

Foreign Policy Association together with Friedrich-Ebert-Stiftung offer you a newsletter on foreign policy and European integration issues of the Republic of Moldova. The newsletter is part of the "Foreign Policy Dialogue" joint Project.

foreign policy association  
**APE**  
asociația pentru politică externă

**FRIEDRICH  
EBERT  
STIFTUNG**

# NEWSLETTER

MONTHLY BULLETIN • FEBRUARY 2021 • NR.2 (180)

## Synthesis and Foreign Policy Debates

The newsletter is developed by Mădălin Necșuțu, editor-coordinator

### TOPICS OF THE EDITION:

1. *Claus Neukirch, the Head of the OSCE Mission to Moldova: "We are here to help both sides, and the last thing we want to do is to solve the conflict for them"*
2. *Editorial by Victor Chirilă, executive director of the Foreign Policy Association (APE): "Initiation of negotiations for identifying a comprehensive solution for the Transnistrian conflict, a risky initiative in the current context"*
3. *Ion Manole, Executive Director of Promo-LEX: "What is coming from the Transnistrian region is false, namely that human rights are respected"*
4. *Expert Opinion. Mihai Isac: "How the pandemic was used to strengthen political and military control on the left bank of the Dniester"*

### News in Brief



On February 27<sup>th</sup>, Romania delivered to the Republic of Moldova the first batch of vaccine against COVID-19 in the amount of 21,600 doses. "Romania keeps its promise made by President Iohannis to the Republic of Moldova. Today we are delivering the first doses of vaccine, 21,600 doses of AstraZeneca vaccine. The rest will follow in the coming months", said Florin Citu in a clip posted on his Facebook account. President Maia Sandu thanked Romania for the humanitarian gesture. "This is the first tranche of the 200,000 doses of vaccine from the generous donation promised by Romania to the citizens of our country. Thank you, Romania! Thank you, European Union!", wrote Maia Sandu on her Facebook account. On February 24<sup>th</sup>, the Romanian government adopted an emergency ordinance by which Romania could send the first tranche as a donation to the Republic of Moldova of the 200,000 doses of vaccine promised in December 2020 by President Klaus Iohannis. The European Commissioner for Crisis Management Janez Lenarčič thanked Romania for sending the 21,600 doses of vaccine to Chisinau.



The Constitutional Court declared as unconstitutional, on February 23<sup>rd</sup>, the decree of President Maia Sandu regarding the repeated appointment of Natalia Gavrilita's candidacy for the position of Prime Minister. The judges of the Court requested that the President and the parliamentary factions resume consultations on the appointment of a Prime Minister. On the other hand, the Court refused to examine the request submitted by the Socialist deputies regarding Maia Sandu's refusal to appoint Mariana Durlșteanu as Prime Minister. The Socialists claimed that Maia Sandu had violated the constitutional provisions. On February 11<sup>th</sup>, the Parliament did not support Natalia Gavrilita's candidacy for prime minister, and the same day, the Socialists, the deputies of the Shor Party and a group of deputies that had broken from the Democratic Party faction signed in favour of Mariana Durlșteanu's candidacy. However, Maia Sandu has repeatedly appointed Natalia Gavrilita, and the Socialists have challenged the decree at the Constitutional Court.



On February 28<sup>th</sup>, the President of the European Council, Charles Michel, stated during his visit to Chisinau that the EU supports the fight against corruption in the Republic of Moldova and the political class that promotes such actions. "I am sending a clear message of support from the European Union to President Sandu's firm focus on reforms, strengthening the rule of law and the fight against corruption," the European official said. He added that in the last ten years, the EU has provided grants worth more than one billion euros and more than a thousand projects have been implemented across the country. "We have also discussed the prospect of early elections as the best chance to build a Parliament ready to support the president's reforms. We expect all political actors to act in the interest of the citizens of the Republic of Moldova", concluded Charles Michel.

## The Transnistrian case, frozen (also) by the coronavirus pandemic



### Mădălin Necșuțu

The negotiations in the Transnistrian case have been delayed in the last year since the beginning of the health crisis caused by the coronavirus pandemic. Moreover, at times, the situation became tense, after the parties accused each other of violating the provisions agreed under the

"Berlin Package" and the freedom of movement between the two banks of the Dniester.

Tiraspol's decision to install about 37 temporary checkpoints under the pretext of the pandemic has obstructed workers' access to jobs and, in some cases, access to health care and supplies for localities in and around the Security Zone.

Moreover, the political interests in the run-up to the presidential elections last autumn have further complicated the matters. In the eyes of the public opinion in Chisinau, there has been created the image of new arrangements on this sensitive issue from the perspective of narrow interests dictated by electoral reasons.

► The visit of the OSCE Special Representative for the Transnistrian settlement process, Ambassador Thomas Mayr-Harting, on 21-23 January 2021, and then of the OSCE Chairperson-in-Office, Swedish Foreign Minister Ann Linde, were two important events in the attempt to de-escalate the situation created by the pandemic.

The OSCE officials visited both banks of the Dniester and met with the parties. Ann Linde called on Chisinau and Tiraspol to fully and consistently implement the “Berlin-plus” package. The Swedish diplomat also said that “the development of additional joint proposals in the spirit of confidence-building is essential for building a solid basis for further advancing the regulatory process”.

