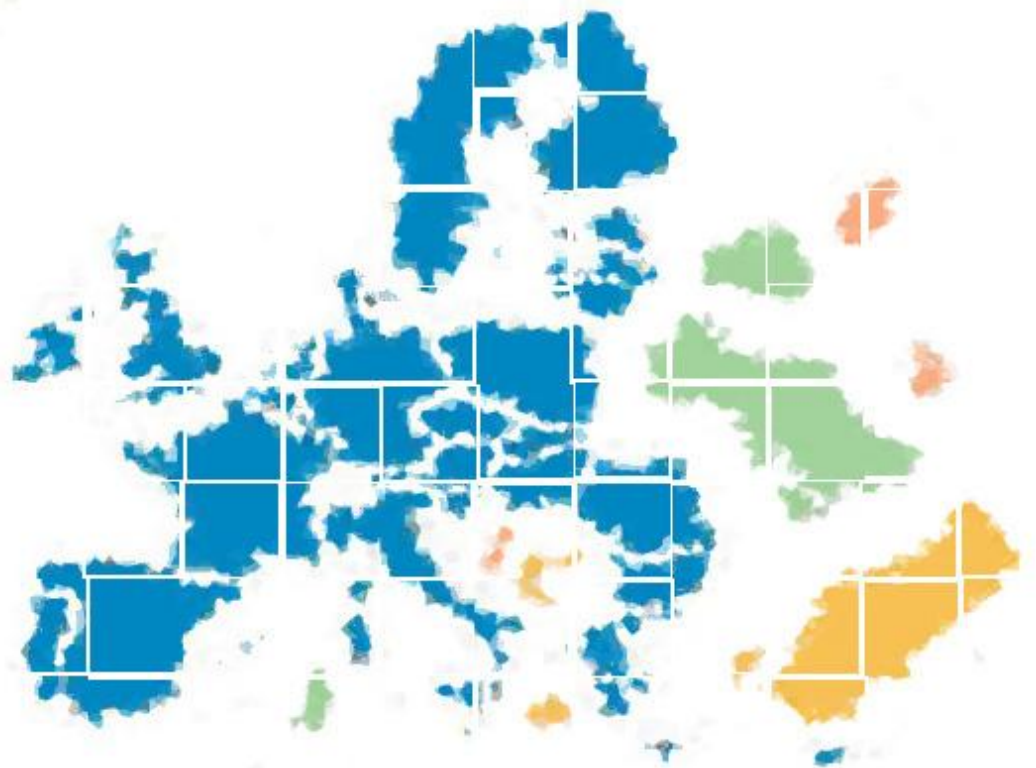


EU Frontiers

Policy Paper

The EU-Russia Cooperation on the Transnistrian Conflict Resolution: Challenges and Opportunities

Alexander Sergunin



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EU Frontiers

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Alexander Sergunin

Alexander has graduated from Gorky (Nizhny Novgorod) State University (M.A., General History, 1982). Holds Ph.D. (General History) from Moscow State University (1985) and habilitation (Political Science) from St. Petersburg State University (1994). His fields of research include Russian foreign policy thinking and decision-making, EU-Russia and U.S.-Russia relations. His research project with CENS aims at examining Russia's reaction to the EU's Eastern Partnership.

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Background

The EU-Russian cooperation on Transnistria is a relatively new theme in the Moscow-Brussels bilateral dialogue. The EU had (and still has) an observer status in the 5+2 negotiations on Transnistria and kept a rather low profile in the conflict management over the last two decades. For this reason, until recently Moscow treated the European Union as an external and relatively insignificant player in this area.

The situation began to gradually change with the adoption of the EU-Russia Common Space on External Security concept (2005). More specifically, the EU and Russia have agreed to strengthen dialogue on co-operation in crisis management in order to prepare the ground for joint initiatives, including in support of on-going efforts to settle regional conflicts, particularly in regions adjacent to the EU and Russian borders. Moscow and Brussels have designed a rather ambitious agenda in the area of conflict management:

- Exchange of views at expert level on matters related to the EU's and Russia's procedures in response to crisis situations, including exchange of views on lessons learnt, in order to improve mutual understanding and explore possibilities for joint approaches. This exchange of views could lead to the development of principles and modalities for joint approaches in crisis management;
- Conclusion of a standing framework on legal and financial aspects in order to facilitate possible co-operation in crisis management operations;
- Conclusion of an agreement on information protection;
- Experts' exchange of views on specific areas like logistical aspects of crisis management operations;
- Consideration of possibilities for co-operation in the field of long-haul air transport;
- Co-operation in the field of training and exercises which could include observation and participation in exercises organised by either Russia or the EU and participation in training courses;
- Strengthening of the EU-Russia academic networking in the field of crisis management through exchange of research fellows between the EU Institute for Security Studies and the network of Russian academic bodies for the purpose of joint studies;
- Promotion of contacts between the EU and Russian military and civilian crisis management structures.

