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TRANSNISTRIA AND THE FUTURE SECURITY ARCHITECTURE IN EUROPE

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The conflict affecting the region of Transnistria¹, which has seceded from the Republic of Moldova, has long been overshadowed by other conflicts in the Euro-Atlantic arena. The simmering conflicts involving Abkhazia and South Ossetia were more explosive even before the Russo-Georgian war of 2008, and the dispute over Nagorno-Karabakh is more likely to escalate. But because it is characterised less by ethnic tensions, the Transnistrian conflict may be comparatively easier to solve. Also, it has of late gained in strategic importance, because its resolution could have far-reaching consequences for the future configuration of the security architecture in Europe. At their meeting in Meseberg in June 2010, Chancellor Angela Merkel and President Dmitri Medvedev thus proposed a joint approach by the EU and Russia to resolve the conflict, including the setting up of a joint Political and Security Committee (EU-R-PSC) at minister level². Transnistria thereby became a test case for future cooperation with Russia.

During the course of the dissolution of the Soviet Union, Transnistria had broken away from the Republic of Moldova. The short but bloody civil war between March and July 1992 was put an end to by the Russian 14th Army intervening on the Transnistrian side. Russia has been

1 | On the geographical position of Transnistria cf. map in the article written by Anna Stemmer in this issue on page 41.

2 | Memorandum (meeting between Chancellor Angela Merkel and President Dmitri Medvedev on 4th and 5th June 2010 in Meseberg, Germany), http://bundesregierung.de/Content/DE/_Anlagen/2010/2010-06-07-meseberg-memorandum-deutsch.pdf (accessed August 18, 2011).

maintaining a military presence in Transnistria ever since. Negotiations about a conflict resolution initially started under the umbrella of the OSCE in a format involving the OSCE, Russia and Ukraine in addition to the directly affected parties of Chişinău and Tiraspol. Russia, which played the dominant role here, put the so-called Kozak Plan on the table in 2003, to resolve the conflict; this envisaged the presence of Russian troops to be extended to 2020, and Transnistria being given far-reaching veto rights within a federal Moldovan state. Not only would this have curtailed Moldova's freedom of action in the area of foreign policy, but it would have also put the proper functioning of the nation state into question. Backed by the EU and the USA, the Moldovan government rejected this concept. Subsequently, Brussels and Washington joined the negotiations as observers, creating what has since been called the 5+2 format. But by then, the efforts to resolve the conflict had come to a dead end. In 2006, the formal 5+2 negotiations broke off. It needed the impetus of the Meseberg Memorandum for them to be resumed.

In addition to providing this impulse, the Meseberg Memorandum also injected a new dynamic into the conflict resolution efforts. Discussions between the parties involved directly in the 5+2 negotiations and Germany intensified noticeably. And the informal discussions in the 5+2 format, which had never stopped in contrast to the formal meetings, have been getting discernibly more constructive, last taking place in April of this year in Vienna. In addition, direct contacts between Chişinău and Tiraspol have intensified and resulted in concrete steps forward regarding the solution of practical problems, for instance the reopening of a direct train link between the two cities in early 2011. The formal 5+2 negotiations were resumed in Moscow on 21 June, but have not come to anything so far because of a reluctance to negotiate on the part of Tiraspol. Since the political power situation is not settled in either Tiraspol or Chişinău, this was not really surprising. A fast break-through is not to be expected. It will only become apparent in the further course of the negotiations whether the Meseberg Memorandum can result in the fundamental differences between the parties involved in the 5+2 negotiations being overcome.

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STRATEGIC RELEVANCE OF THE TRANSNISTRIAN CONFLICT

Since the willingness of the current leadership in Tiraspol to compromise is limited, Russia has a key role as Transnistria's protective power. With the Meseberg Memorandum and its invitation for the resumption of the formal 5+2 negotiations in Moscow, Russia has raised considerable expectations. Should the EU and Russia develop a common approach for the resolution of the conflict, this would require Moscow to give up some earlier positions, as contained in the Kozak plan. For this reason, the two sides associate different interests with the Meseberg Memorandum. According to Moscow's understanding of the Memorandum, the first objective should be for the EU-R-PSC to be set up as soon as possible, where the Transnistrian conflict would be one of the topics on the agenda. For Brussels and Berlin, on the other hand, some fundamental progress is required as a condition for setting up the EU-R-PSC.

The EU-R-PSC could be a suitable tool for Russia's wish to be integrated more strongly into the European security architecture.

However, finding a resolution for the dispute over Transnistria is also in the interest of Moscow, since the country wishes to be integrated more strongly into the European security architecture. The EU-R-PSC could be a suitable tool for this purpose. After the Russo-Georgian war, Moscow emphasised this interest with a draft for a comprehensive security treaty³ and a following report by experts from the Valdai group, which are close to the Kremlin.⁴ Furthermore, the EU-R-PSC might provide an opportunity for Moscow to discuss the future development of the European security architecture with the EU. Such talks have so far been restricted mainly to the Corfu Process within the OSCE.

In addition, progress with the settlement of the Transnistrian conflict might contribute to reaching an understanding about the Adapted Treaty on Conventional Armed Forces in Europe (Adapted CFE Treaty). To date, NATO has made its

3 | The draft of the European Security Treaty, November 29, 2009; <http://eng.kremlin.ru/news/275> (accessed August 18, 2011).

4 | Towards a new Euro-Atlantic Security Architecture. Report of the Russian Experts for the Valdai Discussion Club Conference, Moscow, 2009, http://globalaffairs.ru/docs/Karaganov_eng.pdf (accessed August 18, 2011).

ratification conditional on Moscow honouring the obligations entered into at the Istanbul OSCE summit meeting in 1999 to withdraw Russian troops from Moldova and Georgia. For this reason, Russia had suspended both the ratification of the Adapted CFE Treaty and the implementation of the CFE Treaty in 2007.

Agreements and institutions alone will not be sufficient to make progress in the area of the European security architecture. This will also require an increase in mutual trust and an agenda of common goals. Russian interests are still characterised by a fundamental dichotomy between the strategic benefits of a rapprochement with EU and NATO on the one hand, and a frequently conflict-provoking competition for influence and integration in the CIS region on the other hand. Better institutional integration of Russia would not necessarily resolve these contradictions. It might instead do nothing more than strengthen the mutual veto power, which would only result in weakening the existing security architecture in Europe. Against this background, the Meseberg Memorandum picks up on the Russian interest in better integration for the discourse within the EU, while simultaneously linking it with a concrete test of the feasibility of cooperation with Russia in the area of security policy. The Chancellor developed this strategic line of thought already soon after the Russo-Georgian war in a joint contribution with French President Sarkozy.⁵

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If there is one conflict, where the possibilities of cooperation between Russia and the EU can be sounded out, then it is Transnistria. In spite of all the contrasts between the political systems on the two banks of the Dniester, the lines separating the two sides there are not nearly as sharply drawn as in the case of the other simmering conflicts in the Euro-Atlantic region. Also, the proximity to the EU lends greater weight to the EU's integration offers for Chişinău and Tiraspol and gives Brussels a greater chance of exerting some influence. But a resolution of the

5 | Angela Merkel und Nicolas Sarkozy, "Wir Europäer müssen mit einer Stimme sprechen," *Süddeutsche Zeitung*, February 3, 2009, <http://sueddeutsche.de/politik/391/457053/text> (accessed August 18, 2011).

conflict does not depend solely on Russia's willingness to compromise. To create the conditions for successful reunification on the national level, the political situation in Moldova needs to stabilise and the European integration of the country needs to be strengthened. In addition, it would also require a transformation of Transnistria to ensure the compatibility of the two systems in a common constitutional order.

