

Transnistria: Another Domino on Russia's Periphery?

BY ACHILLES SKORDAS

Transnistria, along with Abkhazia, South Ossetia, and Nagorno-Karabakh, is among the many regions on Russia's periphery plagued by separatist clashes. As the Soviet Union disintegrated in 1989, Slav nationalists backed by the former 14th Soviet Army initiated the secession of Transnistria, located in eastern Moldova along the border with Ukraine, from Moldova. The Moldovan government's subsequent failure to bring the territory under its control in 1992 solidified Transnistria's de facto separation from the country. Russian troops are still stationed in Transnistria with two separate mandates: as a peacekeeping force and as the Russian Operational Group (ROG), securing Russian military equipment and property. No state has recognized the "Moldavian Republic of Transnistria," as its would-be government in Tiraspol calls itself. Russia and Ukraine have granted citizenship to many inhabitants of Transnistria, while ethnic Moldovans living in western Moldova have strong ties to Romania.¹ After fifteen years of de facto secession, the situation remains unresolved.²

The uncertainty and potential for prolonged conflict in Transnistria has sparked concern among Western policymakers, especially because of the region's proximity to the explosive Caucasus region, Ukraine,

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and Romania—a NATO member slated to join the EU in 2007. Regional stability is imperiled by the proliferation of weapons, illegal migration and human trafficking, drug smuggling, and other illegal commercial activities in and around Transnistria.³

Arms production is one of Transnistria's most important economic activities. The arms and steel factory located in Ribnitsa, for example, generates 35-60 percent of Transnistria's total tax revenue.⁴ Given Transnistria's regular contacts with other secessionist regimes in the Caucasus region and its apparent sale of a number of rocket launchers to Abkhazia, the precarious situation in Transnistria threatens to destabilize other states neighboring Russia.⁵ However, Russia's influence over the Transnistrian authorities is considerable, and the risk of Transnistrian weapons falling into the hands of terrorists should not be exaggerated. The EU has expressed strong concerns regarding arms proliferation and illegal migration from Transnistria and has imposed a temporary visa ban on members of the Transnistrian leadership.⁶

Moldova is a poor society by any standard, with a per capita GDP of just \$1,470 in 2002 according to the United Nations Development Program. The country generates an estimated \$200-250 million in annual income from the drug trade, nearly four times the country's annual intake of foreign direct investment.⁷ Corruption is endemic to the Moldovan government. The 2004 Transparency International Corruption Perceptions Index ranked Moldova 114th out of 146 countries, a level comparable to that of the Republic of Congo, Honduras, Sierra Leone, Venezuela, and Zimbabwe. Corruption is especially prevalent in the customs service.⁸ Smuggling of goods across the Transnistrian-Ukrainian border is common, and the separatist authorities use old Moldovan customs stamps and seals to facilitate illegal trade. The Ukrainian government's concern for the welfare of the large number of ethnic Ukrainians in Transnistria, to whom it has illegally conferred Ukrainian citizenship, prevents it from implementing an effective trade embargo against Transnistria. Furthermore, the Moldovan-Transnistrian "gray border" is a primary site of tax evasion, as it is used for the illicit import of goods from Transnistria into Moldova, including significant quantities of Russian gas.⁹

Russia's Intercessions

Over the past fifteen years, Russia has tried to maintain its grip on Transnistria and Moldova through direct and indirect support for the

Transnistrian regime. Russia has also assumed the role of mediator in the conflict between Moldova and Transnistria through the Moscow Memorandum of May 8, 1997, which initiated a five-party peace process. Under the terms of the agreement, Moldova and Transnistria agreed that Russia, Ukraine, and the Organization for Security and Cooperation in Europe (OSCE) would mediate a settlement on the Transnistria issue. Russia has sought to reach a constitutional arrangement under which Transnistria would remain a separate confederal entity within Moldova, perpetuating Russian involvement in Moldovan domestic affairs and preventing Moldova's integration into Europe.

