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The Transnistria Conflict

And the European Union's Foreign Policy
Endeavour in Moldova

Nisha Aslan

S0613886

Supervisor: Haley Swedlund

Second Reader: Roos Pijpers

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Preface

The master thesis in front of you is the result of several months of research and writing for the master *Conflicts, Territories & Identities* at the Centre for International Conflict Analysis & Management (CICAM) and the Human Geography department of the Radboud University Nijmegen. I have tried to give an understanding of the Transnistria conflict and the contribution the EU makes to stabilizing Moldova in general and to conflict resolution in Transnistria specifically. Besides all the existing academic literature and policy papers that were made accessible to me through the electronic database of the Radboud University in Nijmegen, there are some people who deserve to be mentioned. First of all I want to thank my internship supervisors at the Netherlands Embassy in Bucharest, Romania: Huub Alberse and Paul Ymkers. They always took the time to listen and showed an interest in helping me with my research, be it through feedback, by just listening or by allowing me to use their network to find interviewees. Besides this I want to thank all the interviewees who contributed to the quality of this paper by letting me pick their knowledgeable brains on the subject.

Nisha Aslan

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Chapter 1: Introduction

At the end of the Second World War, the European continent was caught up yet again in a new type of conflict, this time lasting for nearly half a century. The start of the Cold War is also where we can trace the early sparks of the Transnistria conflict. It is here where our focus must first turn in building this thesis and attempting to understand a complex yet relatively unknown conflict.

Whilst Western Europe was attempting to rebuild itself, the Soviet Union was trying to manage a vast amount of land with many different ethnic groups living in it. One area that was part of this Soviet empire is Transnistria, literally meaning beyond the river Dniester (Pridnestrovie.net, 2012). Transnistria has throughout its history been administered under the authority of the Roman Empire, the Mongol Empire, the Russian Empire, the Soviet Union and Romania. During the Cold War, the Soviet Union laid the roots for what would become the *Transnistria problem*. They created the Moldavian Soviet Socialist Republic which contained a mainly Russian speaking region and another mainly Romanian speaking region (BBC, Trans-Dniester profile, 2011).

After years of foreign rule and influence, the liberalization policies of Gorbachev gave room to movements from different ethnic groups within the Soviet Union. In 1990 when Moldova became independent, it chose Moldavian as its national language. This led to tensions in the mainly Russian speaking region Transnistria,

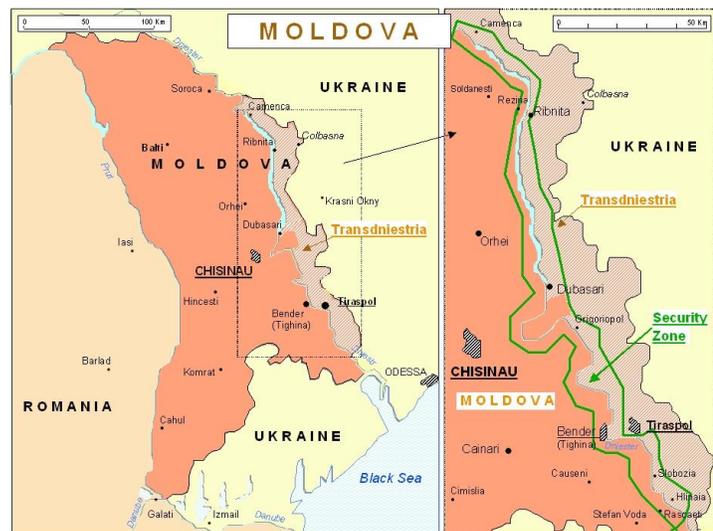


Figure 1 (Moldova.org,2006)

and Transnistria proclaimed its independence in 1990. Transnistria's declaration was not recognized by Moldova or the international community. In that same year, clashes started between separatist Transnistrians and Moldavians. During these clashes, the separatists were backed by Russians and Ukrainians. Fighting continued until the summer of 1992 when a ceasefire was signed (BBC, Trans-Dniester profile, 2011). Since then Transnistria has been led by a mainly Russian business elite (Dyner & Sobjak, 2011).

The Transnistria conflict might be considered a low intensity conflict, with estimations of five hundred to a thousand people being killed in 1992 when there were direct clashes, but it's also a conflict that in a way is still ongoing. The presence of Russian troops in Transnistria still causes conflict between the different groups in Moldova and does not seem to help in peace talks. Through the years it has been recognized that Transnistria will require a special legal status within a unified Moldova with clear arrangements for the 40% Moldavian speaking and 60% Russian speaking population in Transnistria. The Moldovan parliament even adopted a law on this issue in 2005 (Wolff, 2012). Even though Russia finances the region, poverty is widespread, and corruption, organized crime, and smuggling are ever present (BBC, Trans-Dniester profile, 2011).

In the meantime the European Union emerged and one could say the Moldavian problem became the EU's problem with Romania's accession to the union. Europe's expanding borders did not just include more people, land and resources but also more problems, because it brought poor countries with different cultures and different problems closer. In two ways one could see the EU's role in the Transnistria conflict increasing. First, the EU now occupies an observer role in peace talks called *the 5+2 format* established under the aegis of the Organization for Security and Cooperation in Europe (OSCE).¹ Such an approach fits the EU's ambition of becoming more active when it comes to foreign relations and their preference for diplomatic solutions. Dyner and Sobjak argue that the EU's interest in the region is of geopolitical nature. The EU wants stable neighbors with which it can have economic relations (Dyner & Sobjak, 2011). Wolff on the other hand believes that the Transnistria conflict started appearing on the international political agenda when Russia and the EU started their cooperation on security issues through an EU-Russia security committee. When it comes to security they deal with the same threats and problems. Therefore they want to explore how EU-Russia cooperation could be beneficial to both. Wolff calls the Transnistria conflict a test case for this type of cooperation (Wolff, 2011).

The so called "frozen conflict" in Transnistria remains unchanged because for years the status quo has been benefitting many political and business elite. Unification with the republic of Moldova would not be beneficial for these stakeholders, " [...] *as far as the status of the region remains unsettled, no authority can exercise control over it and it will continue to serve as fertile soil for various forms of illegal economic activity*" (Dyner & Sobjak, 2011: 3). Russia remains involved because of their desire to keep Moldova as part of its buffer zone against an expanding European Union.

¹ The 5+2 format is a mediation process consisting of the conflicting parties, Moldova & Transnistria, two mediators, Russia and Ukraine, and two observers, the USA and the EU. The OSCE protects, facilitates and overlooks this process of mediation. Even though the EU has an observer role it tries through its Eastern Partnership to transform the conflict and stabilize Moldova (Mitaev, 2012).

The second way the EU is involved in Moldova is through its European Neighborhood Policy (ENP) and the Eastern Partnership (EaP) (EC, 2010). Through the Eastern Partnership, a regional agreement the EU has with six former Soviet states at its borders, there is a strategic, political and economic collaboration. It's a forum through which the EU negotiates all types of agreements and tries to ensure stability and security at its eastern borders (EaP, 2012). Even though the EU is very clear about the fact that this partnership is not an antecedent for membership, some of the Eastern European states do tend to view it this way. Russia on the other hand is very apprehensive when it comes to this partnership. Russia thinks this is just another way for Europe to enlarge its sphere of influence towards the east. The EaP as a regional project supports the larger European Neighborhood Policy (EUROSPANU, 2010).

1.1 The Problem & Research Objective(s)

The specific problem that will be addressed in this paper is the frozen conflict of Transnistria, what caused it, how it has been dealt with in the past twenty years and what has changed since the EU became part of the conflict resolution process and stepped up its relations with Moldova. Besides merely getting an understanding of the conflict, the paper will offer an analysis of the EU's behavior on the sidelines as an observer and what it tries to accomplish in Moldova, mainly through its Eastern partnership within the wider European Neighborhood Policy. The choice was made to study it from an EU level and look at it from a wider geopolitical perspective. Besides the fact that it offers an interesting and useful perspective on the conflict, this was also done because during my internship at the Dutch embassy in Bucharest I had to make these types of analyses.

The EU is not a coherent organization when it comes to foreign policy; this is a second problem that will be addressed. There are several blocs within the EU. In this case, the most important division is between countries that are trying to solve the conflict without causing tension with Russia and countries that only care about Moldova's possible future accession to the EU, whilst disregarding Russia. Thus, one of the research objectives is to understand how the broader geopolitical situation can have an effect on conflict resolution and relations between the EU and Russia.

The author believes Moldova is an important case study, because it shows the difficulties the EU is facing at its borders and when engaging in former soviet space. At the same time, the Transnistrian conflict demonstrates a new way of border protection and security policy, namely through more dialogue, engagement and investment. The Transnistria conflict is an important and interesting problem because Moldova is one of the poorest countries within Europe and, given the Transnistria problem, at

this point it is not able to develop into a secure neighbor. This can pose a threat to the stability of the Union, when a conflict at its borders stays unresolved and an area is uncontrolled. Therefore, the second research objective is to get an understanding of how the EU works in Moldova when it comes to foreign policy and conflict resolution. Lastly there is the objective of getting an overall understanding about what kind of conflict we are dealing with here and what obstacles are in the way of a peaceful solution. This information can be useful for the EU when deciding on its future strategy for Moldova in general and Transnistria specifically.

1.1.1 Research question(s)

Taking into account the abovementioned problems and research objectives, the following main research question was formulated:

What steps is the EU taking to contribute to the Transnistrian conflict resolution process and what obstacles does it encounter through this new foreign policy role?

On our way to finding answers to this question we will try to answer supportive sub-questions in different chapters. Chapter two is very focused on introducing the conflict, by on the one hand giving a historical sketch to understand what led to the conflict and on the other hand explaining the geopolitical context the Transnistria conflict is placed in. Since without knowing how the Transnistria conflict occurred and evolved one cannot understand the steps that were taken to try to end it and what is still needed. The Transnistria conflict is not just a national Moldovan matter. Through the ownership of the area by both Romania and Russia in the recent past, different countries have an interest in the region. The conflict only became an issue for the EU when Romania gained membership of the union. Therefore, it is important to shortly touch upon the Romanian perspective, particularly since within the EU they are trying to influence EU policy on this issue. Additionally, the Russian perspective is essential to account for. It is said that Russia benefits from the status quo and therefore is not retreating its troops from the area. Any solution will have to involve Russia to be successful. All of this leads to the following sub-questions that will be answered in chapter two:

2.1 How did historical developments in Moldova lead to the Transnistria conflict?

2.2 What is the present situation in Moldova regarding the Transnistria conflict?

2.3 What does the Geopolitical map look like currently?

After gaining a deeper understanding of the history and context, the third chapter will be used to identify what kind of conflict we are dealing with and what tools the EU has at its disposal to contribute

to a solution. For this we will use theories of conflict/conflict resolution and expert opinions. It is interesting to explore these theories and take into account the knowledge of experts because than one can analyze the steps that have been taken to solve the Transnistria conflict and learn what steps should be taken. The sub-questions for chapter three are:

- 3.1 What kind of conflict is it?
- 3.2 What steps have been taken to solve the conflict?
- 3.3 What are the EU's tools for conflict resolution?

The fourth and final chapter is where the analysis of the EU in its role as foreign policy actor will be discussed. First there will be a description of what the EU has done until now to stabilize Moldova in general and through this also the Transnistria conflict. Policies on border protection, visa liberalization a free trade area, judicial reform and confidence building measures will be discussed. The EU clearly has stumbled upon several obstacles. Some are caused by its own institutional form, others by the geopolitical context the conflict is placed in and the attitude of the conflicting parties. These obstacles will also be discussed in this chapter. The chapter will conclude with a critique on the EU's role as a foreign policy actor, based on what is understood from the historical, geo-political and conflict analysis in the previous chapters. The overall question for this fourth chapter is: What are the practical implications of the EU's civilian approach? Supported by the following sub-questions:

- 4.1 What has the EU done until now to stabilize Moldova?
- 4.2 What obstacles does the EU encounter in its role as foreign policy actor?
- 4.3 What are the main critiques on the EU's method of conflict resolution

1.1.2 Societal & Academic Relevance of the Research Project

The EU in general is still very young and when it comes to foreign policy and conflict resolution it does not have a lot of experience yet. Taking into account the EU's ambition to become an essential actor in world politics and thus form its own foreign policy, this research can be seen as a contribution to understanding and improving the EU's efforts in this regard. At the same time, it can be seen as an effort to explore ways to solve the Transnistria conflict and ways to make Moldova a more stable neighbor for the EU and more stable for the citizens of Moldova and Transnistria. Academically this research can contribute to the existing literature on conflict analysis and management.

1.2 Methodology

“The aim is to illuminate the general by looking at the particular”

(Denscombe, 2003: 30)

In this section there will be an elaboration on how the empirical part of this paper was developed. Attention will be given to how the topic was researched (research strategy), how the case was selected, what research methods were used and how the data was analyzed. Also the benefits and disadvantages of the strategy and methods will be highlighted.

To get a better understanding of the topic and to find an answer to the research question the author has chosen the *case study* approach. The rationale behind this choice lays in the fact that if one were to study the Transnistria conflict as part of a mass study on conflicts, many aspects would be overlooked. By focusing only on this case, insights may be gained that could contribute to conflict resolution theories, conflict resolution in Transnistria and it might even be useful in solving other frozen conflicts in the Caucasus region, since these conflicts show similarities with the Transnistria case (Denscombe, 2003).

1.2.1 Benefits & Disadvantages

One of the great benefits of using the case study approach is the fact that one has the time to understand and discover many different aspects of a case and how these are interconnected. This brings a deeper understanding of the problem and allows one to explain not just what is happening but also why it is happening (Denscombe, 2003:38). A second benefit is the fact that with the case study approach one does not merely rely on one type of source or method. It is possible and even encouraged to simultaneously use different types of data collection and sources because this can make one grasp the complexity of a case. Through these different sources one can verify information (Denscombe, 2003:38). Since the amount of time and resources to conduct the research are limited, the author is forced to conduct small scale research. The case study approach is very suitable for such a situation. Finally with the case study it is possible to test conflict theories but also the conflict resolution process that has been applied so far to this case. It might turn out that the wrong methods were used to come to a resolution of the conflict (Denscombe, 2003). This could be caused by labeling the conflict wrong and therefore using resolution methods that are not useful for this particular conflict.

All of the characteristics of the case study approach are very helpful when researching the Transnistria conflict and the EU's involvement in Moldova in general and the conflict specifically. Many actors are involved in the Transnistria conflict and they all have diverging interests. At the same time the

relationship between the EU and Moldova cannot be seen in isolation from the conflict and the wider geopolitical situation. With the case study approach it is possible to get an understanding of all the relations, interests and intricacies. Considering the fact that the conflict and the EU-Moldova relations are both ongoing and sensitive diplomatic issues, one cannot always find all the necessary information in articles or books. Therefore using for example interviews as a source can bring new understanding and information that is not known to the public.

One of the regularly mentioned critiques on case studies is that it cannot be generalized, because it merely focuses on one instance. Flyvbjerg (2006) however believes that this is a misunderstanding. He argues that generalization is first of all not the only practical skill for carrying out scientific work (Flyvbjerg, 2006: 226). The fact that it cannot be generalized does not mean that it is not useful as new knowledge; moreover there have been single cases that were very useful for generalization (Flyvbjerg, 2006). According to Denscombe it depends on the similarities that one case shares with the others. If there are significant similar features, a generalization can be made (Denscombe, 2003). In the case of Transnistria one could think of other frozen conflicts in the Caucasus region, in which Russia is also involved. Besides this a case study can actually be very useful for what Karl Popper called falsification. If one case shows that a theory does not stand, the theory is either completely wrong and should not be used any longer or the researcher will find out that adaptations to the theory have to be made (Flyvbjerg, 2006). The case of Transnistria shows that not only one conflict theory fits this specific case. Multiple theories about conflict explain different aspects of the problem. Hence, one can conclude that not all conflict theories can be generalized and might have to be adapted for this specific case.

A downside of the case study approach can be that it will only produce soft data, as in data that is the result of focusing more on the processes than on something that can be measured. The focus is more on giving a description of the situation, than it is on using statistical data to test a theory (Denscombe, 2003; Flyvbjerg, 2006). Although this does not have to be true for all case studies, in this paper the author has chosen to rely on qualitative data. This choice was made because to answer the research question a description of the Transnistria conflict is more useful than any measurable data one could gather. Numbers will not give us the full story about how this conflict happened and why it is still continuing.

Finally, there are two practical problems that have to be taken into account. Firstly with the case study approach the researcher is dependent on access to sources, be it documents or people (Denscombe, 2003). Once granted this access, some people do not want to be cited just like some

documents are not allowed to be cited. During the research for the paper this problem was encountered. Some of the interviewees said they would only participate if they would not be cited. When it comes to confidential documents that were accessible at the Dutch embassy in Bucharest, the author was allowed to read these but not cite from them. They were analyses of embassy employees that described different issues of the country they were stationed in. In this case the author decided to still use these rich sources as new knowledge and find confirmation of this information in sources that are allowed to be cited, like books, policy papers and the internet. The second practical problem is the so called *observer effect*. What might happen is that interviewees behave differently when they know one is interviewing them for research. They can give politically correct answers (Denscombe, 2003). This problem might be encountered when interviewing EU civil servants on their own organizations' performance. To counter this problem also non- EU civil servants were interviewed and documents that contain critical analyses on the EU were used.

1.2.2 The selection of the case

What is interesting about the Transnistria case is that it is what Denscombe (2003) calls an "*extreme instance*". This means that it is not a typical conflict case with ongoing warring parties, grievances, and lots of victims. This allows one to analyze the influence of certain aspects on the conflict better than when it would be a "non-frozen" conflict with daily casualties. To be more specific, the Transnistria conflict, like many other conflicts, also has a transnational dimension. Since the main focus for the past twenty year has not been on constant clashes but on a regularly interrupted conflict resolution process, involving international actors, the influence of geopolitics on this process will be more visible. This case also offers the opportunity to analyze the EU's endeavor of becoming a foreign policy and conflict resolution actor and the obstacles it faces in this new role. Since the EU is an observer in the 5+2 format and currently highly involved in Moldova through the Eastern Partnership, the Transnistria case can be very enlightening.

Whereas the abovementioned explanation highlights the scientific argument in favor of this case study, there is also a more practical reason. Considering the time and resource limitations but also the requirement of the university to do an internship that is connected to ones thesis subject, the Transnistria conflict was chosen. The author is aware of the fact that if the case would have been chosen because it was the most convenient one, this would not be a good selection criterion (Denscombe, 2003). The justification is of a different sort however. Through an internship at the political department of the Dutch embassy in Bucharest (Romania) it was possible to do research and find interviewees for this case study. Firstly, because Romania has always been and still is interested in its neighboring

country Moldova and one of the tasks of embassy employees is to be informed on everything that is relevant in the country they are in. Secondly, this specific embassy was to become the embassy for Moldova as well and therefore offered the opportunity to devote time during the internship to analyze Moldova.

