

INITIATIVE IN MESEBERG TRANSNISTRIAN EQUATION

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ABSTRACT

THE FROZEN CONFLICT IN MOLDOVA, ALMOST IGNORED BY NATO AND THE EU, NEGLECTED BY THE 5+2 FORMAT UNDER THE AEGIS OF THE OSCE, IS ABOUT TO RETURN TO THE EURO-ATLANTIC AND EURASIAN SCENE AS THE STARTING POINT OF A POSSIBLE AND EVEN PROBABLE RAPPROCHEMENT BETWEEN THE EUROPEAN UNION AND THE RUSSIAN FEDERATION, THANKS TO A GERMAN-RUSSIAN INITIATIVE.

A REVIVAL OF THE EUROPEAN NEIGHBOURHOOD POLICY, OF THE EASTERN PARTNERSHIP IN THE FALL OF 2013 IN VILNIUS, WOULD BE AUSPICIOUS FOR CENTRAL AND EASTERN EUROPE. AFTER MORE THAN 20 YEARS OF FROZEN CONFLICT, THE REPUBLIC OF MOLDOVA AND TRANSNISTRIA WOULD BE THE BENEFICIARIES OF A CONSTRUCTIVE RELATIONSHIP BETWEEN GERMANY AND THE RUSSIAN FEDERATION.

THE EFFECTS OF STALIN'S DECISION IN 1924 CAN BE OVERCOME ONLY THROUGH DIPLOMACY AND THROUGH RECOURSE TO HISTORICAL RIGHTS WITHOUT VIOLENT SOLUTIONS. THE PROBLEMS OF TRANSNISTRIA'S INTEGRATION INTO REPUBLIC OF MOLDOVA WILL NOT BE SOLVED FOR MORE THAN OTHER 20 YEARS WITHOUT A MASSIVE OUTSIDE AID. OTHER OPTIONS REMAIN DEPENDENT ON THE GEOPOLITICAL INTERESTS IN THE REGION.

KEYWORDS: REPUBLIC OF MOLDOVA, TRANSNISTRIA, MESEBERG INITIATIVE

In 2010, Chişinău reaffirms its readiness to resume the negotiations in the "5+2" Transnistrian conflict, blocked since February 2006, demanding at the same time the withdrawal of Russian troops from Transnistria¹

In 2011, Washington decides to become more involved in solving the Transnistrian conflict, resulting the question "With or without Transnistria?", along with a number of scenarios for the Republic of Moldova. Thus, Washington was a pleasant surprise, announcing in March 11, 2011, the first historical visit of an american Vice President, Joseph Biden, on the territory of the Republic of Moldova. Biden's visit to Chisinau took place after the republican Senator, Richard Lugar, had asked the Obama administration at the beginning of February 2011, to support the European efforts for settling the Transnistrian conflict, as well as euro-Atlantic aspirations of Moldova.

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¹ On the occasion of the OSCE summit in Astana (Kazakhstan).

In June 2010, a very important moment in the evolution of the process of solving the Transnistrian conflict is Berlin's involvement in the equation, through the already famous initiative of the German federal Chancellor, Angela Merkel, also known as "The Initiative from Meseberg" and even "The Memorandum from Meseberg"². German Chancellor Angela Merkel, has taken the Russian President, Dmitry Medvedev by surprise ever since, with an unusual suggestion, according to which, if he is interested in cooperation with Europe, then Moscow should help with the settlement of the Transnistrian conflict, particularly with security-related issues. We agree with the position expressed by analysts at that time, according to which "... Europe has forgotten about this frozen conflict, even though it is actually at its door, until Merkel did not bring the topic up"³, while Brussels has left the attempt to heal the breach in charge of the Organization for Security and Cooperation in Europe (OSCE), but without any results.⁴

The German federal Government was informed that, in late October and early December 2011, in the Russian Federation there were initiated two lawsuits against Igor Smirnov's son, the so-called "Transnistrian" President and that his daughter-in-law was removed by the Supreme Court, from the list of candidates of the party "Fair Russia" in elections for the Duma in November 2011.

Meseberg Castle, a Baroque-style building from the 18th century, hosted nine families upstairs, and a socialist trade shop on the ground floor during the communism period. After a renovation that cost more than one million euros, made several years ago, the Castle now serves as the residence of Chancellor Angela Merkel, a kind of German variant of the American presidential residence at Camp David.⁵ Meseberg, a village with 149 inhabitants, became the scene of confidential meetings at a high level, in which is discussed the future of Europe-Medvedev announced that negotiations on the Transnistrian conflict could be resumed after the completion of the electoral process in Moldova.⁶

Besides over 1,100 Russian military deployed in Transnistria, the breakaway movement has its own soldiers who speak Russian and whose uniforms have Cyrillic lettering marks, unlike the rest of the Republic of Moldova, who uses the Latin alphabet and whose citizens speak Romanian language.

The Government of Moldova does not control any border with Ukraine, in order to effectively supervise who enters or leaves the country, and in Transnistria, according to human rights organisations, any movement of opposition is repressed, and the mass media is heavily censored, Romanian language is publicly prohibited, and the teachers are arrested if they are surprised while teaching it.

