

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.

# NEWSLETTER

MONTHLY BULLETIN • MARCH 2023 • NR.3 (205)

## Synthesis and Foreign Policy Debates

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### News in Brief



On March 17, President Maia Sandu delivered an unexpected speech in the plenary session of the Parliament, in which she requested the Legislature and the Government to create the Anti-Corruption Court - a specialized court to investigate cases of high-scale corruption and corruption in the justice system. In her speech, Maia Sandu denounced the combined efforts of the Kremlin and the Shor Party to destabilize the Republic of Moldova. "The Shor Group has a clear mission from the Kremlin and the FSB - to bring war to Moldova. Their goal is to organize destabilization and bring down the democratically elected government through violence," Maia Sandu said. At the same time, the leader from Chisinau spoke about the unprecedented support that Moldova currently enjoys on the external level, ending her speech with the conviction that Moldova will become a member of the European Union by 2030.



The head of diplomacy from Chisinau, Nicu Popescu, said on March 17 in an interview for Radio Free Europe that Moldova has begun to gradually align with the sanctions imposed by the European Union on the Russian Federation for aggression against Ukraine and will sanction "in a few weeks" more Russian citizens. "It is predominantly about travel bans, the freezing of bank accounts or the assets of these individuals who are involved to a certain degree or another in the aggression against Ukraine," the official said. According to the minister, the decision has been made, but it will take some time until "all legal steps" are completed. He did not give the names of the individuals who will be banned from entering the Republic of Moldova, but said the list will include "about 25 people" and that "about half" are Russian citizens.



The National Security Council's strategic communications coordinator, John Kirby, said on March 10 that the United States has warned that individuals with ties to Russian services are organizing and intending to use anti-government protests in the Republic of Moldova as a basis for a "manufactured insurgency" probably having the ultimate goal of installing in Chisinau a government more friendly to Moscow. His statement was issued two days before a new protest organized on March 12 in Chisinau by the Shor Party and the "Movement for the People" founded also by Ilan Shor. Kirby's statement released by the US embassy in Chisinau also said that the US expects "another set of Russian actors to provide training" for artificial protests in Chisinau.

## The Republic of Moldova, caught in a security paradox: between Russia's aggression and the West's protection



Prime Minister Dorin Recean, together with President Maia Sandu, during his investiture as head of the Government

The new Government in Chisinau, led by Dorin Recean, a leader with a profile focused on security issues and with experience in Romania and the USA, has confirmed Moldova is preparing for a new perspective in addressing the security issues of Moldova. Moreover, three of its priorities refer to ensuring security

and public order, including through the component related to the Transnistrian separatist region.

Dorin Recean is gifted with both security skills as a former Minister of the Interior, as well as economic skills, which indicates his election to this position as a guarantee of the most

effective management of these unprecedented challenges for the Republic of Moldova.

The main interest is to prevent a puppet-regime loyal to the Kremlin from being installed in Chisinau and at the same time, a security breach from occurring behind the Ukrainian front. For this reason, the West will

► not allow Russia to reach Romania's NATO border with its troops, which would complicate the security situation on the Black Sea. For these reasons, the Recean government will benefit more than ever from the support of the West in terms of security. This signal was given very clearly by the leader of the White House, Joe Biden, in his historic speech delivered in Warsaw on February 21<sup>st</sup>.

Biden mentioned that the West would be with Moldova and its citizens on the path to European integration. An important political signal that places Moldova under the security protection of the USA and its allies. After the visit in Warsaw, where she received the promise of protection from the USA, Maia Sandu received security assurances the very next day from Romania, a neighboring state and strategic ally of the Republic of Moldova

Romanian President Klaus Iohannis declared that Romania will continue to support the Republic of Moldova, no matter what. "The Republic of Moldova is not alone", assured Iohannis. Thus, at the beginning of March, Prime Minister Dorin Recean was on his first foreign visit to Bucharest to receive assurances from the Romanian state in matters of security and defense, but also about the continuation of close economic collaboration. In fact, for over seven years, Romania has been the top trade partner of the Republic, with over 25 percent of Moldovan products exported to the neighboring state.

Last but not least, Kiev gave assurances that it will provide a protective shield for Moldova in the event of a military scenario provoked by Russia. In fact, in extenso, Ukraine is also fighting to protect the Republic of Moldova,

taking into account Russia's initial plans to attack through the Odessa area of Ukraine and then advance and open the front to Comrat and Tiraspol.

So, the paradox is that in the present situation, the Recean government has to manage both the biggest security threat to the Republic of Moldova coming from Russia, after the Dniester War of 1992, but also the security relationship with the West, an unprecedented one from the point of view of the defense shield under which Chisinau has now been located. This offers little prospect for Russia to act directly from outside the country on the Republic of Moldova, which is why Moscow is pedaling hard on a destabilization through protests paid by fugitive oligarchs with whom it is on the same level of interests.

*Madalin Necshutsu*

## The '5+2' pentilateral format of the Transnistrian settlement is outdated, during its existence we only saw unilateral concessions of the right bank

**W**e have discussed with MP Oazu Nantoi in the interview for the FES/APE foreign policy newsletter about how Chisinau should change its approach when it comes to the dialogue with Tiraspol, what scenarios for solving the Transnistrian case exist, and about Chisinau's plans for the reintegration of this region. The PAS deputy also explained the factors behind Russia's new aggressive disinformation campaign in the Transnistrian region and the military goals through these elements of hybrid war unleashed by Russia. We are inviting you to read the full interview in the following lines:

■ In the current regional context, what would it take the new Recean Government to change its approach for the reintegration of the country at present so that there is practical and visible progress in the reintegration process?



■ I do not know how visible this progress could be, but in my opinion, we lack communication between the society on the right bank and the residents of the left bank of the Dniester. I do not mean

that only the official structures could manage this project. In the past, there were also initiatives by non-governmental organizations.

■ The current reality differs from that of 10-20 years ago. Anyway, I believe that the population on the left bank of the Dniester must feel it is in the attention of those on the right bank. The population there should be informed about the positive prospects of European integration for the Republic of Moldova, implicitly for the citizens of Transnistria.

Some phobias that still exist, as well as some clichés or stereotypes, should be dispelled. It still needs to be explained to them that we all have something to gain in a reunified Moldova based on European standards and that the existence of this separatist regime is devoid of any perspective in the situation when the aggression of the Russian Federation has stalled regarding Ukraine.

### **Anachronistic negotiation format**

■ **What is the current state of the dialogue with Tiraspol and does the '5+2' negotiation format remain valid given that two of the actors in this format are at war?**

■ This format was institutionalized in February 2002 in Bratislava. In that phase, former president Vladimir Voronin promoted the illusion that he could quickly solve the Transnistrian problem. This is how the Kozak Memorandum on the federalization of the Republic of Moldova appeared.

This '5+2' negotiations format, institutionalized in Bratislava, was from the beginning proposed and promoted by the Russian Federation as a trap for the Republic of Moldova, as well as a guarantee that this problem will not be solved, ignoring the interests of the Republic of Moldova. Moscow's interests boil down to the fact that, under the pretext of resolving the Transnistrian conflict, a special legal status had to be imposed for the eastern region of the Republic of Moldova, which would have transformed the country into a pseudo-

state controlled and manipulated by the Kremlin.