1.2.3 Research Methods

As was mentioned above, the case study approach allows one to use different research methods. The main methods used in this paper are interviewing and literary-based research. What follows is a description of the benefits and disadvantages of these methods.

The main benefit of interviewing is that as a researcher one gets the chance to talk to people who have a lot of knowledge on the problem and can give completely new perspectives and in-depth information (Rubin & Rubin, 2012). The interview can also be helpful if only part of the information is available through articles for example. The interviewee can help with providing the missing pieces of the puzzle. Maybe parts were also missing because the researcher can have certain assumptions or an opinion that might be blinding. The interviewee can point these out to the researcher, be it directly or indirectly (Rubin & Rubin, 2012).

The benefits of using interviewing as a research method were very much visible during the research for this paper. As was mentioned above, Moldova and its Transnistria conflict are difficult cases within a complex region. There are many actors with different interests and opinions, some of whom also publish academically. This means that one can get a one-sided picture when you only read papers and books from certain sources. The interviewees were very helpful in questioning certain assumptions and by giving background information about the interests and perspectives of authors whose articles were read for this paper. They also had information about the EU policies and conflict resolution that were not widely known to the public yet and therefore harder to find in articles and books.

Besides these theoretical benefits, there are some practical ones too. Interviews need little equipment and are a flexible method of data collection. The researcher can decide during the interview that different questions might be more important than the ones prepared or an elaboration on a certain topic can be useful (Denscombe, 2003: 189-190). This was definitely experienced during all the interviews. Since the interviewees provided a lot of new information, follow up questions were very necessary and useful.

Finally, the informant often experiences an interview positively because he or she gets the chance to talk about a subject of their interest and will feel like their knowledge is appreciated

(Denscombe, 2003:189-190).² At the same time we can say that from a researcher's point of view it is also appreciated because it brings variety to the research and makes it livelier.

As always, every method also has its disadvantages that have to be taken into account. Interviews can be very time consuming. From arranging an interview to preparing for it, getting to the location and back, conducting it and then the hours that are needed to transcribe it (Denscombe, 2003). Since the interview does not have standard options to choose from in answering the question, it is difficult to analyze the data. This also makes it difficult to assess how reliable the data is because it is just one person saying it at a certain moment in time. It causes the additional problem that the interviewee might say he/she or their organization does something but the researcher cannot be sure this is true. Maybe the informant is just trying to give politically correct answers or make reality seem nicer than it is (Denscombe, 2003: 228).

The interviewees were chosen based on their knowledge of the subject and their background. All of them work on a daily basis on the topic of Moldova and/or Transnistria and are often in Moldova doing either research or work on conflict resolution/ confidence building projects. The choice was made to interview people from both EU and non EU countries, to hopefully get a more balanced view on the topic. An attempt was made to also interview Russian experts on the topic but unfortunately none of them showed an interest or had the time for an interview. This is quite unfortunate and I would say a weakness of the research, especially since Russian experts/diplomats tend to have a completely different perspective and opinion on Moldova and Transnistria.

Some of the interviews were conducted at the beginning of the research process to explore the subject and get a better understanding of the different perspectives one can use for research. Other interviews were conducted later on and were used to ask very specific questions on information that was either missing in the literature or needed to be confirmed or denied. Besides this the interviewees offered of course a lot of new information that could only be known by people who work on the topic on a daily basis and are often in Moldova. Although it was helpful to use the first interviews in an explorative manner it also had its disadvantages. After gaining a deeper understanding of the subject, different questions arose that could have been posed to those interviewees. Besides this, the first interviews tended to jump from one subject to the other which gave a very broad but also messy picture of the subject and therefore needed a lot of time to be implemented into the paper.

² I experienced this twice during the research. During a break of the interview with Christian Ghinea, I was worried that the interview might be taking too much of Mr. Ghinea's time. He replied that it was fine because at least now he felt like a real intellectual. Similarly Maija Väliavaara was very enthusiastic when approached for an interview about her "favorite subject Moldova".

Several interviewees asked not to be quoted but only mentioned in the list of interviewees. They all had the same reason, namely that working in the conflict resolution and diplomatic environment, public statements can have a negative effect on the process and they wanted to avoid this. They did however acknowledge the importance of having students that are interested in this conflict who approach it from an academic point of view. Therefore they were all very willing and enthusiastic to make a lot of time in their busy schedules for these interviews which resulted in a lot of valuable insights. Some of these insights would have been impossible to either find in the existing body of literature or in the time span of researching and writing this thesis.

Since there were only five interviewees it was decided not to quote any of them because if three out of five can be quoted, it will be easy to assign the anonymous quotes to the other interviewees. Therefore, information that was taken from the interviews will be referred to as *Expert interview, 2013*. To still give an idea of what questions were asked to gather the knowledge that was used for the paper; the main questions are listed in the interview protocol, together with the list of interviewees, in Appendix A. Some questions were asked to all or several interviewees and others were specifically asked to one interviewee because of his/her knowledge and background. During these interviews follow up questions came up as well, those are not included since they might give away who of the interviewees said what. Besides this, the follow up questions are very context specific and hence would not be of any informational value outside of their context.

The second research method that was used is literary-based research. First of all it is easily accessible, it does not cost a lot and it provides a lot of information. It helps the researcher to build on previously collected knowledge instead of having to go and find it yourself. Moreover it can be checked by others who read the paper because it will stay available also after the research is done. For this paper it was very useful to use literary-based research simply because there is already so much written about the subject, meaning a lot of information can be accessed through papers, articles and books. Besides this, to answer the research question and all the sub-questions, a lot of details and analysis is needed that can only be found through literary-based research.

A disadvantage is that it is not always clear how credible a source is (Denscombe, 2003). This can especially be problematic with newspaper articles found on the internet. As experienced by the author, sometimes different websites, newspapers and even scientific papers get facts wrong or interpret a situation differently. Besides this, documents are secondary data. This means the research that was conducted for them did not have the same goal as this paper. Therefore it can be time consuming to find the required information but also one has to be careful not to take information out of its context.

1.2.4 Analysis

The data was analyzed by using the structure that was decided upon for the thesis. Every chapter is basically a sub -topic in support of finding an answer to the main question. Each chapter is broken up into smaller pieces, meaning more sub-questions. All sub- questions are coded with numbers. When searching for documents or when preparing for interviews, these sub-questions are guiding the search/interview process and given the code of the sub-question and topic. To make it more clear, a short example follows:

The Main Research Question

What steps is the EU taking to contribute to the Transnistrian conflict resolution process and what obstacles does it encounter through this new foreign policy role?

Sub -Topic

Chapter 2- Historical & Geopolitical Analysis

Sub –Questions

- 2.1 How did historical developments in Moldova lead to the Transnistria conflict?
- 2.2 What is the present situation in Moldova regarding the Transnistria conflict?
- 2.3 What does the Geopolitical map look like currently?

Author	Title	Information	Where
Vahl & Emerson	Moldova & the Transnistria Conflict	4.1 A brief History of Moldova (1)	2.1
		4.2 History of the Recent Conflict (5)	2.1
		4.3 Story of attempted solutions (10)	3.2
		4.4 Analysis of Europeanization (18)	4.1
Kaufman & Bowers	Transnational Dimensions of the Transnistrian Conflict		2.1/2/3
Tuathail, Dalby & Routledge	Geopolitics Reader		2.3
Marcu	The geopolitics of the Eastern Border		2.3
Bogdana Depo	The Eastern Partnership two years on: Success or failure for the diversified ENP?	Good explanation of everything the EaP entails, what makes it different from the ENP, problems with Russia and EU member state willingness	4.1/4.2

Chapter 2: History & Geo-Politics

"History is a relentless master. It has no present, only the past rushing into the future."

Former U.S. president John F. Kennedy

The people of current day Moldova should know this better than anyone else. For this is a country that is still confronted with its history every day and continues to be used in a battle over influence, pulled at by different powers, molded and influenced through the ages, still waiting for better times to come. Moldova is one of the poorest countries on the European continent, plagued by corruption, human and organ trafficking, an ever failing government and the ongoing but contracted Transnistria conflict (U.S. Department of State, 2013; OCCRP, 2011). It has a mixed population that could be divided in two main groups: Russian and Moldovan speakers.³ To get a better understanding of the Transnistria conflict and the role that mainly Russia and to a certain extent Romania have played in the events leading to this conflict, it is necessary to take a few steps back and mention several important historical events.

2.1 Moldova: from principality to state

The first mention of the name Moldova was in the late Middle Ages when it was established as a principality. In those times parts of present day Romania and Moldova formed the principality together.⁴ Soon the area had to deal with the more powerful Ottoman and Russian empires. Between the 16th and 18th century it became a vassal state under the Ottoman Empire until the expanding Russian empire incorporated the eastern part of the vassal state in 1806 and called it Bessarabia (King, 2000; OSCE, 1994).

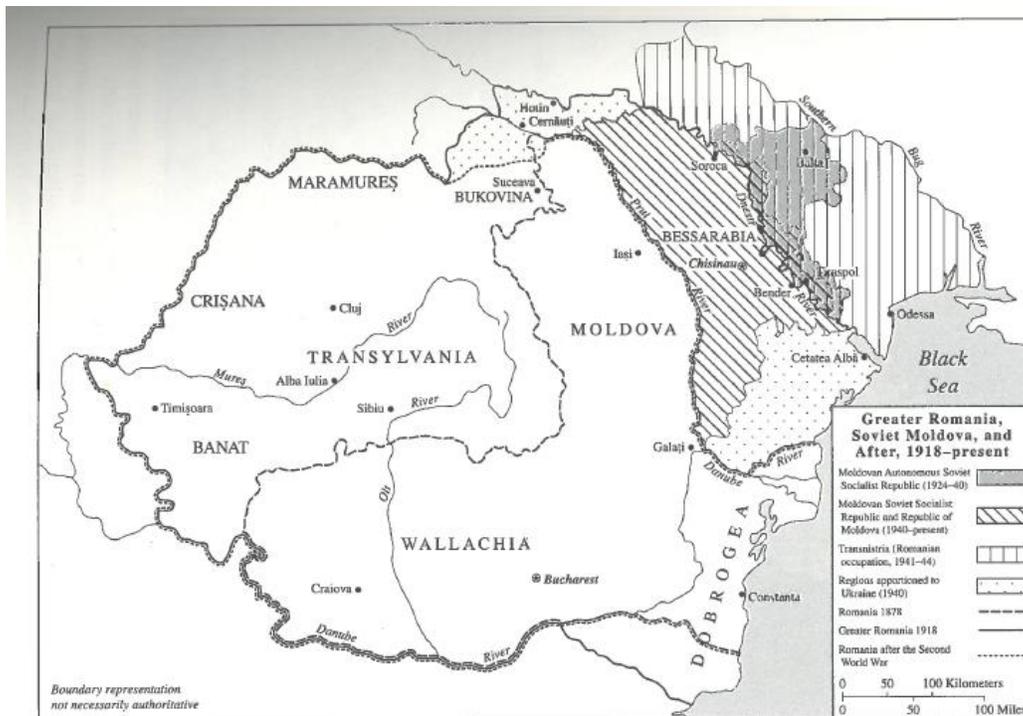
From then on, Russia would continue to show an interest and play an important role in this tiny piece of land that would be used as a buffer zone to mainland Europe. For ten years, between 1818 and 1828 the Bessarabians were given an autonomous status until the Russians decided to undo this and subject the area and its people to its so-called Russification policies. This meant that bilingualism was abolished and Russian became the only official language whilst an influx of Russian officials and administrators was set in motion. At this time lots of immigrants like, Jews, Ukrainians and Germans were welcomed in this part of the Russian empire. Through the privileges that were granted to these immigrants and to the nobility in Moldova, Russification of this part of society proved to be easy. They tried to russify the rest of the public through the language law and by not allowing Romanian to be

³ Moldovan is identical to Romanian (PCGN, 2005)

⁴ Romania still has a province called Moldova, it is to a great extent the same area that was part of the principality and it borders the Republic of Moldova. The western part of the Republic of Moldova (known as Bessarabia) used to be part of this principality.

taught in schools. The empire did not however manage to go beyond the Russification of nobility. Most people continued to speak Romanian amongst each other outside state institutions and kept their own customs (King, 2000).

These radical measures were soon to be counteracted when in 1857 Bessarabia became part of a power play yet again. The Treaty of Paris had ended the Crimean War. Western European states had fought on the Ottoman side, against Russia, and hence Russia was forced to give the Ottomans back South-Western Bessarabia (Britannica, 2013). The Romanians tried to undo Russian policies and install Romanian as the official language in schools again not knowing that within two decades they would lose this part of Bessarabia again. At the Berlin Congress in 1878, Romania's independence from the Ottoman Empire was acknowledged but South-Western Bessarabia was given back to Russia (van Meurs, 1994). The Western part of the province Moldova ended up uniting with the Romanian province Wallachia after a search for their common origins, adapting their institutions and Latinizing the language. Alexander Ioan Cuza, managed to get elected as ruler in both provinces which basically created one Romanian state for the first time in 1859 (King, 2000). See figure two for an image on these shifting borders.



Map 2. Greater Romania, Soviet Moldova, and after, 1918 to the Present

Figure 2 (Charles King, 2000)

2.1.1 Unification with Romania

Bessarabia had missed out on the pan-Romanian movement that created a national Romanian identity. This caused the Bessarabians to call themselves and their language and culture Moldovan instead of Romanian (Marcu, 2009: 415). The many people from Bessarabia that were living in the Romanian provinces Wallachia and Moldova kept the connection with the Bessarabian region alive however and tried to put pressure on the new Romanian leaders to also unite with Bessarabia. It would take some time before Romania would show interest in the region again. In 1905 nationalist sentiments did reach Chisinau, and there was a short and unsuccessful revolt after which the Russians decided to intensify their russification policies.⁵ The nationalism seed was sown however and the people of Bessarabia used a window of opportunity amongst the chaos of the Petrograd Revolution in 1917,⁶ the fear for anarchy and an aggressive Ukraine to declare their own republic. Social and military organizations created a local parliament called the *Sfatul Tarii* (meaning: country council) and declared the Moldovan People's Republic. They still wanted this autonomous land to be part of whatever new form Russia would take after the revolution though (King, 2000; Vahl & Emerson, 2004; OSCE, 1994).

The Russians tried to take over control which resulted in Romania intervening militarily, after the Moldovans asked them for help. The *Sfatul Tarii* managed to take over control and eventually voted for unification with Romania in March 1918. Through a compromise about privileges for Moldova within Romania, the motion for unification passed. This conditionality would soon be forgotten when by the end of 1918 the *Sfatul Tarii* "lacking a quorum and voting in the middle of the night" followed other Romanian provinces (Transylvania and Bucovina) by choosing for complete unification with Romania (King, 2000: 35; OSCE, 1994). Even around 1918, when the world was not as globalized and interconnected as it is now, Romania needed recognition from the outside world of these newly acquired borders. They managed to obtain this through a treaty that was the result of a committee that was established during the Paris peace conference in 1919. After some research the committee agreed in 1920 that "[...]the region belonged historically and ethnically to Romania and provided guaranteed protection by these four powers [France, Britain, Japan and Italy] of the border along the Nistru" (Vahl & Emerson, 2004:3). It has to be reiterated though that many Moldovans were not that happy with Romanian troops coming to their help in 1917. Also Romanian teachers and writers that went to Bessarabia to rebuild schools and tried to revive the Romanian identity often found that this was hard

⁵ Chisinau is the capital of the current Republic of Moldova and was also in 1905 the largest city of Bessarabia. The "Transnistrian capital" is Tiraspol

⁶ Also known as the Russian revolution of 1917. That year would see the Russian Tsar abdicating under pressure and the Bolsheviks would come to power (Rosenberg, 2013).

because most people saw themselves as Moldovans now and seemed less connected with Romania than expected (King, 2000).

This means that within 300 years time, Bessarabia has seen different masters and policies. Under the Ottomans between the 16th and 18th century they managed to maintain their own customs and language. The Russians took over in 1806 but did not start with their russification policies until 1828. Less than thirty years later Bessarabia was given back to the Ottomans in 1857 and Romanians started working to restore Romanian education again which would only last for two decades when Bessarabia was given back to Russia in 1878. The Russians had forty years of influence before Bessarabia voted, although not very convincingly, for re-unification with Romania in 1918 and it was recognized in 1920. One can say that this is an already complex and turbulent history by itself that can cause some identity crises for the inhabitants of this land. To complicate it even more, the Russians would soon unite Bessarabia with Transnistria.

2.1.2 How Transnistria also became Moldova

The Russians did not recognize this new Romanian border along the Nistru and decided to meddle by supporting Bolsheviks that remained in the area to instigate border incidents. In 1924, still not wanting to accept their loss and thinking ahead strategically, the Russians established their own Moldova. As part of the Ukrainian Soviet Republic, parts of Ukraine, one of them known as the area of Transnistria, were named: Moldovan Autonomous Soviet Socialist Republic (MASSR) (Vahl & Emerson, 2004). About 48 per cent of the inhabitants were Ukrainian and 30 percent Moldovans. The MASSR was used as a tool against Romania. They tried to show Bessarabians that they had created a homeland for the Moldovan nation. A place for the peasants and workers of Bessarabia that were now being lead by an aristocrat Romania that they themselves did not choose for. The goal of the Russians was to unite the new Moldovan republic with Bessarabia and at the same time spread the communist revolution to Romania (King, 2000).

It is true that a large part of the population in Transnistria had always been Moldovans,⁷ but Transnistria and Bessarabia had never formed a unified state, principality or kingdom. In 1939 however, the fate of the Bessarabians was once again not in their own hands. Russia and Germany signed an agreement called the Molotov-Ribbentrop pact in which they divided their spheres of influence in Eastern Europe, right before the beginning of World War II (Britannica, 2013a). Since Germany had no interest in Bessarabia it gave the area away to Russia (OSCE, 1994). In 1940 the Soviet army invaded and

⁷ Meaning people with the same linguistic and cultural background as the people of Bessarabia that were once part of the Romanian principality Moldova

occupied Bessarabia. Immediately after that they united Bessarabia and the MASSR to become the Moldovan Soviet Socialist Republic (MSSR). Now for the first time Bessarabia and Transnistria formed one state. This was all part of Stalin's "*divide and rule*" nationalities policy (Waters, 2001: 2). In this case, he took parts from the annexed Bessarabia and attached them to Ukraine. Whilst at the same time he took Transnistria from Ukraine and attached it to whatever was left of Bessarabia. One more time during WWII would Romania regain Bessarabia in 1941 to end up losing it again to the Soviets in 1944 (King, 2000; Waters, 2001).