The federal Chancellor of Germany, Angela Merkel's suggestion that the Russian Federation, together with Ukraine, Moldova, Transnistria, the OSCE, the European Union and the United States should relaunch the so-called negotiations in the "5+2" format

² Regarding the efforts underway (Russia-Ukraine Statement of 17 May 2010 and statement by the EU High Representative, C. Ashton, of 17 May 2010) the EU and Russia will cooperate, particularly for a settlement of the conflict in Transnistria, with the purpose of achieving real progress (tangible) in the format of "5+2" as established (Russia, Ukraine, Moldova, Transnistria, OSCE, EU, USA). Such cooperation could include a joint EU-Russia engagement, which would guarantee a smooth transition from the existing situation to the final stage. See, *The Memorandum of Chancellor Angela Merkel's meeting with President Dmitry Medvedev on June 4-5 in Meseberg*.

³ Article issued in the newspaper "New York Times" <http://www.ziare.com/international/stiri-internationale/nytcomenteaza-conflictul-din-transnistria-1051771>.

⁴ See, R. Wedel, *Collision and Collusion: The Strange Case of Western Aid to Eastern Europe, 1989-1998*, New York: St. Martin's Press, 1998, pp. 21-22.

⁵ http://www.adevarul.ro/international/Satul_unde_se_pune_la_cale_soarta_UE_0_665933686.html.

⁶ process completed until March 2012, when, finally, a President was elected.

interrupted six years ago by the Russian Federation and Transnistria, is a counter suggestion to Moscow for bilateral negotiations, through which they can exercise a greater influence than in a collective format.

Germany has expressed the wish that Russia withdraw, eventually, troops from Transnistria, so that Republic of Moldova can regain control over the whole territory of the country. At the same time, according to the Berlin proposal, Transnistria could be granted some degree of autonomy, federal Chancellor Merkel offering Moscow instead something it wishes for a long time: creation of a political and Security Committee the European Union-Russian Federation, Brussels and the Kremlin could cooperate more closely within the framework of management operations of civilian and military crisis.

After releasing the German federal Chancellor Merkel's offer, Kremlin did not give consent to the immediate resumption of negotiations in the "5+2" format or take into consideration any withdrawal of its troops from Transnistria.

On the other hand, we appreciate that it is worth noting, however, that, despite the fact that Moscow has not made any move, Chancellor Merkel has been attempting ever since to maintain a constant pressure, talking about the formation of a new political and security Committee the European Union-Russia and about solving the Transnistrian conflict.⁷

For 50 years Germany has permitted to follow the lead of France but especially of its transatlantic partners. Regaining total sovereignty, combined with economic power and transmission of the respective exchange posted by generation of current political leaders, may result in greater boldness of Germany in foreign policy aspect.⁸

That doesn't mean Germany will be less cooperative but the relationship will be different. And even worse would be Central Europe and Eastern Europe's issues which could distract Germany's attention from Western institutions.

Issues of the Central and Eastern Europe could be economic collapse that would overwhelm the institutions; the collapse of Russia; its conflict with Ukraine or the Baltics.

In such cases the USA and Western European partners must act to keep Germany together with them. So far France-Germany relationship has seemed to work as tightly as in the 80's.⁹

In October 2010, at Deauville in France, the Transnistrian conflict was on the agenda of talks between German Chancellor Angela Merkel, French President Nicolas Sarkozy and Russian Dmitri Medvedev, the Russian President who then stated: "... I think we have good chance to repeat this process and achieve a result. Russia will contribute to this, but I would like to point out that success depends not only on Russia. Success also depends on the position of Moldova, which is undoubtedly the most important thing, it depends on the

⁷ In this context, the opinion of international analysts of policies according to which a failure in this endeavor could harm both Merkel and foreign policy ambitions of the European Union is relevant.

⁸ Such an approach is supported by: Michael J. Inacker, in the article "Power and Morality: On a New German Security Policy," [Power and Morality: about the new security policy of Germany]; Daniel Weisbaum, trans., in *Force, Statecraft and German Unity: The Struggle to Adapt Institutions and Practices* issued within the Institute of Strategic Research, 1996, pp. 101-114.

⁹ For example, the election of Gerhard Schroeder as Chancellor of Germany, was creepy for the French politicians who feared of weakening Franco-German relationship. Article by Craig R. Whitney, "France Worries as New German Leader Stresses Ties to Britain", *The New York Times*, Internet ed., <http://www.nytimes.com/library/world/europe/093098germany-france.html>, September 30, 1998 [France worry since the new german leader stresses ties with Britain] also see Christopher Noble, "Schroeder Visits France to Reassure Anxious", *The Washington Post*, <http://www.pointcast.com>, September 30, 1998. [Schroeder visits France in order to make the concerned].

position of Transnistria, depends on the position of Romania, depends on the position of the European Union."¹⁰

In 2011, the German Bundestag, the Greens parliamentary group addressed to the federal Government in Berlin a query on the stage of initiative Meseberg.

