attached to the Bessarabian part of Moldova accounted for 14.2% of the population of the whole territory. At this time 41.8% of the population was ethnic Moldovan. In 1989, 25.5% of the population were ethnic Russians, while 39.9% ethnic Moldovans. *Ibid.* p. 185.

3 *Ibid.* pp.183–184.

4 Nicole J. Jackson: *Russian Foreign Policy in the CIS*. London: Routledge, 2003. p. 99.

and Transnistria, signed in 1997. The Memorandum called for the continuation of pursuing legally state-like relations between Moldova and Transnistria, and declared that Transnistria should participate in the conduct of foreign policy with Moldova, while Transnistria gained the right to conduct foreign economic relations on its own.⁵

The greatest influence on the resolution talks was always exercised by Russia and the only resolution plan so far was also initiated by the Russian side in 2003. The Kozak Memorandum outlined by Dmitry Kozak, a counsellor of Russian President Vladimir Putin, proposed the creation of a federal state where Transnistria would have equal power to Moldova, including the veto.⁶ Besides, an amendment to the proposal would have made it possible for Russia to station peacekeeping troops on the territory of Moldova even after the settlement. Even though originally Moldovan President Vladimir Voronin seemed to agree to the solution, pressured by demonstrations in Moldova and by the strong disagreement of the United States and the EU, he refused to sign the document in the last minute. This led to the deterioration of Moldovan–Russian relations until 2005 when the official ‘5+2’ negotiating format was set up – this time already involving the US and the EU as observers of the process.⁷

THE INVOLVEMENT OF THE EUROPEAN UNION

As the so-called Big Bang enlargement approached, the EU acknowledged that it needs to contribute to a stable and secure neighbourhood in the so far largely neglected Eastern Europe that would soon border on the EU itself. The direct involvement of the Union in the Transnistrian conflict settlement thus started in parallel with the EU’s attempts to build closer relations with Moldova in the framework of the European Neighbourhood Policy (ENP) launched in 2004. The Moldovan leadership reacted positively to this development in the light of Chisinau’s deteriorating relations with Moscow.

The EU established its delegation in Chisinau in October 2005 with the tasks to promote the political and economic relations between Moldova and the EU; to monitor the implementation of the Partnership and Cooperation Agreement (PCA)⁸ between Moldova and the EU; to inform the public of the development of the EU and to explain and defend

5 “Moscow Memorandum on the Principles of Normalizations of the Relations between the Republic of Moldova and Transnistria, May 8, 1997, Moscow”. OSCE, <http://www.osce.org/moldova/42309>. Articles 2–4. Last accessed: 22 December 2011.

6 “Memorandum on the Basic Principles of the State Structure of a United State, November 17, 2003”. Stefan Wolff, <http://www.stefanwolff.com/files/Kozak-Memorandum.pdf>. Last accessed: 22 December 2011.

7 Witold Rodkiewicz (ed.): *Transnistrian Conflict after 20 Years*. Warsaw–Chisinau: OSW – IDIS Viitorul, 2011. pp. 10–11. Electronic version: http://www.osw.waw.pl/sites/default/files/Transnistrian_Conflict_after_20_Years.pdf.

8 The Partnership and Cooperation Agreement is the legal document that regulates the content and the conduct of relations between the EU and in this case Moldova. It was signed in 1994. Relations in the framework of the ENP are based on the PCA and on the country-specific Action Plan (signed in 2005) which functions as a roadmap identifying the main areas of cooperation and reform in Moldova.

individual EU policies; to participate in the implementation of the EU's external assistance programs – in Moldova's case, the TACIS and the ENPI.⁹ However, as this mandate of the delegation shows, it was not the office that got directly involved in the conflict settlement negotiations.