After Igor Dodon became president of Moldova, with the contribution of Vladimir Plahotniuc, Russia tried to realize the same scenario, to which it also added the argument that Transnistria had to be transformed into a precedent for Ukraine, based on the Minsk Agreement.

In this sense, as the Kozak Memorandum is telling for Moldova, a 'fantastic' document entitled "The Group for the Support of Ukraine" appeared on the website of the Russian Ministry of Foreign Affairs on 17 March 2014. In that document, the vision of the Russian Federation is described word for word, more specifically the imposition of a pseudo-status for the Donetsk and Lugansk regions and the transformation of Ukraine into a buffer zone between the Russian Federation and the rest of the democratic world.

Thus, the pentilateral format started, from the beginning, from a wrong premise, namely that this conflict is an internal one. It was also said that the separatist regime in Tiraspol allegedly represent the interests of the residents on the left side of the Dniester. Not to mention, that the Russian Federation and Ukraine existed in that format as mediators.

However, if we recall the date of 8 May 1997, when the Memorandum on the normalization of relations between the Republic of Moldova and Transnistria was signed in Moscow, the Russian Federation assumed then the role of guarantor of relations between the right and left banks. Regrettably, that idea was also found in the preamble of the Peace and Friendship Treaty, signed on 19 November 2002 between Presidents Vladimir Voronin and Vladimir Putin. The documents were ratified by the Parliaments of both states and are valid to this day.

In conclusion, the pentilateral format is outdated. During its existence we have

only seen unilateral concessions by the right bank, which has allowed the left bank to consolidate the separatist regime and become even more arrogant. Therefore, this format died, especially after the annexation of Crimea, after Ukraine was forced to adopt a decisive attitude towards Russia's policies in relation to Moldova in the case of the so-called Transnistrian conflict. Until then, Ukraine was trying to compete with the Russian Federation in Transnistria, not necessarily to the benefit of the Republic of Moldova. The situation changed in 2014 and this format has been dead ever since.

### **Russian information warfare in the Transnistrian region**

■ **Russia has openly launched a series of threats to both Moldova and Ukraine in relation to the Russian citizens in Transnistria. At the same time, they are also Moldovan and Ukrainian citizens. Who should take care of them?**

■ Not only care, but also political and moral responsibility rests with the Chisinau leadership. As for citizenship, on the left side of the Dniester we have an amalgam of all kinds of citizens. We know that Russia has been distributing passports for a long time promoting the rhetoric that the Transnistrian region is populated by Russian citizens.

We know that Ukraine did this too. Even the separatist leader Vadim Krasnoselski obtained Ukrainian citizenship after the annexation of Crimea, while his wife, Svetlana, also holds a Romanian passport. Therefore, the citizenship criterion does not work in this case in order to claim rights over this territory.

The only state that bears moral and political responsibility is the Republic of Moldova within its borders recognized by the international community. Therefore, we in Chisinau, in partnership with the democratic world, have the moral and political commitment to resolve this

conflict based on the Constitution of the Republic of Moldova, which is a unitary, democratic, and indivisible state.

■ **Mr Nantoi, how high is the risk that currently Tiraspol will listen to possible military orders from Moscow and engage in military actions towards Chisinau or Ukraine, given that we already know that Russia has its own people at the head of the force structures there?**

■ I think the risks are close to zero. For the simple reason that, on the one hand, the Ukrainian army has demonstrated that it is strong and motivated, or else on the left bank of the Dniester, the alleged Operative Group of the Russian Troops is over 70 percent composed of natives of Transnistria. They chose the Russian citizenship and were employed on a contract basis in this Task Force for salary and social package reasons. No way had they chosen to fight and die for Putin's cause.

There, on the left banks of the Dniester, there are no people willing to fight and die for Putin, either for Kiev, Chisinau, or NATO. It is a bluff, and precisely for this reason, the secessionist leaders in Tiraspol, after 24 February 2022, have behaved very cautiously, demonstrating neutrality in every possible way, except for the so-called negotiator Vitaly Ignatiev, also a Ukrainian citizen, who sometimes receives a series of instructions from the Kremlin and plays along the Russians. However, these things are not serious, because on the left bank of the Dniester they are not willing to fight. Also, even today in Chisinau you can see cars with registration numbers from the left bank of the Dniester that have moved here, to the right bank.

On February 24<sup>th</sup>, when I was in Kiev, I received a call from people on the left bank of the Dniester who were alarmed by the Kremlin's inflammatory statements that Ukraine would attack the Transnistrian region. I calmed them down and told them that it was nothing but an informational attack with which Russia was trying to tense the situation in the Republic of

Moldova and divert the attention from what is happening on the front line in Ukraine.

I know situations where people have brought their children to Chisinau and left them here because they are still afraid. Despite the fact that it has been speculated for decades that Transnistria is a stronghold of the Russian world, in reality, this is a bluff. The things have deteriorated, because for decades this region has been a tool for the international organized crime network dealing with smuggling.

■ **The Transnistrian region is depressed and depopulated. The active people have quit the region.**

■ I would like to highlight that the military potential of this region is very low except for one situation, which cannot be ruled out. For example, when the Russian troops occupied the Snake Island last year, when on April 26-27 the Russian rockets destroyed the Zatoka bridge, it became clear the risk of a Russian landing from southern Bessarabia with an exit to our Gagauz autonomy and then to Transnistria.

However, later, the Russian troops were forced to leave the Snake Island, then the *Moskva* cruiser was sunk, and Russia lost ground in Kherson and the Kiev region. The likelihood of such a scenario with the involvement of the Russian Operational Group Troops (GOTR) on the left of the Dniester has decreased suddenly.

At present, everything depends on the situation on the front line and we must note that the Ukrainian army defends not only the right to exist of the Ukrainian nation and Ukrainian state, but also of the Republic of Moldova.

### **Reintegration strategies**

■ **After the amendment of the Criminal Code regarding the support of separatism, if the secessionist leaders from Tiraspol are found guilty of separatism, can they be detained and brought to justice?**

I find it difficult to be categorical on this matter. Not being a politician then, for decades I had been active and in 2004 launched what was then called the "3D Strategy - Demilitarization, Decriminalization, and Democratization" of the so-called Transnistria.

In my opinion, in relation to different segments of the population on the left of the Dniester, clear and coherent policies should be promoted according to two eternal principles - divide et impera and "stick and carrot".

Normally, this law must be applied in relation to those categories of people who will try to oppose the reunification plan of the Republic of Moldova. If the plan was initiated by the leadership from Chisinau, in partnership with Ukraine, Romania, or NATO. The plan is not a simple one. At the same time, it is not very complex either. It is not unachievable as long as the alleged Transnistria is isolated from the Russian Federation. Moscow cannot intervene with anything except for demagogic statements, or cruise missiles that no one examines.

In the framework of the demilitarization process of the region, it is clear that supported efforts of NATO, Ukraine, and the EU are required here. The adoption of a lustration law and a repatriation programme to the Russian Federation of leaders loyal to Moscow, who are incompatible with the existence of Moldova as a sovereign state, are necessary.