TRANSNISTRIA'S ETHNIC AND ECONOMIC STRUCTURE

Transnistria can look back on 20 years of tradition of virtual separate statehood. Over this time, the two societies have grown apart.

The Transnistrian conflict is less rooted in ethnic causes than the other simmering conflicts. The populations on the two sides of the Dniester are made up of the same groups, albeit in different proportions. In Transnistria, the population is divided equally into Russian, Ukrainian and ethnic Moldovan; on the left bank, the latter make up three quarters of the population. Accordingly, Transnistria does not have a titular nation, even if the region calls itself "Moldavian Transnistrian Republic". Transnistria can look back on 20 years of tradition of virtual separate statehood. Over this time, the two societies have grown apart. Transnistria has suffered an even greater rate of emigration during this period than Moldova. Around a third of the population has left the region, especially ethnic Moldovans.

In Transnistria, Russian is virtually the only significant language, although it is of equal status to Moldovan (Romanian) and Ukrainian according to the constitution.⁶ It is true that Russian is also wide-spread in Moldova, but Transnistrian elites fear that they would be reduced to a disadvantaged minority in the event of reunification. This fear is also fuelled by the anxiety of Romania gaining increasing influence over Moldova. In addition, the leadership in Tiraspol is still justifying its own pursuit of independence with the scenario of a unification of Moldova with Romania, although this scenario now seems highly unlikely, contrary to the situation at the time of Transnistria's secession. You will only find a limited sense of

6 | Cf. Constitution of the Pridnestrovskaja Moldavskala Respublica, Article 12, <http://mfa-pmr.org/index.php?newsid=644> (accessed August 18, 2011).

common national identity on the two banks of the river and only in parts of the population. The population of Transnistria would probably not respond to reunification with decisive resistance or emphatic support. The Transnistrian secession has remained a project of the elites, and their interests will be a crucial factor when it comes to its reversal.

Apart from the fear of the Russian-speaking population of becoming a disadvantaged peripheral province in the event of a possible unification of Moldova and Romania, three further factors had originally been involved in the break-away of Transnistria. First of all, the economic structures of the two parts of the country were very different. During the Soviet era, large-scale industrial enterprises were set up in Transnistria, while the rest of Moldova remained more strongly agricultural in nature. Transnistrian industry was therefore geared more strongly towards the Russian market. Secondly, the structuring of the Transnistrian industry with its large-scale enterprises has led to a stronger concentration of economic and therefore political power. This can still be seen today in an even more unequal distribution of assets and even more strongly engrained oligarchic structures than in the rest of Moldova. Thirdly, the economic elite, from which the political leadership emerged, had a strong Russian bias. One example is "President" Igor Smirnov.

Economic structures and interests remain an important key to understanding Transnistrian politics. However, the relationship between politics and the economy has undergone significant changes since the secession. The difficult financial situation has forced the regime of Igor Smirnov to carry out extensive privatisations since the end of the nineties, whereby it relinquished most of the control over the economy. Now, the Transnistrian economy is dominated by two interest groups: Russian asset owners and the domestic Sheriff group.

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Russian players have secured ownership of large parts of heavy industry and of the energy sector. A majority holding in the most important company of Transnistria by far, Moldova Steel Works in Rîbnița, which generates half the industrial output and a corresponding proportion

of taxes alone, has been taken over by the entrepreneur Ališer Usmanov, who is close to the Kremlin. It is said that Usmanov, who has close ties with Gazprom as General Director of Gazprominvestholding, has also taken over the Transnistrian gas debts.⁷

In this context, it is probably less the interest of Russian players in Transnistria that determines Moscow's policy than conversely rather Moscow's political interests which suggested the most effective possible bundling of economic pressure potentials in reliable hands. For the Russian investments in Transnistria also suffer from the unresolved status issue. Moldova Steel Works, for instance, faced with anti-dumping proceedings in Europe and the USA especially because of Russian gas subsidies, obviously is in deep crisis.⁸ Because Russian investments in Transnistria are not only determined by economic, but also by political interests, speculations about the possible successor to "President" Smirnov have focused, inter alia, on leading managers of Russian companies.⁹

By now, the Sheriff group has taken over most of the lucrative sectors of the economy that are not in Russian hands. It controls a chain of retail outlets, a network of petrol stations and the telecommunication sector as well as the regionally important brandy producer Kvint. The success of the Sheriff group was originally based on close collaboration with Smirnov, with the two sides carving up the economic and political spheres of interest between them.¹⁰ But with the rise of Sheriff, the respective interests have become increasingly divergent, partly because the Sheriff group has reached

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7 | Cf. Svetlana Gamova and Michail Sergeev, "'Gazprom' peredal Pridnestrov' Ališeru Usmanovu. Prezident Smirnov otkazyvaetsja platit' novomu kreditoru," in: *Nesavisimaja Gazeta*, March 23, 2007, http://ng.ru/economics/2007-03-23/1_gazprom.html (accessed August 18, 2011).

8 | Cf. Dmitrij Krečetov, "MMZ: Žit' ili umeret'?", in: *Nowaja Gazeta*, No. 37 (518), October 15, 2010, <http://novaia gazeta.org.ru/index.php?newsid=2241> (accessed August 18, 2011).

9 | Cf. *ibid.*

10 | Cf. Vitalij Andrievskij, "Dve Bedy Pridnestrov'ja: 'Šerif' i Igor' Smirnov, *Meridian Info*, October 7, 2009, http://meridian-info.com/v2/index.php?option=com_content&task=view&id=582 (accessed August 18, 2011).

its growth limits within Transnistria, partly because of the generally difficult economic situation there.

The unresolved status issue is taking an increasing toll on Transnistrian economy. Trade with the EU now exceeds the exchange of goods with Russia. At the same time, the ambiguous legal situation and the limited convertibility of the Transnistrian currency are hampering the entry of Transnistrian companies into Western markets, thereby also blocking urgently required investments. One group that is interested in maintaining the status quo comprises those who profit from the smuggling trade, for which Transnistria is notorious. Because of these activities, the region has the reputation of a type of European "black hole"¹¹, impenetrable to scrutiny from outside. But the scope of the illegal trade should not be overestimated either. Not least the extent of weapons smuggling, which Transnistria keeps being accused of partly also for political reasons, is virtually impossible to verify or even confirm.¹² It is rather products such as chicken meat, with which smugglers can make a profit due to the differences in duties and VAT compared to Moldova and Ukraine.¹³ These deals are politically relevant because there are likely to be close connections to the political elite involved. They are not representative of the greater part of the Transnistrian economy.

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The Transnistrian economy as a whole is interested in the region opening up and therefore in principle also in the conflict being resolved. Over time, Smirnov has seen competition building, especially in the form of the Sheriff

11 | European Parliament, Ad Hoc Delegation to Moldova, Chairman's Report, 2002, 6, <http://europarl.europa.eu/meetdocs/committees/afet/20021007/473437EN.pdf> (accessed August 18, 2011).