RUSSIA'S EFFORT TO INCORPORATE MOLDOVA PERMANENTLY INTO ITS SPHERE OF INFLUENCE FAILED DRAMATICALLY.

Russia's effort to incorporate Moldova permanently into its sphere of influence failed dramatically. On November 25, 2003, under pressure from the United States and the OSCE, Moldovan President Vladimir Voronin refused to sign a Russian proposal, the Kozak Memorandum, hours before President Putin was due to arrive in Chisinau, Moldova, for the document's official signing.¹⁰ The memorandum provided for an "asymmetrical federation" in Moldova's constitutional structure, which would have given a permanent veto right in the Moldovan Senate to Transnistria and the autonomous region of Gagauzia, and a veto in Moldova's Federal Constitutional Court until 2015 only to Transnistria. The memorandum also stipulated certain Russian "guarantees," including the continuous deployment of Russian forces on Moldovan territory until 2020. Such an arrangement would have created a situation analogous to the Syrian-Lebanese satellite relationship.

The Kozak Memorandum was an attempt by Russia to cement its domination of Moldova and ensure that it remained within the Russian sphere of influence. Rather than providing for reform in a united Moldova, however, the Kozak Memorandum attempted to impose a distorted political and economic system on a fragmented country. President Voronin's rejection of the memorandum also marked the beginning of a growing chasm between the Moldovan Communist Party (MCP) and Russia, as the MCP increasingly turned toward Europe.¹¹ After President Voronin's recent re-election, he admitted that signing the Kozak Memorandum would have been a "strategic er-

ror" for Moldova. Moreover, he rejected the idea of a federal relationship with Transnistria and instead opted to give the region autonomous status. President Voronin also condemned Russia's continuing support of the regime in Tiraspol.¹²

Exposing Illegitimacies

The decision of the European Court of Human Rights (ECHR) in the case *Ilascu and others v. Moldova and Russia* is also playing a major role in shaping the situation in Transnistria.¹³ The ECHR exposed the illegitimacy of Russia's policies and practices in support of the separatist regime, ending Europe's silence and acquiescence regarding Moscow's activities. The ECHR held both Moldova and Russia responsible for the continuing conflict and for the human rights violations in Transnistria. Specifically, the ECHR concluded that the Transnistrian regime, "set up in 1991-1992 with the support of the Russian Federation...remains under the effective authority, or at the very least under the decisive influence, of the Russian Federation, and in any event...survives by virtue of the military, economic, financial and political support given to it by the Russian Federation."¹⁴ The ruling concluded by noting that both Moldova and Russia had violated their obligations to protect human rights in Transnistria and that Moldova had "the obligation to re-establish control over that territory" and "to refrain from supporting the separatist regime."¹⁵

The Council of Europe's Committee of Ministers is now responsible for the implementation of the ECHR's judgment.¹⁶ The Committee of Ministers recently adopted a resolution calling on Moldova and Russia to comply with the judgment.¹⁷ If the ruling were applied broadly, Russia would ultimately be required to cease all activities that undermine the territorial integrity and political independence of the countries on its periphery. The Council of Europe's response to the Transnistrian question has created a political environment that makes the continuation of expansionist Russian policies in Russia's near abroad increasingly unpopular and costly.

The Kozak Memorandum fiasco and Moldova's subsequent turn to the West has seriously damaged Russia's credibility as a mediator in the Transnistrian conflict. Consequently, momentum for the five-party process has slowed considerably. Negotiations among Moldova, Transnistria, Russia, Ukraine, and the OSCE have not led to any tangible results and have served only to strengthen the status quo, at

least in part because Russia never intended to relinquish its hold over Transnistria. Thus far Moscow has refused to comply with its commitment at the OSCE summit in Istanbul to withdraw its forces from Transnistria by the end of 2002.¹⁸ Russia's contradictory aims of maintaining a troop presence in Transnistria while serving as a mediator have widened the gulf between Moscow's objectives and those of the other five-party partners.