On December 21, 2011, as a result of this approach, the Federal German Government communicated the response to the appeal of the Greens through which it reiterates the most desirable important issues and developments.¹¹ "The initiative Meseberg" aims to extend the cooperation of the European Union and the Russian Federation, as well as the consolidation of stability and security in Europe. The joint resolution of the Transnistrian conflict is part of that process.¹²

The German federal Government will involve further for the implementation of The Memorandum Meseberg, being in permanent contact with the authorized European institutions and having discussions both within the EU and with the Russian side. In this respect, the German Government offers ideas and impulses for further configuration of conflict resolution and discusses at various levels with all parts of the "5 + 2" format participating in the elaboration of proposals for resolving the conflict and supports the inclusion of this theme in all agendas between UE and Russia.

According to the proper actions, the State Chancellery in Berlin involves in taking confidence-building measures among the belligerent parties, between the German Chancellor and the Russian President having constant consultations on this issue.¹³ Another confidence-building measure was the organization by the German federal Ministry of Foreign Affairs, of a visit to Berlin some senior representatives of the two parties fallen to loggerheads, under the programme for guests of the federal Government.¹⁴

The main task for practical measures for confidence-building comes to the OSCE mission in Chisinau, which the federal Government in Berlin supports through the German Embassy in Republic of Moldova.¹⁵ The German federal Government will continue to follow the developments of this matter closely and through an intense dialogue with all sides, negotiators and observers, with the purpose of constructive orientation of the process of settlement and will also hold other projects and activities to strengthen confidence between the conflicting sides.

The European Union is currently negotiating an Association Agreement with the Republic of Moldova, meant to replace the current Partnership and Cooperation Agreement and to expand political, economic relations as well as at the level of civilian society. This Association Agreement should strengthen bilateral relations and promote Moldova's

¹⁰ CF. Portal *hotnews* -<http://www.hotnews.ro/stiri-opinii-8367283-sau-fara-transnistria-scenarii-mai-bine-sau-mairau-pentru-republica-moldova.htm> Portal, accessed august 13, 2011.

¹¹ The German Federal Government's response to the request of the Bundestag concerning the stage of the Meseberg Memorandum, registered with No. 17/8065 (Drucksache 15/8065) from 21.12.2012 <http://dipbt.bundestag.de/dip21/btd/17/082/1708239.pdf>, accessed July 24, 2012.

¹² The resumption of "5 + 2" official dialogue, at the meeting in Vilnius on November 30th - December 1st 2011, was the first concrete progress in this concern and the basis on which can be expanded EU-Russia cooperation in the field of security policy.

¹³ Thus, during the period September 7-9, 2011, took place at Bad Reichenhall (Federal Republic of Germany, Bavaria), a conference organized by the Berlin Government and chaired by the OSCE, which has brought to the negotiations table officials and experts from Chisinau and Tiraspol. Both the Chancellor's discussions as well as this Conference were of decisive importance for the decision of September 22 in Moscow, the "5 + 2".official format.

¹⁴ The program included topics such as "democratic structures" and "federalism", designed to provide delegations from Chisinau and Tiraspol examples and ideas for identifying a consensual solution.

¹⁵ Measures for solving the Transnistrian conflict will be taken in the "5 + 2" format, to which Germany is not a separate part and, therefore, the German federal government may contribute only indirectly to the conflict.

orientation towards European values and standards. The federal German Government hopes that the negotiations, so far successful, will send a signal to all pro-European forces throughout the territory of the Republic of Moldova, including Tiraspol.

The Republic of Moldova manifested from the very beginning a reserved attitude toward the European neighbourhood policy.¹⁶ Since 1999, all Moldovan Governments have claimed that Moldova is a South-East European State and that it should be treated in the same way as the countries of the region affected by internal conflicts.¹⁷

In 2003, Moldova presents "outlook of Moldova's integration into the EU," on which the EU was informed in order to draw up an action plan within the European neighbourhood policy.

In 2004, Moldova admits the importance of the European neighbourhood policy for the implementation of internal reforms and as a way of approaching the EU. In 2007, following the adherence of Romania to the EU, Moldova becomes neighbor with the EU.

In 2008, Chişinău forced the signing of a Stability Agreement and Association with the EU.¹⁸

Berlin requires the Russian Federation to totally withdraw from Transnistria, as quickly as possible, the armed forces that do not belong to common peacekeeping troops (including weapons and equipment). Germany and other NATO partners are prepared to send inspectors at the site, in case of a resumption of the troops and ammunition withdrawal by Moscow.¹⁹ *The initiative from Meseberg* launched by German Chancellor Angela Merkel, still remains, in our opinion, an important objective of the foreign policy agenda of Berlin; unfortunately, not being part of the "5+2" format negotiations, Berlin can only involve indirectly into the resolution of the Transnistrian conflict.

Berlin gets involved, both in his own name, especially on behalf of the European Union, using all the levers available, including in dealing with Moscow and the problem of the Transnistrian conflict. Along with the U.S., Germany took immediate action in the case of the incident from a Moldavian-Transnistrian PCTF, which resulted in the killing of a young Moldovan by Russian peacekeeping forces.