In March 2005, Adriaan Jacobovits de Szeged was appointed as the EU's Special Representative (EUSR) for Moldova to increase the EU's influence on the conflict settlement process itself and to assist in the preparation of the EU's contribution to the implementation of the eventual conflict settlement. He participated as observer in the OSCE-managed '5+2 talks' which started in 2005, but which broke down in early 2006. The major shortcoming of the position of the first EUSR, however, was that he was not based in Brussels, but in the Hague, which hindered quick and personal communication with the EU. To overcome the backdrop the location of his office caused, the next EUSR, Kálmán Mizsei who was appointed in March 2007, was already based in Brussels which made better communication possible with the EU. In the meantime the EUSR had political advisors in Chisinau to keep him informed about the events on the ground.¹⁰

An EU Border Assistance Mission to Moldova and Ukraine (EUBAM) was established in November 2005, in order to monitor the border area between Ukraine and Moldova's internationally recognised Eastern border. The illegal trade conducted through the 427-km-long border deprived both Moldova and Ukraine from substantial revenues and the lack of proper border management contributed to Transnistria becoming a safe haven for smuggling, trafficking of drugs, arms and humans. The border mission intends to contribute "to the development of border-management procedures that meet European Union standards and serve the legitimate needs of Moldovan and Ukrainian citizens."¹¹ The mission works in cooperation with local personnel and is currently serving its fourth mandate. Since the establishment of a sustainable border control is undoubtedly necessary for the conflict settlement, the mission works closely with the EUSR.

When EUSR Mizsei was appointed in 2007, the '5+2 talks' were already being held in an informal format as a consequence of the break-down of the official negotiations in 2006. During the informal talks the EU's main goal was to contribute to confidence building measures (CBMs) between the two conflicting parties in order to create the prerequisites to resume the official talks. During Vladimir Voronin's presidency, however, the EU-advocated CBMs were less supported and only under the Filat government in 2009 did Moldova become more engaged in them. One of the most important achievements of the CBMs was the reestablishment of the direct railway connection between Chisinau and Odessa through Transnistria in 2011 – a measure that contributes to rebuilding direct contacts between the Moldovan and Transnistrian societies.

9 Source: "The Role of the EU Delegation". *Delegation of the European Union to Moldova*, http://eeas.europa.eu/delegations/moldova/about_us/delegation_role/index_en.htm. Last accessed: 22 December 2011.

10 Nicu Popescu: *Stealth Intervention: The EU and Post-Soviet Conflicts*. Budapest: Central European University, 2011. (PhD dissertation) p. 136.

11 Source: "Background". *EU Border Assistance Mission to Moldova and Ukraine*, <http://www.eubam.org/en/about/overview>. Last accessed: 22 December 2011.

Following the change in the Moldovan government in 2009, the EU managed to speed up the deepening of its relations with Moldova in the framework of the European Neighbourhood Policy and the Eastern Partnership. The country became the new frontrunner in reforms among the Eastern neighbours and thus the new success story of the EU. Moldova rapidly proceeded with the negotiation of a new Association Agreement which would replace the PCA, it joined the Common Aviation Area, and started to implement a Visa Liberalisation Action Plan in 2011 and begin to negotiate the establishment of a deep and comprehensive free trade area with the EU. Thus Moldova is getting more and more of the carrots the EU can offer. In 2010, providing direct financial support for Transnistria from the European Neighbourhood Policy Instrument in accordance with its population was also achieved, which means that from 2011 Transnistria receives 15% of the ENPI financial support allocated for Moldova.¹²

Even though the EU–Moldova relations developed well since 2009, Lady Ashton, the EU’s High Representative for Foreign and Security Policy, decided in 2010 to abolish the position of the EUSR in the name of rationalisation, and assigned his tasks to the political director of the newly established European External Action Service (EEAS) responsible for this region. Since participating in the conflict settlement negotiations is only one of the many tasks of the political director, this step inevitably leads to the downgrading of the EU’s involvement.

A CHANGING ENVIRONMENT

The ‘5+2 talks’ did proceed in an informal manner after the halt of the official talks, nonetheless, they did not manage to bring the conflicting parties closer to each other. The political environment and the approach of certain parties of the conflict, however, changed by 2011 and the new circumstances provided an opportunity for the resumption of the official ‘5+2 talks’. The political decision to resume the negotiations was taken on 22 September 2011 in Moscow and soon the date of the first official meeting was announced to be 30 November and 1 December 2011 in Vilnius under the auspices of the Lithuanian presidency of the OSCE. Even though expecting a rapid progress would be too optimistic, the fresh approach of Moldova under the Filat government as well as the rising interest of Russia and the involvement of the EU might facilitate finding a common ground between Moldova and Transnistria in the mid-term and a sustainable solution in the long-term.