Dismayed with the stalled negotiations, Transnistria waged an aggressive diplomatic campaign in 2004 to change the balance of power in its favor. In November the supreme Soviet governing body in Tiraspol called for a referendum on independence and international recognition.¹⁹ The five-party partners meanwhile remained at odds with each other, and the head of the Transnistrian delegation did not participate in the January 2005 meeting in Odessa, Ukraine. The EU seems reluctant to assume a leading role on the Transnistria issue for now, but such a position will be difficult to maintain indefinitely. Moldova's recently hardened stance toward Transnistria reflects its increasing impatience at feeling trapped between the EU's inertia and Russia's grip.

Policy Alternatives

Since 2003, popular revolts in Georgia, Ukraine, and Kyrgyzstan have shaken Russia's domination of its near abroad. Meanwhile, resolutions have been slow to emerge in the frozen conflicts between the post-Soviet governments and the Moscow-backed separatist regimes, which include South Ossetia, Nagorno-Karabakh, Abkhazia, and Transnistria. The EU should take advantage of the emboldened grassroots political movements that have emerged after the recent revolutions in Ukraine, Georgia, and Kyrgyzstan. It can employ its reservoir of soft power to reduce the systemic instability in eastern and southeastern Europe.

There are three main strategies the EU could pursue to help resolve the Transnistrian conflict. First, it could support the current model of interstate negotiations or recognize Transnistria's independence. Second, it could completely change course and adopt a strategy of social change, as envisioned by the so-called three "D" strategy: demilitarization, decriminalization, and democratization. Third, Europe could adopt a strategy of "soft unilateralism." This last option is especially attractive, as it seeks a settlement through accelerated social

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change in Moldova and Transnistria. A decision to begin EU accession talks with Moldova could serve as a catalyst for this process.

The first strategy would involve the EU acting either as an observer to the five-party talks or as a party to the Stability and Security Pact for the Republic of Moldova. President Voronin proposed this pact in June 2004 with the expectation that it would be signed by Russia, the United States, the EU, Romania, and Ukraine. The pact sought to guarantee the territorial integrity of Moldova and to impose a final settlement on the Transnistrian issue under federal principles. In making this proposal, President Voronin attempted to avert the deadlock that followed the rejection of the Kozak Memorandum and to foster broader negotiations between the West and

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Russia. Observers of Moldovan politics viewed the proposal as a public relations ploy, declaring that it would not increase the prospects of a settlement of the Transnistrian issue.²⁰

President Voronin's reiteration that Moldova would remain a member of the Commonwealth of Independent States, despite the difficulty of reconciling such a position with gaining EU membership, confirmed this viewpoint.

Neither a continuation of the five-party process nor the adoption of the Stability and Security Pact would skirt all short-term policymaking risks. Both are likely to prove ineffective in the long run. The possibility that the five-party talks will be resuscitated, given recent setbacks, or that the major powers will spend their diplomatic capital to start high-level negotiations to ease the Transnistrian deadlock, absent a major crisis, is minimal. These conservative approaches do not necessarily represent bad policies. The balance of power in the region has proved rather stable during the past decade and can be maintained along similar lines as long as the parties remain at the negotiating table. What remains unclear, however, is under what conditions the parties could be motivated to reach a solution before a serious crisis arises. In the aftermath of the attacks of September 11, 2001, the world is markedly less accepting of potential crises that could lead to failed states.

Alternatively, Europe could recognize the independence of Transnistria. This solution would be unacceptable to many players,

however. The eventual recognition of an independent Transnistrian state with its current Slavic-dominated government would amount to surrendering the population to an authoritarian and ethnically non-representative regime.²¹ The current Transnistrian government largely excludes the Romanian-Moldovan population even though these groups constitute approximately 40 percent of the population of Transnistria. Furthermore, about 28 percent of the population is Ukrainian and about 25 percent is Russian.²² Despite Moscow's support for the regime in Tiraspol, international recognition of Transnistria would contradict Russia's best interests since it would set a precedent for Chechnya. Finally, it is doubtful that Moldova could continue to exist as a viable state if it were deprived of its industrial base in Transnistria.²³