The solution to maintain territorial integrity of the Republic of Moldova and withdrawal of the 14th Russian army is promoted by all actors involved in the negotiations,²⁰ with the exception of the separatist regime from Tiraspol. For the first time after the conflict in 1992, the Russian Federation would like to resolve this conflict, post-conflict situation in Moldova and Europe requires a series of answers to questions like:

"What will happen in internal and overseas politics of Moldova after territorial reintegration?"

¹⁶ In terms of target groups and possible beneficiaries, New Neighbourhood Policy has not brought anything really new. There were a few minor changes, which made things a bit more complicated for the possible beneficiaries. For example, applicants for financial support from the EU must change their applications by completing the so-called forms of consolidation.

¹⁷ "Moldova wished to be included in the stability and association process and to sign a stability and association agreement with the EU through which its European aspirations should be supported and acknowledged. They said that Moldovan issues related to the conflict in Transnistria were similar to those in Macedonia and Albania, and not similar to those in Ukraine or Russia; it was claimed that, within the framework of the stability and association process there are much better conditions than those offered by throwing Moldova to the bin destined to post-Soviet states." View, Nicu Popescu, *EU's Moldavian Neighbouring*.

¹⁸ PCA EU-Moldova PCA was signed in November 1994 and entered into force in July 1998. On 22 February 2005 in Brussels, was signed the action plan Republic of Moldova-EU context. Individual plan EU-Moldova action plan (PA) represents a political document concluded between the EU and Moldova.

¹⁹ Within the development of conventional weapons reduction control in Europe and OSCE measures enhancing confidence and security, transparency of Russian troops deployment in Transnistria is of very high importance.

²⁰ Ukraine, Russia, Moldova and OSCE and EU on the negotiating position, while the United States as observer.

"How would the Republic of Moldova look like without Transnistria?"

"Why was preferred to maintain the integrity of the Moldovan State and recreation of a territorial configuration invented by Stalin?"

We believe that answers to these questions are caused by another question: "what is Transnistria at present?"

Transnistria functions as a State, with a delimited territory, of about 5,000 square kilometers, a population no bigger than a county of Romania (approximately 500 thousand inhabitants) and a bureaucratic and institutional overall built after the classical structure of the modern State, in the 20 years since the disintegration of the Soviet Union. Also, according to the "official history" of the regime in Tiraspol, there is also a Transnistrian nation, which is obviously different, however, from the Moldovan one, being created to justify the claims for independence of the Transnistrian separatist regime.

However, in order to exist as a state, Transnistria lacks two essential responsibilities: full economic sustainability²¹ and recognition from other States. Transnistria is regarded as "the black hole of Europe", whereas in Râbnîța and Tiraspol there are insecure ammunition stores and armament depots of the former Soviet Union, and the demi-opaque political regime means corruption, trafficking in arms and Soviet practices adapted to capitalism.²² The importance of Transnistria for Republic of Moldova is more than symbolic, being concerned the achievement of a great national goal-reintegration of Moldovan State-announced as such by each Government in Chisinau after 1991. From the economic point of view, even if in the Soviet period, Transnistria was the industrialized Region of the MSSR (Moldovan Soviet Socialist Republic), at present, it is no longer worth anything because Tiraspol has not invested, preferring to preserve the Soviet heritage. Settlement of the Transnistrian conflict by maintaining the territorial integrity of the Republic of Moldova would mean, first, to strengthen the fragile political position of the Alliance for European integration-2 (AIE2) in relation to the opposition represented by the party of Communists in Moldova (PCRM).²³ Integration of Transnistria would also bring the restart of process to construct the Moldovan State, begun 20 years ago and only partially achieved, even in the left side of the Nistru River. Even if it has institutional and bureaucratic functional assembly, Chișinău does not have the consensus of the society (visible situation in the results of the elections).

From the point of view of identity, the Republic of Moldova is at the same time Moldovan, Romanian and Russian, as well as Transnistria. Thus, if we were to judge after its evolution after 1991, Chișinău needs 20 years just to build birocratico-institutional network in Transnistria. On the other hand, we believe that the model of autonomy of Gagauzia, much perpetuated by the political class in Chisinau in order to be also implemented in Transnistria, is difficult to apply to the territory controlled nowadays by Tiraspol, and its success depends on the influence of the Russian factor, which, as it frequently acted in the former Soviet republics, will be encouraged by secessionist tendencies and demands of any kind in order to

²¹ The budget in Tiraspol received funds from the Russian Federation, while the debts arising from deliveries of Russian gas had apparently already exceeded 3 billion euros.

²² created after long negotiations. according to some sources of approx.

²³ The Communists would be weakened and could not justify failure to comply with the national objective in the eight years of governing. In the relationship between the current Government and the Moldovan electorate, a possible success would not decisively bring reorientation given to PCRM impoverished population for 20 years being concerned more in the economic reforms and well-being increasing, than to sanction the relationship with even a poorer territory. For ordinary people, with immigrants relative if needed in the West or with an average salary of 150 Euros, the national goals of the political class do not matter.

weaken the strength of Chişinău.²⁴ In this context, a question comes naturally: "But what do the Transnistrians (31% Moldovans, 30% Russians, 28% Ukrainians) want?"