However, respect for human rights and the freedom of expression and action of the press has again suffered after two Moldovan journalists, Viorica Tataru and Andrei Captarenco, were detained for several hours by the Russian and Transnistrian soldiers of the peacekeeping mission from the checkpoint in Gura Bâcului.

This episode has brought back into discussion the role of the peacekeeping mission and the extent to which they can act, according to the obligations agreed by Chisinau and Tiraspol. Thus, the pandemic did not help at all a constructive dialogue, moreover it can be stated that it has further strained the relations and trust on the Chisinau-Tiraspol axis.

In general, 2020 has been a year of stagnation in terms of dialogue between the parties, and at least in the first part of the current year, the prospects for further talks are in the best case in the background.

## ***We are here to help both sides, and the last thing we want to do is to solve the conflict for them***

***Claus Neukirch, the Head of the OSCE Mission to Moldova***



***Claus Neukirch is a career diplomat and has over 20 years of professional experience with the OSCE. An important part of his experience with the organisation is linked with Moldova, where he has previously worked as Deputy Head of the OSCE Mission to Moldova (2008-2011), Mission’s Spokesperson (2003-2008) and Human Dimension Officer (1996-1997). And since September 2018 Mr Neukirch has been the Head of the OSCE Mission to Moldova. Due to his rich experience in Moldova, Mr Neukirch has a good insight into the issues of the country, especially into the Transnistrian settlement. I have discussed with Mr Neukirch about the current state of the Transnistrian issue and the main challenges of the Transnistrian settlement process, as well as about the recent visit to Moldova of the OSCE Chairperson-in-Office and Minister of Foreign Affairs of Sweden Ann Linde. Mr. Claus Neukirch has stressed in our interview that the OSCE is fully open to help resolve the conflict, however, political***

***will be needed from both Chisinau and Tiraspol to reach a consensus. To find out more about the state of affairs of the Transnistrian issue, we are inviting you to read the interview:***

■ March 2 marks the 29<sup>th</sup> anniversary of the armed conflict outbreak on the Dniester River. However, Chisinau and Tiraspol are still far away from a political solution. Why is that, in your opinion?

■ First of all, allow me to thank you for giving me the possibility to have an interview. I really value the Friedrich Ebert Foundation, and it is a pleasure to contribute to the newsletter.

The Transnistrian issue is not the only issue that we have in the world where solutions are frozen. I wouldn’t say this is a frozen conflict, but we have a frozen solution. The reasons for this is something we can go into details and analyse, but I would rather like to leave it for the political scientists and others to do it.

From our perspective, we are looking forward to how we can go towards a political settlement. Frankly speaking, at this stage, we are on a different part of that journey.

We try to create preconditions to move towards political discussions on the final settlement of the Transnistrian issue, which will strengthen the independence and the territorial integrity of the Republic of Moldova and would provide for a special status for Transnistria within Moldova's internationally recognised borders- a status that at the same time takes into account human rights, political rights, and socio-economic rights of the population in Transnistria.

### **Important visit on the both banks of the Dniester River**

■ **The current President of the OSCE, the Minister of Foreign Affairs of Sweden, Ann Linde, has discussed recently during her visit to Moldova with Chisinau and Tiraspol's representatives. I would ask you, please, to point out the main topics on Mrs Linde's agenda, especially the promises of resolution that have been made on sensitive topics.**

■ We had an early visit this year by the Chairperson-in-Office, and we had a similar situation in 2019 with OSCE Chairperson-in-Office and Slovakia's Minister of Foreign and European Affairs, Miroslav Lajčák. I think this is, first of all, for the Chairperson-in-Office, in this case, Ann Linde, a chance to get a first impression on the situation here on these topics. That was one of the important ideas of this visit. The second was also to underline it is a priority for the Swedish OSCE Chairpersonship to work on the Transnistrian settlement.

The Chairperson emphasised during the visit that Sweden would be ready to host a result-oriented 5+2 meeting in Stockholm this year as we have in

the Tirana Ministerial statement on the Transnistrian settlement process. She combined this with the call on both sides to work in this direction. We need to start concrete work now if we really want to get to a result in the 5+2 meeting.

■ **What were the sensitive topics that Mrs Ann Linde has discussed with Chisinau and Tiraspol? Could you please point out some of these? And what was the main focus of these discussions?**

The main focus of these discussions, if you are on the level of a Foreign Minister, is on the strategic lines and not on digging down into details. For this, we have the joint expert working groups, the two Chief Negotiators, and to a certain extent, we may touch upon some of them in the 5+2 process.

Mrs Ann Linde has pointed out the need for progress and also wanted to know where people would see possibilities for that. There have been discussed issues related to the pandemic, freedom of movement, human rights. She has stressed that human rights are very high on the OSCE Swedish Chairpersonship's priorities.

### **Respect for human rights**

■ **What can you tell us about respect for human rights in the Transnistrian region? What has the OSCE done on the Dniester River's left bank for human rights to be respected?**

■ We have had a dialogue on human rights with the Transnistrian side, including in my conversations with the Transnistrian leader, for a long time. If we see a human right issue, we take it up directly with them and try to find solutions and help improve the protection of human rights on the left bank.

Human rights are very important for an organisation like the OSCE, which is based on a comprehensive security concept that looks into the politico-military, economic and environmental, and the human dimensions.