The Russians started intense sovietisation policies, deported many Moldovans to Siberia and installed non-Moldovan leaders in Moldova. Western Moldova (Bessarabia) continued to be used and developed as an agricultural area whereas Transnistria was highly industrialized and had many immigrants like Ukrainians and Bellorussians working at the plants. There was a big economic and demographic difference between the west and the east. However, compared to other territories annexed by the soviets, the integration of MSSR was relatively easy because this area had seen Russian rule for many decades and even centuries before (King, 2000; Vahl & Emerson, 2004).

Of course because of immigration, demography changed but the Moldovans⁸ remained the majority in both parts of Moldova. The last census from 1989 even showed that until then 40.1 percent of the people in Transnistria were still Moldovans (King, 2000; Waters, 2001: 3). The Russians did try to unify the two parts of this new state and at the same time break the connection with Romania by using different policies through the years, from Russification to Moldovanization and Sovietisation. One clear example was installing Russian as the first official language. Romanian was still allowed to some extent but the Cyrillic instead of the Latin alphabet was used for Romanian (OSCE, 1994; King, 2000).

2.1.3 Language changing the status quo

In Moldova, one can see a clear example of how Gorbachev's Glasnost (openness) and Perestroika (political & economic reforms) unfolded in a demise of the Soviet Union. These policies gave room for new national and reform movements to emerge in Moldovan politics. The movements united into the Moldovan Popular Front in May 1989. Immediately the language question became one of the main issues. For years the Russians had tried to deny the fact that Romanian and Moldovan were one and the same language. Even when they did recognize it, they tried to convince people that this was of little importance (King, 2000; van Meurs, 1994). The movement managed to push through new language laws, making Moldovan (in essence Romanian) the new official language of the country, using the Latin

⁸ Originally Romanian speaking inhabitants

script and “*acknowledging the unity of the Romanian and Moldovan language*” (Vahl & Emerson, 2004: 5). Russian would still be used “*as the language for inter-ethnic relations*” (Vahl & Emerson, 2004: 5). Soon after that the call for unification with Romania also followed by some radical people within the movement, when the Popular Front managed to gain forty percent of the mandates during elections in early 1990. The Romanian flag was chosen as the new Moldovan one, with the only difference being an added Moldovan coat of arms. Also the Romanian anthem was to become the Moldovan anthem and communism was replaced by multi-party democracy (OSCE, 1994; King, 2000).⁹

These radical changes within a year’s time would not go unnoticed by the large amount of Russians, Ukrainians and minority Gaguzi population.¹⁰ Especially in Transnistria but also in the south where the Gaguzi’s lived there was opposition to these changes. There existed a fear amongst the non-Moldovan, mainly Slavic population that Moldova would eventually choose to reunite with Romania, even though the majority of the Moldovans did not even want this. People were against this because most of Transnistria had never been part of Romania (Roper, 2002; Rodkiewicz, 2011). The leaders of Tiraspol used this genuine fear amongst the public to mobilize them in their struggle against Chisinau (Kaufman & Bowers, 1998). Besides this the adoption of the language laws made tension rise even more (OSCE, 1994). For the non-Moldovans, these new language laws meant much more than just having to learn a new language. Those that spoke Russian had often been privileged by getting good jobs, especially in the Transnistria region where the Russians invested a lot in industry but also at the economic and political institutions in Chisinau. They feared that everything would now require proficiency in Moldovan which meant they would lose their privileged positions (Roper, 2002; Matthews, 2012).¹¹ Whereas the Ukrainian and Gaguzi population now had to learn a third language and become proficient at it (Waters, 2001:4).

The political environment changed very rapidly with new Moldovan elites that used the language law to strengthen their own position (Roper, 2002: 105). Therefore the non-Moldovans decided to organize themselves also because they felt that they wanted to preserve their connection with the Soviet Union and their socialist values. The Moldovans were moving away from the socialist values and the communist system towards a democratic system (OSCE, 1994). Hence the language and nationality issue became very politicized. This situation was a threat to the status quo for the Russian

⁹ They kept the flag but the anthem was changed in 1994.

¹⁰ The Gaguz (Turkish speaking), are another minority in the country who also tried to demand more rights and even proclaimed an autonomous Gaguz republic. The republic was never recognized but Gaguzia did manage to get an autonomous status within Moldova.

¹¹ This did not happen eventually. In the beginning language tests were mandatory and there would be raids on institutions, to check if they were using Moldovan as an official language. Eventually the Moldovan parliament voted in 1994 to abolish the language test and the raids. Russian stayed a de facto second language (King, 2000: 168-169)

speakers, a clear shift in the balance of power. The Russians and Russophones were seen as anti-democratic and as not supporting independence, especially because they asked Moscow for help. The language issue became the direct trigger for Gaguzians and Transnistrians to choose to secede (Roper, 2002; Waters, 2001: 4).¹²

In May 1990 there were referenda in several cities of Transnistria where people voted for independence from Chisinau. Therefore the Transnistrians decided to proclaim their own republic in September 1990, in response to the Moldovan declaration of sovereignty, called: the Dnestr Moldovan Republic, by local authorities in Transnistria. The Moldovan parliament did not recognize this. They proclaimed their own sovereign Republic of Moldova in August 1991 (King, 2000; OSCE, 1994). The result was that there were two states proclaimed; one of them recognized by most other countries, being the Republic of Moldova and the other one Dnestr Moldovan Republic (Transnistria), recognized by no other country. Moldova became a UN member and a member of the CSCE in 1992.¹³ In 1993 it chose as its currency the Moldovan Lei and in 1994 it became a member of the Commonwealth of Independent States (OSCE, 1994).

Transnistria voted to join the Soviet Union, whilst Moldova wanted to be a sovereign state. Talk about joining Romania still remained but in reality there was little support for this unification amongst the people (Vahl & Emerson, 2004). The National Front, for example, was not very much appreciated for its radical position on wanting to join Romania and the fact that it did not maintain good relations with Transnistria and Gaguzia. They felt this through the loss of constituents and members of the party. It also became very clear through polls that were held in 1990 in which only 3.9 % of Moldovans said they would want to reunite with Romania and an even lower percentage amongst the other minorities wanted to reunite (King, 2000: 146-147). There was also a non-binding referendum in 1994 which resulted in 95 per cent of Moldovans voting for Moldova to stay independent and not unite with Romania (Roper, 2002: 110).

Since the proclamation of the Transnistrian state, the Transnistrians started organizing themselves with paramilitaries and by gradually taking over control of public institutions in the region. They have managed to keep this control which makes Transnistria a *de facto* state (Vahl & Emerson, 2004: 6).

¹² There will be no elaboration on the Gaguzian issue in this paper because it would be beyond the scope of this thesis to delve into the Gaguz question.

¹³ Conference on Security and Co-operation in Europe. This is the predecessor of the Organization for Security and Co-operation in Europe (OSCE)

2.1.4 The Transnistria Conflict

In 1990 there was a violent clash for the first time between Moldovans and Transnistrians over power and control in the area in the city of Dubossary (OSCE, 1994). Generally the Moldovan army did not respond aggressively to the Transnistrians. Mostly because they knew they were no match for the Transnistrian forces who received aid and equipment from the Russian army. By the beginning of 1992 however, several clashes had taken place and the Moldovans declared a state of emergency. The biggest clash took place in the city of Bender between the 19th and 21st of June 1992. Bender was one of the cities where the abovementioned referendum was held and the people said they wanted to be independent from Chisinau. Therefore, this was a fight about control over the city. It was situated on the Moldovan side but the Transnistrians claimed it was theirs (Vahl & Emerson, 2004; OSCE, 1994). The Russians had been helping the Transnistrians throughout the clashes but it was in Bender where their support was very clear when their 14th army battalion went into the city with tanks.¹⁴ This battalion still remains in Transnistria and aided Transnistrian para-militaries by giving them weapons, training and soldiers. The commander of the battalion, General Gennadii Yakovlev, even became the Transnistrian defense minister. Figures about casualties during the clashes differ. However, it is estimated that there were between five hundred and a thousand fatalities and it caused 100.000 displaced people (Waters, 2001; Roper, 2002).

Moldova turned to the UN and the CSCE to request a peacekeeping mechanism. They were not granted one because they could not fulfill the requirement of a ceasefire. With no help from the "outside", Moldova had to accept help from the Russians, which resulted in an agreement signed by Russian president Yeltsin and Moldovan president Snegur on the 21st of July 1992. The agreement contained the following:

- a ceasefire,
- the creation of a security zone on both sides of the Nistru river with Moldovan (1200), Russian (3600) and Transnistrian (1200) military forces,
- a Joint Control Commission (JCC) to monitor the forces,
- the need for a special status for Transnistria,
- respect for sovereignty and territorial integrity of Moldova,
- the right for Transnistrian inhabitants to determine the future of Transnistria in case Moldova decides to unite with Romania (Roper, 2002; Waters, 2001).

¹⁴ There even seems to be evidence that Russia provoked the clashes in Bender to have a reason to intervene and negotiate about the territory on Russia's terms (Kaufman & Bowers, 1998).

After the agreement was reached “[...] Moldova lifted the state of emergency and Transnistria resumed supplies of gas and electricity to the right bank” (Vahl & Emerson, 2004: 8). In effect one could argue that the Transnistrians won the fight over Bender and the Moldovans never stood a chance because of dependency on Transnistrian gas and electricity and the superiority of the Transnistrian forces backed by the Russians (Waters, 2001). This also explains why there has been no full-scale war any more since the ceasefire. The Moldovans know they will not be able to defeat the Russian and Transnistrian forces (Vahl & Emerson, 2004). Besides this the political landscape in Moldova also changed. Nationalists that were dominating in government are blamed by many Moldovans for letting the conflict escalate the way it did in 1992. After the ceasefire many of these members resigned and the new government focused more on economic issues (Roper, 2002: 109).

2.2 The Present Situation in Moldova

There were and still are incidents at the demilitarized zone. Already soon after the ceasefire, Moldova complained about the impartiality of the Russian peacekeepers. They did not seem to be impartial at all by *"allowing the DMR separatists to maintain men and material in the security zone"* (Waters, 2001: 5). The issue of the impartiality of the Russian peacekeepers has been under discussion from the start. In a recent statement by the delegation of Moldova to the OSCE, the Moldovans called for: *"transformation of the current arrangement [of peacekeepers] into a multinational civilian mission under an international mandate"* (Moldova OSCE delegation, 2013:2). Only recently, on the 26th and 27th of July 2013, there was an incident in Bender where local residents and Transnistrian special forces fought over two checkpoints that the Transnistrian customs committee established in Moldovan villages without discussing this with their Moldovan counterparts. This goes against the agreement on the security zone. Eventually the checkpoints were removed (Moldova OSCE delegation, 2013:1; Expert interviews, 2013). Another example is the prohibition against Moldovan policemen of wearing their uniforms in the city of Bender. The authorities of Bender have decided this and said that any police officer who will wear his uniform will be detained (Moldova.org, 2013).

Another bone of contestation is the infamous 14th army battalion, who never fully withdrew from Transnistria, even though Russia and Moldova reached an agreement in 1994 in which it was stated that the Russian troops would withdraw within three years time from Transnistria (Vahl & Emerson, 2004: 9). When the countdown for these three years starts is not clear however. The Russian government argues that the time period starts when there is a political settlement for Transnistria whereas the Russian parliament, who refuses to ratify the agreement, says the countdowns starts only

when they ratify it. The Moldovans believe that with the signing of the agreement the three year time period started. Besides this, the name of the 14th army has been changed into Operational Group of Russian Forces (OGRF). In the agreement there is being referred to the 14th army which means that the agreement might not be legally binding for the OGRF (Rodkiewicz, 2011; Roper, 2002: 111; Kaufman & Bowers, 1998). Of even bigger concern are the 40.000 tonnes of equipment and ammunition that are stored in Transnistria. Both Moldova and Russia agree that these should either be destroyed or removed. Transnistria disagrees and says control of this stockpile should be handed over to them. Transnistria is now a *de facto* state and the Moldovans cannot do much about it as long as the Transnistrians enjoy Russian support and Russia has their army stationed in Transnistria (Vahl & Emerson, 2004:8).

Since 1991, Igor Smirnov, who was the leader of the opposition movement against the language laws, had been president. In 2011 however, for the first time since the proclamation of the unrecognized Transnistrian republic in 1990, a new president was elected in 2011, Yevgeny Shevchuk. He immediately fired many government officials. Others, that had been working all these years under Smirnov and were preferred by Moscow, resigned. Shevchuk appointed new officials and tried to start direct negotiations with Moldova through the help of Ukraine. Russia halted their financial aid to the Transnistrian government for a while. It is said that this was done because their preferred candidate was not elected as president (Raykhel, 2012). Less Russian involvement and a new government sounds promising for conflict resolution. However, the recent *checkpoint* and *uniform* incidents in the security zone, which might have been instigated with permission of the Transnistrian government, are worrisome.

In the meantime, Moldova experienced some turbulent months in the first few months of 2013. The government fell over a hunting scandal in which many people from the judicial elite were involved and government officials were believed to have helped in covering up the issue (AFP, 2013). This was followed by changes that were made to the Moldovan constitution that the EU and the OSCE deem undemocratic and as a threat to the independence of state institutions and the rule of law (Banks, 2013). Only recently, on May 30th, 2013 the political deadlock of three months was ended when parliament voted a new government in (Moldova.org, 2013a). No real contribution was made to the conflict resolution process during this time.

The Moldovans have not only lost territory over this conflict; they have also lost a region with an enormous amount of revenue. As was mentioned above, Transnistria was and still is the industrial part of the country and the energy supplier. Twenty percent of GDP is accounted for by industry even though Transnistrians do not even account for fifteen percent of the Moldovan population. Therefore, it is

affecting Moldova economically as long as there is no solution to the problem (Roper, 2002). Moreover the lack of control Moldova has over Transnistria causes it to be unable to get tax revenues but it also makes it a paradise for smugglers, organized crime, drug traffickers and even transnational terrorist groups. They all benefit from the lack of (border) control in this part of the country and the corruption that is ever present in an area where important trade routes intersect (Rodkiewicz, 2011: 7; Marcu, 2009).

For the past years there have been different attempts to try and negotiate between the two conflicting parties. Currently, the most important organization involved is the OSCE. The organization has been in Moldova since May 1993. It tries to keep the two sides on speaking terms and bring them closer together through confidence building measures but also by monitoring the conflict and organizing negotiations. At the same time it provides the international community with expert information and analysis of the conflict (King, 2000: 198). Under the auspices of the OSCE a format was established called the *5+2 format*. This is a mediation process consisting of the conflicting parties, Moldova & Transnistria, two mediators, Russia and Ukraine, and two observers, the USA and the EU. The OSCE protects, facilitates and oversees this process of mediation (Mitaev, 2012). In chapter three there will be an elaboration on the mediation process and other forms of conflict resolution.

2.3 Geopolitical Analysis

Some say that the Transnistria conflict is one of the easiest to resolve because ethnic tension is not as present here as it is in other conflicts of the region (Grund, Sieg, & Wesemann, 2011). In spite of this, it has been more than twenty years since the beginning of the conflict and there is still no solution. To get a better understanding of this stalemate a short geopolitical analysis can prove to be very enlightening. As a reaction to the above mentioned prohibition in Bender, directed at Moldovan policemen (see 2.2), Transnistrian conflict expert Oazu Nantoi (Moldova.org, 2013) said the following:

[...] such actions are a new attempt of Russia to generate tensions in the Security Zone.
[...] the puppeteers are in Moscow, while the puppets are the ones based in Transnistria
[...]. He added that Russia does such actions consciously, since it is well known that Moldova has some obligations towards the European Union in terms of visa liberalization regime [...]. Russia takes advantage of the current political stalemate in Chisinau.

This comment by Mr. Nantoi refers us to one of the geopolitical problems connected to this specific conflict. Since the fall of the Soviet Union, Russia has lost a lot of its territory. It has always tried to somehow keep influencing their "Near Abroad", be it through millions of ethnic Russians that live in these former Soviet countries now, through partnerships like the Commonwealth of Independent States or by militarily aiding separatist regions (Cottey, 2007). In the beginning of the nineties when Russia intervened in Transnistria they noticed that the west did not react harshly, therefore they could easily continue their Near Abroad policy by intervening in other former soviet countries (Kaufman & Bowers, 1998). Gradually however, from Russia's point of view, the West has been encircling Russia and its Near Abroad by offering NATO and EU membership to former soviet states.

The EU's new Eastern Partnership policy, which focuses on adjusting former soviet countries to its own standards and strengthens political and economic relations, only confirms these Russian fears. Now that the EU also has stepped up its relations with Moldova, by some in Russia it is perceived as a major threat to the last still existing communist bastion: Transnistria. Some of the last hardcore communists have preserved a power base in Transnistria and try to preserve this last piece of soviet land (Waters, 2001: 6). General Lebed, Commander in Chief of the Russian forces in the DMR (1992-1995) once described the Dnestr area as "the key to the Balkans". He believed that it would be a mistake to withdraw from Transnistria because then Russia would lose its influence in the region (Waters, 2001:5). Rodkiewicz argues that Russia does not even want to recognize Transnistrian independence, because Transnistria is their tool to block the Romanization and the possible Europeanization of Moldova (Rodkiewicz, 2011: 19).

At the same time the West does not like Russia's expansionist and authoritarian behavior (Cottey, 2007). Maintaining the Transnistrian conflict, and other frozen conflicts, is a threat to EU stability since these unstable countries with a lot of illegal migration and arms trafficking now border EU member states (Skordas, 2005). The fact that the EU is now also trying to make steps towards becoming a military power must not be very comforting either for the Russians (Howorth, 2007).