The question "Who wants the facto unification with the Republic of Moldova?" addressed to the Russian-speaking population over Nistru, would not find an affirmative answer within Transnistrians, a proof being the electoral programs of the opposition in Tiraspol and the statements of the civil society representatives.

Transnistria integration would worsen the economic situation of the Republic of Moldova (which is the poorest state in Europe) and that it will have to pay, at least theoretically, a large debt to „Gazprom”, acquired by Smirnov regime in the last 20 years.²⁵ It will be difficult for Chisinau to implement a functional economic system (a failed experiment on the right side of Nistru).

Transnistria integration, deeply affected by the economic crisis, requires the application of harsh economic reforms that the leaders in Chisinau will hesitate to adopt in order not to antagonize the population, which does not support its coming back to the territorial division of the Republic of Moldova. Transnistria constitutes an obstacle in the process of European integration of the Republic of Moldova. The settlement of the Transnistrian conflict may be part of a particularly important advantage in the European integration process of the Republic of Moldova, Brussels, avoiding, so far, to provide a clear pathway of integration, primarily because it cannot admit a candidate state that does not control the territory and weapons traffick, persons, uranium (and other goods and illegal substances).

In the opposite way of resolving the conflict by maintaining a territorial integrity of the Moldovan State, we should take into account to imagine how it would look Moldova without Transnistria. The creation of a state after the territorial configuration invented by Stalin, in 1924, is not, for sure, a moral solution for the West.

But, because politics does not take into account the rules of morality, as the famous international relations theorist, Hans J. Morgenthau, held forth, it was chosen for the Transnistrian conflict the most convenient solution in practice. Thus, a walk-out of Transnistria from the Republic of Moldova would mean, first of all, a strong blow for any configuration from Chişinău and, secondly, it would provide to the Moldovan Communists a long-expected advantage that would joint or even dissolve IEA.

Transnistria would become an even greater problem than it is at present, regarding that, without Moscow's support, would be questioned the sustainability of a small independent state. The return of Transnistria in Ukraine's territorial structure, where it belonged until Stalin regime, would be trouble-free, because Kiev had not claimed it, officially, never after 1991, and would create difficulties in the process of assimilation for a state always faced with economic problems such as Ukraine. On the other hand, maintaining Transnistria within the Republic of Moldova can ensure a political stability in the country and an interlocutor for the European Union. The removal of Smirnov's regime and the obscure political and economic practices perpetuated by the regime, enhances the European Union borders' security.

The settlement of the Transnistrian conflict, according to the most favourable scenario in Chişinău and the European Union, does not ensure the existence of a strengthened state at national level, but rather a long and laborious path of reconstruction. Thus, Chisinau will

²⁴ In Gagauzia, the Turkish minority has taken advantage from economic support from Istanbul, instead of remaining in the territory of the Republic of Moldova. Therefore, even if Russia stops getting involved into Tiraspol's affairs, by settling the frozen conflict, this does not mean that Moscow will not be in favor of the future claims raised by the 30% Transnistrian Russian from Chişinău.

²⁵ 2 billion dollars, and other sources over 3 billion euros.

have to develop, once the Transnistrian conflict is concluded, with the support of foreign partners, a plan for reintegration.

On 4-5 April 2011, the meeting "5+2" format takes place, based on the official negotiations' resumption, regarding the Transnistrian regulation. During the meeting, the participants in the negotiating process have discussed about economic cooperation issues between sides, withdrawal of artificial administrative barriers, for the assertion of human rights and the development of trade.

It also have been approached issues related to freedom of movement between the two banks of Nistru, guarantees in the negotiation process and the commitment regulations regarding the activities of the working groups in the field of confidence- strengthening measures. The participants of the "5+2" format were close to a decision concerning the need to resume the activity "Meeting for political affairs in the process of negotiations on the Transnistrian settlement", with the support of the international community, whose final goal is a peaceful, fair and comprehensive regulation of the Transnistrian conflict, in all its aspects.²⁶

The participants have not yet agreed on a concrete data on which it would be resumed the negotiations, but only "... were close to a decision regarding the need to resume the activity of the permanent meeting for political affairs in the process of negotiations on the Transnistrian settlement, with the support of the international community."²⁷

The Foreign Affairs Department in Tiraspol said that so far, there are no prerequisites required for the official resuming of the negotiations with Chişinău. Thus, according to the Ministry of Foreign Affairs' Press Service, it was given a special attention to the political representatives of the parties involved in the conflict and to the mediators during the discussions in Vienna, to general regulations for the expert groups, agreed with the previous official representative of the Republic of Moldova.

According to the Transnistrian, the regulations should not be "political" or "technical" but they should be "... only a mandatory document that can provide a reliable legally and organizationally foundation for the experts working groups."²⁸ At the end of the meeting, Russia has initiated that the next round of high talks to be held in Moscow, an initiative supported and accepted by all participants.