**Are there any estimates of a possible reintegration of the Transnistrian region? Does Chisinau now have the financial power to reintegrate the population of this region in the scenario where there will no longer be a secessionist regime in Tiraspol?**

The question is pertinent and I would like to tell you that at least the problem of estimating the reintegration costs is realized.

We also know, for example, that there are about 140,000 pensioners, and this problem must be solved by making the enterprises on the left of the Dniester pay taxes in the accounts in Chisinau, like all other economic agents throughout the country. Therefore, the issue of costs is acknowledged and I hope that some expert groups are already working in this direction.

### **Transnistrian region, economically dependent on the UE**

■ **Moldova is constantly accused of economic blockade by Tiraspol, but the figures show that for many years, the**

**EU has been the main partner of the Transnistrian region. How to explain such verbal falsification of the realities on the part of Tiraspol?**

■ According to the census, Tiraspol is a town that had about 180,000 inhabitants in 1989, and now we don't know if half are left.

If we talk about the Tiraspol puppet regime, it responds to two command centers. The first is the Sheriff holding company, and the second is Moscow, the first having to play along demagogic statements by the Russian Federation.

The regime there does not talk about the real state of affairs, namely that all

economic agents on the left side of the Dniester are registered in Chisinau and carry out all import-export operations with the customs documents of the Republic of Moldova, without paying a penny to the central budget.

Such statements are part of this layer of informational garbage that is sometimes activated on the left side of the Dniester. However, there is nothing meaningful behind these statements. Russia's aggression overturned the plans of those from Tiraspol.

■ **Thank you!**

## ***The generation of missed opportunities or the one that will bring the Republic of Moldova to the EU?***

### **Editorial by Lina Grau**

The Republic of Moldova is currently in an unprecedented historical situation, one with enormous risks, perhaps comparable only to those at the beginning of independence, but also with opportunities that could remove it once and for all from the grey area of history and geography, placing it among European countries with a future and development prospects. The terrible war started by Russia in Ukraine irreparably changed our region, and Chisinau now has a real chance, as never before in recent history, to get out from under the umbrella of Moscow and to pass "on the good side of history". The current year will show how far the Republic of Moldova will be able to go along the path it undertook when it submitted its application to join the European Union.

Decisive in these circumstances are the clairvoyance and power of persuasion



of the political class, but also the effort and discernment of society. A society that, I have no doubt, is largely pro-European, but which is still very much affected by the virus of disinformation

and manipulation, planted for decades by the mechanism of hybrid war waged by Russia across the ex-Soviet space that it believes to be its area of influence. For years, the Republic of Moldova

has remained extremely permeable to this virus, largely due to duplicity and corruption at the top of the political class, for whom the ambiguous status of a country sitting on two chairs was a perfect platform to grow its personal and criminal group assets, control, and influence. A political class that for 30 years made the concept of “governance” synonymous with “abuse”, “influence peddling”, and “organized crime”. Belonging to the clans of power constituted here the guarantee of unlimited access to resources and impunity. This is why we have reached a point where an important part of society no longer officially believes in the good intentions of any government, does not see collective solutions, and opts for the individual solution of emigrating to countries with more predictability and security.

### **Overlapping crises**

None of the governments so far has ticked off so many simultaneous crises: Covid-19, war in Ukraine and unimaginable waves of refugees, unprecedented price increases in recent decades, economic crisis, energy blackmail, black-outs, tariffs more than doubled or tripled, combat missiles that fly over and fall on the country’s territory, a separatist regime that both accentuates and tempers its aggressive speech, and a political opposition deriving from organized crime and becoming the docile tool of the Kremlin militarist plans. And the list can go on. Crises to which the PAS government, and in particular the cabinet headed by Natalia Gavrilă, had to look for urgent solutions in real time and which, let’s be objective, it coped with much better than we would have expected. Just imagine where we would be now if there was a pro-Russian government in Chisinau during this period.

What the pro-European government failed to do though in these almost two years was to convince the society that the promises related to the fight against

the high-scale corruption and the justice reform have actually a chance to put a corrupt and subordinate system to the oligarchy in the service of the democratic and pro-European transformation of the country, and the big corrupt have no escape and will end up in prison. Stuttering, controversial appointments, postponements, obvious mistakes that led you to think of a knowing sabotage of the judicial reform process brought a lot of disappointment and removed some of the actors from the system who could have contributed to the change.

### **Better image abroad outside than at home**

During all this time very little has been explained and discussed. Against the background of a huge effort to manage the current crises and behind the relative comfort ensured by a sufficient number of mandates in the Parliament, the government has limited communication with society, ending up with a better image abroad than at home.

In these circumstances, the replacement of the prime minister seemed to be more of an image act. One way or another, Dorin Recean’s cabinet is part of the same government and has the same foreign policy priorities.

In the short term, it will benefit from the positive effects of the projects initiated by the Gavrilă cabinet, including in the field of energy, infrastructure and external assistance, plus a greater emphasis on communication with society. Security aspects, which are part of Dorin Recean’s direct expertise area, have also started to be developed since last year. Reforming the security sector and force structures is an announced priority for this year. The Republic of Moldova can count on the support of Western partners and NATO in the field of assistance for defence and for equipping the National Army. It is not very clear if the government has any communication strategy to disprove the scaremongering fed by Russia for 30 years

regarding the threats that NATO poses for the Republic of Moldova and to explain to the society that the neutrality status is only a statement that cannot defend us in case of real danger. Above all, the government must understand that the main component of a state’s security, the first line of defence, are people with sound judgment who understand the realities correctly and thus do not become targets of hybrid attacks. In order to have that, they must at least communicate with society and have their decisions explained to them.

### **Justice, a touchstone**

Justice is also expected to be on the front line in the series of big problems for which the government will have to find solutions in the shortest possible time. As well as the cases of the corrupt, including those on the run, where there is more and more pressure for decisions at the international level. The progress of Chisinau on the European path will largely depend on the success of the justice reform and the actual convictions in the high-level corruption cases - six of the nine conditions formulated by the EU in the pre-accession process of the Republic of Moldova relate to these areas.

Energy, both in terms of access to resources and costs, will continue to remain a major challenge for the Republic of Moldova in the years to come. What has not been done for 30 years will have to be done urgently. The construction of new energy interconnections with Romania must become a priority, as well as the construction of road and rail infrastructure, and new bridges over the Prut.

The government will also have to think very seriously about another topic avoided most of the time when discussing European integration. There are more and more voices asking: “And yet, what do we do with Transnistria?”. I don’t think anyone has any illusions that we could

be admitted to the EU without solving the Transnistrian problem and without the Chisinau authorities restoring their control over this territory. However, the war started by Russia in Ukraine seems to bring the outcome for the separatist regime from Tiraspol closer. With the victory in this war, Ukraine will be interested in eliminating any kind of Russian military presence on its western border, and the region to the left of the Dniester will become very dependent on the decisions made in Chisinau. I hope that the Moldovan Government has begun to think about a Regulatory Plan with clear provisions on how the Transnistrian region would be demilitarized and administered, on what will happen to the economic agents and the population there, including the 140 of thousands of pensioners, and about how much it will cost to reintegrate the country. Obviously, these costs cannot be borne by the Republic of Moldova in its current situation, but Chisinau could ask to be included in the global

reconstruction efforts of the region, after the end of the war in Ukraine. Let's not forget the debt of the Transnistrian region for gas, which is close to 8 billion dollars. Chisinau must seek international mechanisms so that this debt does not end up on the shoulders of the Republic of Moldova, but is attributed to Gazprom and Russia, as a state sponsor of terrorism and separatism.