The EU's soft power policies in Eastern Europe should not be overestimated however. Although they bring some change, this goes at a very slow pace. Besides this, the EaP might be an official policy; it still suffers from the EU's lacking common foreign policy though (Tuomioja, 2009). With some EU countries there is a lack of support and political will to invest in this project because they prioritize their relations with Russia over those with EaP countries. This attitude is caused by a game changer on the geopolitical map, namely Russia's new role as an energy supplier to the EU. Russia has the largest gas reserves in the world and has the eighth largest oil reserves. Since a lot of EU countries are dependent

on Russian gas they try to keep their relations with Russia friendly. This means that the EU is very careful when it comments on conflicts in which Russia is involved or on its internal politics (Cottey, 2007). The EU saw that Russia was willing to use energy resources as a political tool when it stopped delivering gas to Ukraine over a payment dispute. This also left EU member states without extra supplies. Moreover, Russia has proved to be able to influence EU and NATO decision-making through European allies it has in both organizations (euractiv.com, 2011).¹⁵ At the same time not only Russia has room to maneuver in this relationship based on energy dependency, the EU does too. Russia might be the energy supplier but it is also very much dependent on gas and oil revenues. Meaning they cannot use energy as a tool very often or too long because they will lose a large part of their revenues then (Cottey, 2007).

This interdependency has somehow become clear to both the EU and Russia. Besides mutual fear there is also an understanding of the need for cooperation against mutual threats and problems, this is mostly visible in their attempt to establish an EU-Russia committee. German Chancellor Merkel and Russian president Medvedev signed the Meseberg Memorandum in 2010 in which they declared to “explore the establishment of an EU-Russia Political and Security Committee” (Merkel & Medvedev, 2010). Their test case to see if Russia and the EU could solve conflicts together would be Transnistria (Meister, 2011).

2.3.1 Romania & Ukraine

Whereas Russia continued to be very present in Moldovan affairs, the same cannot be said about Romania. The bilateral relations between Moldova and Romania have had many problems and only recently started to strengthen again (Dinu & Ghinea, 2011). Romania had to work hard on its own problems on their way to EU membership. Now that the country has become an EU member state it likes to see itself as Moldova’s advocate. Although not very effectively, the Romanians do manage to keep Moldova on the EU’s political agenda (Expert interview, 2013). Plans regarding unification with Moldova do not find a lot of supporters in Romania nor Moldova anymore. There is still a Moldovan diaspora in Romania who tries to keep this issue alive by advocating reunification. When it comes to Transnistria, the official Romanian stance is to not mingle with the Transnistria issue and to officially support Chisinau on the conflict (Dinu & Ghinea, 2011). One of the reasons for Romania to feel so strongly about territorial integrity is because it has a large Hungarian minority that they do not want to encourage in their ambitions for an autonomous Hungarian region within Romania (Kaufman & Bowers,

¹⁵ In 2008 NATO members, who are also EU states, used their veto right against the American proposal to give Ukraine and Georgia membership perspective. This was a clear sign of Russian influence within the EU (euractiv.com, 2011)

1998). Even though there are no reunification ambitions and the relationship between Moldova and Romania continues to have its ups and downs, the Russians are always weary of new friendly relations between Moldova and Romania.

At the same time Russia is also keeping an eye on Moldova's other neighbor, Ukraine. Radkowicz, amongst other, believes that Ukraine has a key role to play in a solution for the conflict and that this role has been underestimated. Ukraine shares a border with Transnistria and looks out for the Ukrainian minority that lives in the region. By crossing the Ukrainian border, people and goods can avoid the controlled borders of Moldova and get into or out of Transnistria (Rodkiewicz, 2011: 18). This has been more difficult the last few years however since Moldova and Ukraine cooperated in an EU border assistance mission (EUBAM, 2013).

Ukraine has had a tensed relationship with Russia and is looking for more independence through Association Agreements with the EU (Rukomeda, 2012). What keeps them on the Russian side considering this topic however is their fear for Romanian ambitions. They still believe that Romania might want to annex Moldova and if this would work they will also annex former Romanian land that is part of Ukraine. At the same time Ukraine is still dependent on Russian gas which means they would not like to anger Russia by choosing not to support them on the Transnistria issue (Rodkiewicz, 2011).

Chapter 3: Analyzing the Conflict

Before discussing the solutions to a conflict it is important to identify the concepts that are used for the conflict analysis. These in turn lead to a certain understanding of the conflict which will influence the way a conflict is managed. What follows in this paragraph is an overview of different ways to interpret or label the Transnistria conflict. When reading this analysis it is good to keep in mind what was described above about the events right before the armed conflict. The fact that Romanian became the official language of Moldova and other changes showed a clear approximation towards Romania caused a fear for re-unification with Romania amongst the mainly Slavic population in Moldova. This fear was not based on facts, because most Moldovans and Romanians did not even want this but it was a genuine and understandable fear because of the orientation towards Romania and because of Moldovan politicians who used this re-unification rhetoric.

3.1 Discourse on causes of conflict

There are many scientists who argue that the conflict should be easily solvable since it is not a linguistic, ethnic or religious conflict and most stakeholders accept that the only viable solution is to reintegrate Transnistria into Moldova (Dyner & Sobjak, 2011; Karniewicz, Petrovická, & Wunsch, 2010; Popescu & Litra, 2012). This would mean that no military engagement is needed. It is believed that the conflict has not been solved until now because the business elite and politicians are trying to maintain the status quo that is in their benefit. As long as there is no settlement to the conflict, the area remains uncontrollable to any official authority which makes illegal activities possible (Dyner & Sobjak, 2011).

In spite of this argument about Transnistria being the most easily solvable of the frozen conflicts, Matthews found some complexities to the conflict. He believes that one has to look at it as an ethnic conflict and that by combining variables from different theories one can get a clearer image of what caused the Transnistria conflict. He uses variables from Collier & Hoeffler (1998) and from Kaufman (1996). Collier & Hoeffler look at ethnic conflict from an economic perspective; therefore they use economic variables in understanding and explaining the causes of conflict. This theory is also known as the "greed theory". They believe greed arguments give a better explanation as to why conflict happens than grievance arguments. People rebel when they want to bring down the regime or separate from it. They do it when they believe that their rebellion will pay off through a new government that might reward them for their actions (Collier & Hoeffler in: Matthews, 2012). Collier and Hoeffler support these assumptions by finding in data sets that civil wars mostly happen in low income states. Besides this, the

presence of a natural resource could increase the chances of conflict. Also, conflicts happened more often in states with big populations and ethno-linguistic fractionalization does not cause conflict (Collier & Hoeffler in: Matthews 2012).

When applying these theories to Transnistria one can see that for the mainly Russian speaking part of Moldova this change in the language law was very problematic. These people did not speak Moldovan. This meant that after years of prosperity in Transnistria, through Russian investments, these people were marginalized politically, economically and socially. Business and politics required people to speak Moldavian. Since the people from Transnistria only new Russian they could not find any work, mingle socially in this new Moldova that they should be part of or take part in the decision making process. At the same time there was a fear that Moldova would unite with Romania, which would mean that the Russian speaking part of the country would become even more isolated and marginalized. Therefore the language law seems to be the direct cause for the conflict and the emergence of a separate Transnistrian region (Matthews, 2012).

Since the language law had far reaching economic consequences, Matthews argues that it can be seen as an economic causal variable. One could say that Collier & Hoefflers argument of conflict arising more often in states where people have low income is correct in this case. The other economic variables do not stand however in the case of Moldova. Matthews argues that the economic cause for conflict leads to political and social causes. For this argumentation he uses the theory of Kaufman who believes that for ethnic conflict to occur there is more needed than just economic causes. He speaks of hostile masses, belligerent leaders, an inter-ethnic security dilemma and a minority status that leads to marginalization. In the case of Transnistira , Kaufman argues that "*ethnic entrepreneurs or belligerent leaders, had to stoke mass hostility by using symbols and/or the aforementioned ethnically defined grievances caused by the 1989 language law*" (Kaufman, 1998:109 in: Matthews, 2012)

In sum, according to Matthews the language law caused economic, political and social marginalization which resulted in grievances with the populace that could be easily used by ethnic entrepreneurs to stir up the masses.

3.1.1 Relative Deprivation & Horizontal Inequalities

A different approach that can be illuminating when applied to this conflict is Gurr's theory of relative deprivation (1970) and Francis Stewart's concept of Horizontal inequalities (Stewart, 2002). Gurr tries to give an explanation from a social and psychological perspective of what causes political violence, basically what it is that moves people to rebel. For this he uses the idea of Relative Deprivation. If a person perceives a difference between what goods and conditions he believes he is entitled to have or

get (value expectations) and what goods and conditions he thinks he will be able to attain or keep (value capabilities) than one can speak of Relative Deprivation and that person will feel unsatisfied and frustrated (Gurr, 1970: 24). On the other hand *"If people have no reason to expect or hope for more than they can achieve, they will be less discontented with what they have, or even grateful simply to be able to hold on to it"* (Runciman, 1966 in: Gurr, 1970: 24). Expectations can be based, on a previous situation or on *"[...]standards articulated by a leader as well as a "reference group."*" (Gurr, 1970: 25).

These values or these things that we have or want to attain are based on some basic human needs. The most useful way to categorize these needs when talking about theories of political violence are: welfare values, power values and interpersonal values. Welfare values are all about our ability to provide for ourselves and have all the primary human needs and physical comforts. Power values have to do with a desire to take part in decision making, be it through becoming a politician or by having the right to vote. The last one, interpersonal values, revolves around our desire to be part of a group and be recognized or be a person with status and prestige (Gurr, 1970).

Now, as a community or society it is also possible to have value expectations, things the community believes it is entitled to have and possible to attain. It can happen however that the goal is not attained. Such a feeling of relative deprivation can cause violence when a lot of members of the group feel that they have been deprived of a right or good. Gurr explains that there is a psychological assumption about people potentially becoming aggressive when they feel a sense of frustration. Men can behave aggressive against the one they perceive as the attacker, the one causing the frustration (Gurr, 1970). This does not mean everyone always acts upon this feeling but if many people in a community have this sense of frustration it is easy for leaders to take advantage of this grievance and mobilize people to fight. This is also where the concept of horizontal inequality comes in. Horizontal inequality is a concept that explains what happens when there is a difference in access to resources and outcomes. When one specific group experiences difficulties in getting employed to certain jobs, when one group does not have a good income, has no opportunity to get politically involved or heard and cannot penetrate into certain layers of society this can be one of the causes of violence (Mancini, 2010; Stewart 1998 in: Cramer, 2003). When you *"treat a group differently by denial or privilege [...] its members become more self-conscious about their common bonds and interests. Minimize differences and communal identification becomes less significant as a unifying principle"* (Gurr, 1993 in: Mancini, 2010: 110).

When applying these theories and concepts to the Transnistrian case one could argue that Transnistrians expected a certain income & lifestyle, a certain status and prestige possibly through

positions in office or in business, similar to the ones they had before and during the change of the language law. When Russian was not the only official language anymore and a good knowledge of Moldovan would be required to be eligible for most jobs in the future, this caused Transnistrians to believe that their current and past goods and conditions could not be attained any longer in the future, hence a discrepancy between their value expectations and value capabilities. Considering the fact that this was not only perceived as a discrepancy on a personal level but as a denial of access to resources and outcomes aimed at one group: Russian speakers, this made them become self-conscious about their interconnectedness and identify with each other, hence unify for one cause. The language law could disadvantage them politically, socially and economically. This is enough grievance, frustration and fear to make people more prone to violence and therefore more easily to mobilize for rebellion against Chisinau.

3.1.2 An Easily Solvable conflict

After having applied different theories and concepts to the Transnistria conflict in order to understand how armed conflict could happen, this final part is a summary of the opinions of different experts that were interviewed for this thesis. Some things have changed since the clashes in 1991 and others have stayed the same, but fact is that the conflict is still not solved in spite of it being called the most easily solvable conflict of the frozen conflicts in post -soviet countries. Experts provided some interesting new insights into why it is considered easily solvable and which obstacles prevent a resolution. Several experts replied in the same way when they were asked why it is the so called easiest conflict to solve, the answer was plain and simple; it is not an ethnic conflict. When comparing Transnistria to the conflicts in Nagorno Karabach, Abkhazia and South Ossetia, the difference is that in Transnistria there is no ideological conflict, meaning it is not about religion or ethnicity or whatever type of ideology that is being attacked by a certain group. There are no real contradictions on an ideological level that are the root of this conflict (Expert interview, 2013; Popescu & Litra, 2012).

A second aspect that makes it an easily solvable conflict is the fact that there is no other solution for Transnistria than to stay part of Moldova and form one government together, in whatever form that may be (Popescu & Litra, 2012; Expert interviews, 2013). Transnistria cannot survive as an independent state and at the same time their main financier, Russia, is not a neighboring country they could easily join. Russia already has the exclave Kaliningrad, situated between Poland and Lithuania, surrounded by EU countries, that has its own practical geographical problems, being so far away from the country it is part of, and internal problems. If Ukraine and Moldova would join the EU in the future, than Transnistria could become a second Kaliningrad, something Russia is not keen on having (Expert interviews, 2013).

The third reason given is that there were political mistakes made by the ruling people, the elite of Chisinau and Transnistria. In Transnistria there were people who were eager to keep the power they had gained in communist times whereas in Moldova there were people who tried to push what Russia had always tried to prevent, Romanization and joining Romania. In actuality, as mentioned in previous chapters, this wish of reunification was not widespread at all, most Moldovans wanted to live in an independent Moldova and did not appreciate nor support the radical stance of people in government (Vahl & Emerson, 2004; King, 2000; Expert interviews, 2013). Most Romanians did not care about Moldova at all, especially in those times when Romania itself was going through a transitional phase and already had enough internal problems. The fact that these new Moldovan people in power were so clear about their ambitions created a lot of anxieties with the Transnistrians. A calmer approach by Chisinau in 1990-1991 could have prevented the high level of disagreement between the two sides. Chisinau anno 2013 is much calmer than it was in 1990-1991, there is even a growing indifference when it comes to the Transnistrian issue, not just amongst the public, but also politicians. Opinion polls show that solving the conflict with Transnistria might not even be in the top ten priority list of most Moldovans, simply because they have more basic problems, like poverty and crime, to deal with (Popescu & Litra, 2012; Expert interview, 2013). When it comes to the Romanian identity of the Moldovans, they definitely embrace it but they do not feel the need to reunite with Romania. A good example of this are the graffiti's that one can find in Romania and Moldova. In Romania one can find graffiti's of the Moldovan Diaspora saying: *Bassarabia e Romania*, basically meaning: Bessarabia belongs with Romania. In Moldova on the other hand one will find graffiti's saying: *Moldovan deche Roman*, which means: we are Moldovans so we are Romanians. This implies that they acknowledge that Romanian culture/language etc. is part of their Moldovan identity but it does not necessarily mean they have to be part of the country Romania (Expert interviews, 2013).

Lastly, there is the presence of the Russian military. One of the experts explains that from a Russian perspective, Transnistria was seen as a military-strategic asset. For Russia it is their most western military base, it is their outpost against NATO. Especially in 1991 when the Soviet Union was falling apart and Russia could not foresee what the future would look like. They basically made sure that even though they lost territory, they could keep their military bases on the former western border of the Soviet Union (Armenia, Georgia, Sevastopol in Ukraine, Transnistria) and not the border of current day Russia. Therefore with the powerful base they had in Transnistria they could secure their military advantage and power in the 1990's. Currently however there is no logical reason to keep the military base, there is no threat. Maybe there would be if Russia had anything to fear from Ukraine, but they do

not because Ukraine will not use aggression against Russia, there is too much at stake for them to risk that (Expert interview, 2013).

The only reason one could think of to keep the base there is the fear that Transnistrian people have of the Moldovans. The effect of military presence on the Transnistrian population is that now they have the perception that soldiers are needed against some threat, even though the threat is not present any longer. If Russia would withdraw them this could have a very positive psychological effect, meaning that the level of threat perceived might also decrease. Of course the disagreements with Chisinau would remain but a military base and soldiers are not needed in this conflict. Considering that people are still afraid, Russia uses that as a reason to keep its troops in Transnistria. In conclusion, this should be easily solvable because there is no perceived threat for Russia here, nor is there a genuine threat for the Transnistrians. Therefore it is more a political choice of Russia to keep their base in Transnistria rather than a military-strategic one (Expert interview, 2013).

3.1.3 Obstacles to resolve the conflict

The last point mentioned above is also an obstacle to solving the conflict. As mentioned in previous chapters, there is a disagreement about when Russia said it would withdraw its troops, before or after a political solution (Rodkiewicz, 2011; Roper, 2002: 111; Kaufman & Bowers, 1998). It is however not the only obstacle, a second problem is the lack of attractiveness of Moldova for Transnistria. The Moldovan political and justice system and the socio-economic situation do not offer a step forward for Transnistria. Basically Moldova and Transnistria are quite similar in this sense. This means joining Moldova does not seem very attractive at the moment (Chamberlain-Creanga, 2008; Expert interview, 2013). The third obstacle is a disinterest on the side of the Moldovan elite to prioritize Transnistrian integration above EU integration. Although they will not openly admit it, this is the case and it does not set up a good environment for conflict resolution (Expert interviews, 2013). Similarly, the fourth point is also a matter of disinterest but this time from the EU's side. Transnistria cannot be very high on the EU's agenda considering the fact that there are much more violent conflicts in the EU's southern neighborhood, meaning the Middle East at the moment. Besides this other countries in Moldova's region, like Ukraine, are more important for the EU with its energy transit routes (Dyner & Sobjak, 2011; Expert interviews, 2013). Compared to that, Transnistria is not a problem that needs to be solved very urgently. Another point is the Transnistrian reliance on Russia in terms of economic aid and gas subsidization. Transnistria cannot survive without Russian aid (Grund, Sieg, & Wesemann, 2011; Expert interviews, 2013). Therefore even though Chisinau and also the EU tends to present the case as if Transnistria has a choice, it really does not have a choice. Without Russian help, Transnistrians will not

even be able to pay the salaries of civil servants. Neither Moldova nor the EU can or is willing to substitute for this support. As a *de facto* entity that only has support from Russia they do not have the choice of joining Moldova or saying they will join an EU integration process (Expert interview, 2013).

Furthermore, post-soviet political elites have little experience and skills in power sharing. If they already don't do it properly amongst themselves, one can hardly expect them to be willing or capable of having power sharing arrangements with people they have been in conflict with for more than twenty years. Yet power sharing is the only solution for Transnistria and Moldova. Since it is not part of their culture and it is even considered as a sign of weakness, this can be considered a huge obstacle. Before they will ever be able to do this in a situation of reintegration or conflict resolution, Moldovans and Transnistrians have to learn how to share power "domestically" before they can do this successfully together. This is quite a big obstacle because it means that even if there would be a political solution for re-integration, a lot of problems might still occur during and after re-integration.

Finally, the Russian attitude of the past years towards EU integration of post-soviet countries has not been positive. As long as Russia is having this sensitive attitude towards EU approximation or maybe even integration of Moldova, Ukraine, Armenia and Georgia, it will use the conflicts in these countries (Transnistria, Abkhazia, Karabakh) as levers to prevent this from happening. Simply because Russia believes it is not in their interest if these countries become more EU oriented.