■ **During the pandemic, the regime in Tiraspol has unilaterally installed a series of new checkpoints, motivating this move with traffic restrictions during the pandemic. How do you assess this move?**

■ This is something that we have followed very closely. During the pandemic, we had our teams permanently present in the Security Zone to see how freedom of movement is affected, what issues this causes for people. We had a particular focus on the area around Cocieri and Moldova Noua villages.

We are now in a situation in where these additional posts have been removed while the ordinary ones are still there. Freedom of movement in some areas have been eased, but the freedom of movement restrictions introduced with reference to the pandemic as such are still in place. You have, for instance, still to have a clearance from the Transnistrian side to leave or enter the region. This is something where we have a continuous dialogue with the Transnistrian side because we want to get back to the situation before the pandemic. Back then, we had better possibilities for people to cross, also for the people on the left bank to work on the right bank. There are many people who do this.

And it is very important to get back to strengthening interconnectivity between both sides. This is the main issue and also the one which makes a big difference between the Transnistrian situation and the situation we have in the larger region.

The high interaction between those banks and people going back and forth is very important, and we want to make sure this continues.

■ **In parallel, to remove some of these checkpoints, Tiraspol has conducted economic negotiations with Chisinau. How can this restriction of freedom of movement be imposed and then negotiated for economic benefits? How do you assess that?**

■ I am not aware of any negotiations for economic benefits. As far as we are concerned, we have always argued with the Transnistrian side on freedom of movement based on the principle of freedom of movement and on the overall pandemic situation, which, as far as I understand, the WHO, at this stage, will not justify as a ground for any freedom of movement restriction between the right and the left bank.

■ **Recently, two fellow journalists, Viorica Tataru and Andrei Captarencu, were detained for several hours by the peacekeeping mission. How do you see the peacekeepers' gesture of retaining journalists while doing their job?**

■ This is really an unfortunate incident. We were not there when this happened, so we don't have all the details. Obviously, media freedom and the possibility to report freely is very important.

There are also discussions within the JCC (Joint Control Commission) in order to see how the procedures which are in place at the moment at these checkpoints can be improved.

As you know, there are signs that say you can't take footage of these posts, which was, as far as I understood, the basis for the entire incident. I think we would need to come up with a solution to prevent incidents like this in the future.

***The solution has to come from society and be backed up by a broad consensus"***

■ **I can't get around this question. Recently, the former Ambassador of Moldova to Brussels and Bucharest, Mihai Gribincea, has demanded the shutting down of the OSCE mission in Moldova. He argued that the OSCE's efforts have been weak and even biased in favour of Tiraspol. How do you assess the OSCE's work in resolving the conflict so far?**

■ I am certainly not going to comment on these remarks. I think there is something important to understand for everyone. The OSCE has established a Mission here to facilitate the negotiations between both sides to come to a settlement. It is not the OSCE who has to resolve the conflict, but it will be those involved in this situation who have to come to an agreement on the conflict. This is where we have to continue to have our focus on.

We are here to help both sides, but the last thing we want to do is to solve the conflict for them. The solution has to come from society, it has to be backed up by a broad consensus.

It would be best if you looked at this and not on the assessment of whether the mediator has solved the conflict. This is not even what we are here for. We are here to help.

***Political negotiations: the core of the solution***

■ **Is there a chance in the near future to discuss the political basket of the issue or the situation will be maintained in which Tiraspol always avoids these negotiations? What is the situation in this regard?**

■ As I said in the beginning, this is the goal and the direction in which we have

to work. We haven't had any serious discussions on the status issue for almost 20 years and that is a very long time.

I don't want to give you a timeframe, but I would like to underline that everything we do from our side in this mediation process is to come to a situation that allows for this discussion to start. We have to make sure that everything we agree in the meantime on the confidence-building and other issues takes into account what we would like to achieve at the end of the day.

This is what the Mission's mandate is - to facilitate comprehensive and lasting settlement of the Transnistrian issue, which strengthens the sovereignty and independence of the Republic of Moldova and provides for a special status for Transnistria within Moldova's internationally recognised borders, a status that fully guarantees the human, political, economic and social rights of its population.

This is what we always have to take into account, and this is our fix-point in which direction we have to work.

■ **If you were to compare the conflicts in the Black Sea region, how would you assess the Transnistrian conflict settlement in comparison with what is happening in Ukraine, Georgia, Azerbaijan and Armenia?**

■ There is a famous quote from Lev Tolstoy's Anna Karenina saying, "all happy families are the same, and all unhappy families are unhappy in their own way."

Our mandate here is to work on the Transnistrian settlement process, and this is what we are concentrating on. We have to find solutions that work here and hence to focus on what is happening here.

■ **Thank you for this interview!**

**Mădălin Neacușu**

## Editorial

# Initiation of negotiations for identifying a comprehensive solution for the Transnistrian conflict, a risky initiative in the current context

**In the opinion of Mr. Aurel Ciocoi, Acting Prime Minister and Minister of Foreign Affairs and European Integration, the Republic of Moldova would like to “start the dialogue on political and security issues, with identification of a comprehensive solution.” “We should start the negotiations for a political solution to the Transnistrian settlement process. In this regard, the Republic of Moldova relies fully on the OSCE support”, said the senior Moldovan official during his meeting on February 17<sup>th</sup> with Ann Linde, OSCE Chairperson-in-Office and Swedish Foreign Minister, who was on an information visit to Chisinau. From my point of view, Mr. Ciocoi’s statement is risky, ignores the legislation in force and does not take into account the current internal and external context of our country.**



**Victor Chirilă, Executive Director of the Foreign Policy Association (APE)**

Despite the fact that some current political forces in the parliament ignore or challenge it, the Law of the Parliament of 22.07.2005 on the basic provisions of the special legal status of the localities on the left bank of the Dniester (Transnistria) is still in force and clearly defines the legal and political boundaries of the negotiation process that our officials and politicians are obliged to respect. Unfortunately, none of the conditions mentioned in the above law has been met so far.