### **Precise term for European ambitions**

A few days ago, President Maia Sandu asked, in a programmatic speech held from the Parliament's rostrum, for society's support for the Republic of Moldova to become a member of the European Union by 2030. An ambitious goal that will decisively depend on the next round of elections. This year's November elections will become a litmus test for the 2024-2025 presidential and parliamentary elections. An electoral rematch of the oligarchic and pro-Russian opposition

would put the European path on hold and keep the Republic of Moldova in a grey area of history, turning it into a kind of self-isolated anachronistic Transnistria between the EU and a Ukraine that will develop intensively in the pro-European and pro-NATO direction.

In order not to admit this rematch, the current pro-European government in Chisinau must start delivering results that are felt by ordinary people, communicate with society not only with one voice, and eliminate the interference of organized crime in the political processes of the country.

And yes, we, the generation whose adolescence coincided with the first rallies in support of the Romanian language, want to be not only the generation of the great historical chances missed due to the corruption and incompetence of the political class, but also the generation that will bring the Republic of Moldova into the European Union.

## Expert opinion

# The '5+2' format: unjustified expectations of the Transnistrian settlement

**Natalia Stercul, Executive Director, Foreign Policy Association**

***As the theater of military operations near the borders of Moldova expands and drags out, the so-called Transnistrian issue is causing more and more not unfounded fears. The dialogue platform of the '5+2' format under these conditions is not functional and is unlikely to produce results in the short term. The future of this dialogue format is seen as extremely vague, especially if we proceed from***

***the fact that Russia and Ukraine are in a state of war and after it ends, in any case, the parties will no longer sit down at the negotiating table on the Transnistrian settlement. Is there a peaceful way out of the Transnistrian impasse? What steps are the Moldovan authorities planning to take? –these are top issues on the agenda of Moldova. Let's try to understand is happening.***

The Russian war against Ukraine has radically changed the approaches of the Republic of Moldova towards security, defence, and stability issues. The unresolved Transnistrian conflict seriously aggravates the situation of Moldova from the point of view of the entire spectrum of potential risks and threats to national and regional security. The country found itself in the most vulnerable position of all the states bordering Ukraine. As Russia escalated hostilities, the fears in Moldova have been growing being accompanied by both repeated

demands of the Transnistrian side for international recognition of the independence of the region, as well as by the disturbing incidents that forced the authorities to convene meetings of the Supreme Security Council and take the necessary measures to prevent the escalation of the conflict and maintain the security of the state. In these unprecedented conditions of war near the borders of Moldova, the authorities tried to make every effort to maintain stability on both banks of the Dniester River.

### ***The '5 + 2' format in retrospective view***

The "Achilles' heel" of Moldova - the pro-Russian Transnistria has been, for more than 30 years, the subject of close attention of the parties involved in the conflict, as well as of the discussions at the regional and international level. The negotiation process made it possible to maintain the latent nature of the conflict and maintain a peaceful state in the region. The "5+2" format - a dialogue platform, which is referred to as the Permanent Conference on political issues within the framework of the negotiation process on the Transnistrian settlement, was created in 2002 with the aim of developing parameters for a comprehensive settlement based on the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognized borders. Despite the high expectations from this format, the dialogue platform itself has never been distinguished by regularity and stability of meetings in the official format. Its name comes from the number of the parties participating in the meeting - the Republic of Moldova and Tiraspol (the parties to the conflict), the Russian Federation, Ukraine and the

OSCE (mediators in the settlement process) and the EU and the USA that joined the format in 2005, acting as observers over the negotiation process.

During the existence of the '5+2' format, its working activity was repeatedly interrupted. One of the longest pauses was the period from 2006 to 2011, when only informal meetings took place. At the same time, expectations for a final resolution of the conflict not only persisted, but were constantly reinforced by the rhetoric about the leading role of this dialogue platform in the settlement of the Transnistrian problem. After 2011, the meetings resumed their work, however, no substantive practical progress in the development of a common acceptable formula for the development of a final document on a comprehensive settlement of the Transnistrian problem was found. At the same time, the consolidation of the efforts of external actors to revive the negotiation process has led to an increase in the trust of the parties and their interaction within the agreed socio-economic space. The need to improve the economic situation and intensify the activities of joint expert groups on confidence-building measures was brought to the fore. The tactics of small steps actually contributed to the restart of the interactions of the negotiation process. The issues on the agenda of the official negotiation process were divided into thematic sections, called 'baskets', which included: socio-economic issues; general legal and humanitarian issues, and human rights; a comprehensive settlement, including institutional, political and security issues. Subsequently, it could be observed that the last basket was actually always left empty due to the unwillingness of Tiraspol to move

in this direction. It was expected that the parties would be able to return to its coordination when other stages of the negotiation process were implemented and the space of trust formed as a result of successful socio-economic and humanitarian interaction would allow the parties to move on to discussing more complex political issues that make up a comprehensive settlement. However, this did not happen.

The most important protocol decisions of this format are the decisions on the dismantling of the industrial funicular between the cities of Rezina and Rybnitsa in 2013; the 2013 protocol decision on a number of issues of pension and social security, as well as the 2014 protocol decision on ensuring free movement. At the '5+2' meeting in Berlin in 2016, the parties agreed to work out eight confidence-building measures that make up the famous Berlin Plus package, which was quite productive, although it was repeatedly criticized. In 2019, the last round of the negotiation process took place, after which meetings within this format were no longer held, which was another long break. At the same time, the authorities of the unrecognized Transnistria have repeatedly accused the Moldovan side of an infantile and passive position in the '5+2' format and of delaying and disrupting the negotiation process. The official Chisinau, on the contrary, speaks out about the unwillingness of the Transnistrian side to hold discussions on specific issues leading to real practical steps, aimed at resolving the conflict. With the beginning of the war in Ukraine, the resumption of the negotiation process is no longer possible at all, because the two mediators of this format of negotiations, Ukraine and Russia, are currently at war. In addition, Russia

continues to support separatist tendencies in Moldova.

### ***The war in Ukraine and the nebula of the '5+2' format***

Over the past year, the regional context has changed radically. The Transnistrian problem remains in constant tension, because at any moment the situation can change and get out of control. In the event that hostilities move towards the borders of Moldova, panic will only grow, which will undoubtedly lead to a new wave of potential risks, including those of a military nature. Moldova is relatively safe only as long as Ukraine heroically holds out. According to the statements of the Deputy Prime Minister for Reintegration, Oleg Serebrian: "Negotiations in the '5+2' format have stalled, and the prospects for maintaining this format are vague. The parties are now in a state of waiting. This is the most reasonable thing we can do in the current situation."