¹² Interview with an EU diplomat, July 2010, Budapest.

THE REPUBLIC OF MOLDOVA

The aforementioned changes started in April 2009 in Moldova as a reaction to the parliamentary elections, which were allegedly won by Vladimir Voronin's Communist Party. Even though international observers mostly declared the elections as free and fair, the victory of the Communist Party was widely challenged by several opposition parties as well as demonstrators in the streets of Chisinau.¹³ The demonstrations achieved the abolition of the election results and the new parliamentary elections in July 2009 brought along the victory of the Alliance for European Integration (AIE), an alliance of four parties.¹⁴ The AEI is led by Vlad Filat, leader of the Liberal Democratic Party.

The AIE is committed to Moldova's European future in spite of the fact that the EU is still not offering clear perspectives with regard to further enlargement toward the Eastern neighbourhood. While its aim is explicitly the accession to the European Union, the new Moldovan government accepts that in the short and middle term it can only aim at getting closer to the EU by actively and credibly pursuing such an agenda. The framework of the Eastern Partnership offers support in the country's attempts of democratisation, it also offers visa facilitation and later possibly visa liberalisation, the establishment of a deep and comprehensive free trade area – all of which are tools for the Europeanization of the country and which Moldova aims to exploit to the fullest.

In the meantime, the Filat government understands that without the resolution of the Transnistrian conflict, Moldova has no chance to become the member of the EU since the Union would definitely refuse to import a "second Cyprus". Accordingly, the resolution of the conflict is a priority for the government. Learning from the mistakes and the shortcomings of the past, it has adopted a completely new approach toward the resolution. As opposed to Voronin's 'Russia first' approach and his preference to negotiate with Moscow over the head of Tiraspol, the Filat government intends to make Moldova more attractive for those living on the left bank of the Nistru and thus engages more in direct talks with Transnistria.¹⁵

As Deputy Minister of Foreign Affairs of Moldova Andrei Popov pointed out, during the past 20 years a growing divide appeared between the societies of the East and the West banks. A new generation has grown up on both sides having virtually no connection to one and other, and knowing nothing about each other. Under such circumstances the Moldovan government sees that a sustainable solution cannot be reached through political

13 In the election the Communist Party gained 60 mandates in the parliament. The main reason for challenging the election results was that the opposition parties feared that the Communist Party would get the missing one seat that they would have needed for the election of the President – which would have meant the reelection of Vladimir Voronin.

14 The four parties were the Liberal Democratic Party (leader: Vlad Filat), the Democratic Party (Marian Lupu), the Liberal Party (Mihail Ghimpu) and the Our Moldova Alliance (Serafim Urechean). By now, the Our Moldova Alliance is not part of the AIE.

15 Rodkiewicz (ed.): *Transnistrian Conflict...* p. 12.

or geopolitical solutions. According to Popov, Moldova has to look at Transnistria as a community of people instead of just a territory and has to gain the sympathy and confidence of the Transnistrian society. With this in mind, Moldova sees the benefits offered by the EU – especially the prospective visa-free travel – as instruments to attract the Transnistrian society.¹⁶

On the other hand, the current political crisis originating from the Moldovan parliament's inability to elect the president makes the prospects of the future settlement talks uncertain. According to the Moldovan constitution, after two unsuccessful attempts to elect the president, the parliament has to dissolve itself and parliamentary elections have to be held. This situation did already emerge in 2010, when new parliamentary elections had to be organised in December 2010 after two failed attempts to elect the president. The Filat government managed to maintain its positions and re-established the AIE coalition, now with three parties. However, one year later Moldova still has an acting president only. Having already failed a presidential vote on 16 December, there is only one more chance for the parliament to elect a permanent president. The vote is scheduled to be held on 15 January, but if it does not succeed again, new elections will become inevitable.