3.1.4 Overview

Many theories, concepts and opinions were explored in this first part of chapter three to get a better understanding of the conflict. To have a clear overview and to understand what can actually be concluded from all this, the main points will be summarized.

How can the conflict be described best?

- It is not an ethnic conflict. In fact, it is not an ideological conflict at all.
- The direct trigger for the conflict was the change in the language law
- Whether one applies Gurr's theory of relative deprivation or Matthews' analysis, the main outcome is that the conflict is not merely caused by the change in the language law but by the perceived economic, political and social consequences of this change. These possible consequences caused a feeling of frustration and fear.

- These feelings were shared with mainly the Russian speaking community in the region Transnistria, which made these people identify with each other and unified them for their cause. This in turn made it easy for political leaders to mobilize them for rebellion against Chisinau.
- The attitudes of the ruling elite on both sides of the river were not calming the situation down either, in fact, they were stirring things up. The Moldovan ruling elite did not try in any way to reassure Transnistrians that there would be no re-unification with Romania and that the Russian speakers would be taken into account in this new Moldova. Whereas the Transnistrian leaders were not ready to share their power with newly elected Romanian speaking politicians and were not afraid of clashes since the Russians would back them.
- This conflict is considered to be a relatively easy one to solve.

What is preventing a solution for the so called most easily solvable conflict?

- there is a business and political elite that benefits from the status quo
- the Russians are not taking decisions based on military-strategy when it comes to Transnistria but based on politics. As long as the army is in Transnistria a threat will continue to be perceived by the Transnistrians therefore they will not ask the Russians to leave.
- Rejoining Moldova does not seem attractive yet to Transnistrians
- There is a disinterest amongst the Moldovan elite to prioritize Transnistrian integration above EU integration
- There is a disinterest from the EU's side in the Transnistrian conflict because there are much more violent conflicts going on.
- Transnistria is relying very heavily on Russian support. As long as neither Moldova, nor the EU is willing or capable of assuring Transnistria that they will help them, the Transnistrians have no choice but to stick to the Russians and listen to them.
- Post-soviet political elites have little experience and skills in power-sharing.
- The Russians will continue to use Transnistria as leverage against Moldovan EU integration as long as they perceive this EU-Moldova endeavor as not being in Russia's interests.

3.2 Conflict Resolution

When the fighting was at its worst in 1992, many attempts were made to stop it. After the CSCE rejected Moldova's request for a peacekeeping mechanism they turned to Russia. In 1992 Moldovan president Snegur and Russian president Yeltsin signed a cease fire agreement and created a demilitarized zone. They also established a joint control commission (JCC) who controlled the 6000 peacekeeping forces (Vahl & Emerson, 2004:7; Wolff, 2011). This agreement brought direct confrontations to an end but it did not solve the main problem. For a year several ideas on how to solve the conflict were exchanged between both sides but never found the approval of the other.

In 1993 the CSCE established its mission in Chisinau *"to support efforts to find a peaceful solution to the conflict"* (OSCE, 2013). The goal of the mission has been from the start to find a peaceful solution for the conflict whilst ensuring the countries' integrity and at the same time realize a special status for Transnistria within Moldova.¹⁶ The OSCE has been facilitating and overlooking negotiations of the so called 5+2 format where they have worked on confidence building between the two parties in their search for a final settlement (OSCE, 2013). Their first contribution to the conflict resolution process was the proposal they made in November 1993 in which amongst others a special status for Transnistria was deemed necessary and legitimate (CSCE, 1993). In 1994 both sides agreed to use this proposal as a basis to start negotiations. In the years following more actors became officially involved and several agreements were signed. Ukraine became an official mediator in 1995, whereas the United States and the EU only joined in 2005 (Rodkiewicz, 2011; Vahl & Emerson, 2004).

Since the signing of the ceasefire agreement the Moldovans understood that in order to completely solve the conflict with Transnistria, the Russians should always be taken into account. They were ultimately the ones who needed to be convinced of a solution to the conflict that would also be beneficial to them. Rodkiewicz explains that Moldova has tried to directly negotiate with Russia or with Russia and Transnistria together but it has also attempted to negotiate with Tiraspol and use foreign powers as leverage against Russia (Rodkiewicz, 2011).

It seems that during these negotiations Moldova has weakened its own position, in an attempt to convince Transnistria to reintegrate. They signed agreements with Transnistria through which they implicitly recognize the Transnistrian regime's legitimacy. These agreements also allowed Transnistria to survive economically because it could have trade relations now with the outside world and the agreements made the problem with the Russian army even more complicated (Rodkiewicz, 2011).

¹⁶ Besides conflict resolution the OSCE also has projects on human rights, democratization, freedom of the media, ant-trafficking and gender equality in Moldova. Resolving the Transnistria conflict is however their most important task (OSCE, 2013).

3.2.1 Negotiations & Agreements

The highly criticized and multi-interpretable Moscow Memorandum, which was signed in May 1997, was a proposal of the Russian minister of Foreign Affairs, Evgeny Primakov. He called for a common state in which the territorial integrity of Moldova (according to the borders of 1990) would be respected and Transnistria would “[...]participate in the foreign relations of the Republic of Moldova[...]” (Vahl & Emerson, 2004: 11; Wolff, 2011). As it happens in many agreements and resolutions, clear steps to be undertaken and definitions were nowhere to be found in the text. The conflict was still not solved, considering that it was not clear what “common state” actually meant and the security zone still existed (Bălan, 2010).

In the years following, agreements were signed and joint statements were made on the normalization of relations, intensifying negotiations, calling for a reduction of peacekeepers and calling for common spaces. A milestone however was the OSCE 1999 Istanbul summit, where Russia promised to have their military and weapons all removed from Transnistria by the end of 2002 (Vahl & Emerson, 2004: 12). So far 22.000 tons of ammunition has been removed from the area or destroyed. This successful operation stopped however in 2004 which means that 20.000 tons of ammunition and military equipment still remains in the area (OSCE, 2013).

After several attempts by Moldovan President Voronin to explore ideas for a federation or to write a constitution together with Transnistria, he changed his approach by going straight to the Russians, hoping that they in turn would convince the Transnistrians (Rodkiewicz, 2011; Vahl & Emerson, 2004). The strategy seemed to have worked because Transnistria was willing to reunite under certain conditions and the Russians developed a plan. This new proposal from the Russian side was introduced by Dmitri Kozak in November 2003 and would therefore come to be known as the Kozak memorandum.¹⁷ It was again a proposal for a federal republic of Moldova in which the federal government and the federation states would divide different responsibilities and also have some joint responsibilities (Wolff, 2011). The positive thing for Voronin seemed at the time that Transnistria was not asking for an equal status anymore through this proposal. The negative aspect was that there were again a lot of areas the central government would have to discuss with states whilst at the same time Transnistria could, together with the other federal state, Gagauzia, block anything the Federal government would propose. One important example would be the potential future European integration ambitions that could be blocked by Transnistria. This already caused a lot of public unrest but then when Russia decided at the last moment to add a clause on Russian troops that would remain in

¹⁷ He was a senior figure on President Putin’s staff (vahl, p 15)

Transnistria for another twenty years, Voronin could not sign the agreement. The public upheaval and criticism from the EU and the United States prevented Voronin from agreeing on this proposal (BĂLAN, 2010; Rodkiewicz, 2011; Vahl & Emerson, 2004: 15-16). Since then, the Russians did not withdraw any of the troops stationed in Transnistria anymore nor has it decreased the stockpile as it promised years before during the Istanbul summit. (Durrieu & Vareikis, 2007).

After the Kozak plan Voronin tried to involve foreign actors more in this conflict resolution process and tried to put pressure on Transnistria at the same time. *“By the end of 2005, Moldova signaled that she considered the negotiating format obsolete and, failing its reformation, would renounce it. As a result, Tiraspol and Moscow agreed to have the U.S. and EU as observers in the negotiating format”* (Urse, Spring 2008: 64). This meant that starting from 2005 the 5+2 OSCE format was born. Voronin also encouraged Ukraine, who was already part of the negotiation format, to be more involved. This was a good moment to ask more pro activeness from Ukraine considering the regime change that brought people to power who were less pro Russian than their predecessors (Urse, Spring 2008). This led to the Yuschenko plan,¹⁸ in which it was proposed to have a democratization process in *“Transnistria under international supervision as an integral part of the process of reaching the final agreement”* (Rodkiewicz, 2011: 10). The addition of the United States and the EU to the format and the changed stance of Ukraine provided Moldova with some backing during negotiations (Urse, Spring 2008).

This new format does not mean however that Russia's role in this conflict and in resolving it can be overlooked. In 2006 it became clear again how far Russia would go if they in any way would be surpassed. The Moldovans had finally reached an agreement with Ukraine on the Transnistrian part of the Moldovan-Ukrainian border in November 2005 (Urse, Spring 2008). Through this uncontrolled border a lot of illegal activity was taking place. Thus, the Ukrainians promised to help enforce Moldovan customs rules at this border backed by the so called EU Border Assistance Mission. This meant that Transnistrian railway connections were completely isolated now from the outside world. This new more international strategy of Moldova caused Russia to ban the import of more and more lucrative Moldovan products between 2005 and 2007 and double the price of gas supplies to Moldova (Rodkiewicz, 2011: 11; ECHR, 2012). Soon Russia started lifting the bans again gradually. It is said that this merely happened because Moldova said it would not support Russia's entry into the World Trade Organization as long as their products were banned from the Russian market (Karamanau, 2006).

¹⁸ Named after Victor Yuschenko, the Ukrainian president in 2005 who presented this plan

3.2.2 The Break Up

The new format managed to convene four times before the negotiations were broken off in March 2006. The last two meetings before the breakdown failed because at both of them one of the two sides pulled out. The Transnistrians refused to start negotiating again within the official format basically until the new customs rules were renounced (Durrieu & Vareikis, 2007). Amongst all this tension between the two sides the Transnistrian authorities also decided to take matters in their own hands. One of the demands of Tiraspol has been from the start “to be recognized by Chisinau as a fully independent and equal party to the negotiations” (Rodkiewicz, 2009). Since Chisinau refuses to do this, the Transnistrians decided to organize a referendum on September 17th, 2006 in which the population was asked if they wanted Transnistria to become officially independent and what they would think of a possible future annexation with the Russian federation. “97.2 percent voted in favor and 1.9 percent against Transnistria's independence and future accession to the Russian Federation (Durrieu & Vareikis, 2007: 261). Observers doubted this outcome and no other country besides Russia recognized this referendum. The United States and the EU even officially condemned it (Buttin, 2007; Parliament, 2006; Casey, 2006).

In the times that the official negotiations broke down, there were bilateral meetings between different parties of the 5+2 format. At the same time the OSCE managed to keep both sides on speaking terms, be it through an informal basis, and tried to rebuild confidence which led to a renewal of official negotiations (OSCE, 2013; Freedom House, 2009).

3.2.3 Merkel & Medvedev hit it off

Although the (re)building of confidence is important and always useful, regardless of there being a conflict or not, it was not the main reason why negotiations of the 5+2 format resumed in 2011. It did of course make it easier to pick up the official negotiation process again but the direct impetus was generated by high level attention to the conflict (Dempsey, 2010). When German Chancellor Merkel met with her Russian counterpart Medvedev in June 2010 to discuss potential EU-Russia security cooperation, she decided to use this opportunity to discuss a conflict low on the international community's agenda, namely Transnistria. Some say she did it to have a test case for EU-Russia cooperation, others believed it was brought up because it was a conflict close to the EU's borders. Officially it said in the Meseberg Memorandum that Merkel and Medvedev have:

“today proposed to explore the establishment of an EU-Russia Political and Security Committee (ER PSC) on ministerial level[...] the EU and Russia will cooperate in particular towards a

resolution of the Transnistria conflict with a view to achieve tangible progress within the established 5+2 format[...]" (Merkel & Medvedev, 2010).

Merkel asked Russia to revive the 5+2 talks and to withdraw its troops from Transnistria before discussing any further EU-Russia cooperation on security issues (Dempsey, 2010). Russia did not withdraw its troops and in the first few months it did not show any efforts to revive the talks after the Meseberg Memorandum. Russia actually did the opposite by trying to regain influence in Moldova after a pro-European coalition came to power in Moldova. There were no consequences for this unwillingness of Russia to comply with the criteria for EU-Russia cooperation (Meister, 2011). In March 2011 the first positive sign from Moscow after the Meseberg Memorandum came from Russian Foreign Minister Sergej Lavrov during a meeting he had with his Moldovan counterpart. He called for a reopening of the 5+2 negotiations and said he would do anything he could to make Tiraspol also get back to the negotiation table (Socor, 2011). It took until September 2011 for the 5+2 format to officially renew their negotiations again (OSCE, 2013).

The first important achievement after the resumption of negotiations was in April 2012 when a round of 5+2 talks resulted in a new document called the 'Principles and Procedures' agreement in which it was explained how to proceed with negotiations. It also specified that Transnistria would be seen as an equal party to Chisinau during the negotiations. This is quite big because Transnistria has been insisting on this for years whereas Moldova was reluctant to allow this because they do not want Transnistria to think that this means their de facto state has been acknowledged or might be in the future. Besides this an agenda for the negotiation process was set up. There are different subjects on the agenda that need to be discussed and they are all divided in, what the format dubbed, different 'baskets'. The first basket has socio-economic issues in it, the second one legal issues and human rights/humanitarian issues whereas the third basket deals with the difficult issue of political settlement. This last basket includes institutional, political and security issues (Wolff, 2012: 17; Horbowski, 2012). Shortly after this successful meeting and after signing the agreement in July 2012, both Moscow and Tiraspol realized that this agreement gave them less control over the conflict resolution process. Therefore they insisted on not discussing the so called third basket until issues from the first two baskets are solved (Vrabie, 2012). An expert on the issue, interviewed for this paper, stated that it is good that there are principles and there is a framework. It is however true that the way the baskets were designed and the order in which they will be discussed is very useful to postpone a political solution until whenever mostly Moscow feels it's the right time to discuss this. One can never solve all the issues in basket one

and two so moving forward really depends on whenever Russian negotiators feel that it's time to discuss a political solution (Expert interview, 2013).

Since July 2012, every two or three months there was another 5+2 meeting. The next one is planned for October 2013. Not much has happened in the meantime. Negotiations mainly revolved around schools, freedom of movement, confidence building and the dismantling of an industrial cable car. Small things, that are of course affecting the daily lives of people, were mostly discussed whereas the political question remained untouched (OSCE, 2012; OSCE, 2013a).

Even though there has been no agreement signed yet that ends this conflict, Wolff argues that there is consensus on some issues that came up in different agreements. These issues should therefore be used as a basis for a final settlement of the conflict. One could say that there is consensus on the fact that Transnistria should have some kind of self-government. Besides this the distribution of powers, power sharing, dispute resolution, the "Russian dimension", the "Romanian dimension" and security guarantees are mentioned in most agreements and hence at least the importance of these different areas is acknowledged by both sides (Wolff, 2011).¹⁹ This does not mean that there is full agreement yet on what to do with all these different important aspects but at least it is clear what has to be discussed

3.2.4 Confidence Building Working Groups

Besides negotiations on a political level there has also been a more bottom up approach aiming to build confidence between citizens of the two banks. Already early in the conflict resolution process both sides realized that resolving the conflict should not only be done on a political level. They also believed that they would naturally reach a final political settlement if smaller issues between both sides would be resolved. With this in mind Moldova and Transnistria signed a socio-economic cooperation agreement in November 1997. A Joint Committee would be formed that would look over 20 working groups that had to deal with different issues. However, as relations on a political level froze so did the working groups. President Voronin tried to revive the working groups in 2007 considering the fact that negotiations were completely stuck and hoping that communication through these working groups would reduce the tension. The working groups did not really achieve a lot in the 2007-2010 era, they served mainly to exchange information (BĂLAN, 2010).

The working groups also continued to exist after the 2012 Principles and Procedures agreement and basically became part of the 5+2 format. There are eight groups now focusing on different issue: 1) Economy and Trade 2) Agriculture and Environment 3) Transport and Communications 4) Infrastructure

¹⁹ With the Russian dimension Wolff refers to the question of demilitarization, neutrality and the presence of Russian troops. With the Romanian dimension he refers to the necessity of protecting identities of individuals and communities all over Moldova (Wolff, 2011: 13-14).

Development 5) Demilitarization and Security 6) Humanitarian Aid 7) Education and Science 8) Health. All of them in their own way try to contribute to confidence building and some are more successful than others. It's clear that cross-border relations and communication can only be a good thing but it has to be said that it is not really clear yet how *"discussions and outcomes from the Working Groups feed into the settlement negotiations as a whole"* (Wolff, 2012: 18). Although the working groups are very useful to build relations and confidence and at the same time solve very practical issues for the population on both sides, they will not lead to an eventual political solution.

An expert in the field reminds us that one has to see the working groups in their context. Before the Kozak Memorandum and also when they restarted the working groups in 2007/2008 they were a sort of backup mechanism and they worked relatively well. On the political level the process was frozen, meaning that the working groups were a way out of having no communication at all. Eventually when the 5+2 process got reignited it ended up being all about confidence building. This means that the working groups are now very connected to the 5+2 process which has the negative side effect that when the 5+2 process gets frozen again, the working groups might too. They're not the backup mechanism they used to be. This is a pity because the working groups can be very useful because it's a whole mechanism that's in place (Expert interview, 2013).

3.2.5 Problems and Expectations

The downside of the working groups is however that the people who are in the working groups have day jobs in the Transnistrian and Moldovan administration. They have to perform for their day jobs so the motivation to get anything done in the working groups is low. A second problem is that they do not get any analytical or relationship building support. They are just supposed to find out themselves how to solve different conflicts. This brings us to the third problem, which is the lack of negotiating skills. These people are technical experts that are not prepared to be good negotiators. There are NGO's that are actually trying to work on these technical problems now to get the full potential out of the working groups (Expert interview, 2013). The EU is also contributing financially and provides technical assistance to Moldovan institutions that have to deal with the conflict settlement whilst at the same time they offer grants and help facilitate trainings for the experts in the working groups. The EU's assistance will be elaborated upon in the next chapter.

When asked what the results of these working groups are it was said by several experts that in general there are networks and there can be very successful cooperation between both banks. After some of the projects the cooperation even continues. None of the people that work through this bottom up approach have the illusion that these confidence building projects will solve the overall conflict. This

is something that requires work at the political level. The confidence building working groups should be seen as an attempt to build the ground for the day that there will be a resolution, and these two societies will become one. They are helping them learn how to work together (Expert interview, 2013).