The search for possible options for resolving the Transnistrian problem is still difficult. The inefficiency of the '5+2' format has long been an obvious fact. However, the Transnistrian side and the Russian Federation are disputing this in every possible way, accusing Chisinau of unwillingness to promote the dialogue. In addition, Russia is speculating in every way that Chisinau does not plan to return to '5+2' format: "The Moldovan authorities no longer need negotiations and peace agreements with the Transnistrian region. The Moldovan leadership is

ready to resolve the issue by force and insists on the expulsion of Russian peacekeepers, as well as of those who guard the ammunition depots in Colbasna." It thinks Kyiv and the EU want to weaken Russia's position in the '5+2' format. In addition, it repeatedly noted that, in order to please the West, the Moldovan leadership copies the actions of the nationalist regimes in Ukraine and the Baltic countries, based on Russophobia and anti-Sovietism. In its opinion, Moldova is the next country that can follow the Ukrainian path. This is far from being the only example of the threatening rhetoric of representatives of Russian diplomacy against Moldova.

### ***Is there a way out of the Transnistrian impasse?***

Chisinau came to the conclusion that under the current conditions, when the theater of military operations is located near the borders of Moldova, the resumption of negotiations in the '5+2' format is not possible. No one can answer the question of how long the war will last and what its outcome will be. The risks of undermining security are extremely high, which requires a revision of the National Security Strategy of the Republic of Moldova, strengthening the state's defense capability and significant investments in this sector. In addition, the '5+2' format also needs to be revised. Under the current conditions, the possibilities for this have not yet been determined, however, the dialogue with Tiraspol is being built unilaterally in the hope that the

Transnistrian side will still abandon its demagogy about secession. It is planned to continue the dialogue in the '1+1' format. The current OSCE Chairman is also convinced that the mission in Moldova should facilitate the meetings and the '1+1' working groups. "We must use any means, support confidence-building efforts, and avoid any obstacles. Even if the negotiations cannot continue in the '5+2' format, talks should be held between the main negotiators."

At the same time, Tiraspol is concerned about the law "on separatism" adopted by the ruling party. The potential risks and opportunities that the leader of the unrecognized Transnistria, Vadim Krasnoselsky, and the chief negotiator from Tiraspol, Vitaly Ignatiev, risk falling under the new legislative provisions are discussed by the society, which implies criminal liability. In Chisinau itself, different opinions are expressed on this matter, while the importance of this kind of legislative initiative is not disputed. On the contrary, there are concerns about the elaboration of such a mechanism, which may not be functional in practice.

Thus, the way out of the Transnistrian impasse is still vague. The only thing that seems obvious is the fact that the authorities have begun to take a more thorough and pragmatic approach to solving urgent problems in relation to the Transnistrian region. Compromises in settlement issues cannot be permanent, it is important to come up with an optimal solution formula that can be practically implemented by the Moldovan side.

# The pre-vetting selected candidates strongly suspected of political connections, which generates a lack of trust

**The anti-corruption expert, Cristina Ciubotaru, explained in an interview for the FES/APE foreign policy newsletter about the factors behind a successful justice reform in her view. We discussed a wide range of issues related to the working conditions of magistrates, the new package of safety laws and how a Whistleblower Law should work better. We are inviting you to read the interview below:**

■ **What do you think about the progress of the judicial reform after more than a year and a half of PAS government? How close or far are the authorities from the targets they set before coming to power?**

■ It depends on how sincere those targets were. If those in power really wanted the independence of the judiciary, they could achieve this goal, but I think they failed precisely here. Any process of cleaning and filtering the justice in which politicians get involved have no way of really succeeding. The problem of the lack of judicial independence consist in its politicization. The alleged "dirt" that the magistrates are still trying to clean is precisely politicization. It seems obvious to me that politicians cannot depoliticize the institutions of justice just as you cannot put the wolf guard the sheep or the fox in charge of the henhouse. So this approach was conceptually wrong. Even if the politicians were sincere about the reforms, the magistrates had to be involved in the reform processes at all stages. You cannot declare all magistrates compromised and use this pretext to make reforms against them. The magistrates must be part of the change, they are not the enemies of these



changes and they themselves have stated that many times on various occasions. If you make the magistrates your enemies, they will never embrace the reform efforts. The problems of the system are also their problems, not just the politicians' problems. They must be part of the change, not just experimental rats. This was the first mistake that doomed the justice reform to failure.

## **Fears and inconsistencies**

■ **What did not work and what should the current Recean government do better in terms of reforms, especially in terms of vetting?**

■ From what can be seen, the pre-vetting selected candidates strongly suspected of political connections, and this generates a lack of confidence on the part of the system towards their future representatives in the Superior Council of Magistracy (SCM). Pre-vetting has applied many standards that have nothing to do with integrity. The members of the Pre-

vetting Commission did not care about very important aspects of integrity.

Some of the admitted candidates are reasonably suspected of being close to the political class, and there are also press materials in this regard, which proved that initially they tried to hide this closeness. Other candidates are suspected of involvement in actions lacking integrity or even corruption, based on the evidence that the Pre-vetting Commission either ignored or did not know, as they are not indicated in its decisions.

On the other hand, the members of the Pre-vetting Commission charged, for absolutely unclear reasons, those who were not required to keep - themselves and all their relatives - transactions in certain assets. They were asked for all extended family accounting for the past 15 years, which was not a reasonable expectation of candidates. Although it had prerogatives to request any document about the candidates' relatives directly from any data holder, the

Commission omitted that and assessed that the candidates (some of them) failed to present documents (which they do not possess, nor the law permits them to request them, for they refer to other persons.

### **The pre-vetting failed to select judges of integrity or judges that justice needs**

■ As for vetting, the most obvious expected effect is that judges will be removed from the system. With every judge who leaves the system, the violation of citizens' right to access to justice will worsen. The fact that President Maia Sandu took almost a year before appointing a certain number of judges at the first instance, and they could not examine cases during that time, greatly increased the workload of their colleagues. New cases coming into the system were also not distributed to judges that have not been confirmed. At present, all their cases are redistributed to their colleagues, even though before knowing the decision of the CSM to repeatedly propose them to the President they remain in the system. If we were to make a comparison with the situation of these judges, whose workload falls on others now, generating a crisis, what should we expect after the vetting? Vetting means the exclusion from the system of a much larger number of judges, for reasons that will not necessarily be related to their integrity (the example of pre-vetting), and the crisis and chaos that will be triggered will be likely to exclude any access by the citizen to justice, not to mention the fate of the criminals who will end up being released or will not even be brought to justice. I am convinced that when, just as in the situation of cases processed by judges who were not appointed to the ceiling that were redistributed to their colleagues, the cases of judges who will not pass the vetting will be redistributed to other colleagues, which could cause those colleagues to quit the system,

due to the pressure generated by the abnormal workload.

For example, the vetting effect in Albania has resulted in the fact that currently a case of average complexity takes about 10 years to be reviewed. In the Supreme Court of Albania, court hearings are fixed once every few years. Albanians are joking saying that before they go to court now, they open their passports. And if they don't have much left to live, there is no point in going to court. This is equal to denying access to justice.

Politicians are not good at cleaning justice, only at politicizing this process. Even if they want this, in the process, inevitably, people appear who promote their own interests and turn a declared noble idea into a bankrupt one.