The division among the three coalition partners is getting more and more apparent, while the Communist Party remains the most widely supported force in Moldova.¹⁷ If new parliamentary elections took place, depending on what forces get into power, the strong European and reform-orientation that the country has shown under the AIE government might be weakened. If the Communist Party got into power again, that would probably mean a return to the pre-AIE rhetoric of Moldova with regard to the Transnistrian settlement, as well.

TRANSNISTRIA

A changing political climate became apparent in December 2010, when the opposition party Obnovlenie (Renewal) won the parliamentary elections and secured an absolute majority in the Supreme Soviet, the Transnistrian parliament, by winning 25 out of the 43 seats. Despite the resistance of then Transnistrian President Igor Smirnov and his party, Respublica, the deputies of Obnovlenie led by Anatoly Kaminski initiated

16 Andrei Popov: *Republic of Moldova: Two Years of Reforms*. Lecture at the Hungarian Institute of International Affairs, 15 November 2011.

17 According to the opinion survey conducted in September 2011 by Institute for Development and Social Initiatives, the Communist Party gained 38.8% support, while the Liberal Democratic Party measured on 31.6%, the Democratic Party on 14.3% and the Liberal Party on 13.2% among those who expressed certain party preferences. "Nation Survey: European Union – The Great Challenge of the Republic of Moldova (II)". *IDIS Viitorul*, <http://www.viitorul.org/libview.php?l=en&id=3558&idc=298>, 27 September 2011.

In November 2011, an opinion survey by Institute for Public Policy showed that among those who have certain party preferences, the Communist Party would gain 44.9%, the Liberal Democratic Party 24.6%, the Liberal Party 16.2% and the Democratic Party 10.6%. "Barometer of Public Opinion". November 2011. *Institute for Public Policy*, <http://www.ipp.md/libview.php?l=en&idc=156&id=580>. Last accessed: 3 January 2012.

the amendment of the constitution. The amendment, adopted in June 2011, introduced a semi-presidential system and endorsed a cabinet led by a prime minister; however, it maintained decisive powers in the hand of the president.¹⁸ Even though the new position is not filled in yet, this new, less centralised construction provides the opportunity to have a higher diversity in the governing forces, while it will automatically make ruptures more apparent within the political elite of Transnistria.

The recent presidential election in Transnistria showed an even more articulated, but somewhat unexpected shift in power. After four consecutive terms in power, Smirnov's position as president has significantly weakened. Russia clearly stated in the summer of 2011 that it would no longer support Smirnov as he was considered to be the main obstacle in front of any progress in the settlement talks.¹⁹ To emphasise its disapproval concerning Smirnov's candidacy, Moscow launched criminal charges against Smirnov's son, Oleg Smirnov, and put its weight behind opposition leader Kaminski to support his presidential aspirations. An interesting aspect of Kaminski's campaign, besides slogans about a modern, transparent and corruption-free Transnistria, is that he also mentioned the possibility of the unification of Transnistria with Russia.²⁰ Russia, on the other hand, has never shown openness toward such a solution.

The third important candidate for the presidency was Yevgeny Shevchuk, a politician more moderate than Smirnov and less Russia-friendly than Kaminski, who also held the post of the Speaker of the Parliament and was the leader of Obnovlenie until 2009 when he resigned due to his conflicts with Smirnov. Even though he remained the member of Obnovlenie, given that the party unanimously supported Kaminski's candidacy, Shevchuk entered the presidential race as an independent candidate.

After the first round of the election on 11 December, when Transnistrians could vote for six candidates, the Central Electoral Committee (CEC) declared the election results valid despite Smirnov's first attempts to invalidate the election results. He acted so after the publication of the first exit polls and the preliminary results, which showed that he lost the election. Since no candidate obtained more than 50% of the votes, the CEC called for a second round – unprecedentedly in the history of Transnistria. As the exit polls and the preliminary results rightly suggested, this second round did not include Smirnov, who only came in third with 24.82% of the votes. The two runner-ups were Yevgeny Shevchuk, who obtained 38.53% support, and Anatoly Kaminski, who gained 26.48% of the votes in the first round. The result is even more surprising since Shevchuk managed to finish first with no external or party support and without the backing of the infrastructure the president could rely on.