These discussions have allowed the evaluation of the prospects to resume the formal negotiations in the "5+2" format, respectively the Republic of Moldova and Transnistria (which are parts in the conflict), the OSCE (mediator), the Russian Federation and Ukraine (guarantor countries), the European Union and the United States (as observers). Although the hopes for this meeting were relatively high, they could not arrived to a common point of view concerning the resumption of formal negotiations in the "5+2" format.

However, it seems that the discussions have been positive, the prospects of the resumption of the official negotiations being, after this meeting, closer than ever before.

EU – RUSSIA POLITICAL AND SECURITY COMMITTEE

In 2007, Russia withdrew *de facto* from the Treaty of Conventional Forces in Europe - CFE, the only legal instrument which limited the deployment of NATO forces in Europe, to

²⁶ Participants of the "5+2" format have exchanged opinions about the ways and forms of negotiations, established in the document on 20 February 2002 regarding the organisation of the negotiation process for the settlement of the Transnistrian conflict.

²⁷ *Portal RFI* - <http://www.rfi.ro/articol/stiri/politica/consultarile-privind-transnistria-un-esec>. At the same time, the Transnistrian leader Igor Smirnov, invited the Moldovan Prime Minister Vlad Filat to conduct an "official business" in the region.

²⁸ Cf. *Blogul newlandoftransnistria* - <http://newlandoftransnistria.blogspot.com/2011/04/urmatoarea-runda-denegocieri-privind.html>.

strengthen the restrictions on NATO forces and to let them down or facilitate those relating to Russia.²⁹

Russia highlights a number of "negative effects" concerning the implementation of the agreement; Russia's concerns related to the agreement considered by Russia "nonviable" and "unfair" are echoed, but whose validity is not a dispute. Russia refuses the connection between ACFET and commitments to withdraw forces from Georgia and Moldova, as it was established in Istanbul in 1999.³⁰

In 2008, they try to draft a "parallel action plan" that allows the ratification of the CFE Treaty -ACFE, the implementations of „the commitments from Istanbul "and guarantees that the regime ACFE will be subsequently revised to meet Russia's requirements. Even before the war in Georgia, in August 2008, Medvedev made a speech in Berlin, where he criticized "a political approach of the group that continues through inertia." He proposed at high-level European Governments to design a new European Security Treaty that ensures an equal and indivisible security all over the continent.³¹

In 2010, for the first time in the last 25 years, Corfu process outlined the OSCE Division by two: an overwhelming majority, including EU and USA in the center-ready to take into consideration reasonable adjustments in the Organization's operations, and a minority made up mainly of seven CSTO states³² who, with all the differences between them, are trying to return OSCE to an *operandi modus* before 1990. In the same year, the "parallel action plan" is abandoned and also the ACFE ratification procedures. Instead, the discussions focus on the parameters of a new treaty that replaces ACFE. They will not exceed the level of the founding principles of the new agreement.³³

In 2011, 4 years after Russia's withdrawal from CFE Treaty, the European security agreements is defined by the caducity of the CFE regime, lack of opportunity of ACFE ratify and the negotiation of a new Treaty does not record significant developments. Instead of the ratification and subsequent revision of ACFE, the entire system of arms control of conventional forces is about to collapse. Furthermore, undermining OSCE leads to the abandonment of the only pan-European security forum, encouraging his substitution with direct activities of EU, NATO and European Council, avoiding OSCE.³⁴

²⁹ On December 12, 2007, Russia officially announced that it was no longer the subject to the restrictions of the 1990 CFE Treaty, and it suspended its participation due to a non-ratification ACFET by the 22 NATO members in 1999. Vezi, Zdzislaw Lachowski, "The CFE Treaty One Year After Its Suspension: A Forlorn Treaty?" *SIPRI Policy Brief*, January 2009, p. 1. [Tratatul CFE la un an după suspendarea lui: un tratat cu speranțe slabe?]; Vezi și, *Chronology: CFE Treaty Negotiations and Implementation, 1972-1996*, Federation of American Scientists, n.d. [Cronologie: Negocieri și Implementarea Tratatului CFT]; vezi și, Jane M.O. Sharp, *Striving of the Military Stability in Europe: Negotiation, implementation and adaptation of the CFE Treaty*, London, U.K: Routledge, 2006. [Luptând pentru stabilitate militară în Europa: Negociere, implementare și adaptarea tratatului]

³⁰ Rejection retreating obligation was expressed in public by Putin. Vezi, Zdzislaw Lachowski, "The CFE Treaty One Year After Its Suspension: A Forlorn Treaty?" *SIPRI Policy Brief*, January 2009, p. 1. [Tratatul CFE la un an după suspendarea lui: un tratat cu speranțe slabe?], p.5.

³¹ Dmitry Medvedev, *Discursul de la Berlin la întâlnirea cu liderii civili, parlamentari și politici germani*, 5 iunie 2008, http://archive.kremlin.ru/eng/speeches/2008/06/05/2203_type82912type82914202153.shtml.