If secession were to occur, the impoverished, mainly rural population on the west bank of the Dniester River could seek unification with Romania. This development would be disastrous because it would cement a space of permanent instability between Albania and the western borders of Ukraine, presenting major risks to NATO's security and to EU enlargement, as this region is already the least stable in Europe. Albania, Serbia and Montenegro, as well as Bosnia-Herzegovina, remain politically unsettled. If a rump Moldova were to unite with Romania, Romania's own accession to the EU would be at risk. If the Moldovan state structures were to suffer a breakdown as a result of Transnistrian independence, Romania might not be able to prevent at least a *de facto* unification despite the threat to Bucharest's hopes for joining the EU. Under this worst-case scenario, Romania would become part of an "axis of instability" encompassing the entire region between the Adriatic Sea and Dniester River.

The three "D" strategy is a major conceptual breakthrough.²⁴ It was designed by Moldovan civil society actors and is therefore not constrained by the outdated policies of the conservative foreign policy establishment. It also recognizes the significance of democratic reform for the resolution of the conflict. Moreover, it breaks free from the horizontal interstate power relationships among Russia, Moldova, and Transnistria, broadening the settlement process to include other actors in the international community. The strategy's main shortcoming is that it is predicated on the emergence of a consensus among a number of interested international players, including Romania, but not Transnistria. However, without the Transnistrian authorities playing a constructive role, the conflict will not be settled. The strategy

also provides for the establishment of an interim international administration of Transnistria for at least four years. This International Civil Provisional Administration (ICPA) would operate under a common UN-EU mandate. The process would be completed by 2012 with the full integration of Transnistria into the constitutional structure of Moldova. It is doubtful, however, whether the UN would be able or even willing to assume these responsibilities absent an active crisis in the region.

The strategy also assumes that the West has sufficient leverage to compel Russia to abandon its support for the Transnistrian authorities in Tiraspol. Even if such leverage existed, the EU and the United States would be reluctant to harness it for the settlement of the Transnistrian question, given the implications of a serious dispute with Russia. Moreover, it is by no means certain that the Transnistrian regime would comply with Russia's dictates. The authorities in Tiraspol do enjoy a degree of domestic legitimacy, largely because

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they have guaranteed a certain level of welfare for the elderly, which has come at the price of unemployment and mass emigration by young people. In short, the three "D" strategy has no mechanism

for triggering democratization in Transnistria. Notwithstanding these reservations, it is a valuable instrument on two levels. First, by stressing the significance of societal change as a prerequisite for a political settlement, and second, by providing a blueprint for managing unpredictable situations that might emerge in the course of an accelerated integration of Moldova into European structures. In the improbable event that hardliners in Tiraspol attempt to derail Moldova's integration process through the threat or use of force in Transnistria, the strategy offers some options on how to manage the crisis through international cooperation.

The final strategy available to Europe is a policy of soft unilateralism. The Transnistrian conflict cannot be resolved by negotiations among third parties before popular support for a settlement emerges. The events of the last two years have created a social dynamic that can bring about such support, though a final settlement is conceivable only in the context of the full integration of Moldova, including Transnistria, into the EU. The mechanics of this process are complex

and depend on the development of the rule of law and a market economy, as well as efforts to combat corruption and the unification of economic activities on both banks of the Dniester.

The various underprivileged and disempowered segments of the Moldovan and Transnistrian populations, including farmers, academics, and unemployed youth, have much to gain from Moldova's participation in the EU. European Union membership would facilitate economic development and the free movement of goods, persons, services, and capital throughout the region. Pro-European voices have become much more powerful since the elections in March 2005. Unilateral, yet soft, EU policies would contribute to the dismantling of vested monopolies, oligopolies, and other shadowy interests that have dominated much of the region. These flourish because of Transnistria's uncertain political status and profits from illicit activities in the customs areas—the trans-boundary “gray trade”—including drug and human trafficking. The corrupt, authoritarian structures ruling Transnistria need to be exposed both domestically and internationally.

