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When will we have a solution for Transnistria?



I have noticed a recent article written by a Polish author „in love” with the topic of the Transnistrian conflict - Marcin Kosienkowski - „Is internationally recognized independence the goal of quasi-states? The case of Transnistria”. The author suggests that there may be a fundamental contradiction between nominal purpose, displayed and declared of Transnistria - that of gaining independence by international recognition - and the real purpose of Transnistrians' policy which, although diffuse often indicates that politicians in the region prefer the status quo or are inclined towards the unification with Russia and even sometimes are lured by the prospect of federalization or co federalization with Moldova. In these circumstances, the author concludes in a paradoxical way that it is more than likely that Shevchuk might accept a solution of reintegration with Moldova if Transnistria is guaranteed certain rights and interests.

In fact, the book is an invitation to optimism which implies two fundamental things: 1) The Transnistrian conflict can be settled because the desire for independence of Transnistria could be a fictional one; 2) reintegration of the country is possible after authentic "awareness" by Transnistria of its own interests, which will make it responsive to requests from Chisinau, since Tiraspol is now stuck in a "false consciousness" that forces it to behave irrationally. These two conclusions which stem from the work could be the result of a "scientific optimism" of those who continually create rational and coherent conceptual schemes, but they are totally unacceptable to the gloomy and grim minds of practitioners

involved in the daily routine of the negotiations. They see in the settlement process more blockages than opportunities, are based more on experience than on rationalization and are persuaded only by the tip of the iceberg without falling into the trap of scientific paradoxes.

The practitioner from Moldova has more reservations about the chances of conflict settlement. He understands that the «sovereignty trap» in which the Republic of Moldova is caught seems to be indestructible and for this conflict to last forever it is enough that Tiraspol behave "as if" it would actually aspire to independence. This simulation of its own wish obliges all other actors in the 5 +2 negotiations to behave "as if" Tiraspol really wants independence; they being fully engaged in the rather sterile process of negotiation. In this game of organized hypocrisy or, in other words, "constructive ambiguity", real interests of all stakeholders are thoroughly camouflaged.

Someone might say that Kosienkowski's article is at least, an invitation to optimism, because it implies that we should lay aside the veil of "false consciousness" and the solution to the conflict will appear miraculously by understanding the own interests. Practitioners are skeptical in this regard as well because it is hard to believe that in today's world the actors will willingly reveal their true colors. They know that the only reality is the very process of negotiation and therefore they refuse to discuss solutions. Today, paradoxically, the negotiations become an end in itself and are a way of postponing the decision-making process. In these circumstances, the analysts' optimism seems to be a sort of naivety of the poorly informed. ■

■ interviews

Negotiations in Vienna and Russian helicopters



Ion **TĂBĂRȚĂ**,
Deputy Director
Politicon

— How would you assess the effectiveness of 5 +2 negotiations?

— The effectiveness of 5 +2 negotiations is a reduced one. Moscow, virtually from the very beginning, blocked the activity of 5 +2 format. At the moment, when the US are less involved in European affairs, and the EU has other priorities on its agenda, the 5 +2 format is rather a guarantor for the West against Russia's unilateral actions to settle the Transnistrian conflict on its own as it was in November 2003. Eventually, stimulation of negotiations concerning the Transnistrian issue can occur after an agreement like the one that took place in June 2010 in Meseberg but there should be mutual will and desire, both of Russia and the West, to settle the Transnistrian conflict.

— How do you evaluate the current relations between Chisinau and Tiraspol, and the results of the 5 +2 meeting in Vienna?

— Lately, the relations between Chisinau and Tiraspol have been in constant deterioration. After Shevchuk's liberal experiments in relation with Chisinau at the beginning of his mandate, with Putin's return to the helm of Russia, Tiraspol changed its attitude towards Chisinau. It is an obvious indication that Tiraspol's agenda in relation with Chisinau is made in Moscow. In its



Vladimir **YASTREBCHAK**,
expert,
Tiraspol

— How would you assess the effectiveness of 5 +2 negotiations?

— The "5 +2" negotiations are carried out with the effectiveness currently allowed by various external and internal political factors in Moldova and Transnistria. At this stage, nobody is expecting any special breakthroughs from negotiators, and that's understandable: now the "5 +2" is a crucial negotiating platform to maintain the interaction between the sides, and its loss is not profitable to anyone. In addition, the "5 +2" negotiations participants, with all due respect to them, are not the actors who make decisions in the framework of negotiations - this is the responsibility of the top leaders of the parties.

— How do you appreciate the current relations between Chisinau and Tiraspol, and the results of the 5 +2 meeting in Vienna?

— Current relations between Moldova and Transnistria as well as the recent rounds of "5 +2" negotiation are increasingly characterized by the formula "It could have been worse." Worse, in our situation means the abandonment of negotiations, and then what follows I think that's obvious. Therefore, the continuation of negotiation is already a good sign. Another thing is that, of course, there is a public request

turn, Chisinau still prefers to stick to the tactics of small steps that can not bring about tangible progress in the settlement of the Transnistrian conflict. The tense relationship between Chisinau and Tiraspol was seen in Vienna without any notable results between the two banks of the Dniester. Most likely, this state of affairs will also be maintained at the next round of negotiations in October in Brussels.

— How would you comment the media reports on the introduction of 8 helicopters by Russia in the Security Zone?