### **Pandemic deadlock**

Also the internal context in the Republic of Moldova is not at all favourable for initiating negotiations in order to

identify a comprehensive political solution to the conflict in Transnistria. The Republic of Moldova is going through a deep political, economic and social crisis exacerbated by the COVID-19 pandemic.

The current political class has never been that divided and lacks clear vision/ strategy for resolving the conflict, the Parliament is discredited by corruption and obscure interests, the political struggle between Parliament and Presidency is intensifying, the reforms are stagnating, the rule of law is undermined by corruption and lack of independent justice, the institutions responsible for national security are weak and unable to cope with hybrid internal and external threats, and the country’s economic and social situation is constantly deteriorating.

The start of negotiations in these conditions will certainly disadvantage the Republic of Moldova, offering Russia multiple opportunities and means to manipulate, put pressure and undermine our positions at the negotiating table.

Thus, according to Art. 1 (1) of the Law no. LP173/ 2005 of 22.07.2005 on the basic provisions of the special legal status of the localities on the left bank of the Dniester (Transnistria), in order to achieve the reintegration policy of the Republic of Moldova, “the negotiation process with Transnistria is carried out to achieve democratization and demilitarization of Transnistria”.

Only after fulfilling the conditions regarding demilitarization, stipulated in the Parliament Decision no. 117-XVI of 10 June 2005, in particular on the “fulfilment by the Russian Federation of the obligations assumed at the OSCE Summit in Istanbul (1999) on the full, urgent and transparent evacuation of troops and armament from the territory of the Republic of Moldova, and after the formation, in Transnistria, of a democratically elected system of power”, would the negotiation process take place to jointly develop and adopt the Organic Law of the Republic of Moldova on the special legal status of Transnistria.

The external context is not favouring us either. The European Union's efforts to work with the Russian Federation in the Eastern neighbourhood have failed. The geopolitical competition between East and West is intensifying, and after the recent visit to Moscow of Josep Borrell, EU High Representative for Foreign Affairs and Security Policy, we are witnessing a significant cooling of the political dialogue between Russia and the EU, for some time and with unpredictable consequences.

Increasingly concerned about its stability and continuity after 2024, Putin's regime is becoming more and more authoritarian inside the country and, volens-nolens, increasingly recalcitrant and less willing to compromise abroad, especially in the EU's common neighbourhood. In Ukraine, Russia is delaying the implementation of its commitments under the Minsk agreements in Belarus. The Kremlin opposes the democratic change of the Lukashenko regime, and in the Republic of Moldova, Moscow categorically refuses to transform its alleged "peacekeeping mission" into an international-mandated civilian observer mission, and withdraw its troops stationed illegally in the Transnistrian region in compliance with its commitments of the 1999 OSCE Summit in Istanbul.

### **What to do?**

In the current context, the Republic of Moldova should, first of all, focus on consolidating its positions at the future

negotiations. This effort would involve the following actions: 1) overcoming the pandemic, economic and political crisis; 2) strengthening the rule of law and recovery of the political class; 3) fighting corruption and strengthening institutions ensuring public order and national security; 4) elaboration and approval in the Moldovan Parliament of a country reintegration strategy supported by the main political forces; 5) launching concrete diplomatic actions to persuade the Russian Federation to withdraw its illegally stationed military troops in the Transnistrian region and replace the current "peacekeeping mission" with an international UN-mandated civilian observer mission to facilitate the implementation of confidence-building measures; joint projects between the two banks of the Dniester; 6) implementation of confidence-building measures with a focus on advancing/ respecting/ protecting human rights in the Transnistrian region; 7) extension of the joint control at the Moldovan-Ukrainian border on the Transnistrian segment; 8) combating smuggling schemes/ networks across the Transnistrian region; 9) development/ facilitation of trade and economic ties of the Transnistrian region with the rest of the country and the EU in close correlation with compliance with the commitments made by the Tiraspol administration and unconditional assurance of free movement of Moldovan citizens on both banks of the Dniester.

## **What is coming from the Transnistrian region is false, namely that human rights are respected**

**Ion Manole, executive director of Promo-LEX**



**R**espect for human rights is one of the most pressing issues in the Transnistrian secessionist region, and it was this topic that I have discussed together with the executive director of the Promo-LEX, one of the most vocal non-governmental organizations in the area of human rights in Moldova. We wanted to find out about the sources maintaining this state of affairs in Transnistria and who the actors and victims in such cases are. Read about all this, in detail, in the following interview:

- How do you see in general the respect for human rights in Transnistria over the last almost three decades? Has the situation in this regard improved or on the contrary, worsened?
- We cannot talk about human rights in this territory. At the moment my conclusion is that since control

has been taken over this territory, I have seen virtually no interest from the constitutional authorities in the region. We can also start from the premise that the authorities did not have the competence or experience of administering a state and many mistakes were made just from the beginning, from 1991-1992.