The citizens' lack of access to justice will have a detrimental effect on the right to property. This will also influence investments. Because for foreign companies that want to invest here, it is very important that the judicial system protect their right to property. When this does not exist, or is delivered with long delays, investors are discouraged. I do not believe that the plans for vetting in the judicial system should be continued, especially given the unsuccessful experience in Albania with this extraordinary evaluation.

■ **Should these conditions be more relaxed for vetting? Is it possible that this precedent from the Superior Court of Justice will repeat itself? If so, where could new magistrates be taken from, are there human resources?**

■ The pre-vetting applied measures that had nothing to do with integrity. These were used as a pretext to give power in the justice system to those close to politics. I think vetting will also continue to be a pretext. Whether the measures will be draconian or mild, we have seen double standards and

lack of transparency in this process. I do not believe in approaching this process through the prism of less drastic measures. Conceptually, the politicians cannot clean up the judiciary.

The judiciary has its own instruments that ensure its independence. There is the Superior Council of Magistracy (SCM) and the Superior Council of Prosecutors (SCP) and these bodies should be left to regulate the process. The fact that an attempt is made to prefigure a SCM and SCP in the image and likeness of the political class will vitiate the entire vetting process, if it is to be.

### **Boycott or justified gesture?**

■ **What is your opinion about the resignation *in corpore* from the Supreme Court of Justice of almost all judges? Do you see it as a boycott of the reform or as a justified gesture on the part of the judges?**

■ Both variants. It seems to me a natural consequence, seeing the judges who did not pass the evaluation for the SCM through the pre-vetting exercise, some of whom were not even suspected of being dishonest. Suspicions that, in my opinion, did not appear even after the non-promotion of the pre-vetting. However, even the Pre-vetting Commission said that those who did not pass the evaluation do not necessarily lack integrity. In this situation I wonder for what other purposes did the Commission filter the candidates, if not to ensure the integrity of the future SCM members?

Seeing that young judges, without publicly known "sins" or "sins" proved by the Pre-vetting Commission did not pass the evaluation, for judges with more than 15 years of experience in the system it is absolutely obvious that - having a long career, including solutions on cases cancelled by the ECtHR, working during so many governments - every judge was going to be disqualified. It was also

announced that if the judges do not pass the vetting, they will also be left without social security and magistrate's pension. Why would a judge who has worked for a lifetime voluntarily choose to lose those guarantees? Judges have a status, they naturally want some respect and an assured old age. Anyone in their place would do the same.

I do not want to say that they are good or bad, but I do not see why judges should want to go through the vetting process which rather guarantees that they will not pass the evaluation and be deprived of all those rights. Why should they do it?

■ **What do you think of the recent General Assembly of Judges? Who does the system oppose, the reform or the politician?**

■ I do not think the system is against it. At the assembly, the judges demonstrated that they have dignity. If they opposed - either the reform or the politics - they would not have come to the General Assembly. The politicians publicized this risk (miscalculated) and took precautions (unnecessary). A few days before the Assembly of judges, the Minister of Justice presented to the Government a draft law by which she arrogated powers to repeatedly convene the General Assembly of Judges in the event the Assembly did not meet the quorum, also reducing the quorum for the repeated assembly to be deliberative.

However, the judges did not just come to the assembly, they came in an overwhelming majority of 80 percent, they did not attack the candidates who passed the pre-vetting, they did not exclude the election of the 5 candidates from the agenda, although hardly can the option to choose from 5 candidates who passed the pre-vetting – 4 candidates for the SCM and 1 candidate for the alternate position – be called “election”. Rather, the judges gave a natural flow to the assembly.

The General Assembly of Judges hears the annual activity report of the SCM. Since the judges were not allowed by the politicians, through the Commission for exceptional situations and the state of emergency, to gather in the last 4 years, the Assembly convened on 17 March 2023 was to hear 4 annual reports of the SCM. Since the SCM did not include hearing the annual report on the agenda, the judges decided to modify the agenda by including hearings on the SCM activity reports, without excluding the point about the election of SCM members. After the SCM hearing, there have followed questions and speeches by judges. Although the SCM is accountable to the General Assembly of Judges, not all the members of the SCM who convened the assembly came to the assembly, while the interim chair of the SCM simply escaped from the room during the judges' questions to the SCM.

After about 6 hours, the works of the General Assembly of Judges were interrupted with the judges agreeing to draw up a statement on the state of affairs in the judiciary and set the date of 28 April 2023 when they will meet for the continuation of the General Assembly.

The political reaction that followed was unhealthy, accusing the judges of opposition and sabotage, while the sneaky escape of the self-appointed interim chair of the SCM, with his mandate expired and inherited from the Plahotniuc times, Dorel Musteață, went unnoticed and uncriticised by the Minister of Justice, the chair of the Legal Parliament Committee of the Parliament and the President of the country. The politicians do not attack their person.

Paradoxically, all the drastic reforms to clean up justice were politically justified by the unwillingness of the system to clean itself, while the only one who could ensure the cleaning of the system was the SCM. The politicians, however,

vehemently opposed its revocation at the Extraordinary Assembly of Judges in 2019. This is how the politicians “defended” the independence of the judiciary, keeping in positions at the SCM the people from the period of the captured state, even 2-3 years after their mandate expired, prohibiting judges to convene in general meetings for 4 years, at least to invest a full-fledged SCM.

The political support for the SCM responsible for the capture of justice during the Plahotniuc times, responsible for the system's inability to self-cleanse, the high importance given to this SCM at the meetings of the Supreme Security Council is an anomaly that discredits the reform processes with the announced goal of cleaning the judicial system. This establishes a reasonably strong suspicion of an attempt to subdue the judiciary to the political factor.

I cannot otherwise explain what is happening. However, I can definitely say that the judicial system is not opposing the reform. At least the General Assembly of Judges of 17 March 2023 gives me no reason to think so.

■ **What is wrong with the criminal cases of resonance? Where do you see the problems, with the judges or the prosecutors who work on those cases?**

■ It is the politicians' problems. There is too much interference from politicians. They too often, even openly, formulate tasks for magistrates. We do not know what happens in closed meetings, but the intentions regarding the solutions in the cases are often revealed publicly. The presumption of innocence has been violated many times.

Judges and prosecutors are directly threatened with vetting and pre-vetting that they will not go through, and it is logical that they do not feel free because of this. When the judge or prosecutor understands today that if you do what

the current government wants, tomorrow there will be another government, one that may not have the same perspective or opinion on the legality of the solutions that a prosecutor or judge has to give. It is enough to see the opinions of the parliamentary and extra-parliamentary opposition parties.

Judges and prosecutors try naturally to find reasons to delay or are extremely cautious. The magistrates understand that if they do not answer today, they will answer tomorrow before the next government why they acted according to the grievances of today's ruling party. There are examples of judges and prosecutors that politicians took revenge on for legal solutions they have adopted previously, by not appointing them to the ceiling or through other administrative acts that affect their careers. At the same time, magistrates held accountable for clearly illegal decisions or for the criminal investigation carried out illegally are not well known to public opinion.

### ***Dangers and Warnings***

■ **What do you think of the new Law proposed by the Security and Intelligence Service (SIS) that could no longer need a court warrant for certain actions? There are heated debates as to whether or not the SIS should be given such enhanced powers and prerogatives. What do you think?**

■ I understand that there are security risks in the region, especially related to war. At the same time, such great surveillance powers, a kind of Big Brother, without any limit, is a bit hard to understand.