³² De mai mulți ani, în cadrul OSCE, Rusia conduce un grup de state CSTO, care caută să stăvilească activitățile organizației în spațiul post-sovietic.

³³ See, Jacek Durkalec, *The Russian Approach Towards Revival of Conventional Arms Control Regime in Europe*, Warsaw, Poland: Polish Institute of International Affairs (PISM), November 2010. [Abordarea rusă față de reînvierea Regimului de Control al Armelor în Europa]

³⁴ According to a Russian expert, it is unlikely, in the near future, to build a joint NATO BMD system, and also a Russia-EU security cooperation, institutionalized, despite the fact that it represents a valuable opening towards cooperation. See, Andrei Zagorski, Șeful Departamentului pentru Controlul Armelor și Studii a Dezvoltării conflictelor Institutul pentru Politică și Economie Mondială, Profesor la Universitatea MGIMO *Arhitectura securității europene și provocări: unde ne aflăm în 2011 în comparație cu 2008?*

While Russia has remained indifferent to the failure of the summit in Astana to support the plan of action, this failure has disappointed many participating states, which no longer believes in OSCE as they did before launching Corfu process. Thus, the Astana failure makes a new pan-European summit, within or outside OSCE, to be impossible in the near future. This strengthens the present evolution in EU policies and the states members, to the expansion of direct cooperation with the new independent states, avoiding OSCE.³⁵

Kremlin's proposal to host the diplomatic meeting concerning Transnistria, represents a signal that Moscow supports and promotes the German-Russian initiative.³⁶

Moscow considers that the German proposal to establish a EU-Russia political and security committee (ER PSC) provides a valuable way of supplementing the European security leadership. However, there is not a consensus within EU, connected to this proposal. In the West this is associated with Russia-EU promise to deal with the Transnistrian conflict (Moldova).

In April 11, 2011, the German's daily paper Deutsche Welle publishes an article pointing out that the proposals concerning the EU-Russia political and security committee, submitted to the European Union by Moscow, included, in the chapter concerning the Transnistrian problem, taken from the Kozak Memorandum stipulations, a fact appreciated by the German publication as a clear attempt to enhance the Kozak Plan in a new version.³⁷

The current state of things does not justify the fact that it can be achieved an overtaking of the situation in the near future, despite the program made in the last few weeks. It is unlikely to happen soon the resumption of the withdrawal or removal of Russian ammunition from Transnistria, the withdrawal of Russian troops, as well as the transformation of the current peace operation in one under the aegis of OSCE, or a EU-Russia joint operation. Although the establishment of an ER-PSC seems a viable political option, it doesn't seem to be one that would materialize in the near future.

In Europe, the laborious negotiations in Helsinki, Stockholm, Vienna, etc., which began in the 70s, have created a system of strong statements, change of information, inspections, discussions concerning military doctrines, announcement of the manoeuvres, rules for "Open Sky", communities of specialists and military observers, a Combined Advisory Group that can take over and resolve promptly, directly and discreetly possible anomalies.

Confidence-building measures and security (CSBM) aren't perfect, eternal and universal. But they have helped Europe to become – from the bleak continent from the beginning and middle of the 20th century - a more open space, prosper and demilitarized.³⁸

The project of establishing the EU-Russia Political and Security Committee remains one with uncertain prospects; despite the fact that, at the time of signing the Meseberg Memorandum, the German Chancellor Angela Merkel's initiative was welcomed by the

³⁵ The Russian political elite, apparently does not launch out. Its refusal attitude of OSCE actions is well known. The surprising outcome of the Corfu process and the summit in Astana, however, depreciated the OSCE value among many participating states. See, Andrei Zagorski, Șeful Departamentului pentru Controlul Armelor și Studii a Dezvoltării conflictelor Institutul pentru Politică și Economie Mondială, Profesor la Universitatea MGIMO, *Arhitectura securității europene și provocări: unde ne aflăm în 2011 în comparație cu 2008?*

³⁶ Deutsche Welle political analysts believed that this development is favoured to a foreign political context in which the Russian-European and Russian-American relations had an upward trend.

³⁷ Deutsche Welle publication correspondent in Chisinau, on April 11, 2011 emphasized that "... Russia does not want to abandon the ideas promoted by the Kozak Plan, and will use any opportunity to negotiate them again, this time making sure of the goodwill of major countries from EU". Cf. Cotidianul german *Deutsche Welle*, ediția din 11.04.2011.

³⁸ See, Dimitru Trenin, *Post Imperium – A Eurasian Story*, Washington, DC: Carnegie Endowment For International Peace, 2011. [Post-imperiul – O Poveste Euroasiatică]

majority of the European Union states members, this has not materialized, primarily, in our opinion, because of the lack of consensus.