In the second round of the election on 25 December, which brought a more than 51% turnout, Shevchuk further strengthened his lead in front of Kaminski. He won 73.88%

18 Rodkiewicz (2011) *ibid.* p. 14.

19 Russia practically sustains Transnistria economically by providing it with direct financial support, among others, for the pensioners of Transnistria and with quasi free energy. Transnistria does not pay for Russian gas, which by now led to a \$3 billion debt to Gasprom.

20 William Schreiber and Marcin Kosienkowski: "A Democratic Change in a Post-Soviet Holdout". *Wall Street Journal*, <http://online.wsj.com/article/SB10001424052970203413304577083821204249882.html>, 9 December 2011. Last accessed: 22 December 2011.

of the votes, while Kaminski gained 19.73% only, despite the strong Russian support. As opposed to the elections in South Ossetia where the failure of the Russian-backed candidate brought Russian intervention, in this case Russia endorsed the victory of Shevchuk and welcomed his intentions to ameliorate the Russian–Transnistrian relationship.

Even though Shevchuk declared that he continued to perceive Moscow as Tiraspol's strategic partner, his position on the settlement of the Transnistrian conflict seems to be more cooperative than that of Smirnov. He previously declared that he would be open for an agreement with Chisinau on the basis of a Taiwan-like solution, with the issue of the status of Transnistria being suspended for a prolonged period.²¹ Nonetheless, after the election he announced that the president himself cannot decide about this issue on his own, despite of the opinion of the Transnistrian population. Here he referred to the referendum held in 2006, in which 97% of the voters supported the independence of Transnistria (and a possible accession to Russia) and 95% voted against the possibility of reunification with Moldova.

Still, Shevchuk's intention to facilitate the movement of people and goods between Transnistria and its neighbours, Moldova and Ukraine, and his first measures to ease border crossing from Transnistria to Moldova are the type of confidence building measures that the current Moldovan government can also welcome and support as they contribute to bringing closer societies living on the two banks of the river Nistru. Expecting a quick rapprochement between the conflicting parties might be too optimistic for the moment, but if such CBMs can continue and are reciprocated by the Moldovan party, a slow progress might be achievable in the framework of the renewed '5+2 talks'.

RUSSIA

The settlement issue gained a new momentum in the Russian foreign policy in June 2010, when Russian President Dmitry Medvedev and German Chancellor Angela Merkel signed the so-called Meseberg Memorandum, which outlines an increased cooperation between Russia and the EU on security issues and conflict resolution in Europe. Besides proposing a joint consultative committee, the Memorandum, initiated by Chancellor Merkel, explicitly refers to stronger coordination between the EU and Russia in order to reach tangible progress in the Transnistrian settlement within the already existing '5+2 format'.²²

By retaining its support from Smirnov and backing Kaminski in the Transnistrian presidential election, Moscow showed that it is willing to move away from the *status quo*. Kaminski's ambiguous position, however, does not indicate that this move was definitely meant to be in a direction which the EU would prefer. According to Russian Foreign Minister Sergey Lavrov's declarations on 22 November, during his visit in Chisinau, Russia is in favour of Moldova's reunification and respects its territorial integrity. This

21 Rodkiewicz (2011) *ibid.* p. 14.

22 "Meseberg Memorandum, June 4–5, 2010, Meseberg". *Bundesregierung*, http://www.bundesregierung.de/nsc_true/Content/DE/_Anlagen/2010/2010-06-05-meseberg-memorandum.property=publicationFile.pdf/2010-06-05-meseberg-memorandum. Article 4. Last accessed: 22 December 2011.