Regarding the security mandate, it is enough to look at what happened in Romania. The mandate of the Romanian Intelligence Service (SRI) was declared unconstitutional. Subsequently, the criminal cases that were initiated under the security warrant were reviewed and

cancelled. Moreover, Romania also had convictions at the ECHR in this regard.

This has been one of the biggest mistakes of the Romanian National Anticorruption Department (DNA). The DNA that was greatly admired in the Republic of Moldova, the institution that was later forced by circumstances to admit its mistake for having used the security mandate of the SRI. Especially in the case of magistrates, who were later rehabilitated. This was even described by Daniel Morar, former head of DNA and judge at the Constitutional Court in Romania, in his recent book that became a bestseller "It could have been otherwise. A subversive history of justice after 1990".

In the context of the Republic of Moldova, when the government wants efficiency on cases of resonance, specifying also the type of results on concrete cases, I think the security mandate for the special secret services is dangerous, because it can end up being used to intimidate prosecutors and judges.

And this is not because I have a bad opinion about SIS, but because secret services have a certain way of acting and if they have no limits - they tend to abuse. The restriction of some fundamental citizens' rights can only be done with a court order. No matter how much hatred towards judges the government cultivates.

I understand that it is becoming convenient to discredit the entire judicial system and the prosecutor's office, to say that they are all bad, and on this background to justify the expansion of the powers and mandate of the SIS, an institution that has a much greater immediacy to politics.

Thus, with the best intentions, the path will be paved to the "secret service justice" of the NKVD-ist era of the USSR from which we took refuge in

independence and democracy. I don't want to say that it would end up being exactly the same, but either way we would be closer to those times than to the normality we all want.

Both GRECO (the Council of Europe's Group of States against Corruption) and the Council of Europe's Consultative Committee for Justice have clear and explicit recommendations and standards in this regard. They say that the secret services cannot be involved in any form of ensuring the integrity of prosecutors and judges. Not even in criminal cases.

The Venice Commission, another body of the Council of Europe, said much the same. There were professional associations of Romanian magistrates who made public appeals and addresses to the authorities of the Republic of Moldova one year ago, reminding them about these standards. You cannot involve the secret services in integrity processes. I understand that it is not the same as the security warrant, but I fear that the security warrant will be used as a specific pretext to continue the political interference in the judiciary.

### ***Incomplete law***

■ **What do you think of the current form of the Public Integrity Whistleblower Law? Does it protect and encourage honest people to report cases of corruption to the authorities?**

■ The current Whistleblower Law has come with a handicap. Concurrently with this law, no sanctions were voted for possible retaliatory actions taken against the whistleblower.

The whistleblower, when he/she wants to make a public interest disclosure of illegal practices, wants to know that he/she is protected precisely against retaliatory actions. The adoption of these sanctions took time, and they were not introduced in the Criminal Code. During that entire

period of time, effective whistleblower protection did not exist.

The ombudsman who was supposed to provide protection did not have sufficient understanding of this mechanism. The institution is not understood even by the courts, for now, where the Ombudsman addresses for the protection of whistleblowers. Unfortunately, the former Ombudsman, Mr. Mihai Cotorobai, who participated in the writing of the law, died during the pandemic, and his duties were taken over by the Ombudsman for the rights of the child, who, however, had a different profile and could not understand the institution of the public whistleblower.

I don't think the integrity whistleblower institution has the intended application yet. It was popularized because there were NGOs that worked a lot on this aspect. I can say even more than the National Anticorruption Center, which is one of the institutions that reviews public interest disclosures. I believe that a better implementation by the institutions was required, but also legislative protection against retaliation against whistleblowers.

Regarding the fact that some say that this law is not in compliance with the EU Whistleblower Directive, I must say that in our country the law was developed in 2017 and adopted in 2018. I know this because I was working for the institution that had worked on that draft law and

this was one of the conditionalities imposed by the EU.

The EU was advising to vote the law, while the EU itself was only drafting its own directive. We told them back then that we needed a model from them, but they insisted we be guided by the draft EU Directive. It is somewhat half-true that this law does not comply with the European Directive.

I think that the current mechanism can be improved, as well as the institutional approaches, and of course the legislative mechanisms. However, I very much doubt that a law is necessary at all.

■ Thank you!

## SECURITY & DEFENCE DIGEST



Platform for Security and Defence Initiatives

# Security priorities of the Moldovan Government and developments of the security environment (short-term forecasts)

**A**gainst the background of protests organized by the opposition in front of the Parliament, on 16 February 2023, the Parliament of the Republic of Moldova gave a vote of confidence to a new cabinet of ministers led by Dorin Recean and approved the governing program "Prosperous, safe, and European Moldova". This change of government raised several discussions, beyond the fact that the changes in the composition of the cabinet of ministers were superficial, especially with reference to the statement of the new Prime Minister of absolute prioritization of the security of the Republic of Moldova.

The prioritization of national security is welcome and opportune at the current moment, arising from the developments of the security environment during the last months, which have been

turbulent, generating, frustrations, and uncertainty in society. However, these signals about the importance of national security for the government's agenda are not clear. The highlighted actions are of

a general nature, and the trend of "being a regional security provider" through the development of the internal affairs system is nothing new.

Moreover, improving the security situation requires the development of an action plan that highlights the need to strengthen defence and resilience capabilities, not only through the modernization of the National Army, which of course represents an urgent necessity, but also through developing a clear mechanism regarding civil protection,

especially since President Maia Sandu mentioned that “the task of the new government is to provide security to citizens”.

And last but not least, we cannot neglect the need to strengthen the capacities of law enforcement and security institutions, equipping them “adequately according to the current risks”. However, in the context of the promotion of three Security and Intelligence Service (SIS) bills, these statements rather raise questions than provide a feeling of “peace” and “trust”, as “security” is more often defined. That is, the lack of clear information allows misinterpretations to undermine national interests.

In the context of the complicated regional security situation, with a war on the border of the Republic of Moldova, security priorities, as well as defence, are influenced by current events.

### ***Russia is shifting attention from the failures on the Ukrainian front***

We cannot neglect the events of this February and March, which were characterized and dominated by information and speculation regarding the attempts to destabilize the situation in the country against the background of the population’s dissatisfaction with the economic situation, or against the background of the possibility of resolving the Transnistrian conflict by force. This information comes as a result of the heavy fighting going on in Eastern Ukraine, where the Russian Federation army is desperately trying to lead a full-scale offensive to capture at least the city of Bahmut in its attempt to demonstrate success to the Russian citizens.

Under these conditions, according to the speculations of several Moldovan analysts and politicians, it is logical that Russia’s attention was directed towards destabilizing the situation in the countries of the post-Soviet space less prepared for an armed conflict. The first targets could be the Republic of Moldova and Georgia, where mass popular uprisings began. Both the political authorities of the Republic of Moldova, as well as officials from Ukraine, the United States of America, and the European Union have warned that aggressive actions are possible during the protests in Chisinau. Also, officials from Kiev and Moscow speculated that provocative actions were prepared on the territory of Transnistria, blaming each other.