This impressive agenda, however, has never been implemented. The EU-Russia cooperation on crisis management had rather modest achievements although the European Union is slowly acquiring a more

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visible role in this sphere. For example, a number of CFSP and ESDP measures have been launched in the sphere of conflict resolution. In line with some expert recommendations, EU Special Representatives (including the one in Moldova) have been appointed, and police, border control and border assistance missions are developing their activities. According to some experts, however, these actions need to be planned and coordinated with longer-term EU policies, which address the overall institutional and governance context and thus favour stabilisation.

Both Moscow and Brussels believe that the EU can make an important contribution by working around the conflict issues, promoting similar reforms on both sides of the boundary lines, and to foster convergence between political, economic and legal systems, enabling greater social inclusion and contributing to confidence building. The example of the EU Border Assistance Mission to Ukraine and the Republic of Moldova integrating European Council and CFSP instruments in one approach shows how this can work. Besides, increasing the capacities of ministries dealing with refugees, promoting the integration of minorities through language instruction, supporting post-conflict infrastructure rehabilitation, including cultural heritage, or implementing local income generation projects can constitute appropriate confidence-building measures.

Prior to 2010 the EU-Russian dialogue on conflict management lacked a proper institutional basis. To provide this dialogue with some institutional support, in June 2010 Germany and Russia have launched the so-called Meseberg process by suggesting establishing a Committee on Foreign and Security Policy at the ministerial level. According to some accounts, the suggested agenda for future discussions in the committee included the Transnistrian conflict resolution and creation of a European missile defence system. France and Poland have eventually supported this idea while other EU member states indicated no interest to this endeavour. Similar committees on foreign and security policy already exist at the bilateral level (for example, in Russia's relations with Germany and France) and have proved to be efficient. However, the EU-Russia ministerial committee on security issues is still in its formative phase.

By the end of 2011 (especially with Yevgeny Shevchuk becoming a new Transnistrian President) there was an obvious need for a 'reset' in the negotiating process that has been in fact frozen since 2006. There was also a growing feeling of discontent with Russia's role in the conflict among the regional players (Moldova, Romania and Ukraine). They believed that Moscow was not interested in conflict resolution and, rather, favoured the preservation of a status quo in the region. For this reason, they saw the European Union as a both desirable and efficient participant of the conflict resolution process. Particularly, they suggested upgrading the EU's status in the 5+2 format from an observer to an intermediary one. Moreover, they came up with an idea to change the existing format of the peace-keeping operation by replacing the Russian, Moldovan and Transnistrian peace-keepers by international police-type

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forces (preferably by the EU ones), without heavy armaments and with more limited powers.

The EU itself has recently become discontent with the Russian position on Transnistria, particularly with the lack of progress on the negotiations about the conflict there and called for a resumption of the official 5+2 negotiations with the aim of finding a solution in the very near future. Under the Polish Presidency the EU has succeeded in persuading the 5+2 group members to resume negotiations. There were two rounds of negotiations in Vilnius (30 November-1 December 2011) and Dublin (28-29 February 2012) although with a quite limited success.

Russia does not oppose the EU's more visible role in the Transnistrian conflict resolution and acknowledges the fact that Brussels is capable of reviving the whole process. Moscow has in mind that the lack of support to the so-called Kozak's plan on Transnistrian settlement (2003) by the European Union was one of the causes of this initiative's failure. It admits that now none of the serious initiatives on conflict resolution can ignore Brussels and needs its back up. But Russia is against any attempt to change the current format of either the 5+2 talks or peace-keeping mission in the region. Moscow believes that the solution can be found within the existing conceptual and institutional frameworks (albeit with some minor modifications).

It should be noted that both the EU and Russia are positive about the resumption of the 5+2 talks but they differ by their approaches to the format and content of these talks. The EU favours discussing some 'serious business', such as the future status of Transnistria or changing the mandate for the peace-keeping forces in the conflict zone. In contrast with this 'grand policy' vision, Russia supports the 'step-by-step' or 'low politics' approach which is based on the resumption of the Moldova-Transnistria dialogue on concrete issues, such transportation, customs procedures, education, mobility of people, etc.

Given the fundamental differences between the EU and Russia in their approaches to the solution of the Transnistrian conflict a natural question arises: whether Moscow and Brussels will be able to bridge the gap between their positions and find common solutions to the conflict? The study below addresses this uneasy question.

Bridging the Gap between the EU and Russia

To my understanding, to make a progress on Transnistria the EU and Russia should, first and foremost, to develop a set of common principles on conflict resolution and define a proper institutional framework for their dialogue.