THE EU MUST TAKE ADVANTAGE OF THE OPPORTUNITY TO BRING MOLDOVA AND TRANSNISTRIA INTO ITS ECONOMIC AND POLITICAL SPACE.

State and non-state actors in the West must actively support civil society organizations in Moldova and Transnistria through increased contact and financing. They should similarly support reformers in the Moldovan capital of Chisinau within the established political parties, the administration, the military, the mass media, and the commercial sector. Unlike in Georgia and Ukraine, there is no single personality or political party in Moldova that could unite the pro-Western camp against the establishment. After the rejection of the Kozak Memorandum and the recent parliamentary elections, however, Moldovan politics has taken a clear turn toward Europe. The EU must take advantage of the opportunity to bring Moldova and Transnistria into its economic and political space. Despite a temporary institutional paralysis, which is expected to follow the rejection of the EU constitution in France and the Netherlands, the EU will have to deal with the systemic instability on its eastern borders.

Reformers are active in the ruling Communist Party, as well as in the opposition parties, civil society groups and NGOs, and among inde-

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pendent journalists.²⁵ As part of the democratization process, the government decided on June 1 to liquidate the two state-owned newspapers *Moldova Suverana* and *Nezavisimaya Moldova*.²⁶ Democratization of state-run television is also urgently needed and would contribute to an open and pluralist dialogue among the different political and social actors in Moldova and Transnistria.

There is some indication that a more flexible line of thought is emerging even within the Transnistrian leadership. More important, outside powers must accept that some elements of a rudimentary Transnistrian identity exist and that they should deal with the genuine representatives of this population.²⁷ No viable solution can be reached without considering the preferences of the people living in Transnistria. The question is therefore not how to incorporate Transnistria into Moldova from the top down, but how to generate a strong and irreversible reform process from the bottom up on both banks of the Dniester.

The EU's strategy toward Moldova should be formed in the framework of a broader reassessment of EU policies toward eastern and southeastern European states. The EU's policies toward Moldova are embedded in the European Neighborhood Policy (ENP). The ENP is a framework for EU relations with four categories of states: Russia, the western newly independent states (NIS) Ukraine, Belarus, and Moldova; the Caucasus states, which include Georgia, Armenia, and Azerbaijan; and the southern Mediterranean states, namely Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, as well as the Palestinian Authority.²⁸

The EU has developed specific instruments for cooperation with each category of states. The EU has Partnership and Cooperation Agreements (PCAs) with the western NIS, the Transcaucasus states, the Central Asian successor states of the former Soviet Union, as well as Russia.²⁹ PCAs, which essentially establish intergovernmental most-favored-nation treatment, are relatively weak forms of cooperation. For the states of the southern Mediterranean, the EU has developed the Euro-Mediterranean Partnership, also known as the Barcelona Process. The cooperative relationships in this process are based on a much more vigorous policy of establishing multilateral free trade areas through association agreements among the partner states.³⁰ In contrast, the PCA only offers Moldova the non-binding prospect of starting negotiations aimed at the establishment of a future free trade area.

The western Balkan states, such as Albania, Bosnia-Herzegovina, Croatia, Macedonia, and Serbia and Montenegro, are already potential candidates for EU membership. For instance, the agreement between the EU and Macedonia, a country very similar to Moldova in terms of its adherence to EU admission requirements, explicitly recognizes Macedonia as a potential candidate for EU membership and provides for the establishment of a free trade area within no more than ten years.³¹ Under these circumstances, PCA status is no longer appropriate for Moldova. The EU's current policy vis-à-vis Moldova and the other successor states of the former Soviet Union implies a de facto recognition of a Russian near abroad as a separate geopolitical space—an unlikely prospect given recent events.

At the same time, the EU views a solution to the Transnistrian conflict as a precondition for further progress in its relations with Moldova. The Council Common Position of February 2004 is clear in that respect. "The EU considers a solution to this conflict to be crucial for Moldova's path toward stability and prosperity *and for the prospects of exploring the full potential of EU-Moldovan relations,*" it states [emphasis added].³² This position is fundamentally flawed because, by prioritizing results over process, it gives entrenched interests free rein at the expense of the reformers in Chisinau and Tiraspol.