12 | European Union Border Assistance Mission to Moldova and Ukraine, *EUBAM Annual Report 2009*, 22, <http://eubam.org/files/EUBAM%20AR%202009%20EN.pdf> (accessed August 18, 2011).

13 | European Union Border Assistance Mission to Moldova and Ukraine, Achievements of EUBAM: Increased transparency about import/export flows from the Transnistrian region of Moldova, November 2007, http://consilium.europa.eu/uedocs/cmsUpload/Mission_achievementsNov07.pdf (accessed August 18, 2011).

group, which has developed a power base of its own to secure its interests. With the support of the group, a reform-minded camp has developed in Transnistria, which backs the Obnovleniye party. This party was able to win the majority of seats in the Supreme Soviet, Transnistria's "Parliament", in the parliamentary elections in 2005 and 2010.

POLITICAL STRUCTURES AND INTERESTS IN TRANSNISTRIA

In the course of the nineties, Igor Smirnov secured extensive control over the government and state authorities of Transnistria, which allows him to exercise an authoritarian government style. In spite of his dominant position in the political system, his power is restricted by a number of factors. Firstly, he can only exercise limited control over the economic resources, since these are predominantly owned by Russian investors or by players close to the opposition forces. Smirnov is financing himself and his regime mainly via "customs duties" and fees, which the citizens pay for gas supplies, but which are not or only in part passed on to the Russian suppliers. In the past, revenues from privatisations have also played a large part. But this source of funds has been exhausted by now, which is contributing to an increasingly tight budgetary situation.

Secondly, institutions have developed that are not solely dependent on the President. It is true that Parliament is strictly limited to its legislating competency and has hardly any influence on the government, but it at least protects the interests of the factions that represent the majority from encroachments by the executive. Even if there are hardly any democratic elements in the political system to date, it is all the same characterised by a plurality of different forces and interests within the elites. Over the last few years, Smirnov has seen the opposition camp around Obnovleniye gaining in strength.

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The third aspect is that Transnistria's survival does not only depend on economic support from Russia, but that Smirnov also needs to show some consideration to forces within his own power apparatus. Especially the Transnistrian state

security under Vladimir Antyufeyev plays a powerful role of its own, in part simply due to its close links to Russian secret service organisations. Although politically motivated arrests and prosecutions are rare, Antyufeyev's service is creating an unsettled climate for potential adversaries by its mere presence and frequent interrogations, and is thus propping up Smirnov's power.

Smirnov's camp is interested neither in re-unification with Moldova, nor in accession to Russia, even though an independence referendum in 2006 envisaged this option.¹⁴ His objective is to retain the status quo and, ideally, acquire independence. Especially in the minds of a number of hardliners, this is connected with a sort of bunker mentality. People in this circle are convinced that Transnistria and its cultural and political identity must be defended against hostile neighbours and their attempts at infiltration of the homeland. From this perspective, Transnistria needs a strong and independent state structure, strong security services and political control of the economy. And it should preferably remain closed to the outside. The person who is probably the most strident defender of this position is "Vice President" Korolev. It is the case that the Smirnov camp regards Russia as an indispensable ally, believing that a common destiny joins the two countries. However, they don't want to be a pawn for Russian interests and would prefer to avoid Moscow's interference in their internal affairs.

Smirnov's objective is to retain the status quo and, ideally, acquire independence. In the minds of a number of hardliners, Transnistria and its cultural and political identity must be defended against hostile neighbours.

By contrast, the programme of Obnovleniye, and of the interests of Sheriff and other entrepreneurs behind the party, is mainly determined by two objectives. In terms of politics on the one hand, substantial reforms are the aim: curtailment of the President's power, parliamentarisation of the government, reduction of the democratic and constitutional deficits. But these steps also serve their own survival interests: the strengthening of their own power and better protection against the executive. The question therefore remains to what extent these reform intentions would remain on the agenda once a redistribution of power

14 | Cf. "Centrizbirkok PMR obnarodoval okončatel'nye itogi referendumu," *Olivia Press*, 09/2006, <http://olvia.idknet.com/ol225-09-06.htm> (accessed August 18, 2011).

had taken place. In economic terms, on the other hand, the aim is liberalisation and the reduction of impediments to investment and foreign trade. Entrepreneurs supporting Obnovleniye are suffering from the increasingly difficult economic situation. Towards Russia, the party is presenting itself as a more reliable partner than Smirnov, who is quite difficult to control. Therefore, there is a common interest between Moscow and Obnovleniye to limit the extent of Smirnov's power. In addition, Obnovleniye is also seeking closer links with the Kremlin party Yedinaya Rossiya as a partner organisation.

For Obnovleniye, pragmatic steps are at the forefront of managing the Transnistrian conflict, namely the expansion of the cross-border infrastructure to facilitate exports and the encouragement of foreign investment and economic aid from the EU. With these aims in mind, Obnovleniye is also striving for a Transnistria that is as independent as possible. In order to prevent the accusation of betraying Transnistrian interests, and also in order to not anticipate Russian policy moves, the political leadership is avoiding to take up a position with respect to the conflict resolution. For the economic actors in Transnistria, a guarantee of the existing ownership rights would be of decisive importance, since this would secure their gains from privatisation, which would otherwise be contestable.

TRANSNISTRIA'S DOMESTIC POLITICAL DEVELOPMENT

The diverging interests in Transnistria escalated into a more or less open power struggle after Obnovleniye gained the majority at the 2005 elections to the Supreme Soviet. Sheriff in particular had actually started out seeking evolutionary change, since this would have jeopardised its business interests less than an open conflict with an unknown outcome. Initially, the idea was to gradually build up Evgeny Ševčuk, who became Speaker of the Supreme Soviet in 2005, to become Smirnov's successor, probably with the aim of achieving an amicable handover of power, if at all possible. Originally, Smirnov was possibly not averse to such a solution. To do

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his bit to avoid a clash, Ševčuk himself decided to forego his candidacy at the presidential elections at the end of 2006.

However, Ševčuk, who had made a name for himself by announcing his reform intentions before and after the 2005 elections, first got himself into a conflict with Korolev, who was becoming a spokesman for the hardliners in Transnistria once he had become "Vice President" in 2006.

It was not just the Smirnov succession that was in dispute. The increasing hardening of Korolev's stance threatened to jeopardise the economic interests behind Obnovleniye. Originally, Smirnov had positioned himself between the two groupings, thus maintaining a balance, albeit a fragile one. But when Ševčuk started to pursue his ambitions more and more offensively and came forward with proposals for a reform of the Transnistrian constitution at the beginning of 2009, an open confrontation between the two men Ševčuk and Smirnov ensued.

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Since a change to the constitution in 2000 had considerably expanded Smirnov's authority, Moscow had been pushing for renewed reform with fluctuating intensity, aiming principally for a type of government responsible to both the President and Parliament, modelled on the Russian example. When Russia wanted to demonstrate a constructive stance in the Transnistrian conflict after the Russo-Georgian war in August 2008, this pressure increased. Confident of Russia's support¹⁵, Ševčuk took the initiative in April 2009 with a proposal to dispense with the office of Vice President as well and to limit the presidential term.¹⁶ But he had underestimated Smirnov's determination to push through his agenda. Smirnov countered with a proposal of his own, which, purportedly also modelled on the Russian example, envisaged the setting up of a second

15 | Dmitrij Rodionov, "Vybor Pridnestrov'ja: buduščee PMR čerez prizmu vyborov 12.12.2010," in: *Agentstvo Političeskich Novostej (APN)*, January 13, 2011, <http://apn-nn.ru/541560.html> (accessed August 18, 2011).