reunification with Moldova is conditioned upon Transnistria having a “special guaranteed status”.²³ In a speech given in front of university students, he reminded that the refused Kozak Memorandum which outlined the basic principles for a reunified state was already a chance to put an end to the conflict in 2003.²⁴ This speech might indicate that Russia can be expected to pursue a “Kozak-lite” settlement plan – that is weaker than Kozak’s one but represents the same point of view –, which would guarantee a Russia-driven resolution to the conflict by proposing again a federal structure and by continuing to station Russian “peacekeeping forces” on the territory of Moldova. By securing a Russian oversight, such a settlement would also interfere with Moldova’s European choice, thus it is most likely unacceptable for Moldova’s current government.²⁵

The issue of removing foreign, i.e. Russian, troops from the demilitarised security zone between Moldova and Transnistria, and replacing them with a civilian peacekeeping mission can be expected to emerge again on the agenda of the settlement talks, after the incident that took place on 1 January 2012 near Vadul lui Voda, where a Russian officer shot a Moldovan citizen. In such a case, however, one should expect strong Russian opposition since the withdrawal of its “peacekeeping forces” from Moldova is a crucial question for Moscow which it directly connects to the resolution of the Transnistrian conflict. This, no doubt, would not move forward the settlement process which can only succeed with a strong Russian support and engagement.

WHAT ROLE FOR THE EUROPEAN UNION?

The above detailed changes that took place in the past years have to influence the EU’s approach to the conflict resolution, as well. First of all, the European Union has to see clearly that the economic crisis has significantly damaged its attractiveness toward its external partners. This also affects the Transnistrian settlement. If the EU loses its attractiveness while the Moldovan government wants to make Moldova more attractive through its engagement with the Union, it might not have the expected effect. Hence the EU needs to engage even more actively in Moldova, while also finding ways to be present in Transnistria without actually recognising the separatist entity. The allocation of 15% of Moldova’s ENPI support to Transnistria was a good start. From 2014, the EU could make financial support directly available for the Transnistrian civil sector, as well, through its new Civil Society Facility within its reformed European Neighbourhood Policy.

23 Sergey Lavrov: “Opening Remarks and Answers by Russian Foreign Minister Sergey Lavrov at Press Conference Following Talks with Republic of Moldova Deputy Prime Minister and Foreign and European Integration Minister Iurie Leanca”. *The Ministry of Foreign Affairs of the Russian Federation*, http://www.mid.ru/brp_4.nsf/0/430FEF8DB74A5AD044257951003D2B37, 22 November 2011.

24 Sergey Lavrov: “Speech by Russian Foreign Minister Sergey Lavrov in a Meeting with Students of Moldovan Higher Education Schools at the Free Independent University of Moldova”. *The Ministry of Foreign Affairs of the Russian Federation*, http://www.mid.ru/brp_4.nsf/0/E83374B0486CC46944257951005BAA25, 22 November 2011.

25 For a more detailed analysis on the Lavrov speeches, see Vladimir Socor: “Lavrov Squashes Hope for Constructive Restart of Transnistria Negotiations”. *Eurasia Daily Monitor*, Vol. 8. No. 216. (2011).

The protracted political crisis within Moldova makes the progress of the official negotiations uncertain. Without intervening in the internal politics of Moldova, the EU has to voice clearly that a new parliamentary election and the lasting uncertainty it brings along has the danger of setting back the conflict resolution process. Thus, the coalition parties and the Communist Party of Moldova need to agree on the person of the president as fast as possible. Instead of trying to elect the same person for a second time, they need to find a candidate together that everyone can support. Even if Marian Lupu's withdrawal from another presidential candidacy in January 2012 is a painful sacrifice for the AIE, it opens up new possibilities for an agreement.

The EU should continue to support confidence building measures between Moldova and Transnistria both on the political and the societal level in order to back the official negotiation process. Such support would be in line with the attempts of the Moldovan government, which addresses the Transnistrian society instead of simply searching for geopolitical solutions.

Last, but definitely not least, the EU should re-establish the position of the Special Representative for Moldova, who would represent the EU in the '5+2 talks'. By having a EUSR responsible only for this very task, the EU would regain a stronger presence in the conflict settlement. Building and maintaining good and stable inter-personal relations in the resolution of this conflict is indispensable. An EUSR focusing only on this problem would definitely be more successful in this regard than a political director who has to share his attention among many different issues.

3 January 2012