The EU should instead offer Moldova a road map and timetable for full EU membership that can be accomplished within ten years. As a first step, Moldova could be designated a potential candidate, perhaps through the conclusion of a Stabilization and Association Agreement, as was done in the western Balkans. The process should start with implementation of the Copenhagen Criteria, which include democratic reforms, the rule of law, support for human rights, the protection of minorities and ethnic groups, and the existence of a functioning market economy. Satisfying these criteria should lay the institutional framework for the next step, which would be final accession negotiations.³³ To make this proposal even more attractive to Moldovans and Transnistrians, the EU should suspend its visa ban on Transnistrian leaders, provided they participate in the negotiations following the conclusion of the association agreement with Moldova.

As a parallel step, the EU might establish direct relations with Transnistria and request that Transnistrian representatives be included in the Moldovan delegation in Brussels. Even if the hardliners in

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Tiraspol refuse to participate, the integration process itself would increase pressure for reform. Moreover, the option would remain open for the Transnistrians to join at a later stage in the negotiations, provided they recognize the participating parties' prior agreements. As an intermediate step, NATO could grant Moldova full member status, the next logical step beyond Moldova's current relationship with NATO under the Partnership for Peace initiative. This move would help secure the stability of Moldova's democratic institutions and its orderly integration into the EU.

The lingering question is how Russia would respond to a chain of events leading to Moldova's eventual inclusion in the EU. Given the presence of Russian troops in Transnistria, any Western strategy will have to address Russian interests. Transnistria is one of the few remaining Russian outposts in Eastern Europe. Both the EU and NATO should be flexible enough to reach an understanding with Russia that recognizes its links with the Transnistrian territory. Still, such a negotiation would be meaningless before Moldova's integration into the EU was initiated. Moldova's imminent accession would provide the political pressure necessary for Moscow to accept a deal.

A potential compromise could be reached through the following scenario: ethnic Russians and Ukrainians residing in Transnistria would be permitted to maintain dual citizenship with Russia or Ukraine, and these two countries would be permitted to open consulates in Tiraspol. Transnistria would remain a separate political entity within a united Moldova, though it would maintain "special relationships" with Moscow and Kiev in accordance with EU law. The Transnistrian leadership would have sole authority on matters of culture and education. Limited Russian troops would be permitted to remain on the east bank of the Dniester for a period of time to be established during negotiations under a mandate laid out by the Partnership for Peace. Russia would agree to support the reform process in Transnistria and take necessary steps to ensure a smooth transition to democracy. Ukraine could also play a critical role in this respect. If Kiev assumes effective control of the Transnistrian-Ukrainian border and encourages political reform in Tiraspol, Moscow would be more easily convinced to follow suit, paving the way for a compromise that respects the concerns of all parties involved.³⁴ ■

NOTES

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¹ In the annulled Ukrainian presidential election of November 2004, the Moscow-backed candidate V. Yanukovich gained 92.2 percent of the Ukrainian votes in Transnistria. "Yanukovich Harvests 90 Percent of Ukrainian Vote in Transnistria," *Basa-Press*, 22 November 2004. <http://www.azi.md/news?ID=31842>.

² On the different dimensions of the conflict, see Arcadie Barbarosie and Oazu Nantoi, eds., *Aspects of the Transnistrian Conflict* (Chisinau: Institute for Public Policy, 2004); Marius Vahl and Michael Emerson, "Moldova and the Transnistrian Conflict," *Journal on Ethnopolitics and Minority Issues in Europe* 1 (2004): 149-178; Tony Vaux and Jan Barrett, "Conflicting Interests: Moldova and the Impact of Transnistria," *Humanitarian Initiatives* (2003). See also the United States Department of State Bureau of European and Eurasian Affairs, *Background Note: Moldova* (Washington, DC: U.S. Department of State, January 2005). For separatist views, see Igor Smirnov, *To live in our land* (Tiraspol, 2004); Grigory Maracutsa, "Accord is the Road to Peace," *Decentralization, Autonomy, Federalism?* ed. Helsinki Citizens Assembly (Chisinau, 1995), 64-74. See also Juliana Abramova, Elena Bobkova, Vlada Lisenco, *The Catalogue of Non-governmental Organizations in Transnistria* (Tiraspol, 2004).