16 | "Pridnestrovskij spiker vystupaet za ograničenie količestva prezidentskich srokov," in: *Novyj Region*, April 3, 2009, <http://nr2.ru/pmr/227416.html> (accessed August 18, 2011); Dmitrij Krečetov, "Schvatka v ,verchach'," in: *Novaja Gazeta*, April 9, 2009, <http://novaiagazeta.org.ru/index.php?newsid=779> (accessed August 18, 2011).

parliamentary chamber made up of representatives of the regional authorities and equipped with far-reaching veto powers.¹⁷ These would have been dependent on the President and would have disempowered the Supreme Soviet for good. Furthermore, Smirnov threatened to push his reform through with a referendum. Smirnov's forceful response unsettled many parliamentarians, and Ševčuk obviously lost the support of important economic actors, most importantly that of Sheriff.¹⁸ Consequently, he had to resign early as Speaker of the Supreme Soviet at the end of July and subsequently also as Chairman of Obnovleniye.¹⁹

It looked as if Smirnov had clearly come out on top in the struggle with Ševčuk for the future leadership of Transnistria. But in the background, the economic actors behind Obnovleniye were also intent on curbing Korolev's power and on preventing him from taking over from Smirnov. It appears that a compromise was reached behind closed doors because in return for Ševčuk's resignation, Korolev's authority was curtailed, which also lessened his chances of succeeding Smirnov. Also, President and Parliament established a joint committee for constitutional reform, the purpose of which was to achieve agreement on the different reform proposals. The fact that Russia stopped its subsidies for pension payments in Transnistria after the fall of Ševčuks²⁰, a negative signal to both sides, indicates that it was not party to the compromise. It was not until a visit to Moscow by Anatol Kaminski, Ševčuk's successor as Speaker of the Supreme Soviet, in February 2011 that these payments were resumed. However, the criticism with which Smirnov's proposals for constitutional reform were

In return for Ševčuk's resignation, Korolev's authority was curtailed which also lessened his chances of succeeding Smirnov.

17 | Supreme Council of the Pridnestrovian Moldavian Republic, "On October 23, 2009 the PMR President forwarded the new draft Constitution of the Pridnestrovian Moldavian Republic to Parliament," October 27, 2009, <http://www.vspmr.org/News/?ID=3491> (accessed August 1, 2011).

18 | Cf. Lenta Informacionnoe Agentstwo PMR, "'Obnovlenie' obvinilo Evgenija Ševčuka v malodušii, dvuličii i predložilo opredelit'sja s členstvom v partii," May 6, 2011, <http://tiras.ru/evrazija/24076-obnovlenie-obvinilo-evgeniya-shevchuka-v-malodushii-dvulichii-i-predlozhilo-opredelitsya-s-chlenstvom-v-partii.html> (accessed August 1, 2011).

19 | Cf. Dmitrij Karaban, "Lider Pridnestrov'ja v opale," *Eženedel'nik 2000*, September 20, 2010, <http://2000.net.ua/2000/forum/sosedi/68992> (accessed August 18, 2011).

20 | Cf. *ibid.*

met from Moscow²¹ shows that Russia is broadly in support of the reform objectives of Obnovleniye.

If it had just been a matter of the domestic balance of power within Transnistria, Smirnov would have remained in a stronger position than the opposition forces, as indicated by Ševčuk's rapid fall, and he would have probably won through on most issues for that reason. The fact that the most important decisions in Transnistria since that time have gone more in favour of Obnovleniye and Sheriff can probably be attributed to Russia's influence. Smirnov thus refrained from competitive electioneering during the parliamentary elections in December 2010, with the result that Obnovleniye's control of the Supreme Soviet remained unscathed, while there is no reciprocal arrangement in place for the presidential elections scheduled for the end of 2011. And the agreement on constitutional reform, which appears to be on the cards, will come much closer to the ideas of the parliamentary majority than Smirnov's original proposals. Namely, a single chamber parliament is to be retained and a head of government is to be introduced, who will be equally responsible to Parliament and the President.

This means that the political development in Transnistria is more uncertain today than ever before. The clarification of the situation will depend first of all on the presidential election taking place at the end of 2011.

This might actually be the first genuinely competitive election in Transnistria. Smirnov announced that he would run once again.²² Ševčuk has announced that he will run as an independent. In his campaign, he is trying to mobilise as wide a range of society forces as possible against the ruling elites of both the Smirnov and the Obnovleniye camp. In fact, there is great dissatisfaction with the economic situation and the political circumstances in Transnistrian society. Ševčuk's approach could therefore

In the presidential election at the end of 2011, Smirnov will run once again. Ševčuk is trying to mobilise as wide a range of society forces as possible against the ruling elites of both camps as an independent candidate.

21 | Cf. Vladimir Solov'ev, "Po motivam Konstitucii RF," *Kommer-sant'*, No. 200 (4.255), October 27, 2009, <http://kommersant.ru/Doc/1263030> (accessed August 18, 2011).

22 | Svetlana Gamova, "V rešenii pridnestrovskoj problemy mnogo ključevych igrokov," *Nezavisimaja*, April 25, 2011, http://ng.ru/cis/2011-04-25/1_pridnestrovie.html (accessed August 18, 2011).

definitely have some potential. However, Transnistrian elections are not only decided at the ballot box. Ševčuk himself does not have large resources or influence on the bodies that control public opinion and the official election results. By running as a candidate, he is attracting the enmity of both camps, which will probably scupper his chances.

It is debatable whether a candidate or rival candidate will emerge from the ranks of Obnovleniye. The most likely person would be Anatol Kaminski. It is also debatable whether such a candidate would just make up the numbers, or act as a real challenger to Smirnov. The answer will probably strongly depend on Russian support. However, Obnovleniye and his supporting economic actors will only dare enter into open confrontation with Smirnov if they are sure of winning through. It is therefore more likely that another compromise between the two camps will ensue. This would ensure the presidency to Smirnov, ensure the Obnovleniye camp greater influence in the government, while at the same time denying Russia more direct influence on Transnistrian politics. In any case, the President's power will probably be curtailed in future through a more independent government with a Prime Minister. It is possible that Russia would like to see someone in this role who would act as a guarantor of its own interests in order to strengthen its influence. But should Smirnov be re-elected, this post would probably go to a person from the Obnovleniye camp, most likely a compromise candidate, who Smirnov could also live with.

The re-structuring of Transnistrian politics will have direct consequences for the conflict resolution, since it will have a determining impact on the significant players and their interests as well as the associated willingness to make compromises and support reforms. At the same time, the scope of action of all Transnistrian players is currently very restricted. Russia is now becoming all the more important, and so is therefore also the question as to the influence it will try to exert on the political orientation within Transnistria and how it will use its influence on Tiraspol to promote constructive conduct in the negotiation process in the meantime.

The scope of action of all Transnistrian players is currently very restricted. Russia is now becoming all the more important.