3.3 The EU's Tools for Conflict Resolution

After having analyzed the conflict through different theories and compiling an overview of the steps that have been taken to resolve the Transnistria conflict, this paragraph will focus on the approach the EU uses in its attempt to stabilize Moldova and contribute to conflict resolution.

3.3.1 Mediation

In the "5+2 negotiations" there is a process of mediation by third parties. Mediation is a form of peace-making that occurs when the conflict is still ongoing. The process entails the conflicting parties and the mediator (Crocker, Hampson, & Aall, 1999). In the case of Transnistria it is a bit more complex. It is the same considering that there are two main conflicting parties, Moldova and Transnistria. The difference lays in the fact that there are multiple mediators (Ukraine and Russia), two observers (US and EU) and the OSCE overlooking, protecting and facilitating the whole process.

In their analysis on mediation, Crocker et al. distinguish two paradigms on what third parties can do in a mediation process. The first one is the "Structuralist Paradigm" and the second one the "Social-Psychological Paradigm". The structuralist approach is based on the idea that persuasion, incentives and disincentives can lead to a negotiated settlement. Within this theory, concepts like "ripeness" and a "hurting stalemate" are assumed to be important. The idea of ripeness comes from Haas who argues that there are certain conditions that need to be met, which will make the time ripe for a negotiated solution because a resolution will seem more attractive than fighting. The idea of a hurting stalemate comes from Zartman who argues that one of the main condition that needs to be met, if one wants to start negotiating, is for the conflict to cost too much for both sides and they both feel they cannot win it.

Mediators can help ripen the conflict through sticks and carrots that will bring both parties to the negotiating table. *"Great powers are considered to be at an advantage when it comes to mediation because leverage depends on persuasion, extraction, termination, manipulation and the ability to offer and withhold resources"* (Crocker, Hampson, & Aall, 1999:22). A coalition of great powers can be very successful if they have the same goals. Also organizations can be effective if their members are supporting this process. The Transnistria conflict does involve many great powers but it cannot be said that these different parties have the same goals. Also the members within the organizations that are part of the conflict resolution process do not all agree on the significance of solving the conflict. Russia

for example, views the Transnistria conflict as a way to prevent Moldova from becoming closer to the EU or eventually even integrating. Therefore, Russia is not expected to make any concessions that would help resolve this conflict. The only thing Moldova can do in this case, is raise the cost of the status quo for Moscow (Rodkiewicz, 2011: 21). At the same time, people from Moldova and Transnistria do not see the need for conflict resolution. They have been separated for twenty years and both subjected to different types of propaganda. At the same time there has not been a lot of violence and people have more urgent problems to deal with, like for example their economic situation (Wolff, 2012: 30)

There does not seem to be a ripeness to start negotiating and also there is no hurting stalemate. Since the EU is only an observer in the process and it does not have its main carrot to offer in this case, which is EU membership, they have to "ripen" the situation in a more indirect way and make a resolution seem much more attractive than the status quo. Mitaev argues that this is in fact what the EU is doing. Whereas the UN and the OSCE have a mediation approach where they intervene very directly, the EU uses the so called civilian approach. With the mediation approach, Mitaev believes, the status quo is sustained instead of challenged. Another problem with this approach is that the mediator has no real power and everyone has a veto (Mitaev, 2012). What forms an extra obstacle in this specific situation is that Russia took the role of mediator upon itself even though they are not a neutral party (Tsintsalashvili, 2012). The mediator should not be able to impose his services and mediation will be more successful when the mediator has nothing to win or lose in the process (Moldova.org, 2013b).

Mitaev believes that the EU's approach is less intrusive and is more about facilitating conflict management or conflict resolution. Since the EU is just an observer of the conflict resolution process concerning Transnistria, no direct contributions can be made. Through this civilian approach the EU is trying to alter the context around the conflict. The rationale behind this approach is that by changing economic policies one can transform the context around the conflict which will also shift the interests of the conflicting parties involved. This can be done by for example making re-unification or at least connections with Moldova more profitable for Transnistria. It could serve as an incentive for Transnistria to move more towards Moldova. What the EU has already done in this regard is take legal measures on exportation to the EU. Exporting to the EU was made cheaper for Moldova which was an incentive for Transnistrian companies to register with Moldovan authorities (Popescu, 2011; EC, 2013; Wolff, 2011). Besides this the EU has a visa facilitation agreement with Moldova which makes it easier for Moldovans to come to the EU. This caused Transnistrian business men, who can benefit from this new visa rule, to request Moldovan passports, since one can only benefit through this passport. Both these measures forced Chisinau and Tiraspol to make a tiny step towards integration (Mitaev, 2012).

The socio-psychological approach focuses on solving a conflict through communication, and by changing perceptions and attitudes. This approach is all about leaving the formal negotiating structure and trying to facilitate exchange and contact not just between official parties but also between groups that are representatives in both societies, mainly sub-elites. The idea is that these contacts could help “set the stage for a lasting peace” (Crocker, Hampson, & Aall, 1999: 22). This approach rests on the assumption that conflict continues because of misperceptions on both sides about the other party and about the conflict. Through this communication process different parties can get a better understanding of the conflict and find solutions that are beneficial to both. It is believed that this works because individuals tend to be more cooperative when they are in small groups and in informal settings. For the approach to work you need people that still have contact and access to those in power. One could think of retired politicians, academics and ex officials. The hope is that through communication these sub-elites will stop thinking in “we-they” terms and that this positive cooperation can be linked back to the official level where the decision-making process takes place. The mediator in this approach only has a facilitating role (Crocker, Hampson, & Aall, 1999).

The EU focuses a lot on Confidence Building Measures (CBM’s), they have even called it a key priority in the case of Transnistria. (Cristescu & Matveev, 2011). The EU mainly funds the UNDP project called: “Support to Confidence Building Measures”. (Platon, 2012). In 2011 they contributed almost 10 million euro’s for this project that aims to foster cooperation between Moldova and Transnistria when it comes to business development, social and community infrastructure, health, environment and civil society. The SCBM will be elaborated upon in chapter four (EEAS, 2012).

3.3.2 Transnistria through a security lens

Just like Mitaev, Diez et al. have labeled the EU’s approach as different when it comes to conflict resolution. They distinguish four different ways for the EU to impact the transformation of border conflicts.²⁰ They have done this according to the analysis of conflicts through a security lens (Diez, Stetter, & Albert, 2006). In this border conflict between Transnistria and Moldova one could analyze the situation as follows through the security lens. The security perspective mainly comes from the fact that Russia is very much trying to hold onto Transnistria and the EU (amongst others) is trying to influence Moldova to implement EU measures, policies and norms, like fighting corruption, respecting human rights and strengthening the judicial system. In essence this is still a little cold war going on in which both the EU and Russia are trying to keep Moldova and Transnistria under its influence. This situation

²⁰ The pathways are called: compulsory impact, enabling impact, connective impact and constructive impact. For an elaboration on all four paths see Diaz, Stetter and Albert, 2006.

leads to the fact that the EU fears that Russian/Transnistrian instability and problems might spillover into the EU through Moldova. Russia on the other hand seems uneasy with the EU being so close in its western periphery. Because an increase of EU influence in this region leads to a decrease of Russian influence (Diez, Stetter, & Albert, 2006). Therefore if the EU wants to transform the border conflict without jeopardizing good relations with Russia and without seeming too much involved, they have to do it in an indirect way. I believe that Diez's so called fourth path of conflict transformation that they have dubbed *constructive impact* is a good analysis of the EU's role in Moldova. It is actually very similar to Mitaev's civilian approach. They describe it as an indirect long-term process that *'aims at changing the underlying identity-scripts of conflict'* (Diez, Stetter, & Albert, 2006).

If the EU manages to make the governments and civilians on both the Transnistrian and Moldovan side, not perceive the other as a security threat or as an identity threat, than the incompatibility of their positions ceases to exist and the conflict will be resolved. By finding ways to connect the two sides to each other, the hope is that new identities will be constructed, identities that are more peaceful and not necessarily the result of fear and hate. *"This pathway is based on the assumption that EU impact can put in place completely new discursive frameworks for creating novel ways of constructing and expressing identities within conflict regions"* (Diez, Stetter, Albert, 2006)

Diez et al. do mention that one big problem the EU is facing is the fact that it is missing its main leverage tool, a promise for accession. Since Moldova and Transnistria do not have any assurance on becoming EU members, any anti-EU party or leader that comes to power can decide to negatively impact the EU's relation with Moldova by not implementing EU policies. The EU is very much aware of this as became clear when in the beginning of 2013 the pro-EU government of Moldova fell after a no-confidence vote that was caused by a hunting scandal that involved many state officials (AFP, 2013). The EU was pressing Moldova to find a solution to the political stalemate that has occurred since the no-confidence vote (Moldova.org, 2013, March 11).

It seems the EU is somehow using the tools of both the socio-psychological approach and the structural approach mentioned above even though they are not seen as mediators. It could be argued, in spite of the difference that Mitaev is making between mediation and the civilian approach that through changing the context the EU is trying to reach the ripeness that Haas talks about and tries to remove the perception of a security threat by both sides. If the EU manages to make the benefits of this cooperation with Moldova visible and tangible than a resolution might seem more attractive for Transnistria than the status quo. Therefore one could say that Crocker et al. had a good point when they

say that in real conflict resolution, actors often use tools from different theories at the same time (Crocker, Hampson, & Aall, 1999).

3.3.3 Soft Security & Soft Power

The EU's third party intervention methods (civilian approach/constructive impact) are the direct result of the Union's perspective on security and power. The EU is much more focused on soft power and soft security than on hard power and hard security. One can describe hard power as the power to coerce and soft power as the power to attract. Hard power is more about the military and economic might a country has and the way it uses these resources to make others do what they want. Soft power is the power to make others want what you want. Be it because your culture, values and ideas are attractive or because you know how to shape the political agenda and make what others want seem very unrealistic (Nye, 2004).

Soft security is non-military security. For the past decade this type of security has come much more to the fore. In the EU's first security strategy document of December 2003 it was identified that "[...] *poverty, disease, dependence on transport, energy and information infrastructure, state failure and organized crime*" were security threats (Cottey 2007: 45). States can be completely disrupted without weapons by for example the hacking of important organizations and access to citizens' information. Therefore the EU believes that security is linked to all sectors of life (Mitaev, 2012).

Whilst trying to form a European Foreign and Security Policy (EFSP) the main obstacle lays in the fact that foreign and security policy is still decided upon in an intergovernmental way. This means that it is hard to take quick decisions when there is a crisis, because before a decision is made a process of consensus building and internal bargaining among its member states is needed. The EU has shown that it is much better at long-term processes in which it develops complex relations with other states and regions to help finding solution to economic, political and social problems (Cottey, 2007:100).

Maybe this is why the EU has focused more on soft power and soft security. Since it is lacking military power but it does have economic power and the legitimacy needed to establish relations in which it is seen as a trustworthy and admirable partner. Through soft power the EU tries to influence its neighbors towards implementing EU-like judicial systems, respect human rights and implement other policies that might make their neighbors more stable and secure.

When researching the specific case of Transnistria in this regard, one has to take into account the Russian factor. Any direct involvement in conflict resolution through military engagement would provoke Russia. Therefore even if the EU would be a hard power actor this would not necessarily be that helpful in solving this conflict, it might actually escalate. One could thus argue that in the case of

Moldova and its Transnistrian conflict, there is a soft power (EU) pitted against a hard power (Russia). Nye explains that hard power is in some cases necessary but nowadays soft power is also essential, he calls it the process of winning the hearts and minds of people (Nye & Welch, 2011). He continues explaining how the soft power of liberal ideas was an intermediate cause for the end of the cold war. Gorbachev used western ideas for his *Glasnost and Perestroika* policies. One of the biggest contributors to the writing of these policies, Aleksandr Yakovlev, had been very much influenced by western ideas as an exchange student in the US and later on as an ambassador to Canada. The fact that these liberal ideas were causing economic success in the west, made them appealing for people in the Soviet Union (Nye & Welch, 2011: 159).

Even though the EU had and still has economic problems, from the perspective of Moldova, where people have much less, the EU seems like a very nice ideal (Expert interview, 2013). Therefore the EU definitely has soft power in the case of Moldova but if it really wants to have an effect on Moldova including Transnistria and thus contribute to resolving the conflict, than the EU will have to show the benefits of "being on the EU's side" more to Moldovans and Transnistrians. Just having attractive policies within the union is not enough. Soft power is derived from two sources, domestic policies and actions but also foreign policies and actions (Gallarotti, 2010: 29). To keep their soft power, the EU will have to be more visible and effective in Moldova (Cristescu & Matveev, 2011).

Another thing the EU can achieve through their civilian approach/constructive impact is something that was mentioned above, namely agenda setting. As we have already seen, conflict resolution does not merely happen through negotiations or mediation but also through confidence building. What subjects are discussed during these processes also influence the type of outcome. This means that whoever controls the so called agenda, whoever decides what will be negotiated and what CBM's focus on, controls the outcome. Within the 5+2 format it is clearly Russia currently who controls the agenda, considering the fact that they put restrictions on when the political basket will be discussed. Gallarotti quotes Hall (1997) when explaining this form of meta-power that soft power represents:

Meta-power refers to the shaping of social relationships, social structures, and situations by altering the matrix of possibilities and orientations within which social action occurs (i.e., to remove certain actions from actors' repertoires and to create or facilitate others). Meta power refers to altering the type of game actors play; it refers to changing the distribution of resources or the conditions governing interaction. (Hall 1997 in: Gallarotti, 2010: 405)

The EU could through its Eastern Partnership mechanism change structures and possibilities and shape social relations. Again, if it manages to make its achievements in Moldova visible and tangible and if it can build more confidence between the two sides, integration might be possible. There is however a lot of critique on the way the EU is performing its role as observer and soft power and therefore also a lot of advice on how to do this differently. In the final chapter there will be an elaboration on what critics have to say about the EU.

Chapter 4: The EU as a Foreign Policy Actor in Moldova

In 2009 the Eastern Partnership (EaP) was launched during an EU summit in Prague. The year before this it had become clear to both international observers and former Soviet countries that Russia would not accept rapprochement towards the EU and NATO by a former Soviet state. Russia and Georgia clashed over the breakaway territories of South-Ossetia and Abkhazia which caused Russia to destroy Georgia's military and establish military presence in South Ossetia and Abkhazia (Stratfor, 2013; Clayton, 2012). Tardieu (2009), amongst others, argues that:

The Russian intervention of August 2008 in Georgia [...] was largely regarded as an attempt by Moscow to curb the centrifugal movement of one of the most pro-Western former Soviet republics, after several years of Russia seeing the growing influence of the European Union (EU), the United States (US) and the North Atlantic Treaty Organization (NATO) among its neighbors as a threat. (p. 5)

The Russia-Georgia war showed that the frozen conflicts could easily be used by Russia to stop EU/NATO ambitions of gaining more influence in Russia's backyard and that the EU still had unstable countries at its borders. It is important to take this event into account because it makes one understand why some countries are very much in favor of the EU stepping up its relations with former Soviet countries, because it can make them less dependent on Russia and stabilize and secure their borders. At the same time it also becomes clear why other EU countries are very apprehensive of meddling in Russia's "sphere of influence". One could thus at least conclude that the conflict between Georgia and Russia was an incentive for the EU to pay more attention to its relatively stable eastern region (F.H., 2011). It would be wrong however to see it as a direct trigger for the launching of the EaP because this idea has a history that goes back to 1998, which will be elaborated upon later in this chapter.

The idea for the EaP came from Poland and was mainly supported by new member states from central and Eastern Europe and initially also by Sweden. The reason that Poland wanted the EaP was because the European Neighborhood Policy (ENP) at that point had failed to be successful. The ENP focused on Southern and Eastern Europe through bilateral relations. Neighboring countries from Eastern Europe did not like this because being in the same category with southern European neighbors probably meant that they would never become EU members (Depo, 2011; Ivan & Ghinea, 2010). Eventually, the fact that eastern and southern European neighbors were approached through the same model turned

out to be one of the causes for the ENP to fail. After the French got the *Union for the Mediterranean* which they wanted for the southern neighbors, Sweden and Poland launched their idea for the EaP (Ivan & Ghinea, 2010).

The main difference with the ENP was to add a multilateral track to the already existing bilateral relations the EU has with the eastern neighbors. Through this partnership all member states and partner countries could work together on EU projects. A civil society forum, through which a dialogue would be promoted and facilitated between civil society organizations and the public authorities, is also part of this multilateral track (Ivan & Ghinea, 2010). The EU still does not offer a perspective on membership to EaP countries, the partnership is mostly used to stabilize the EU's neighbors politically and develop their economies by *"encouraging and supporting them in their political, institutional and economic reforms based on EU standards, as well as facilitating trade and increasing mobility between the EU and the partner states"* (EaP, 2012). This would guarantee the security of the Union better and achieve the EaP's main goals: *"political association and economic integration of the six EaP countries with the EU* (Ivan & Ghinea, 2010: 4). The EaP as a regional project supports the larger European Neighborhood Policy.

4.1 Association Agreement

The process of political association and economic integration is supported by the so called Association Agreements (AA). One main component of the AA is the development of Deep and Comprehensive Free Trade Areas (DCFTA's) (Füle, 2013). Since January 2010 the EU and Moldova have been negotiating an Association Agreement and in February 2012 they also started negotiation on a DCFTA (EEAS, 2013). Moldova has been moving relatively fast through its negotiations with the EU, especially since the very willing Alliance for European Integration (AEI), a coalition of different parties, came to power in 2009. They have been easy on accepting EU conditions (Ivan & Ghinea, 2010).

Since the EaP was launched, Moldova seemed to be the most willing country to use this new EU tool to their benefit. They surprised the EU by having a different attitude than the EU was used to from the eastern neighbors. Most countries were not willing to comply with EU rules very easily or to have reforms without getting something in advance from the EU (Expert interviews, 2013). Moldova however, asked the EU what it should do and tried as fast as it could to push through reforms. Of course they hoped that this would bring EU membership closer, even though the EU never promised this. This attitude caused Moldova to be called the success story of the Eastern Partnership (Dyner & Sobjak, 2011; Solenko, 2013). Even when the AEI government was making very grave mistakes the EU continued to cling onto this positive image of Moldova because they seemed to be very much in need of a success

story for the Eastern Partnership (Grajewski, 2013; expert interview, 2013). This dynamic between the EU and Moldova will be elaborated upon in the critique part. First there will be an elaboration on some of the different projects that the EU is working on in Moldova through the EaP. The most important projects are visa liberalization, DCFTA, judicial reform, the European Union Border Assistance Mission (EUBAM) and Confidence Building Measures. Only the CBM's are directly aimed at the Transnistria conflict, all the other projects could be seen as a way to stabilize Moldova as an EU partner and at the same time make it more attractive for Transnistria to re-integrate.