³ Moldova is a transit country for immigrants moving to the EU because of the lack of Ukrainian-Transnistrian border control. See the Report by Argentina Gribincea and Mihai Grecu, "Moldova: Situation Analysis and Trend Assessment," *Writenet—Independent Analysis* (October 2004).

⁴ Jurie Pinteau, "The Military Aspect of the Conflict Settlement in the Eastern Part of the Republic of Moldova," *Aspects of the Transnistrian Conflict*, 125-126. Witness X testified in *Ilascu and others v. Russia and Moldova* that the Ribnitsa factory contributes 60 percent of Transnistria's budget (see Annex to the Judgment of the European Court of Human Rights, paragraph 222). Russian diplomatic sources assess the contribution to be no more than 35 percent.

⁵ *Ibid.*, 125.

⁶ General Affairs and External Relations Council, "2590th Meeting, Conclusions of 14 June 2004, Moldova," 14. On the visa ban, see also "Council Common Position 2004/179/CFSP," *Official Journal of the European Union* (OJEU) L55/48 (2 February 2004); "Council Common Position 2004/622/CFSP," *OJEU* L279/47 (28 February 2004); "Council Common Position 2005/147/CFSP," *OJEU* L49/31 (2 February 2005).

⁷ Lilia Carasciuc, *Corruption and Quality of Governance: The Case of Moldova* (Chisinau: Transparency International Moldova, 2004), 13. http://www.transparency.md/Docs/cor_gov_en.pdf.

⁸ *Ibid.* See additional information on the proposed anti-corruption measures in the *Stability Pact Anti-Corruption Initiative (SPAI) General Assessment Report for Moldova—Final Report* (30 April 2002).

⁹ Efim Obreja, Viorelia Gasca, and Natalia Calenic, *The Customs Activity in the Republic of Moldova and Corruption* (Chisinau: Transparency International Moldova, 2004), 57-64; George Dura, "EU Border Guards Set to Ensure Moldova's Economic Reintegration," *Moldova Azi*, 8 April 2004. <http://www.azi.md/print/28594/En>.

¹⁰ See the unofficial text at <http://www.nm.md/daily/article/2003/11/18/0102.html>. See also "Russian President Coming Tuesday," *Infotag*, 24 November 2003, <http://www.azi.md/news?ID=26788>; "Voronin Says He Wants to Consult Europe First," *Infotag*, 25 November 2003, <http://www.azi.md/news?ID=26811>.

¹¹ See the December 2004 declaration on Transnistria by the Moldovan Foreign Minister (<http://www.azi.md/news?ID=32201>) and the common statement by the presidents of Moldova and Georgia on February 3, 2005 (<http://www.azi.md/news?ID=33284>). See also Judy Dempsey, "Moldovan Communists Shift West," *International Herald Tribune*, 5 March 2005. <http://www.iht.com/articles/2005/03/04/news/moldova.html>.

¹² "Voronin Says that Kozak Memorandum Was Moldova's Strategic Error," *Infotag*, 13 April 2005. <http://www.azi.md/news?ID=33817>.

¹³ Application no. 48787/99, Judgment of 8 July 2004. See the full text at the European Court of Human Rights web site. <http://www.echr.coe.in>.

¹⁴ *Ibid.*, paragraph 392.

¹⁵ *Ibid.*, paragraph 340.

¹⁶ See <https://wcd.coe.int/ViewDoc.jsp?id=826093>.

¹⁷ Committee of Ministers of the Council of Europe, Interim Resolution ResDH (2005) 42, 924th Meeting (20-22 April 2005). http://www.coe.int/T/E/Com/Press/News/2005/20050422_res_cm.asp.