In addition, the international community was being manipulated. Then, the Russian Federation inherited from the Soviet Union all the embassies and all the media instruments through which it communicated to the international public opinion only its opinion, thus Chisinau lost the information war from the very beginning. The interest of the international community was low, while the constitutional authorities were not able, on the one hand, to inform the international community about the true state of affairs there. On the other hand, it was not able to organize itself in such a way as to be able to guarantee and defend human rights in that territory.

Moreover, after 30 years I can say that we have the same very low level of interest in the human rights situation in the Transnistrian region. The authorities still do not show interest in identifying solutions and monitoring tools. If you do not monitor you have no way of knowing the real situation. And if you don't know the real situation, you can't come up with recommendations and correct certain things that have a positive impact on the human rights situation.

When we talk about respect for human rights in this territory, we can tell it point-blank that these rights are violated and cannot be considered as respected. The human rights are not even promoted in the Transnistrian region.

For the most part, the representatives of the regime there, through the tools at their disposal, have limited themselves to the social rights of the residents when they talk about human rights. Specifically, this is about the right to rest, work, and education. However, it is avoiding taking into account, and especially promoting

the fact that the citizens of this region also have political, economic and cultural rights. These rights are vehemently denied, neglected and violated.

Those who talk about political rights are immediately categorized as enemies of the Transnistrian statehood, enemies of the Russian Federation, foreign agents or Western secret services' agents, which is an aberration but also a very effective tool of manipulation.

Unfortunately, many of these elements can also be found in Chisinau. Here, however, we have more freedom, an efficient mass media and especially an investigative media. We have people talking, writing about acts of corruption, the political situation, the political struggle between various clans, and even about the geopolitical games in which the Russian Federation is a very active and efficient actor.

### **Similar practices**

■ **How similar in your opinion are the regimes in Tiraspol and Moscow in terms of respect for human rights?**

■ For the most part, the legislation in the Transnistrian region is adapted to that of the Russian Federation. At the same time, we have to remember that the training courses for judges, prosecutors, and other people holding positions in the administration of the region, all take place in the Russian Federation. The practices applied in the Transnistrian region follow the Russian model.

And we have seen this in the struggle of Tiraspol with the press, with the people who think freely in this region, the people who want to express their position. We remember very well that there are already cases and convictions.

People are condemned because they have an opinion of their own on the performance and role of the peacekeeping forces or they have a critical position towards the pretend president there. So all these are, in fact, restrictions of freedom of

expression and other fundamental human rights and freedoms. These were actually involuntarily assumed also by the Tiraspol regime in 1992, right after the war. I am referring here to the European Convention on Human Rights. Back then in 1992, even without being a recognized state, they said they would assume these obligations voluntarily and respect them. Such a practice also existed during the Soviet period: the constitution was pretty good, liberal, but in reality, things were the other way around.

### **Persecution of activists**

■ **We see a lot of critical activists, especially young people, and I am referring here to those who act within the Club 19, who are threatened and detained, and who are even fleeing to other countries (the Calic case). Why do such situations happen?**

■ It is not a new phenomenon. We have known about it since 2007, when we organized a forum for NGOs on the left bank of the Dniester with the participation of non-governmental organizations from both banks of the Dniester, donors, partners for civil society, development agencies of various international partners. At that time there was a great openness on the part of the partners for the NGOs there.

Soon, however, the Tiraspol regime has realized that the freedom for our activity in that area (in addition to the litigation that bothered them) is a great danger for them on this dimension. Thus, soon after the forum, we were informed by the participants in our events that they were visited by the secret services of the Tiraspol regime or were invited to their headquarters. There they were threatened and told that the Promo-LEX is a foreign agent fighting against the Transnistrian statehood, and those who collaborate or participate in the Promo-LEX activities may have problems as well as their families.

People came to us for help and advice on how to deal with such threats, but unfortunately, I have noticed back then

the lack of defense of these people- if someone had been arrested, they might have faced real problems. We promised people that we would do everything in our power to defend their rights in our capacity as NGO.

We will notify and protest peacefully in front of state institutions or international organizations, but at the same time, I told them that there is no structure at national or international level that would guarantee their release and respect for their rights if the regime there created problems.

In these situations, I told them that “it’s up to you to decide if you are ready and able to withstand pressure, then we will help you to collaborate.” When we arrived in the Transnistrian region, we quickly understood that without a competent and active local civil society as we have on the right bank, we in Chisinau will not be able to solve their problems there. And that’s why we tried to help them. But as I said, the regime was faster than the civic groups there and a lot of them left starting from 2007. We have good colleagues, professionals, active people who could have certainly been useful to their communities, but today some of them are acting as lawyers in the Russian Federation or are activists in Ukraine, while others have abandoned this field and emigrated to Europe.

■ **The same is true of the few non-governmental organizations as in the case of the Apriori. What do you think about the harassment of civil society and specifically of this NGO?**

The security in the Transnistrian region has had a tactic persecuting the NGOs that dared to operate in the political, economic or especially human rights sector. On the other hand, we know that there were some agreements. The NGOs were either recommended to migrate to the social or humanitarian sector and then there was no problem in terms of funds they could raise. This has discouraged the organizations

dealing with the human rights in the Transnistrian region.

The Apriori was one of the few organizations that resisted. They were always very competent, calculated and all discussions with them have ended up with confusing the administrative system of the region that did not know how to proceed in the case of the Apriori.