4.1.1 Visa Liberalization

The goal of the visa liberalization dialogue is to lift visas for Moldovans who want to travel within the EU, this goes further than the above mentioned visa facilitation agreement. If there will be a visa liberalization, Moldovans will be able to travel within the EU and stay there for three months without a visa. This is important for Moldovans because many of them already work in the EU legally or illegally. This means that visa liberalization would be the most tangible achievement for Moldovans of the EaP (Rinnert, 2013). To make this happen it is necessary for Moldova to have its borders and illegal migration under control, there are also requirements regarding passports of the citizens (Ivan & Ghinea, 2010). Even though it was expected that visa liberalization would have already happened by now, it did not. This partially has to do with the fact that Moldova does not fulfill all the requirements yet, especially when it comes to implementing necessary laws. At the same time it is also dependent on internal debates between the EU member states and their veto right because in the end visa liberalization is a political choice (Rinnert, 2013; expert interview, 2013).

4.1.2 DCFTA & Judicial Reform

Moldova has already enjoyed duty free access to the EU market since 2008 for a lot of its products. This made the EU its biggest trading partner (Cristescu & Matveev, 2011; Ivan & Ghinea, 2010). Access to the EU market has been arranged through an agreement on Autonomous Trade Preferences (ATP). It is a one-sided set of trade preferences which the EU gives Moldova and which Moldova shares with Transnistrian enterprises that registered in Chisinau and thus are subjected to inspection by Moldovan customs service. The DCFTA is to replace this ATP arrangement. To actually apply this in all the regions of Moldova, control over Transnistrian companies is needed which means that Transnistria would have to become fully part of the DCFTA process with Moldova. Legally it is not possible to continue applying ATP in Transnistria and only sign a DCFTA agreement with Moldova (Berlin Economics, 2013). This would mean that the EU would have to sign an agreement with Transnistria which is not possible because it is

not internationally recognized. The problem is that if the EU would exclude Transnistria from the DCFTA agreement “EU customs tariffs on Transnistrian exports will rise by 10-17%, which will have a serious impact on the region’s economy” (Konończuk & Rodkiewicz, 2012: 95). This is not helpful in trying to bring both sides closer together. Therefore the EU has shown a great amount of flexibility by making a special DCFTA arrangement with Moldova. The right bank, Moldova, will in the future be functioning under DCFTA arrangements whereas the left bank, Transnistria, will have a transition period in which it will still function on the ATP arrangement (Expert interview, 2013).

For the country to sign a DCFTA document with the EU it has to make a lot of institutional and legislative changes. A DCFTA is not just a free trade agreement, Mincu (2011) states that it:

[...] contemplates an agreement covering the whole framework of trade and trade-related legislation, as well as setting forth standards compatible with those of the European Union. A DCFTA involves far-reaching elimination of barriers to trade and investment throughout various sectors of the economy. (Moldova- EU trade relations section, para. 1)

The EU developed a tool for this, called: Comprehensive Institution Building Program (CIB). Through for example twinning projects with EU member states, Moldova will be assisted in making changes to their institutions in order to make them comply with EU standards for the Association Agreement to be signed eventually. Other ways of helping Moldova are administrative internships for Moldovans, specialized training programs and the pooling of experts on different issues of reform (EU, 2010). Judicial reform is also part of the CIB program. Judicial reform is considered important for all Eastern Partnership countries if they want to achieve political association and economic integration. To help Moldova with their reform in the justice sector the European Commission has recently provided sixty million Euros. The report on the strategy for justice sector reform 2011-2015 states that: “ *The overall objective of the Strategy is to build an accessible, efficient, independent, transparent, professional justice sector, with high public accountability, consistent with European standards and ensuring the rule of law and protection of human rights.*” (Ministry of Justice, 2011).

4.1.3 EUBAM

In 2005 the European Border Assistance Mission was launched after Moldova and Ukraine jointly requested help from the European Union to control their borders. Both countries were losing a lot of revenue to organized crime by not controlling these borders. They were plagued by illicit cross-border activity like human trafficking and smuggling. A big part of that border was in Transnistria, which made it extra difficult because Moldova has no control over that whole region, let alone the border (EUBAM, 2013). It was not directly in EUBAM's mission to contribute to a settlement but the presence of the two EUBAM field offices on the Moldovan border, which adjoins the Transnistrian region, does bring back some sense of control of Moldovan/Transnistrian-Ukrainian border (see figure 3). Like this, also the border between the Transnistrian

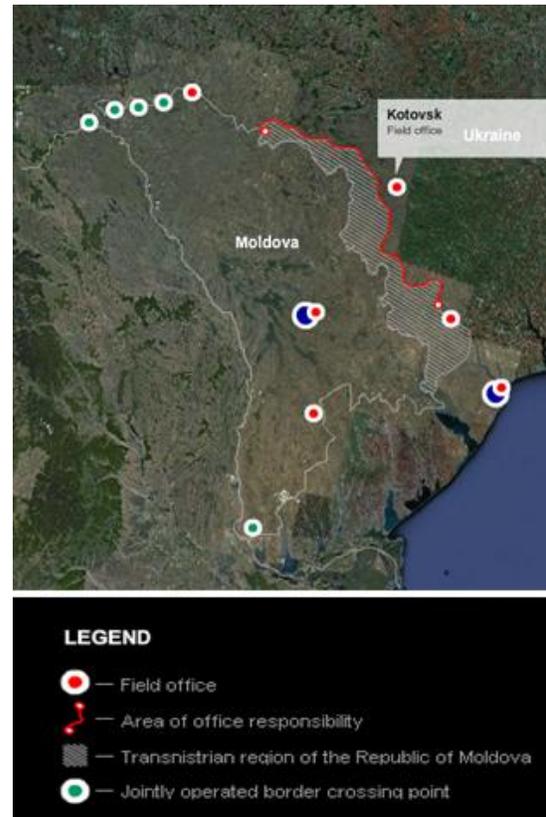


Figure 3 EUBAM area of responsibility (EUBAM, 2013)

region and Ukraine will comply with European standards. In March of this year EUBAM facilitated a meeting between customs experts from both sides to discuss possibilities of implementing joint customs controls (Moghilda, 2013). Although EUBAM existed before the Eastern Partnership, it is now part of the whole EU approach towards Moldova and therefore also funded through the EaP (EUBAM, 2013; Cristescu & Matveev, 2011).

4.1.4 SCBM

The Support to Confidence Building Measures program (SCBM) consists of a multitude of projects through which the EU together with the UNDP tries to bring both conflicting parties closer together and make them more interdependent. This is necessary for any political settlement to actually work in the long term. This is a bottom up approach with which the EU tries to build the ground for potential resolution and help the two societies towards working together. The SCBM has several components, one with business and economic exchanges, one dealing more with environmental and social issues and the last component deals with civil society (Expert interview, 2013). There are about 83 projects through which the EU motivates cooperation between for example medical specialists from both sides or entrepreneurs and teachers (EU delegation Moldova 2013; Popescu & Litra, 2012). A very practical

example is the initiative to increase road safety in both Tiraspol and Chisinau by bringing together representatives of automobile clubs from both sides (UNDP, 2012). The above mentioned initiative by EUBAM of facilitating a customs meeting is also part of the confidence building process. Another example are the series of seminars by the Moldovan Chamber of Commerce and Industry, supported by the SCBM program, to familiarize Transnistrian business owners with Moldovan tax legislation (UNDP, 2013).

Grass root level projects like these and reconstructing schools and kindergartens are very visible projects and have a positive effect for both sides immediately. Cooperation within these projects tends to work and networks are also built. After some, not all of the projects, cooperation continues. The projects do help deconstruct bias and it can foster positive relations but in some cases it also confirms long held negative ideas about the other (Expert interviews, 2013). Besides SCBM the EU also has an instrument, TAIEX,²¹ that is dedicated to building the capacities of Moldovan institutions dealing with approximating, applying and enforcing EU legislation. Through TAIEX there is also technical assistance given to the Bureau of Reintegration that aims at reintegrating Transnistria into Moldova in every possible way (Wolff, 2012; Reintegration Bureau, 2013; Expert interviews, 2013).

4.2 Obstacles for Foreign Policy

In its role as a foreign policy actor the EU stumbles upon several obstacles. Some are internal obstacles, caused by the EU's institutional composition and by the way it makes and implements policy, others are external obstacles. The main internal obstacle is that the EU continues to operate in an intergovernmental way. Even though the European External Action Service (EEAS) was established in 2010,²² making and implementing policy still depends on intergovernmental decision-making (EEAS, 2013). If the EU wants to decide on its foreign policy objectives, let alone execute them, all members have to agree. The EU's foreign affairs chief, Catherine Ashton, does not have the authority together with her European External Action Service employees to take any decision over EU foreign affairs. At the same time member states still have their own foreign affairs ministers that act in the interest of their country and not necessarily in the EU's common interest. Within the Union they also try to protect their own interests and therefore block decisions that are not beneficial to their country. This prevents the union from acting internationally. Therefore one can say that there is a clear lack of unity amongst the member states when it comes to foreign policy. The fact that member states still have their own foreign

²¹ This stands for Technical Assistance and Information Exchange

²² This is the Union's diplomatic corps that supports the execution of the Common Foreign and Security Policy (CFSP).

policy and favor it above EU foreign policy, risks making any EU policy weak. If member states will only agree on EU policy that does not damage them too much, EU policy will always be something that the most reluctant member state could accept. This means it represents the lowest common denominator (Smith, 2008).

This lack of cohesion has been very visible in the history that leads to the EaP. In 1998 the Polish Minister of Foreign Affairs, Bronislaw Gernik, already presented Poland's idea for future EU policy focused on what he called the Easter Dimension. It took many years and several other projects that included Eastern European countries, like the Black Sea Synergy and the European Neighborhood Policy,²³ until the focus would be put specifically on Eastern Europe. It was mainly promoted by Poland again in 2007/2008 and supported by several Central and Eastern European states. Some countries saw it as competition for the Black Sea Synergy and therefore were not fully supporting it, whereas France, who favored the Mediterranean Union, opposed it because they wanted the EU to only focus on the southern neighbors. At the same time Russia was watching the evolution of the EaP closely, not liking the fact that the EU was meddling in its backyard and therefore using its allies within the union to restrain this new EU policy as much as possible (Depo, 2011). The fact that Russia manages to do this, shows that the lack of cohesion also makes the EU vulnerable because it can be used by non-EU members in their benefit. Russia had also done this in April 2008 when it used EU allies within NATO to veto Georgian and Ukrainian membership for NATO (euractiv.com, 2009).

The lack of support caused the EaP to be launched at the Prague Summit in 2009 without influential EU leaders being present and with little funding (Europeanforum.net, 2009). *“Due to the divergent vision of the Member States on the Eastern Partnership, the final version of the document launching the EaP was agreed with the smallest common denominator making the EaP weaker and less ambitious than expected”* (Depo, 2011). In the past few years, more money has been pledged and given to Moldova and also high level attention increased from within the EU but it remains to be seen if this will have a positive effect (EU delegation, 2013). Now that the southern neighborhood (mainly the Middle East) has a lot of problems that arose after the massive civilian uprisings since 2011, it will be difficult for the EU to find the political will and financial assistance from its members to focus on the relatively stable eastern neighbors. Another big problem caused by this lack of support for the EaP is that it cannot get very directly involved in the Transnistrian conflict and also the other frozen conflicts through the EaP. EU-member states that have good relations with Russia will veto a direct and harsh attitude from the EU towards the Russian military presence in Transnistria. This is not just problematic

²³ Black Sea Synergy also focused on eastern Europe but it lacked the institutional backup and was therefore not effective (Depo, 2011)

for conflict resolution but also for the EaP to get the results it wants in Moldova because the conflict does impede sustainable development in Moldova. (Depo, 2011).

4.2.1 The Soft Power Obstacle

Besides the decision- making process and the lack of cohesion, the EU's necessary choice to act internationally as a soft power also tends to form an obstacle. Being a soft power, in the EU's case means not having sufficient and rapidly deployable military force to back up their diplomacy (Smith, 2008). Basically there is not a lot the EU can do when one of the eastern partners decides not to comply with EU rules or implement EU policy. It is true that the EU can stall the signing of the AA agreement or take away other benefits a partner receives or will receive from the EU. They can also put travel bans on the leaders, as was done with Transnistrian leaders in the past. Currently all these measures would not change a lot however for Moldova and other countries in the eastern partnership. They are not fully dependent on the EU, especially Transnistria who receives most of its funds from Russia. Moldova does have a dependency on the EU when it comes to the EU's market and selling their products but the EU would not ban Moldovan products because that could really stain their image. It could bring the communist party back to power, which means EU policies and standards, if at all, would be implemented even slower.

Not having sufficient military power to back up diplomacy is also problematic in case Russia would decide to allow its forces in Transnistria to use aggression against Moldova. It will be difficult for the EU to stand up against Russia in that case, not just because it does not have the means but also because not all member states might agree with a harsh attitude against Russia. This was very clear when the Russians used excessive force in 2008 in Georgia and the EU only moderately criticized Russia (euractiv.com, 2009). Here two obstacles played a role: intergovernmental decision making and lack of military force.

A third "soft power obstacle" is that the EU does not have its main soft power tool, EU membership, to use as leverage with eastern partners. This means the EU is asking Moldova to implement reforms on its state institutions and to eventually meet benchmarks that are very hard to attain without getting membership in return (Depo, 2011; Expert interviews, 2013). Of course it will benefit from a DCFTA but it should not be forgotten that implementation costs to comply with DCFTA standards and rules are estimated at 1,1 billion dollars for Moldova. This is a lot for a small and poor country like Moldova (Ivan & Ghinea, 2010). Not having membership to offer is also problematic because it is hard to sell to the Moldovan people why all the reforms are needed when tangible effects of this EU course will only be visible on the long term. If the public gets tired of reforms and does not see

results quick enough, they might decide to vote for the opposition during the next elections, who could choose not to implement EU policies (Expert interviews, 2013). At the same time the EU will have to be committed for a very long time if it wants to see real changes in the eastern partnership countries, especially if they also want to make a real contribution to conflict settlement. It remains to be seen how committed the EU is, especially with other more pressing conflicts in the Middle East and the preference of some EU member states to keep good relations with Russia.

4.2.2 External Obstacles

Besides all these internal obstacles the EU stumbles upon in its role as a foreign policy actor in Moldova, there are also external obstacles. Moldova might be doing better than other eastern partners when it comes to implementing reforms and the willingness to cooperate, it does however still have to cope with political instability and corruption (Rinnert, 2013). The most recent political crisis occurred in the first few months of 2013. In February the Liberal-Democratic Prime Minister, Vlad Filat, withdrew the support of his party for the pro- EU coalition (Tanas, 2013). In March the coalition officially fell apart when it lost a vote of no-confidence (Balmforth, 2013). To avoid early elections in which the communists might come to power again, the Alliance for European Integration managed to sign a coalition agreement and get a vote of confidence for the “new” government headed by the new Prime Minister Iurie Leance on May 30th (Bivol, 2013).

The vote of no confidence was caused by the infamous *Hunting Scandal* in Moldova. Several senior judicial officials were part of a group that went hunting in a protected area and accidentally shot a 34 year-old businessman who was part of the group. The man eventually died from his injuries but this only became public knowledge two weeks later. In the meantime officials had tried to keep it a secret and it is said that they convinced the family of the man to secretly cremate him in Ukraine (Horbowski, 2013; Mititelu, 2013). The fact that politicians were accused and kept on accusing each other of somehow being involved in covering up this scandal, caused the no-confidence vote. This scandal shows that in Moldova, politicians and senior judicial officials are not taking the principles of the rule of law serious, or at least they do not seem to think these principles apply to them. Besides this scandal, multiple judicial reforms were also pushed through in April of the same year which all seemed to serve personal interests instead of the independence of state institutions, democracy and the rule of law.

Whilst all of this happened, the EU projects in Transnistria managed to continue because for CBM work they deal with local authorities in the security zone and in Transnistrian civil society. The technical assistance provided to the ministries on the other hand, came to a standstill. With the absence

of a real government for a few months, it was also impossible for the 5+2 format to really work because Moldova would not take important decisions with an interim government (expert interview, 2013). Several experts have stated that to have any real first step towards a settlement for Transnistria a much more stable government with a clear majority is needed (expert interviews, 2013).

A second external obstacle is the fact that Moldovans do not really seem to care about Transnistria. It seems as if Moldovans have grown used to not really having Transnistria. As mentioned above, multiple polls have shown that Moldovans put the Transnistria issue on number nine at best when it comes to what problems should be given priority to. Things like poverty, crime and inflation are considered much more pressing, which is not that strange because this is more tangible for most people than the Transnistria conflict (Popescu & Litra, 2012; Expert interviews, 2013). For the people in and around the security zone this might be different. Besides the lack of interest to reunite from the Moldovan side, there is also reluctance on the side of people living in Transnistria. Moldova does not seem to be attractive for the Transnistrians, especially since for the past few years it has been politically unstable. Besides this *“The pensions are larger there [in Transnistria], whereas the taxes and prices of all goods and services are lower”* (Moldova.org, 2013). What makes it extra problematic however, is that not just the public seems to be indifferent towards Transnistria but also politicians are said to care more about EU integration than integrating Transnistria into the state structures (Expert interviews, 2013). If neither the political, nor the public will is there to reintegrate than this can be considered a huge obstacle for the EU when trying to contribute to a solution (Wolff, 2012).

4.3 Critique

After a description in chapter three of the EU's possible conflict resolution tools and an overview of what the union actually does in Moldova and which obstacles it encounters, we will now turn to what the critics say. There are different types of critique found in the literature and through interviews with experts who have been monitoring the EU's involvement in Moldova. The following section is a compilation of the main critique points.

One of the main critiques about the EU is the EU's lack of a common policy. The EU says it wants a common foreign and defense policy but at the same time they do not invest enough in it. The fact that the EU is not always unified makes it weak and vulnerable. A country like Russia can use this in their interest. As long as member states have their own interests, non-EU states can undermine any EU policy by striking deals bilaterally with member states (Tuomioja, 2009; Cristescu & Matveev, 2011).