This situation is complex for both belligerent countries. On the one hand, Ukraine shows that if Kiev falls, then Russia will not stop only at conquering Ukraine, but will also try to occupy the Republic of Moldova, thus justifying the request for continued assistance from the West.

On the other hand, Russia, through the narrative of the change of power in Chisinau, continues to keep a certain number of combat-capable Ukrainian military units in the Odessa region so that they cannot be sent to the Donbas front. Both countries would like a change in the Republic of Moldova in its favour: Ukraine - the resolution of the Transnistrian conflict, and the Russian Federation - a pro-Russian government in Chisinau. However, neither Ukraine nor Russia currently has the resources to force decisive action, all resources being concentrated on the Eastern front.

The warnings of officials in Ukraine and Chisinau may have deterred possible violent actions to destabilize

the domestic situation, however they turned out to be exaggerated. Thus, the protests of 12 March 2023 were weak and banal from the point of view of preparation, and the authorities successfully managed to prevent the escalation of the situation by counteracting the illegal financing of the protesters, but also the groups of aggressive people prepared to force the police cordons. In fact, it demonstrates that Russia’s potential to successfully organize special operations to forcefully change the government in Chisinau using “proxy” forces in the country is limited. As previously estimated, much more robust logistical, military and popular support is needed to execute such operations, and for now these are lacking.

### ***Shield against hybrid warfare***

However, the authorities must continue to respond without delay to actions of a hybrid nature of the Russian Federation in the Republic of Moldova. Currently, they represent the biggest threat to the country’s security and pro-European course.

At the same time, the Moldovan authorities should continue to counter Russia’s hybrid war actions without creating panic in society. The messages should be accompanied by actions to prevent or counteract the existing risks and threats, which would reduce the fear and uncertainty in society and would not disrupt the activity of the business environment, which since the pandemic has suffered from a lack of predictability regarding the country’s internal situation. Additionally, the wave of people who are thinking of leaving the Republic of Moldova is constantly growing, according to the latest polls, while the actions to

identify and counter the attempts of illegal financing, arms trafficking, and illegal entry into the territory of the Republic of Moldova are increasingly visible in mass media.

The government's effort to strengthen international support in the field of security and defence, as well as energy interconnection initiatives with the EU through Romania, is also welcome. Both factors are decisive for reducing energy dependence on Russia, but also for strengthening the defence capacity to maintain political independence from the aggressor state that perceives the Republic of Moldova in its sphere of influence.

Obviously, the state of security of the country depends a lot on the actions on the battlefield in Ukraine. In addition, the main events in the region highlight Russia's inability to achieve tangible results following the offensive actions launched in February. The causes of the failure of the Russian Federation in achieving the established objectives are numerous. However, it is worth mentioning some of them.

First of all, the Russian Federation, even with the partial mobilization it carried out last fall, was unable to field the necessary number of troops to achieve a balance of forces clearly superior to those of Ukraine. What is worse, this did not succeed even on narrow sectors such as the city of Bahmut, and the Russian advance on Soledar and Bahmut proved to be very costly, primarily targeting Russian manpower. According to official Ukrainian media sources, the ratio of the use of manpower is about 1:5 in favour of Ukraine. This makes the tactical actions of the Russians unsustainable.

### **Changing battle tactics**

Another reason is that the armed forces of the Russian Federation are trying to change their tactics and combat procedures on the way. From a military point of view, it is very difficult to do this concurrently with combat actions. Until the invasion, but also in the first phase of the war, the Russian Federation used the so-called "Batalionnaia Tacticeskaia Gruppy" (BTG).

Although each BTG has impressive firepower, the downside is that it has a complex Command and Control process, and few infantry troops to fight, and to secure supply lines, flanks, and other auxiliary missions. This is because these ad hoc military units were designed for low-intensity wars, stability, and peacekeeping operations, and not for action in a full-scale war.

Thus, in the first phase of the war, using the tactics of small subunits, the Ukrainian forces managed to attack the BTGs from several directions, simultaneously, with small elements, overloading the Command and Control element and bringing the Russian BTGs to tactical inefficiency, which translated into operational and strategic inefficiency. The Russian army is trying its best to change the combat formations, initially switching back to the classic brigades and divisions, and then, inspired by the success of the "Wagner" mercenaries, they adopted a new tactical concept, where the primary role no longer belongs to armour, but to manpower. The current tactic, while generating some tactical successes, is extremely expensive, and the burden is borne entirely by the newly mobilized Russian soldiers and the soldiers

recruited from among prisoners. Another factor that reduces the pace of Russian military advance is the shortage of shells for artillery. Due to the primary role of artillery in this war, ammunition consumption is exorbitant. Thus, the Russian Federation fails to produce the necessary amount of ammunition without declaring general mobilization, which would also lead to the transition of the economy to war mode. Therefore, there is a fierce competition among the Russian units regarding the priority in providing artillery ammunition. Consequently, the Russian Federation is trying to obtain a direct agreement with China for the delivery of ammunition.

However, within the logistical support requested from Beijing, the Russian Federation is not limited to only artillery shells. Among other things, Russia recently asked China for assistance in providing cold food rations for its soldiers. Thus, we can conclude that the logistical support of the Russian military is very limited, and Russia has not been able to solve the systemic problems that persist in its armed forces.

The most important factor, however, which does not allow the Russian Federation to advance substantially in Eastern Ukraine, is the fact that the Ukrainian Army has concentrated the necessary reserves to maintain the positions around the city of Bahmut and is successfully managing to wage a war of attrition against the Russian army, at the same time preparing for a counteroffensive. Additionally, Leopard II tanks with crews trained in EU countries began to arrive on the territory of Ukraine, and Volodymyr Zelenskiy declared that Ukraine will launch a counteroffensive in two months.

## Tensions and worries

In conclusion, both the situation in the Republic of Moldova and Ukraine, on which the development of things in the country depends, is tense. However, Ukraine is proving that it can withstand the onslaught of the Russian Federation, which is about to culminate. Because of this, there is no imminent military danger in the Republic of Moldova, and the defence shield offered by Ukraine is a robust one. For its part, the Republic of Moldova must continue to counter the attempts to destabilize the country, without hystericalizing the population. Also, according to the observations of some political analysts, urgent efforts must be made to strengthen the pro-European

population segment in the Republic of Moldova. The success of these efforts would thwart and deter malicious pro-Russian elements from taking any action towards an eventual forced change of political power in the state.

With reference to the number two priority of the government programme, which is security (the first being the economic development), it does not necessarily imply actions or scenarios unknown until now, because the objectives set in the field of security after February 2022 are still relevant today. Only some aspects have changed, generated by the population's dissatisfaction with the high prices of energy and essential goods that the pro-Russian parties and the Russian authorities are trying to exploit.

Additionally, security priorities are often communicated lately. Practically all the leaders of the force structures declared in the last month that countering the hybrid war waged by Russia in the Republic of Moldova to change political power is the most important thing now.

The Ministry of Defence has also correctly established that its number one priority is to defend the airspace and strengthen the capabilities necessary to repel an armed attack if necessary. What we should expect in the future is a much greater allocation of resources to security and defence. However, priority means that the allocation of resources will be done primarily in this sector.

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