The Tiraspol regime differs from the Moscow regime not only in the fact that they are unrecognized, but also in the way they operate. The people from Tiraspol operate using soft methods: discussions, threats or constraints. They cannot afford to apply harsher methods, because they are trying to avoid any scandal and problem that would attract the attention of the international community.

In this way, the Apriori has resisted for quite a long time. However, it was obvious that Tiraspol was very disturbed by their activity. They were concerned that people talk freely, that they ask questions and look for answers, not just the ones they hear on the TV.

Thus, the Tiraspol regime has tried to prevent the activity of these people and this organization. However, we must understand that the people who worked for the Apriori were just a few. Moreover, they are also human and have feelings for their relatives or loved ones who are intimidated. This could not go on indefinitely. They have reached a point where they feel exhausted, give in, understanding there are no guarantees for them either nationally or internationally.

### **Lack of sanctions**

■ **The lawyer Stepan Popovski, a human rights’ defender in Tiraspol, has said recently that “the human rights situation in Transnistria is catastrophic.” Do you agree with this statement?**

■ Yes, he is one of the people who sees, feels, and learns every day about

phenomena and cases. We have known Stepan for a long time and I am surprised that he has so much energy and will to withstand such pressures for decades.

Yes, I trust what he says when he refers to the situation as being catastrophic. Such statements were made in the past by other human rights defenders in the Transnistrian region. I remember Mr. Bucheatsky, who, at an international event, said that “Transnistria should be forced to respect human rights.” This has greatly disturbed the Tiraspol regime. These statements have aroused anger, being attacked very harshly in the local press. Later, however, he stopped being visible in the public space, retiring rather in his activity as a local journalist who, in fact, is no longer criticizing the regime. He has realised the risks he is taking by making such courageous and true statements that have no effects. The press is writing about it, pointing to it as a phenomenon, but no one is taking action.

The constitutional authorities do nothing about the impunity on the left bank of the Dniester. All those violating the human rights and acting up can move on the constitutional territory of Moldova without any problem.

■ **So we see inaction on the part of the Moldovan authorities in this regard, which not only do not sanction what happens there, but also when such people who break the law come to Chisinau, they do so without any constraint.**

■ Yes, we have been saying this since 2004. The problem is in Chisinau, not in Tiraspol or Moscow. Chisinau proved to be indifferent, incompetent or even corrupt and the media investigations have fully shown this. And then the lack of cases, investigations and notifications by the competent state structures leads you to the conclusion that nothing is accidental in this game and in this great puzzle. So, it is very clear that the Chisinau authorities have no interest, as well as other major actors involved in this regulation process.

So, they are comfortable and happy with the current situation, while everyone realizes that human rights can be the impetus that can change the situation in this region. That is why the authorities prefer to turn a blind eye and ignore the human rights situation there. No one insists or even listens to our insistence on monitoring the situation there.

Even the latest case of detention of journalists Viorica Tătaru and Andrei Captarenco demonstrates once again the behavior of the police and of the Unified Control Commission (CUC) and how well this situation was manipulated by the Tiraspol.

This is further proof that Chisinau does not want to get involved in changing the situation in this regard.

I would like to talk also about the external actors. What can the international institutions do more to ensure protection of human rights in the Transnistrian region?

Until 2004, the OSCE played an active role in monitoring the human rights situation. There were monitoring visits and the OSCE used to produce reports on the situation. Even the OSCE representatives said at the time that what was happening on the left bank of the Dniester was a cultural genocide.

After 2004 we saw a radical change of behaviour. We do not know why, probably also because of the failure of the Russian Federation to withdraw its troops from the region according to the 1999 Istanbul memorandum.

Thus, this change was probably dictated and this is unfortunate. In this case, even if we have OSCE offices in Tighina and Tiraspol, they have practically no relevance or impact. They don't inform the public about the human rights situation there.

Nobody is monitoring or intervening when certain tense situations occur. In several cases when I asked the OSCE

to visit the prisons on serious cases of abuse notified by the relatives of the detainees there, they did not intervene citing various reasons. The main argument was that there is a relationship between Chisinau and Tiraspol and this is the format for resolving such situations.

However, Chisinau and Tiraspol have always contradictory statements, both standing firm on their inflexible position, with a ping-pong at the level of political statements. This makes people suffering, while impunity feels at home on the left bank of the Dniester.

### Possible solutions

■ **What could be in your opinion the solutions for the human rights to be respected on the left bank of the Dniester?**

■ A good tool we could return to is the list of people sanctioned by the EU. People who violated human rights on the left bank of the Dniester were included in an EU list banning them from traveling in the EU. Every year on March 2<sup>nd</sup> (the date of the outbreak of the Transnistrian conflict in 1992), we launch the list of people who are guilty of human rights violations in the Transnistrian region based on the decisions of the European Court of Human Rights (ECHR).

There are currently many judgments - about 30 in 50 ECHR cases - which remain largely unenforced, being a challenge for the ECHR and the Council of Europe as well, because such a large number of unenforced judgments is a serious problem. It is a challenge that has to make us all understand that the situation is becoming quite complicated and things need to be conditioned.