At the same time a country like Russia can also still influence EaP countries and strike deals with them. Not just because it has military units stationed in EaP countries or because there is dependency on Russian gas but because the EaP does not promise membership to the Union and therefore it misses its magical carrot to use for difficult technical negotiations (Landaburu, 2006). The EU however does expect partner countries to implement a lot of reforms, which cost money and aggravates their relation with big neighbor Russia (Ivan & Ghinea, 2010; Expert interviews, 2013). All of this is a lot to ask from the eastern partners, especially when not even all EU countries are very supportive of the EaP, which is visible in the funds allocated to the partnership. When the EaP was launched the EU allocated 600 million Euro's to the project, this is the same amount that Turkey alone received in 2009 as EU assistance (Depo, 2011; Ivan & Ghinea, 2010). It is also worth mentioning that even though EU bilateral assistance has continued to grow, until now the money that has been committed to Moldova has never been fully paid (EU delegation, 2013).

It is true that the EU sort of has a common policy now for countries in Eastern Europe with its EaP but the problem is that it tends to work very slowly. This is problematic in Moldova and in all the EaP countries because the results of the Eastern Partnership will not be visible for a long time. The support for pro-EU political parties in the partner countries might lose support if the benefits of EU reforms are not tangible. This is also problematic for conflict settlement between Moldova and Transnistria. As long as Moldova does not seem attractive to Transnistria there is no reason to speed up negotiations on a settlement. It is acknowledged that the EU is making a much bigger financial contribution than it used to but it is not enough to be visible for the population all over Moldova, meaning including Transnistria (Cristescu & Matveev, 2011; Expert interviews, 2013).

A forth point of critique is that although the EU does seem to have a strategy when it comes to Moldova, that strategy does not really include Transnistria yet (Cristescu & Matveev, 2011). This is strange because whenever the EU has involved Transnistria in its Moldova policy it proved to be very successful, like when Transnistrian business owners registered in Chisinau to enjoy EU benefits or everything the Border Assistance Mission is accomplishing. Without a clear strategy on Transnistria the conflict will not be solved and if the EU does not involve Transnistria in the AA the EU will continue to have problems when trying to bring Moldova closer (Wolff, 2012; Expert interviews, 2013).

It will be difficult to come up with a real strategy however because it seems like the EU is not willing to become the conflict resolution actor it could be. When it comes to conflict resolution, the main idea behind involving great powers like the EU is the fact that they can offer sticks and carrots, and have the political and financial power to balance and influence the conflict resolution process. In this

case it does not seem to be happening though because some of the EU countries are not willing to risk their good relationship with Russia over Transnistria (Depo, 2011; F.H., 2011; Shelest, 2007). It also does not seem willing to help Moldova or Transnistria when Russia applies economic sanctions (Ivan & Ghinea, 2010; Popescu & Litra, 2012). It should not be forgotten that Transnistria is fully depended on Russian aid and Moldova still has a dependency on Russian gas, just like many EU countries do (Grund, Sieg, & Wesemann, 2011; Rodkiewicz, 2011; Expert interviews).

Two final points of critique have to do with how the EU has specifically been dealing with Moldova. At the beginning of the EaP, Moldova was rightfully called the success story because it implemented reforms in a relatively fast pace and seemed very willing to cooperate (E.L., 2010). In the past year however a lot of mistakes have been made by the ruling elite but it seems as if the EU tries to cling onto that success story and almost seems desperate to sign something at the next EaP summit in November 2013 (Expert interview, 2013 Socor, 2013; Grajewski, 2013). This desperation is visible from the many high level visits to Moldova in the past years but also when one takes into account that the EU repeatedly called for the AIE coalition to stick together in spite of all the mistakes they had made (EU delegation, 2013; Expert interviews, 2013). It seems as if the EU is putting its values aside by continuing to support a coalition that has members accused of corruption and covering up a murder and at the same time pushed through judicial reforms that are not benefitting the independence of state institutions.

Besides this being very bad for the EU's image a final point of critique could be that the EU seems to be betting on one horse with its unwavering support for the current coalition in Moldova. This is wrong because the communist party that is now in opposition still has, and always had a lot of support in Moldova. Although they were maybe not as open to the Eastern Partnership as the AEI, they did try to get closer to the EU when they were in power (Boonstra, 2011; Grund, Sieg, & Wesemann, 2011). Besides this, Moldova was much more stable under the communists than under the current government (Grund, Sieg, & Wesemann, 2011; Expert interviews, 2013). The AIE leaders have a lot of problems amongst themselves and they split state institutions along party lines which makes them incoherent. It is also said that much more funds are lost to corruption because now it is not just one party stealing from the state treasury but a whole competition for resources amongst several parties (Expert interviews, 2013).

4.4 Conclusion

The Question we started this paper with is: *What steps is the EU taking to contribute to the Transnistrian conflict resolution process and what obstacles does it encounter through this new foreign policy role?* What we can conclude is that the EU is contributing to conflict resolution in two ways, one direct and the other one indirect. It contributes directly by being one of the official observers in the peace talks of the *5+2 format*. Its indirect but at the same time bigger contribution can be seen through the Eastern Partnership. We have seen in chapter three that the EU seems to be using the civilian approach to alter the context around the conflict. The rationale behind this approach is that by changing economic policies one can transform the context around the conflict which will also shift the interests of the conflicting parties involved. This can be done by for example making re-unification or at least connections with Moldova more profitable for Transnistria, as was done with the visa facilitation policy and the Autonomous Trade Preferences. At the same time one can also distinguish a socio-psychological approach in the EU's policies. Especially the confidence building measures projects could be seen as a way to leave the formal negotiating structure and bring people within the two societies closer together.

We found several internal and external obstacles to the EU's approach in Moldova. The main internal obstacle is that the EU continues to operate in an intergovernmental way. The fact that member states still have their own foreign policy and favor it above EU foreign policy, risks making any EU policy weak. This is very visible in the lack of support for the EaP. Another big problem caused by this lack of support for the EaP is that it cannot get very directly involved in the Transnistrian conflict and also the other frozen conflicts through the EaP. EU member states that have good relations with Russia will veto a direct and harsh attitude from the EU towards the Russian military presence in Transnistria. Russian involvement is at the same time also an external obstacle since even without the EaP or gas dependency the Russians tend not to be very cooperative. Besides the decision-making process and the lack of cohesion, the EU's necessary choice to act internationally as a soft power also tends to form an obstacle. Being a soft power, in the EU's case means not having sufficient and rapidly deployable military force to back up their diplomacy. Basically there is not a lot the EU can do when one of the eastern partners decides not to comply with EU rules or implement EU policy. A final internal obstacle is the fact that the EU is missing its main soft power tool, EU membership, to use as leverage with eastern partners.

A big external obstacle is the fact that Moldova tends to be politically unstable. This is problematic because when there is a political crisis, technical assistance from the EU to the ministries comes to a standstill. A second external obstacle is the fact that there seems to be an overall lack of interest from both the Moldovan politicians and public and the Transnistrians to reunite. If the EU wants its Eastern Partnership to succeed in Moldova and if they truly want to make a contribution to conflict resolution in the case of Transnistria, they will have to think about a way to remove these obstacles.

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Appendix A

Interview Protocol

Name of interviewee	Function	Place of residence	Date of interview
Maija Väliavaara	Country Coordinator for the republic of Moldova from the Finnish Embassy in Bucharest (Romania)	Bucharest, Romania & Chisinau, Moldova	June 4 th 2013
Cristian Ghinea	Journalist and Political analyst, director of the Romanian Centre for European Policies	Bucharest, Romania	June 7 th 2013
Hubert Duhot	Project manager Confidence Building Measures for the EU delegation in Chisinau	Chisinau, Moldova	July 31 st 2013
Hanna Shelest	Senior researcher at the National Institute for Strategic Studies, Ukraine	Kiev, Ukraine	August 2 nd 2013
Deniz Matveev	international peace building consultant, currently working amongst others for Crisis Management Initiative (Finnish non-profit organization)	Kiev, Ukraine	August 13 th 2013

Before the start of every interview an explanation would be given to the interviewee about why he or she was chosen to conduct an interview with. Besides this agreements were made about recording and quoting. After all this, the interview would start. Below you will find the questions.

Nr.	Questions asked (not in any hierarchical or other type of order)
1	Could you first of all introduce yourself? Who are you and what is your connection to Moldova in general and Transnistria specifically?
2	How is the situation in Moldova currently after a few unstable months? Have developmental projects, Eastern Partnership initiatives and conflict resolution come to a standstill?
3	Moldova has been hailed as the success story of the EaP. What would you say to the following statement: <i>It is not really a success; it just looks like it because it's doing better than the other partner countries. There is just a lot of political will to make the EaP work and therefore the EU is looking for a success story.</i>

3	What do you think about the EaP in general? Is it working? Does it contribute to stability/development in Moldova?
4	Can the EaP work without solving the frozen conflicts?
5	How can the EaP work with such a great dependency on Russian gas and a willingness/necessity to keep relations good with Russia?
6	Why does Romania want Moldova to be part of the EU? What interests does it have?
7	Could you explain how and if Romania is influencing the EU's agenda and policies on Moldova?
8	I read that some believe Romania should not get involved in the conflict resolution process on Transnistria. Why do you think so?
9	Why have so many countries and organizations become involved over this tiny strip of land (Transnistria) and why is Russia clinging on to it so much?
10	Is it a so called proxy war? A power play between the EU & Russia over influence?
11	Why not just let Transnistria go? It has <i>de facto</i> not been part of Moldova any longer since Moldovan independence.
12	How is Romania perceived in Moldova? Especially after Basescu's promise of the 100 million euro's and not delivering it?
13	What's with all the Bessarabia slogans all over Bucharest and other Romania cities, who is behind this?
14	How is Russia perceived by the Moldovan population?
15	How is the EU and EaP perceived in Moldova?
16	What will happen when the Alliance for European Integration will lose the elections in Moldova?
17	What do you think will happen at the Vilnius summit? Will anything be signed?
18	What advice would you give the EU on Moldova and Transnistria?
19	Could you explain to me how a specific project you've worked on has contributed to confidence building?
20	What do you think of this idea of the separate baskets in the conflict resolution process?
21	In a paper on the role of the EU in peace building, it is mentioned that the conflict slowed down socio-economic development in Moldova/Transnistria. Do you think the EU has managed or can change this stagnation? And if so how?
22	You mention that EUBAM could play a role in a future conflict settlement. Could you explain in what way?
23	In what way do you think the Transnistria conflict will be discussed during the upcoming Eastern Partnership summit in Vilnius?
24	I'm reading in several papers that the EU is focused on changing the context around the conflict in order to contribute to conflict resolution. At the same time it is said however that the EU actually has no real strategy. What is your opinion on the EU's strategy?
25	In your opinion, what are the main obstacles to solving this conflict? And what steps should be taken to solve it?
26	As a person that has worked with both of the conflict parties for many years, are you seeing any change in their relations towards each other since the first year you've worked on this

	issue?
27	Where do you see this going? Confidence is built between different groups and then what? How will this contribute to a solution?
28	Nicu Popescu claims that Ukraine could be a key actor in conflict resolution, but that it is not by choice, for different reasons, like not wanting to cause more problems with Russia. What do you think of this statement?
29	What do you think of Ukraine's role until now as a chair of the 5+2 format? What could they do better/differently
30	You mention that the EU has not become a mediator in the way you would prefer it (after the 2008 war in Georgia). What do you mean by this and how would you like to see their involvement differently?
31	I'm hearing and reading everywhere that Transnistria is the most easily solvable conflict. But more than 20 years later there is still no solution. How can you explain this?
32	How will the signing of Association Agreements by Ukraine and Moldova with the EU affect the conflict resolution process?
33	You mention that Ukraine and Romania, because of their mutual interest in a quick settlement of the Transnistrian conflict, are natural partners. How would you imagine this cooperation, how would they solve the conflict together and do you believe that this could happen in the near future?
34	I've been reading a lot about the subsidies through the "support to confidence building measures" program. Could you explain to me how these projects (like for example, working together on reducing the number of road accidents by Tiraspol/Chisinau authorities), contribute to confidence building.
35	Are you really seeing results? Is confidence built?
36	Where do you see this going? Confidence is built between different groups and then what? How will this contribute to a solution?
37	Even though a lot of money is being invested in this conflict resolution process by the EU, The EU seems to be much more occupied with de DCFTA and visa liberalization. This makes sense if you look at what Moldovan polls say, namely that Moldovans don't really find the Transnistrian conflict a pressing issues their country has to deal with. Do you recognize this lack of interest by the Moldovans? And what effect does it have on conflict resolution and confidence building?
38	Nico popescu wrote in one of his analyses that the Moldovan approach is driven by a cost benefit analysis. Meaning if cooperation and integration can be beneficial they will do it. Do you recognize this attitude?
39	Another thing Popescu mentioned is that Russia will always try to complicate the situation because they actually don't want confidence building measures. Are you noticing this?

40	It is said that the EU's work in Moldova is one focused on long term results; the EU is trying to change the context of the situation (more bottom up than top down solution). Are you seeing the context changing? Or does it seem like one time successes.
41	Is there anything you would like to change about the EU's approach, anything you think more attention and funding should be given to? If so, what?
42	Is there anything that surprises you after all these years of working on or analyzing confidence building/ the conflict resolution process in Moldova?
43	How is the EU/and its projects perceived by the Moldovan authorities and population?
44	What do they expect from the EU?
45	How is Russia perceived by the Moldovan population?
46	What is your organization/country doing to help stabilize/develop Moldova-Transnistria
47	What projects do you have in Moldova?
48	Do you have relations with the Transnistrian authorities?
49	What does your organization/country think of the EaP
50	What does your organization/country think about possible future EU membership for Moldova?
51	If you are in favor of EU membership for Moldova, how are you trying to help them achieve this? If not, how are you trying to temper their ambitions?
52	What effect do you think the EU policies/projects have in Moldova? Do they contribute to development/stability?

Summary

The specific problem discussed in this paper is the frozen conflict of Transnistria, what caused it, how it has been dealt with in the past twenty years and what has changed since the EU became part of the conflict resolution process and stepped up its relations with Moldova. What is problematic in the EU's case is that it does not have a clear common foreign policy yet, therefore this is the second problem discussed in the paper. Besides discussing these problems the author aims to explain the broader geopolitical situations and how this can have an effect on conflict resolution and relations between the EU and Russia. Furthermore the author tries to get an understanding of how the EU works in Moldova when it comes to foreign policy and conflict resolution. Lastly there is the objective of giving an explanation about what kind of conflict we are dealing with here and what obstacles are in the way of a peaceful solution. These problems and objectives lead to the following research question: *What steps is the EU taking to contribute to the Transnistrian conflict resolution process and what obstacles does it encounter through this new foreign policy role?* What follows is a summary of the main findings from the different chapters.

The choice of Russia to unite two very different regions, Bessarabia and Transnistria, to become one country, The Moldovan Soviet Socialist Republic, caused these regions to never feel like a unified country. Therefore, when in the 1980's Gorbachev's *Glasnost* and *Perestroika* policies unfolded in a demise of the Soviet Union, mainly Romanian speakers in Bessarabia united and proclaimed their own republic just like the Russian speakers did in Transnistria. Tensions kept building between the two groups which eventually resulted in clashes in 1992 between the Bessarabian part, which was recognized as Moldova, and Transnistria who was backed by Russian troops but unrecognized by the international community. Since July 1992 there has been a ceasefire and a security zone with Moldovan, Transnistrian and Russian military forces.

Currently there is still no solution for the *de facto* Transnistrian state. It is recognized as belonging to Moldova, but it has its own state institutions and Moldova does not have any control over it. Since Romania gained membership to the EU there has been more EU involvement in Moldova and Transnistria. The EU is an official observer of the 5+2 format where negotiations on this territorial conflict are ongoing. Besides this, the EU is building up its relations with Moldova through the Eastern Partnership. The EU cannot mingle very directly with Transnistria though, considering the fact that Russia already dislikes the EU's rapprochement towards Moldova. Russia feels encircled by the west whereas the EU dislikes Russia's expansionist and authoritarian behavior. Russia continues to be very present in Moldovan affairs and there is not much the EU can do about this because of their dependency on Russian gas.

The Transnistria conflict does not seem to be an ethnic conflict but a conflict over territory. By applying Gurr's theory of Relative Deprivation and Stewart's concept of Horizontal Inequalities it does become clear however that grievances and frustration caused the violence that occurred in 1992 and continues to occur regularly in the security zone.

On the political level, negotiations continued through the years with many different agreements being signed that eventually did not lead to a solution. Besides negotiations on a political level there has also been a more bottom up approach aiming to build confidence between citizens of the two banks.

Although the working groups are very useful to build relations and confidence and at the same time solve very practical issues for the population on both sides, they will not lead to an eventual political solution.

There are several obstacles that prevent a solution, like the lack of willingness, on a public and political level, of both sides to reunite. Also the involvement of Russia and the power it has over Transnistria and to a certain extent Moldova forms an obstacle. The EU is mainly trying to alter the context around the conflict through its so called civilian approach. The rationale behind this approach is that by changing economic policies one can transform the context around the conflict which will also shift the interests of the conflicting parties involved. The EU wants to transform the border conflict without jeopardizing good relations with Russia. The third party intervention methods of the EU are the direct result of the Union's perspective on security and power. They are much more focused on soft power and soft security than on hard power and hard security. The projects and policies through which the EU has tried to contribute to an overall stabilization of Moldova are: the Association Agreement, Visa Liberalization, DCFTA & Judicial Reform, EUBAM and confidence building measures.

In its role as a foreign policy actor the EU does encounter some obstacles. The main internal obstacle is that the EU continues to operate in an intergovernmental way. The fact that member states still have their own foreign policy and favor it above EU foreign policy, risks making any EU policy weak. This also makes the EU vulnerable to the foreign policy interests of non EU countries. Russia, for example, uses its allies within the union to restrain EU policies that are not in their benefit. The EU's necessary choice to act internationally as a soft power also tends to form an obstacle. Basically there is not a lot the EU can do when one of the eastern partners decides not to comply with EU rules or implement EU policy. Another obstacle is that the EU does not have its main soft power tool, EU membership, to use as leverage within the EaP.

This lack of a common foreign policy and the absences of a membership perspective through the EaP are also some of the main critiques on the EU in its foreign policy role in Moldova. Besides this, critics say that the EU does not seem to be willing to become the conflict resolution actor it could be. Therefore it also lacks a real strategy when it comes to Transnistria. The fact that results from EaP policies are not that visible and tend to take relatively long is not very beneficial for pro-EU political parties in Moldova either. It makes it hard for them to convince the public of the benefits this EU course is supposed to bring.