DEVELOPMENT OF RUSSIAN INTERESTS

Transnistria is economically dependent on Russia. Moscow makes payments towards the pensions and provides budgetary aid. It has been subsidising Tiraspol mainly by not insisting on immediate payment for gas deliveries to date. Transnistria has run up gas debts of some two billion dollars, an astronomical sum for local circumstances, and far in excess of the annual gross domestic product. By exercising economic pressure, Russia could bring about the collapse of the regime, but it would not be so easy for it to control the political consequences.²³ Actually, Russia's influence on Transnistrian politics is limited by virtue of the fact that it can only exercise it through the local players, who pursue their own agendas, which are not identical to Russian interests. This produces some dilemmas for Moscow. Smirnov is hardly amenable to control by Russia. Also, any solution to the conflict, however beneficial to Moscow, would require Smirnov's withdrawal. At the same time, he is predictable in at least one respect: Smirnov for his part depends on Russia and has no alternatives to the status quo either in terms of domestic or foreign policy. The other political forces in Transnistria, in particular Obnovleniye, would be more willing to make compromises. They are more amenable to Russian influence, it's true. But they are also more likely to want to go it alone, since the status quo is more of a hindrance to them and they are less dependent on Russia in that respect.

Russia can only exercise influence over Transnistrian politics through the local players, who pursue their own agendas. These are not identical to Russian interests.

Furthermore, the Russian Transnistria policy cannot be reduced to a single interest. Parts of the Russian power elites view Transnistria as an outpost with a strategic value of its own, which needs to be defended against international resistance and independently of Moldova's orientation towards the West. To them, Smirnov's regime acts as guarantor for such a policy. Such views are probably at the bottom of the close links between the Transnistrian and Russian secret service organisations in particular. But

23 | Cf. Sergej Kolerov, "Stokgol'mskij sindrom: Regional'nye posledstviya ,gazovoj vojny' meždu Rossiej i Ukrainoj," *Regnum*, January 30, 2009, <http://regnum.ru/news/1118061.html> (accessed August 18, 2011).

for Russian foreign policy, and in particular for the Kremlin and the Ministry of Foreign Affairs, the conflict remains more of a strategic headache, and Transnistria a strategic means to secure Russia's own influence in Chişinău and to prevent a one-sided orientation towards the West on the part of Moldova. The different views within Russia might require the Kremlin to make domestic concessions since a conflict resolution which suggests that Russia was giving up strategic interests or abandoning compatriots would with no doubt cause controversy at home. This provides opportunities for obstruction both to the Transnistrian leadership as well as to critics within Russia. For the Kremlin, the domestic price for a solution would probably depend on the agreement that could be reached within the Russian leadership, especially with Prime Minister Putin, as well as the agreement that exists, at least outwardly, with the Transnistrian leadership.

What Moscow's conditions would ideally look like can be seen from the principles of the Kozak Plan, which Russia put on the table in 2003: with a continuing Russian troop

The risk from the Kozak Plan for Moldova was that it might result in the creation of a dysfunctional nation state from two incompatible political systems.

presence and extensive co-determination and veto rights for Transnistria, especially in foreign policy, within a Moldovan federal state. The risk from this proposal for Moldova was that it might result in the creation of a dysfunctional nation state from two virtually incompatible political systems, which would have hindered the country's democratic transformation process and European integration for a long time. However, looking at the current political constellation, one can hardly assume that Russia will insist on similarly far-reaching demands. Since the Kozak Plan already failed due to reservations on the part of the EU and the USA, Russia would only be able to expect some success with a revival of such proposals at the 5+2 negotiations if it could secure the full support of the Moldovan government.

The political landscape in Moldova has changed as well. In 2003, Russia faced a government led by the party of the communists (PCRM), which was looking for a close relationship with Russia in any case. This raised hopes that Moscow might be able to push through significant demands in the Transnistrian conflict. However, the Moldovan govern-

ment proved to be relatively unapproachable and had strong leadership in the person of President Vladimir Voronin. That in turn limited Russia's direct influence on the Moldovan government and indicated that even more far-reaching rights of control were required for Transnistria. But Voronin had already sought a rapprochement with the EU in response to the Kozak Plan. Since the change in government in 2009, Moldova is being governed by a coalition, which has made EU integration its central political project. Under these circumstances, Russia may still be intent on obtaining guarantees against Moldova potentially joining NATO, but it can hardly expect to prevent Moldova's European integration or to be able to secure similarly extensive rights of control for Transnistria as the Kozak Plan had envisaged.

Since the change in government in 2009, Moldova is being governed by a coalition, which has made EU integration its central political project.

But at the same time, the Moldovan government is far less stable now than it had been under Voronin. The relationship between the coalition parties is overshadowed by a number of conflicts. In the PCRM, which still managed to secure 40 per cent of votes during the last parliamentary elections, Voronin's succession is still unclear, and there are now different factions competing within the party. Russia is no longer confronted by a homogeneous government in Moldova, but by a whole range of competing parties and party factions, some of which it can influence individually. This means that there is hope for Russia that reunification with Transnistria might result in a reversal of the power balance in Moldova in favour of a more strongly pro-Russian coalition, without requiring extensive rights of control for Transnistria, so that its own influence would be secured.

After the Moldovan parliamentary elections of November 2010, the Kremlin sought to encourage a coalition between the PCRM and the Democratic Party, which is social democratic in its orientation. This was linked to the hope that it would be possible to include Moldova in the joint customs union with Belarus and Kazakhstan, which the PCRM in particular had advocated before the election. This might have provided hope for a solution of the Transnistrian conflict that would have anchored Moldova in the Russian sphere of influence. Russia might have urged for a rapid conflict resolution if the formation of the government in

Chişinău had gone according to its wishes. But the fact that the Alliance for European Integration (AEI) has managed to join forces once again means that Russia will have to moderate its conduct in the first instance; this might have contributed simultaneously to Smirnov's political survival for the time being, whose withdrawal would be inevitable with any solution, but with whom one could also negotiate harder.

However, the latent political instability of Moldova has still not been overcome even after the AEI has formed the government once more, which makes it more difficult for Moscow to define its own interests in the Transnistrian conflict. While this situation persists, there is always the chance for Russia that a more pro-Russian coalition might form in Moldova in the foreseeable future. With the continuing European integration of Moldova and with the consolidation of the political situation in Chişinău, the ambivalence of Russian interests would also become resolved.

APPROACHES TO CONFLICT RESOLUTION PURSUED BY MOLDOVA

Chişinău has been pursuing varying strategies to resolve the conflict. After the election victory of the PCRM in 2001, the ideological and political differences with Smirnov's regime initially appeared to be bridgeable to President Voronin. He therefore first tried to resolve the conflict through direct talks with Tiraspol, but encountered little interest in a change of the status quo there. Then Voronin tried to come to some agreement with Russia, bypassing Tiraspol. His intention was obviously to be accepted by Moscow as a reliable partner. The Kremlin indeed seemed to be prepared to withdraw its support for Smirnov.²⁴ But at that time Voronin underestimated the conditions that Russia wanted to enforce for a conflict resolution. The result was the Kozak Plan, which Voronin initially seemed to agree to under pressure from Russia, but which he then rejected. This damaged his relationship with Russia for the long term.

24 | Cf. Mark Tkačuk, "‘Ruka Moskvy’ ne polučila ot Rossii nikakoj pomošči," *Kommersant*, December 2, 2005, <http://kommersant.ru/doc/631793> (accessed August 18, 2011).