In particular, any funding of the Transnistrian region should be conditional on respect for human rights, freedom of expression for journalists, diplomats, but also lawyers and human rights defenders. We regret that, almost six years after

the Promo-LEX being threatened, the international institutions prefer to remain silent, when they could apply the principle of defending the human rights defenders. This principle obliges the EU, the Council of Europe, the UN, but also the OSCE to intervene when lawyers, human rights defenders or journalists become victims of human rights' violators due to their professional activities.

Perhaps the international institutions should intervene so that the Tiraspol regime closes those cases. We did not even have access to the documents of this file. The people from Tiraspol said it was a secret file and we have to present ourselves there.

On the one hand, we are accused and we do not know why, and on the other hand, the documents are secret and we do not have access to them, because we have to show up there. At the same time, we are told that we cannot come, and if we do, we will be arrested. In this situation, we decided not to play this game. Our goal is not to look for publicity, to play victims or to provoke conflicts or a situation in which our colleagues could be detained and sent to prison. Our goal is to defend the human rights. And we have tried to defend our rights according to local procedures, but received no response. Our conclusion is that their only purpose was to keep us out.

They do not want the presence in the region of people who think freely and spread such values among the population there. Moreover, they do not want new cases of this kind. In the last six years, except for *the Apriori* and a few others, this reality has come to light. Therefore, we do not have cases of human rights violations, which sends a false message that human rights are respected in this region. However, we know that there are no human rights violations in North Korea either, which is an illusion again.

■ **Thanks for the interview!**

*Mădălin Necșuțu*

## Expert opinion

# How the pandemic was used to strengthen political and military control on the left bank of the Dniester

**The health crisis caused by the coronavirus was also an opportunity for one of the parties in the Transnistrian case. The Tiraspol regime took full advantage of the pandemic situation to strengthen its control over the Transnistrian region. The beginning of the 2020 pandemic crisis was an opportunity for Tiraspol to set up illegal checkpoints, which has caused problems to both the Transnistrian residents and the communities on the left bank of the Dniester under Chisinau's jurisdiction.**

**Mihai Isac, journalist at Karadeniz Press and political expert**

Announcements such as the one made in July 2020 by the former Deputy Prime Minister for reintegration, Cristina Lesnic, show this *modus operandi* of Tiraspol. "I would like to inform you that we have managed to obtain the closure of a part of the check points installed by Transnistria in the Security Zone without coordinating it with the participants in the negotiation process. Currently, 22 of the 37 check points installed remain in Tiraspol", Lesnic declared.

The situation had become so tense between the residents of those localities and the Transnistrian border police that Lesnic has appealed then for calm so that the situation would not return to that from "28 years ago, when the armed conflict took place".

### Party political interests above all

The year 2020 was characterized also by the political collaboration between the Socialist Party, led by former President Igor Dodon, and the Tiraspol authorities. The absolute control exercised by the socialists in the Moldovan politics has favoured the consolidation of the Tiraspol regime and its collaboration with Moscow.

"The exchange of views, the possibility of a direct dialogue - all this allows us to make the Transnistrian position on current issues known: the fight against the COVID-19 pandemic, the defense of the peacekeeping mission, the need to resume the negotiation

process, strengthening the economic ties, maintaining the principles of the Russian World that Transnistria is an inseparable part of," Krasnoselski said during a visit to Moscow in December 2020.

In exchange, former President Igor Dodon relied on the massive electoral support of the Tiraspol administration, aiming at repeating the success of the 2016 presidential elections. At the time, the turnout on the left bank of the Dniester tipped the electoral balance in favour of candidate Dodon, who had promised to improve relations with the Russian Federation.

Only the massive turnout of the Moldovan diaspora in the EU has partially foiled the transportation strategy organized by the pro-Dodon voters. Before the November 2020 elections, Dodon had made considerable concessions to the Transnistrian leader, especially image-wise, when he named Krasnoselski "president" for the first time, during a visit by the Tiraspol leader to Dodon's presidential residence in Condrita at the end of July 2020.

During his presidency, Dodon has met Vadim Krasnoselski eight times. In addition, Dodon had frequent talks with Krasnoselski on the phone. The last meeting of the two took place in July 2020, at the Condrita residence. Dodon mentioned then that the implementation of the "Berlin-Plus" package had been examined in details. This footwork has been to the disadvantage of the Moldovan side, any effort



to curb Transnistrian actions being sabotaged by the Dodon administration.

Also in 2021 the Socialists are trying to turn the Transnistrian vote into a political weapon for eventual early parliamentary elections. The status of the Russian language on the territory of the Republic of Moldova is a new socialist approach to capture the support of the pro-Russian electorate in the Republic of Moldova, including Transnistria and Gagauzia.

Unfortunately, the episodes of the Moldovan citizens' kidnappings, even in the summer of 2020, by the security structures in Tiraspol have become a constant in Moldova's life. The Moldovan constitutional authorities have failed to stop the wave of Transnistrian abuses.

### Complicated bilateral agenda

Chisinau has been trying to solve several unsettled cases for years. These include the presence of Russian troops, the issue of schools teaching in Romanian, the issue of agricultural land, respect for human rights, free movement, etc. The Transnistrian agenda consists of dozens of complicated issues that remain unresolved. These are the problems faced by the Romanian-language schools, the problem of cultivating the agricultural land across the Râbnița-Tiraspol

highway, the presence of Russian occupation troops, the joint military applications between the Russian and Transnistrian troops, free movement of citizens, respect for human rights and others. All these remain means of exerting great pressure by Tiraspol on the citizens of the Republic of Moldova.