— Moscow's semi-official intent to bring new helicopters in the Transnistrian region defies the attempts of Chisinau to replace the post-conflict monitoring peacekeeping military mission with a civil one. Moscow's intentions grossly contravene international law. Kiev's position, judicially camouflaged, can be explained as from the political and geopolitical points of view Ukraine does not want Russian peacekeepers be equipped with military helicopters. If, however, Moscow introduces its helicopters in the Transnistrian region, without the agreement of Chisinau and Kiev, this will mean returning more and more to the "cold war" between Russia and the West. ■

on the progress in the settlement process, but this public demand both in Moldova and Transnistria has clear boundaries: each side wants the progress be achieved at the expense of concessions from the other side. As for the last round of consultations in the "5 +2" format, it ended unexpectedly effectively with the signing of a protocol decision, which, however, was not made public.

— How would you comment on the Russian media reports on the introduction of 8 helicopters by Russia in the Security Zone?

— As for helicopters we have to clearly distinguish legal decisions from those political. If to argue from the point of view of international law, between Ukraine and Russia is signed and acts an intergovernmental agreement on the transit of military cargo to Russian troops in Transnistria (1995). The agreement does not provide for the consent of third countries, including Moldova, as a condition for Ukraine to permit the passage of Russian transit cargoes. Accordingly, from the legal point of view the requirements of Ukrainian do not have a good reason. From a political point of view, Kiev, like the West, bases its opinion on the need of transformation of the peacekeeping operation; therefore Ukrainian officials state that the transit will not be allowed. I would like to emphasize that this decision is not legal, but political. If Moscow really deems necessary to return the helicopter to the state of "alert" then it will be able to do it. At the same time, Moscow has a spare option: return the helicopters under the control of the Operative Group of Russian troops in Transnistria, formally to ensure greater protection of warehouses in Colbasna. Therefore, Chisinau should think what the best is: to go further in its perseverance and get a unilateral but rather legitimate decision by Russia, or to compromise while maintaining control of the situation and the use of helicopters. ■

■ chronicle

July 2013

● **4 JULY. The Moldovan Parliament debated the draft law on the establishment of points of registration of foreign citizens and stateless persons entering the Republic of Moldova through Transnistria.**

— The discussions were interrupted by the Communist MPs protest who occupied the central tribune. The draft law on the establishment of migration control points on the Transnistrian border will be reviewed by Parliament in autumn.

● **11 JULY. The Friends of Moldova Group in American Congress "Congressional Moldova Caucus" presented a statement of support for the current position of the Republic of Moldova at negotiations on the Transnistrian conflict.**

— The Group's statement expresses concern about the latest unilateral actions taken by Tiraspol. "We urge the United States, the international community take all diplomatic measures to prevent an escalation of the conflict, protect Moldova's aspirations for European Union integration ... and territorial integrity of a sovereign and independent Moldova" - is shown in the conclusion of the statement presented in the American Congress.

● **16-17 JULY. In Vienna was held a new round of 5 +2 negotiations on the Transnistrian conflict settlement.**

— The participants examined issues related to the necessary conditions for the free movement of persons and vehicles between the two banks of the Dniester, in particular, on the record of migration flows and recent unilateral actions of Tiraspol.

— The participants in negotiations discussed in detail the ecological problems and after this the political representatives of Chisinau and Tiraspol signed a protocol decision aimed to spur environmental protection activities and protect the Dniester river ecosystem.

● **17 JULY. The Romanian President Traian Basescu visited the Republic of Moldova. He made several statements and among them some on the Transnistrian conflict:**

— "Chisinau and Moscow have to start a direct dialogue"; "Chisinau can only determine the level of autonomy for Transnistria".

● **18 JULY. Yevgeny Shevchuk makes his first appearance at a Moldovan TV channel. It is the first time when a senior „official" from the separatist region appears at a show on a TV channel in the RM.**

— Yevgeny Shevchuk - the Transnistrian region will unite with Moldova only in the composition of the Russian Federation.

● **20 JULY. The Ministry of Foreign Affairs of the Russian Federation was dissatisfied with certain remarks made by the Romanian President Traian Basescu on Russia and its position on the issue of Transnistrian conflict resolution.**

● **24 JULY. In Moscow took place the official meeting between the Minister of Foreign Affairs Natalia Gherman and her Russian counterpart Sergei Lavrov.**

— Russian foreign minister Sergei Lavrov said that Russia has nothing against Moldova's European aspirations, just that the agreements between Moldova and the European Union, which will be discussed at the summit in Vilnius, could affect economic, energy and migration-related relations between Russia and the Republic of Moldova.

— Lavrov also stated that Russia will withdraw its troops and munitions from Transnistria after the conflict settlement, while changing the peacekeeping contingent in the Security Zone with policemen will be possible only after the political settlement of the conflict.

● **29 JULY. Several media institutions in Chisinau broadcast the news coming from the official paper of the Russian Federation Defense Ministry about Russia's intention to equip peacekeeping forces in the Security Zone with 8 helicopters. According to the Minister of Defense of the Republic of Moldova Vitalie Marinuța there was no official request from the Russian Federation in this regard.**

● **3 and 25 JULY. There were two meetings of the sector Working Groups on environment and agriculture from Chisinau and Tiraspol.**

— La 25 iulie 2013, în cadrul sediului Misiunii OSCE din Moldova, a fost definitivat și semnat Planul comun de acțiuni în domeniul protecției mediului și utilizării durabile a resurselor naturale pentru anii 2013-2014, prevederile căruia au fost discutate și agreeate la ședințele precedente ale grupurilor de lucru, precum și în cadrul ultimei runde de negocieri în formatul „5+2” de la Viena. On 25 July 2013, at the OSCE Mission in Moldova, was finalized and signed the Joint Action Plan on environmental protection and sustainable use of natural resources for 2013-2014, whose provisions had been discussed and agreed at the previous meetings of the working groups and at the last round of "5 +2" negotiations in Vienna as well.

The Joint Control Commission was not functional in July, but the agenda was agreed at the last meetings.