Following this, Moldova sought closer links with the EU and the USA to counterbalance Russian influence. The Orange Revolution in Ukraine also resulted in a rapprochement between Chişinău and Kiev. In April 2005, President Viktor Yushchenko took the initiative with a plan that envisaged the democratisation of Transnistria and a replacement of the Russian military presence by an international peace mission under the umbrella of the OSCE.²⁵ Although the Ukrainian initiative was hardly practicable, it did provide an impulse for a greater involvement of the EU and the USA. Both subsequently joined what was from then on known as the 5+2 format negotiations as observers. At the request of Kiev and Chişinău, the EU dispatched the EUBAM Mission to support the monitoring of the Moldovan-Ukrainian-Transnistrian border. This forced Transnistrian companies to register in Moldova for export licences, which underlined the Moldovan claim to sovereignty. Russia responded by issuing temporary extensive import bans for Moldovan goods, especially wine.

Due to its experiences with the Kozak Plan, the Moldovan parliament adopted a law on the status of Transnistria in 2005 with a wide majority, with which the Moldovan government restricted its scope of action during future negotiations against Russian pressure. The law limits the legal independence of Transnistria within the Republic of Moldova to far-reaching autonomy. Tiraspol's response was to hold a "referendum" in 2006, in which over 90 per cent were in favour of Transnistria's independence. At the same time, the formal 5+2 negotiations stalled.

The Moldovan parliament adopted a law on the status of Transnistria in 2005 which limits the legal independence of Transnistria to far-reaching autonomy.

However, Moldova's orientation towards the West remained half-hearted under Voronin as well. It is true that Moldovan politicians sought a rapprochement with the EU, especially from 2005 to 2007. But the integration offers from Brussels fell short of Voronin's expectations, especially considering the bleak outlook regarding the country joining the EU.²⁶

25 | Sabine Fischer, "Ukraine as a regional actor," *Ukraine: Quo Vadis?, Chaillot Paper* 108, Institute for Security Studies, Paris 2008, 119-146, here: 129-132, <http://www.iss.europa.eu/uploads/media/cp108.pdf> (accessed August 18, 2011).

26 | Anneli Ute Gabanyi, "Die Perspektive einer Perspektive. Moldova und die Neue Nachbarschaftspolitik der EU," in: *Osteuropa* 2/2005, 24-39.

At the same time, his willingness to push forward with integration proved limited where democratic, market-economic and constitutional reforms were concerned. And the involvement of the Western partners did not result in the anticipated progress in the Transnistrian conflict either. Voronin therefore continued the bilateral negotiations with Moscow, which remained opaque to his Western partners, and repeatedly raised hopes of putative breakthroughs. In the autumn of 2006, he tried to achieve a breakthrough for a resolution of the Transnistrian conflict by offering a comprehensive package. This approach ultimately failed, but resulted in bilateral working groups between Chişinău and Tiraspol being set up, the purpose of which was to help overcome practical problems.

When the AEI took over government in Chişinău in 2009, coalition was able to achieve great progress in the relations with the EU and in negotiations about an association agreement.

When the AEI took over the government in Chişinău in 2009, the repeated changes of course performed by Voronin had weakened the negotiating power of his country *vis-à-vis* Russia, which meant that the new government was not able initially to take any major initiatives by itself to manage the conflict. Instead, it gave clear prominence to EU integration and domestic reforms. Under the control of Foreign Minister Iurie Leancă, the coalition was able to achieve great progress in intensifying the relations with the EU and in negotiations about visa liberalization and about an association agreement and the free trade zone that this envisaged. Moldova thereby not only attracted increasing interest from its Western partners, it also raised the expectation that it might develop into a model for successful European integration amongst the addressees of the Eastern partnership.

At the same time, a severe economic crisis was weakening the government. Added to this was the constitutional crisis that has still not been overcome. It was triggered by the fact that a quorum is required in Parliament for the presidential election. If this is not reached, new parliamentary elections are required, as was the case at the end of 2010.²⁷

27 | Cf. Holger Dix, "Die Republik Moldau am vermeintlichen Ende eines Wahlmarathons. Neuauflage der Allianz für die Europäische Integration und weiterhin unsichere Perspektive," in: *KAS International Reports 2/2011*, 93-110; Hans Martin Sieg, "Die Republik Moldau in der Verfassungskrise. Lösungsansätze und Perspektiven," *KAS Länderbericht*, April 23, 2010, ▶

This rule restricts the planning horizon of the coalition and impedes the implementation of reforms. The ongoing constitutional crisis also hampers the internal coherence of the coalition. The party system beyond the PCRM is not consolidated. The originally four, now just three parties of the AEI are mostly vying for the same voters and are in such stiff competition with each other that it undermines their mutual trust. The strongest power in the coalition has proved to be the Liberal Democratic Party of Prime Minister Vladimir Filat, which was able to virtually double its votes to just under 30 per cent during the December elections, partly to the detriment of its partners. After this, the leadership of the Democratic Party, which is social-democratic in its orientation, did not agree to a revival of the AEI until the completion of lengthy negotiations, which variously came under pressure from Russia and the EU. This fragility of the coalition, be it real or perceived, further weakens Moldova's negotiating power.

The Moldovan government is pursuing three approaches for a resolution of the Transnistrian conflict. Firstly, Moldova is to be made more attractive to Transnistria through a preferable irreversible deepening of the European integration. At the same time, a message is to be sent to Russia that European integration is no longer negotiable. Secondly, Moldova is relying increasingly on backup by the USA and EU, and especially Berlin, in its negotiations with Russia. Thirdly, the AEI is pursuing a pragmatic policy towards Tiraspol with a view to dismantling the obstacles for a rapprochement of the two societies. Although Voronin had worked directly towards a political solution of the conflict, he had simultaneously tried to further isolate Transnistria and thereby contributed to a deepening of the dividing lines between the two sides. The AEI, on the other hand, is focusing more on overcoming practical problems with the aim of bringing the societies and economies of the two sides closer together once more. This is to be furthered particularly by the bilateral working groups, which Voronin had previously helped set up.

<http://kas.de/moldawien/de/publications/19419> (accessed August 18, 2011); id., "Neuwahlen ohne Verfassungsreform. Die Republik Moldau sucht den Ausweg aus der Krise," *KAS Länderbericht*, September 24, 2010, <http://kas.de/moldawien/de/publications/20592> (accessed August 18, 2011).

Furthermore, there is no consensus in Moldova on how the Transnistrian conflict is to be resolved. Particularly controversial are all concepts that ultimately aim at a federalization of Moldova. In grossly simplified terms, the PCRM, which governed until 2009, was seeking such a federal solution, but within an asymmetrical federal state, in which the powers would be shared at regional, but not at national level. For Moscow and Tiraspol, on the other hand, the only possible federal solution acceptable to date would have been the federation of equal political entities, which would share in the activities of the national executive and legislature. This is what the Kozak Plan had envisaged as well. But such an involvement of Transnistria in national competencies is also being rejected within the PCRM. The political spectrum to the right, which includes in particular the Liberal Party and the Liberal Democratic Party in the AEI, while the Democratic Party occupies a middle-left position as the third coalition party, is also broadly against a federal state solution because of the ambiguity of the term 'federation'. Politicians and supporters of this camp are generally only in favour of a status of limited autonomy, which should basically not exceed the provisions of the status law of 2005.