The former Dodon administration has constantly avoided any attempt to initiate political negotiations to resolve the Transnistrian dispute. The ambiguous position of the socialist leader was mirrored by the statement made 29 years after the beginning of the Dniester War. The PSRM leader Igor Dodon expressed his gratitude for the Russian peacekeeping mission that "has been providing peace and tranquillity on the banks of the Dniester for about 30 years."

### **The military fortress on the left bank of the Dniester**

Unfortunately, we cannot talk of a mediator in the case of Russia regarding the Transnistrian case and the settlement of the Chisinau-Tiraspol dispute. The political control exercised by the Russian side in Tiraspol is doubled by the control exercised by the Russian and Transnistrian military forces.

Moscow has furiously condemned any Moldovan attempt to replace the current format with an international mission. The head of the Russian Troops Operational Group (GOTR), Colonel Dmitry Zelenkov, has given recently an interview to the Russian weekly "Zvezda" in which he reiterated that the GOTR soldiers monitor, control and inspect vehicles and people entering and leaving the security zone.

GOTR is the Russian military contingent officially in charge of watching the Cobasna depot, operating outside the peacekeeping mission format. De facto, GOTR is collaborating with the Transnistrian military forces and security services for the absolute control of access to the separatist region, which is illegal.

GOTR has distinguished itself by participating in joint manoeuvres with separatist forces and massive recruitment of personnel from among the Moldovan population in the Transnistrian region, in violation of the international law. Approximately 1,500-1,700 Russian soldiers are active in the GOTR, the absolute majority being Russian citizens, originating from the Republic of Moldova. The massive recruitment of locals was Russia's response to pressure from Chisinau and Kiev on the rotation of troops in recent years.

Unfortunately, a career in the Russian army is an attractive prospect for the Transnistrian residents who are in an advanced degree of impoverishment.

The Chisinau media regularly mentions that these actions run counter to the 1992 Ceasefire Agreement. Article 4 of this Agreement clearly states that these military forces shall have a neutral position towards the parties to the conflict.

"Our soldiers actively participate in the events organized by the Transnistrian leadership, especially military parades, ceremonies dedicated to important historical events. For example, every year on May 9<sup>th</sup>, Victory Day, GOTR staff organizes festive events in the military city. Our soldiers and officers are actively involved in the sports and cultural life of the city, in the patriotic education of young people, being ready, if necessary, to provide assistance, for example, in case of emergency", Zelenkov was quoted by media.

### **Maia Sandu under fire amid charges by Moscow and Tiraspol**

The new Moldovan leader, Maia Sandu, has a clear-cut position, opposing the Russian presence in the region and regularly condemning the Tiraspol authorities. The President of the Republic of Moldova has stated that the Russian troops should be withdrawn and the peacekeeping mission transformed into

a civilian one under the auspices of the OSCE. Maia Sandu's position is supported by the pro-European political forces in the Moldovan parliament.

Instead, Dmitry Peskov, the Kremlin's press secretary, has condemned Maia Sandu's statement on the case, calling it a potential danger. According to Peskov, Russia is carrying a heavy burden and is ready to continue doing it and take a responsible position on the international arena.

"Maia Sandu came, became the president of the Republic of Moldova and made this first statement - as if there were no other problems in Moldova - that it is necessary to withdraw the Russian peacekeeping forces from Transnistria. Is there a potential danger in this step? Yes, and a very big one. And there are so many other such hot spots... And, of course, this imposes a special burden on big states like Russia, but Russia, thank God, is able to carry that burden and take a responsible position", said Peskov in an interview with the Soloviev Live show.

In one of the latest attacks on Maia Sandu, the Russian Foreign Office thinks she has an "ambiguous" approach in building relations with Russia, reproaching her that although she says she wants good relations with Russia, she makes "harsh statements" regarding Transnistria and does not accept Transnistria's debt for the Russian gas. The latter, by the way, has reached nearly seven billion USD, almost as much as the entire GDP of the Republic of Moldova.

In turn, along the same lines as Moscow, the party led by Igor Dodon has harshly attacked Maia Sandu for "inappropriate statements" against the separatist regime in Tiraspol, but also the Russian Federation. According to a statement adopted at the party's congress in December 2020, "the socio-economic and political situation in the country created after the presidential elections, generates a high degree of uncertainty."

The opinions expressed in the newsletter are not necessarily those of the Friedrich-Ebert-Stiftung (FES) or of the Foreign Policy Association (APE).



**Foreign Policy Association (APE)** is a non-governmental organization committed to supporting the integration of the Republic of Moldova into the European Union and facilitating the settlement of the Transnistrian conflict in the context of the country Europeanization. APE was established in fall 2003 by a group of well-known experts, public personalities and former senior officials and diplomats, all of them reunited by their commitment to contribute with their expertise and experience to formulating and promoting by the Republic of Moldova of a coherent, credible and efficient foreign policy.



**Friedrich-Ebert-Stiftung (FES)** is a German social democratic political foundation, whose purpose is to promote the principles and foundations of democracy, peace, international understanding and cooperation. FES fulfils its mandate in the spirit of social democracy, dedicating itself to the public debate and finding in a transparent manner, social democratic solutions to current and future problems of the society. Friedrich-Ebert-Stiftung has been active in the Republic of Moldova since October 2002.