A substantial progress is expected by reviewing the Document from Vienna in 1990 linked to CSBM. However, it is unlikely to go as far as Russia suggested over the last few years. Any agreement regarding the modernisation of the CSBM won't come up to the Russian EAST proposal in 2008.³⁹

Medvedev's offer for a new security pact has not produced significant effects. Its formulation and promotion for a debate by the Russians have not yet materialized. In addition, Washington and Brussels have not shown their desire to take part in the debate. "Medvedev Proposal" is rather a rhetorical exercise in addition to Russia's assertion that it will not accept what they perceive as a new imposed Western security order. The basis of the disagreement on security issues lies in the incompatibility of the views which have been materialised, especially NATO and OSCE.⁴⁰

As a reaction to European Security Treaty (EST) proposal, it has been initiated "Corfu process" within OSCE - a structured discussion of themes of concern of the participating states.⁴¹ In December 2010, a summit took place in Astana, where they expected to adopt a comprehensive plan of action which reflects the balance of interests of different groups of the participating States.⁴²

Dmitri Medvedev has sought to promote a new European Security Treaty (EST) to replace the European architecture dominated by NATO with one that is more inclusive. The intention was to establish a "security indivisible" all over Europe. Vladimir Putin has decided to impose an Eurasian Union, which would have the exact opposite effect on European Security Treaty (EST) goal - to eliminate former Soviet republics and the rest of Europe.

In November 2012, the Russian Government has officially presented two different, but complementary documents. The first was an official sketch of the "European Security Treaty", sent to all Member States of OSCE and to other international organizations; the second was called "Agreement on the basic principles that govern relations between NATO member states and Russia in the field of security".⁴³

It simply stated the basic principles of security of "indivisible, equal and undiminished security" and provided short general clauses for crisis management.

Creating the EU-Russia Political and Security Committee is a priority for Moscow's foreign policy, because such an organism would provide Kremlin access to a specific leverage to influence the decisions of foreign and security policy of the European Union, including decisions that relate to the so-called "close proximity" to the Russian Federation. In

³⁹ The European Security pact, proposed by President Dmitry Medvedev, would lead to the creation of a security system from Vancouver-Canada to Vladivostok-Russia.

⁴⁰ Sandra Fernandes, *The Idea Of European Security. Renewed Russian dilemma*, 25 October 2012.

⁴¹ See, summit2010.osce.org/en/in_focus/node/248.

⁴² Does this trend repeats CFE story? Doesn't the OSCE undermining policy lead to the abandonment of the only pan-European weapon of coordination of European security, without replacing it with a better one? Does this development help to achieve the stated objective - that of overcoming NATO and EU centrism in the European order? See, Andrei Zagorski, Șeful Departamentului pentru Controlul Armelor și Studii a Dezvoltării conflictelor pentru Politică și Economie Mondială, Profesor la Universitatea MGIMO *Arhitectura securității europene și provocări: unde ne aflăm în 2011 în comparație cu 2008?*

⁴³ Unlike the interior texts of the treaty that circulated informally until November 2009, the European security treaty project, published on the Kremlin website, did not mention the arms control, confidence building, a rational military doctrine, the proliferation of weapons of mass destruction, terrorism, drug traffick and transferable organized crime. Vezi, Patrick Nopens, "O nouă arhitectură de securitate pentru Europa? Propunerile ruse și reacția Occidentului, partea a II-a," EGMONT, Institutul Internațional Regal, Aprilie 2010, p. 4, <http://www.egmontinstitute.be/papers/10/sec-gov/SPB-10-new-security-architecture-2.pdf>

addition, a draft political and Security Committee EU-Russia appreciate that for Moscow would be an important step towards building the new architecture of European security, as described by former Russian President Dmitry Medvedev, on 5 June 2008, Berlin

The basic idea of the concept of security promoted by Moscow aims at redefining Europe in such a way that Russia and its interests to be more firmly articulated in the new European security architecture. Delaying the formation of EU-Russia Political and Security Committee does not please Kremlin.⁴⁴ According to some political analysts in Chisinau, it is not excluded for Moscow, in his desire to revive the initiative of creating an EU-Russia Political and Security Committee, to determine Tiraspol to accept the resumption of official negotiations in the "5+2" format, which, however, will not be free for the Republic of Moldova.⁴⁵

In addition, the Russian official said that Moscow is interested in **retreating** from Transnistria all remaining ammunition, but this would have to be made "in the context of the Transnistrian conflict settlement," a statement appreciated by analysts as being extremely vague, which would allow further conjectural interpretations.

⁴⁴ The Russian Head of Mission Sergei Lavrov, during the joint briefing with the Moldovan counterpart, Iurie Leanca, suggested that in Moscow there was a state of frustration caused by Brussels' indecision towards the proposal made by Merkel and Medvedev concerning the Meseberg Memorandum.

⁴⁵ And this fact was confirmed by the Russian foreign minister's statements, Sergei Lavrov, during a working visit, at that time, in Moscow, by his Moldovan counterpart Iurie Leanca. Thus, it is worth noting that, although he outlined Moscow's interest to resume, as soon as possible, formal negotiations regarding the settlement of the Transnistrian's conflict, to achieve a political compromise that would provide a special status for Transnistria within a unique and incorruptible territorial state, Head of Mission did not fail, however, to emphasize that Chisinau and Tiraspol will have to negotiate this compromise.

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