¹⁸ OSCE, *1999 Istanbul Summit Declaration*, paragraph 19.

¹⁹ "Moldova Urges International Community to Condemn Transnistria's Plans for Referendum," *Basa-Press*, 12 November 2004. <http://www.azi.md/news?ID=31720>.

²⁰ See in particular Igor Botan, "Stability and Security Pact for the Republic of Moldova," *Association for Participatory Democracy: Political Commentaries*, 18 November 2004. <http://www.e-democracy.md/en/>

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comments/political/200411182/index.shtml.

²¹ On the situation of human rights in Transnistria and the oppression of opposition, see Gribincea and Grecu, *Writenet—Independent Analysis*, Chapter 4. See also the United States Department of State, *Report on Human Rights Practices 2004—Moldova* (Washington, DC: U.S. Department of State, 2004). <http://www.state.gov>.

²² Gribincea and Grecu, *Writenet—Independent Analysis*.

²³ On the social and economic structure of Transnistria, see *Atlas—Dniester Moldavian Republic* (Tiraspol, 2000).

²⁴ See <http://foundation.moldova.org/pagini/eng/125>.

²⁵ The speaker of the new parliament, Marian Lupu, is a reformer who was elected as an MP from the Communist Party list without being a party member. The vice presidents are Maria Postoioco from the Communist Party and the Christian Democrat leader Jurie Rosca. See also the activities of the Institute for Public Policy (<http://www.ipp.md>), the Association for Participatory Democracy (ADEPT, <http://www.edemocracy.md>), and *Moldova Azi* (<http://www.azi.md>).

²⁶ “The Governmental Newspaper ‘Moldova Suverana’ Was Liquidated,” *Reporter.md*, 2 June 2005. <http://www.azi.md/news?ID=34480>.

²⁷ Natalia Cojocaru and Stela Suhan, “The Collective Memory and Identity Construction in Transnistria,” *Aspects of the Transnistrian Conflict*, 138-146; O. Nantoi, “The East Zone Conflict in the Republic of Moldova,” *ibid.*, 168-169.

²⁸ See European Neighborhood Policy—Strategy Paper, COM (2004), 373 final, 5 December 2004; “Wider Europe—Neighborhood: A New Framework for Relations with our Eastern and Southern Neighbors,” Communication from the Commission to the Council and the European Parliament, COM (2003) 104 final, 3 November 2003; European Parliament, “Report on Wider Europe Neighborhood” (Napoletano Report), Final A5-0378, 5 November 2003; EU Presidency Conclusions, Brussels, 17-18 June 2004, paragraphs 65-74.

²⁹ See http://europa.eu.int/comm/external_relations/ceeca/pca/index.htm.

³⁰ See http://europa.eu.int/comm/external_relations/euromed/free_trade_area.htm. See also the Barcelona Declaration adopted at the Euro-Mediterranean Conference (27-28 November 1995), http://europa.eu.int/comm/external_relations/euromed/bd.htm.

³¹ Council and Commission Decision 2004/239 of 23 February 2004 concerning the conclusion of the Stabilization and Association Agreement between the European Communities and member states, on one hand, and the former Yugoslav Republic of Macedonia on the other. *OJEU* L84/1, 20 March 2004 (and Annexes).

³² General Affairs and External Relations Council, “2562nd Meeting of 23 February 2004.”

³³ The Copenhagen Criteria comprise a catalogue of reform measures that a candidate must fulfill before accession negotiations can begin. This catalogue was set up by the European Council in Copenhagen in 1993 and constitutes an integral part of any accession process. Conclusions of the Presidency, 21-22 June 1993, paragraph 7A (iii). http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/72921.pdf.

³⁴ “Transnistria Supreme Soviet Alarmed with Imports Detention by Ukraine,” *Infotag*, 1 February 2005. <http://www.azi.md/news?ID=32857>. See also the Press Release for the 8th Meeting of the EU-Ukraine Cooperation Council, 6428/05, 21 February 2005. http://ue.eu.int/uedocs/cms_sData/docs/pressdata/en/er/83804.pdf.