The left-right spectrum in Moldova only roughly corresponds to the programmatic lines in Western European countries; it is determined to a large degree by peoples' sense of identity. Players on the left usually stress their independent Moldovan identity and see the country as performing a bridging function between Russia and the EU. On the right, mistrust of Russia is mounting. Here, Transnistria is viewed more as a Russian satellite, the leadership of Transnistria less as a legitimate partner and its secession more as an international than a national conflict. From this perspective, the demand for greater concessions would become automatically obsolete in the event of a Russian withdrawal and democratisation of Transnistria. Otherwise, the fulfilment of this demand would threaten to be used by Tiraspol as a springboard towards even greater independence and to simultaneously endanger the functioning of the national state. This evokes the worry that reunification might hinder Moldova's democratisation and integration with the West. Generally

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speaking, integration into the Euro-Atlantic structures, in particular into the EU, less so into NATO, should have priority, even if this were to mean the loss of Transnistria. These reservations are being expressed most strongly by the Liberal Party of Mihai Ghimpu, Acting President from 2009 to 2010, whose contingent of voters of around ten per cent also included most of the supporters of unification with Romania.

It will not be easy to find a consensus in Moldova. The public is hardly in the mood for compromise. It is not only the political spectrum on the right that has a negative image of the Transnistrian elites; the relationship

between Voronin's PCRM and Tiraspol has also remained characterised by mistrust after an initial willingness for a rapprochement.

To date, only a few lone voices like that of Deputy Foreign Minister Andrei Popov

stress that a solution will require the will to come to an agreement and concessions.²⁸ Overcoming the conflict will still require efforts to convince the public in Moldova. Prime Minister Filat is probably one of the few people that have the necessary pragmatism and the required assertiveness. The fact that he has already met repeatedly with Smirnov, on the occasion of football games at the stadium of the Moldovan champions Sheriff Tiraspol, is also a signal of the willingness to negotiate to the country's own citizens.

Only a few voices stress that a solution will require the will to come to an agreement and will require some efforts to be made to convince the politicians in Moldova.

Today, Moldova has only very rudimentary concepts on how a reunification should be managed. One of the reasons why the debates on Transnistria tend to be much generalised is that an in-depth specialist knowledge of the region is restricted to a rather small group of people. There are also only very limited resources available to the former Ministry of Reintegration, which, after the AEI took over the government, is now an office headed by a Deputy Prime Minister and reporting to Prime Minister Filat. And the circumstances of a reintegration of Transnistria are more difficult than for instance those of German reunification. In that case, the economic and political collapse of

28 | Andrei Popov, "We must understand that the Transnistrian resolution process will not only mean victories, and we must say that very clearly," *Imedia*, April 4, 2011, <http://imedia.md> (accessed August 1, 2011).

In Moldova two different systems need to be brought together without a strong common identity or the attractiveness of one part of the country acting as unifying forces.

the GDR facilitated its restructuring on the model of the West German legal and constitutional order. The joint national identity, the attractiveness of the Federal Republic and its financial capacity and willingness to provide funds marginalised reservations and resistance. In Moldova, on the other hand, two different systems need to be brought together without a similar strong common identity or the attractiveness of one part of the country acting as unifying forces, and without Chişinău being capable of providing substantial financial compensation.

CONDITIONS AND STARTING POINTS FOR A CONFLICT RESOLUTION

Successful reunification will on the one hand require constitutional provisions that guarantee both the extent of Transnistrian self-determination in a common state and the functioning of the government in Chişinău; in other words, they cannot give Transnistria veto power against the institutions of the nation state. On the other hand, it will require a democratic transformation within Transnistria. Otherwise, you might get a situation where Transnistrian players can co-determine the formation of a majority in Chişinău, while the remaining Moldovan parties don't obtain comparable access to the political decision-making in Transnistria. This might contribute to the political destabilisation of the country.

Also, a large number of individual issues need to be dealt with, which Chişinău and Tiraspol must solve bilaterally, especially in the individual working groups. These are working in particular on topics relating to the economy and trade, agriculture, health and social policies as well as communication, while there has been hardly any progress apparent in the more controversial areas of security, demilitarisation and education, where the issue of language is particularly sensitive.²⁹ Most of these individual problems should best be tackled by a step-by-step approach, seeking

29 | George Bălan, *Place of the Confidence Building Process in the Policy of Solving the Conflict in the Eastern Region of Moldova: Case Study*, Institute for Public Policy, Chişinău 2010, 9-17, http://www.ipp.md/public/files/publication/Balan_EN.pdf (accessed August 18, 2011).

solutions before and independent of a final settlement of the status issue. The politically most sensitive issues, however, will probably need to be dealt with as part of an overall solution because the compromises that the players will have to make are conditional on one another. Apart from the status of Transnistria, these include ownership rights, possibly security guarantees for the Transnistrian leadership, as well as the demilitarisation of Transnistria and Moldova's neutrality. Added to this will be the settling of Tiraspol's gas debts, which Moldova will hardly be able to afford from its own resources.

Russia's consent to a conflict resolution will be tied to a demand for Moldova to keep to its status of neutrality. This would not impede European integration, but it would preclude a possible joining of NATO. Although its status of neutrality has special protection in Moldovan constitutional law, the constitutional crisis, in the course of which the coalition also contemplated the acceptance of a new constitution by referendum for a time, puts the permanent validity of this provision into question. Since a confirmation of Moldovan neutrality is also relevant for Russia for reasons of domestic politics, Moscow might push for international guarantees.³⁰ Russian and Transnistrian anxieties regarding a possible unification with Romania could be dispelled by Transnistria being granted a secession right in the event of Moldova giving up its sovereignty, as has already been done in connection with the legal provisions for the status of the autonomous region of Gagauzia.³¹

The question of demilitarisation relates to the presence of Russian troops as well as to the military and paramilitary forces of Transnistria. The fact that there are Russian troops in the region is justified with two different reasons. One contingent guards the remaining parts of munitions depots from Soviet times. There is no legal basis for this presence and it doubtlessly falls under the Istanbul obligations; but to date, Russia has been able

Russia justifies its military presence in the region with the need to guard remaining parts of munitions depots from Soviet times and to maintain a "Peace-keeping Force".

30 | Cf. Stefan Wolff, "Guarantee Options for a Settlement of the Conflict over Transnistria," <http://stefanwolff.com/projects/guarantee-options-for-a-settlement-of-the-conflict-over-transnistria> (accessed August 18, 2011).

31 | Law on special legal status of Gagauzia, Chişinău, December 23, 1994, Article 1 (4).

to fall back on the excuse of problems with relocating the munitions on the one hand, and on the lack of approval by the Transnistrian authorities on the other hand. A second contingent is in the region as a "Peacekeeping Force", whose presence Moldova rejects and views as illegal, but which does not fall under the Istanbul obligations in Russian eyes and is legitimised by the ceasefire agreement of 1992.