These common principles could include:

- Equality of all parties involved. It seems that this principle has been widely accepted by the 5+2 group members with the exception of Moldova (see the results of the Dublin round of the 5+2 talks).
- Respect of and compliance with previously concluded agreements.
- Avoidance of unilateral acts that can destabilise the situation in the region. For example, the deployment of the Canadian inspectors in

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the Dniester security zone (February 2012) without noticing the Russian side has been perceived by Moscow and Tiraspol as a challenge to the existing peace-keeping mission. The recent Moldavian Parliament's decision to spend \$240 million for purchasing American aircraft and helicopters to protect its air space (from whom?) has evoked another painful reaction from Tiraspol and Moscow. On the other hand, Moldova was disappointed with President Shevchuk's statement on the possibility to introduce the Russian rouble as a local currency. This cast doubt on Tiraspol's intentions to abandon secessionist scenario and seriously seek a peaceful solution.

- However, the unilateral actions that aim at demonstration of good will are welcome. For example, one of the first decrees issued by President Shevchuk was the cancellation of a 100 per cent duty on all Moldavian imported goods that was introduced by Tiraspol in a response to the Kishinev's economic blockade of Transnistria (2006). This was rightly perceived by the Moldavians as a sign of the new Transnistrian leadership to resume a bilateral dialogue.
- The EU and Russia should avoid any steps towards producing each other's negative images. For example, Moscow is often portrayed in the European media as an imperialist power that wants to control its former empire and uses the Transnistrian conflict as a tool to prevent Moldova and Ukraine from joining the EU and NATO. One more stereotype is that Russia is interested in keeping status quo in the region and applies the sabotage tactics to undermine the progress on the 5+2 talks. On the other hand, the Russian media presents the EU as a revisionist power that wants to expand its spheres of influence, including the post-Soviet space. According to this viewpoint, along with the Eastern Partnership, the EU's current activities in Transnistria are one more evidence of Brussels' geopolitical drive in the post-Soviet region.
- At the current stage of the negotiations the EU and Russia should avoid discussion of the most controversial issues, such as, for example, a future status of Transnistria or the mandate of the Russian peace-keepers in the region. This may derail or even destroy an extremely fragile negotiation process.
- On the contrary, all the players involved should look for a common ground that unites the conflicting parties rather than disunites them. Against this background Shevchuk's concept of 'step-by-step' diplomacy should be supported by international actors, including the EU and Russia. The priority should be given to the 'low policy' issues such as the resumption of trade and transport communications between Moldova and Transnistria, facilitation of customs procedures, freedom of movement of people (including the abolition of the so-called 'black lists' and acknowledging Transnistrian travel documents), cooperation between law enforcement agencies to fight transnational crime, joint environmental projects, cultural and education exchanges and projects.
- At the same time, the EU and Russia should encourage Kishinev and Tiraspol to create the mechanisms of interdependency (in economy, trade, people-to-people contacts, education and culture) that could be helpful in further search for mutually acceptable solutions. The

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European and Russian experts on post-conflict peace-building should be invited to Moldova and Transnistria to serve as governmental consultants and/or trainers at short-term training courses for local administrators, journalists and NGOs. One more option is the recent Nordic initiatives (including the Stoltenberg Report of 2009 and its new version which is in pipeline) that offer these countries' help in peace-making and mediating. It should be noted that the Nordic countries have an outstanding experience in peace-keeping and post-conflict peace-building.

- The EU and Russia should make early preparations and think well in advance on security guarantees for Moldova and Transnistria that should accompany each step in their dialogue and a 'final solution'. Such guarantees can be jointly developed by Russian and European experts and discussed with other 5+2 group members.
- In developing their common approaches to conflict resolution the EU and Russia should not create a 'conspiracy image' to avoid alienation from other 5+2 group members. The EU-Russia tandem could serve as a sort of a 'steering group' and/or a 'laboratory' where fresh ideas are produced. The EU-Russian mediating activities should be transparent and undertaken in a full contact and consultations with other parties involved.

Institutionally, Russia and the EU could use three major venues/formats for their dialogue on the Transnistrian conflict:

- The EU-Russia semi-annual summits where the European and Russian leaders discuss their common approaches to various international conflicts and crises. The Transnistrian conflict could be put on the summit agenda to be discussed on the regular basis.
- The Meseberg process. Brussels and Moscow should complete the process of creation of a Committee on Foreign and Security Policy where the EU and Russian ministers could effectively discuss and find solutions for the European security problems, including the Transnistrian one. Not only ministers but also the EU and Russian special representatives on Transnistria could cooperate in the Meseberg format.
- The 5+2 group should remain the main format for the EU-Russian cooperation on conflict resolution. Both Brussels and Moscow should think together how to revive the 5+2 negotiating process without sidelining the OSCE and other group members.

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Published:

Center for EU Enlargement Studies
Central European University

Contact:

Nádor utca 9, Budapest, H-1052, Hungary

Tel.: + 36 1 237-3000 ext. 2391

cens@ceu.hu

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