Since the Yushchenko plan, there have been repeated calls for the presence of Russian troops to be replaced by an international mission under the umbrella of the OSCE. The Meseberg Memorandum also contains a general mention of the possibility of joint civilian and military crisis management operations of the EU and Russia. Although no special reference is made to Transnistria in this connection, such a mission might not just represent a transitional solution after a reunification of Moldova. It could make a significant contribution to establish trust ahead of a conclusive conflict resolution. So far, Russia has always stated that it intends to maintain the presence of its "Peacekeeping Force" until a final conflict resolution. Whether it might be prepared for any compromise probably also depends on whether NATO would be prepared to make concessions in return in connection with the Istanbul obligations and the Adapted CFE Treaty. Furthermore, a conflict resolution would require the demilitarisation of several thousand members of the Transnistrian security forces and their reintegration into the civilian job market, which would exceed Moldova's own resources.

A conflict resolution would require the demilitarisation of several thousand members of the Transnistrian security forces and their reintegration into the civilian job market, which would exceed Moldova's own resources.

Apart from the continuation of the Russian troop presence, Tiraspol will probably stick to two fundamental demands. The first is the rescinding of the Moldovan law of 2005 about the status of Transnistria. Moldova will hardly be able to exclude modifications to this legal framework as part of a conclusive conflict resolution. But such a step would probably be very difficult for the AEI to defend in the domestic political arena. For Chişinău, it also raises the fear of opening up a scope for negotiation beyond an acceptable extent and of possibly allowing itself to be put under pressure in the process. Secondly, Tiraspol will insist on a strictly equal status of the two sides. But Chişinău

can only concede this for the 5+2 negotiations themselves, since any more far-reaching concession may be viewed as a precedent for a federation of two member states of equal status as favoured by Tiraspol.

Progress is made more difficult by the large number of documents and agreements produced in the course of the preceding negotiations on the Transnistrian conflict. They complicate the situation and have the effect that any new proposals throw up a considerable need for clarification, however willing the participants of the 5+2 negotiations might be. Actually, due to the unsettled political situation in both parts of the country and the limited negotiating power of Moldova, no far-reaching initiatives are to be expected from Tiraspol and Chişinău. The role played by international actors will be all the more important, especially Brussels, Berlin and Moscow. It is their willingness to reach an agreement that will be most crucial to the potential results of the 5+2 negotiations.

No far-reaching initiatives are to be expected from Tiraspol and Chişinău. The role played by international actors will be all the more important.

If this willingness to reach an agreement is present, the resumption of the 5+2 negotiations will be able to set impulses to pave the way, on condition that it will be possible to come to an understanding in these negotiations about basic principles for solving the conflict. As long as the fundamental differences between the conflicted parties are not overcome, there will be little room for constructive negotiations. This room would then be purely limited to individual practical issues, in which both Chişinău and Tiraspol have an interest. Such principles must basically guarantee a functioning Moldovan national state and exclude a symmetrical federation. But such an agreement would presuppose that Tiraspol's maximum demands in particular would be excluded, which aim either at its own independence or at the unification of two member states of equal status, which would in turn presuppose Russian support and concessions. In other words, Moscow would need to have a greater interest in an accommodation with the EU than in retaining the status quo or in securing its own influence in Moldova. But following the expectations that Medvedev raised with the Meseberg Memorandum, such an agreement would only be the next logical step. This would not mean that a conclusive solution has been

found or anticipated, but its general framework would have been established and a substantive agenda would have been set for the course of the negotiations.

THREE STRATEGIES

A dual approach will leave sufficient space in the development in both parts of the country for the necessary adjustments and the building of mutual trust.

The 5+2 negotiations can already start to get things on the right track now. But a conclusive settlement of the conflict will take time. It should follow a dual approach. While fundamental principles are defined in the 5+2 negotiations by way of a top-down approach, the individual solutions should be found step by step following a bottom-up approach. Such a process will leave sufficient space in the development in both parts of the country for the necessary adjustments and the building of mutual trust. Rapid reunification would overtax Moldova's integration capability and overestimate the current capacity of Transnistria to reintegrate. To achieve the conditions required for successful unification will require the interaction of three different but coordinated strategies: firstly Moldova's political consolidation and EU integration, secondly a strategy of commitment to Transnistria and thirdly accommodation with Russia.

Moldova's political consolidation and EU rapprochement should take priority over a speedy unification process. This will not impede a conflict resolution, but improve the general determining factors in four ways. Firstly, this will be the only way to prevent reform processes in Moldova being significantly hampered by reunification and to ensure that they will happen in the entire state. Progress in the EU integration will not be limited to adopting the relevant components of the *acquis* in Moldova; the actual implementation will often require administrative resources to be established first. To pursue a sustained reform policy, the coalition will need political stabilisation, which will open up longer planning horizons. A more stable government in Chişinău will secondly facilitate the basis for negotiations. Because uncertainty about who will govern Moldova in the foreseeable future and about the policies they will pursue also makes the decision-making processes more difficult in Russia.

Thirdly, Moldova's European integration will simplify the negotiation situation. Since this goal has wide support in Moldovan society beyond the AEI and even amongst the members of the PCRM, the intensification of European integration will probably become increasingly irreversible. At the latest by the time of the conclusion of the currently negotiated association agreement with the EU, alternative integration models such as the Russian-Belarus-Kazakh customs union will no longer be relevant. Fourthly, Chişinău will also become more attractive to Transnistria with the intensification of European integration. For Transnistria, European integration can not only provide a better guarantee of its own rights in a reunified Moldova; better access to the EU market will also be of great interest, particularly to the economic actors in Transnistria.

Chişinău will become more attractive to Transnistria with the intensification of European integration. Better access to the EU market will be of great interest to the economic actors.

A strategy of engagement with Transnistria can create trust, which will be strengthened by political change and the democratisation of the region. Attempts to isolate Transnistria have contributed to the consolidation of feelings of enmity and have strengthened the legitimisation reasons for the secession. An opening up of the region, on the other hand, will have the opposite effect. For the EU, economic interests within Transnistria will provide starting points for achieving a further opening up of the region and a strengthening of the existing reforming forces through investments and the dismantling of obstacles to trade, which will also encourage legal trade to the detriment of smuggling. The EU has already embarked on this route. But to ensure that the political change in Tiraspol does not just end in a change of the elite, the fulfilment of central demands of the economic actors in Transnistria, such as the safeguarding of ownership rights as part of a conclusive settlement, should remain conditional on sustained reforms in Transnistria. In the final analysis, political change and the opening up of the region are the most important prerequisites for the resolution of the conflict.

Conflict resolution will only be possible with the involvement of Russia. Not only will it require Moscow's agreement, it will also depend on Russia's support for the reunification and reform processes in Transnistria. Should the

European integration of Moldova appear irreversible and should Chişinău reaffirm its status of neutrality, this would diminish the strategic value that Transnistria has for Russia. Still, a conflict resolution will demand considerable concessions from Russia's point of view. But the offer of a joint EU-R-PSC might overcome Russian reservations if it is linked to substantial progress towards a conflict resolution. This would have to mean that a fundamental agreement is reached about the principles of a conflict resolution during the 5+2 negotiations, which would guarantee a functional national Moldovan state. Only that would ensure the required agreement within the EU for the setting up of the EU-R-PSC and give this body a concrete agenda. But it is probably also problematic to link its setting up with a conclusive conflict resolution, since the time horizon for this might devalue the offer. During the subsequent process of conflict management, the question would therefore arise as to which further compromises regarding the Russian troop presence in Transnistria and arms control in the Euro-Atlantic region as well as regarding the European security architecture as a whole will become possible.