

**U** **The Prospects of a  
Sustainable Conflict  
Settlement for Transnistria** **B**

Stefan Wolff

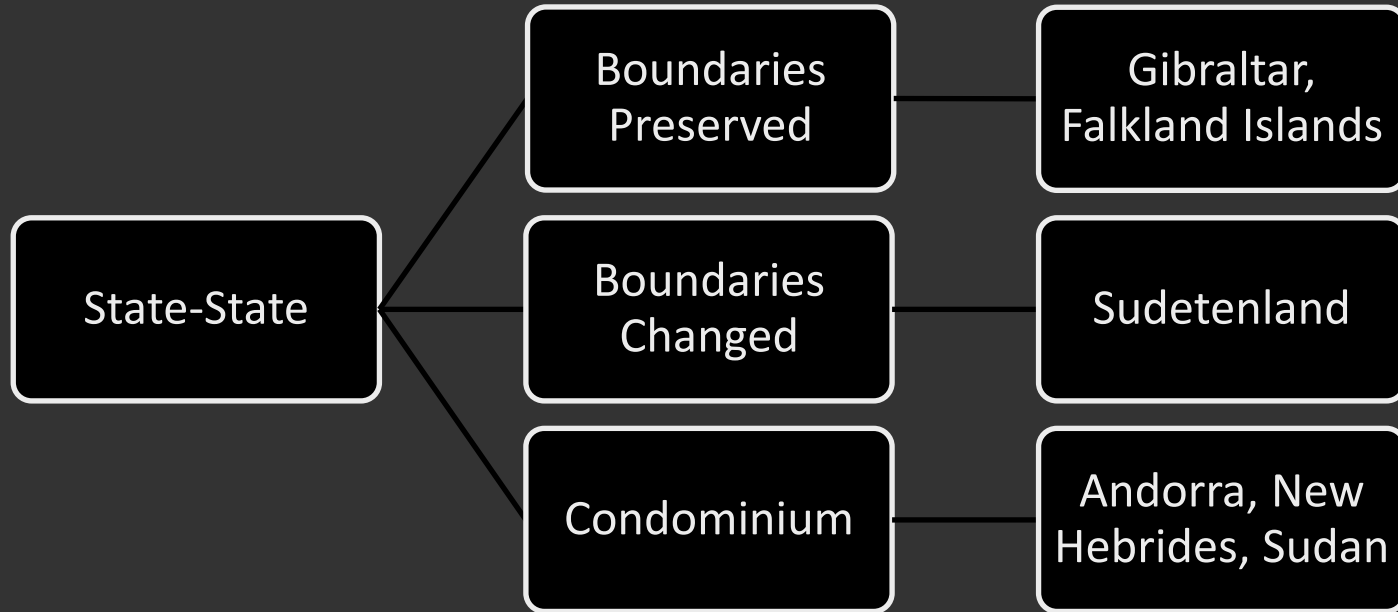
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# The Conflict

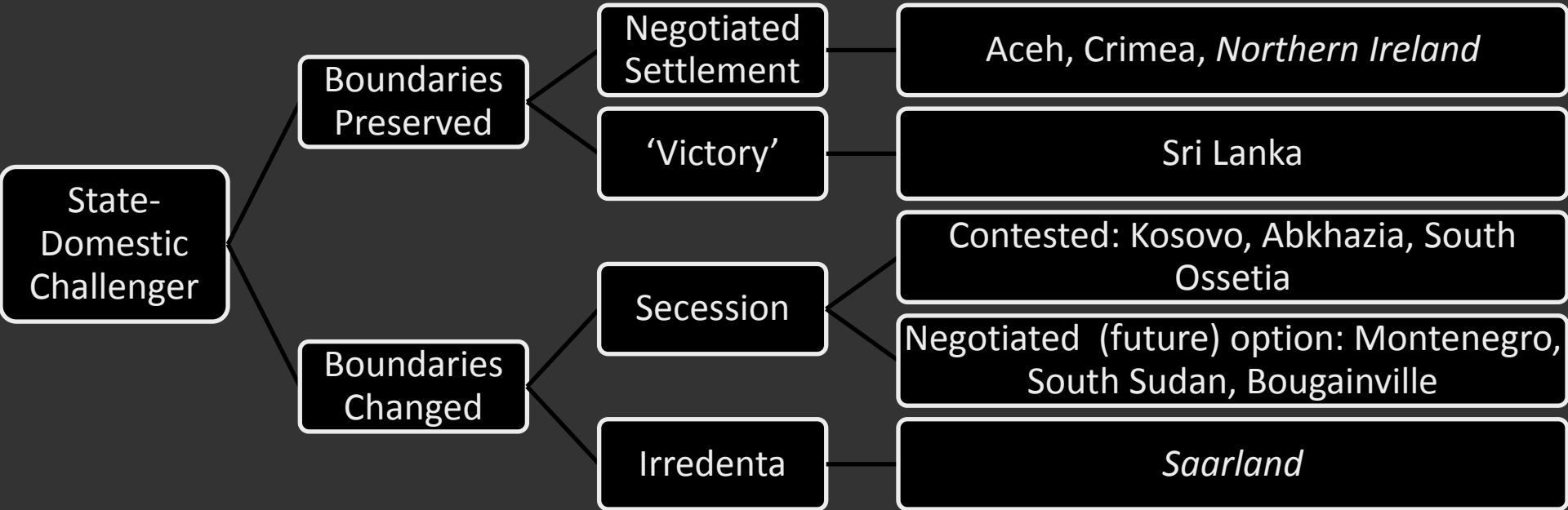


- ❑ Break-up of the Soviet Union
- ❑ National 're-assertion' and resistance
- ❑ Violence, displacement, ceasefire agreement
- ❑ The 'comedy' of negotiations

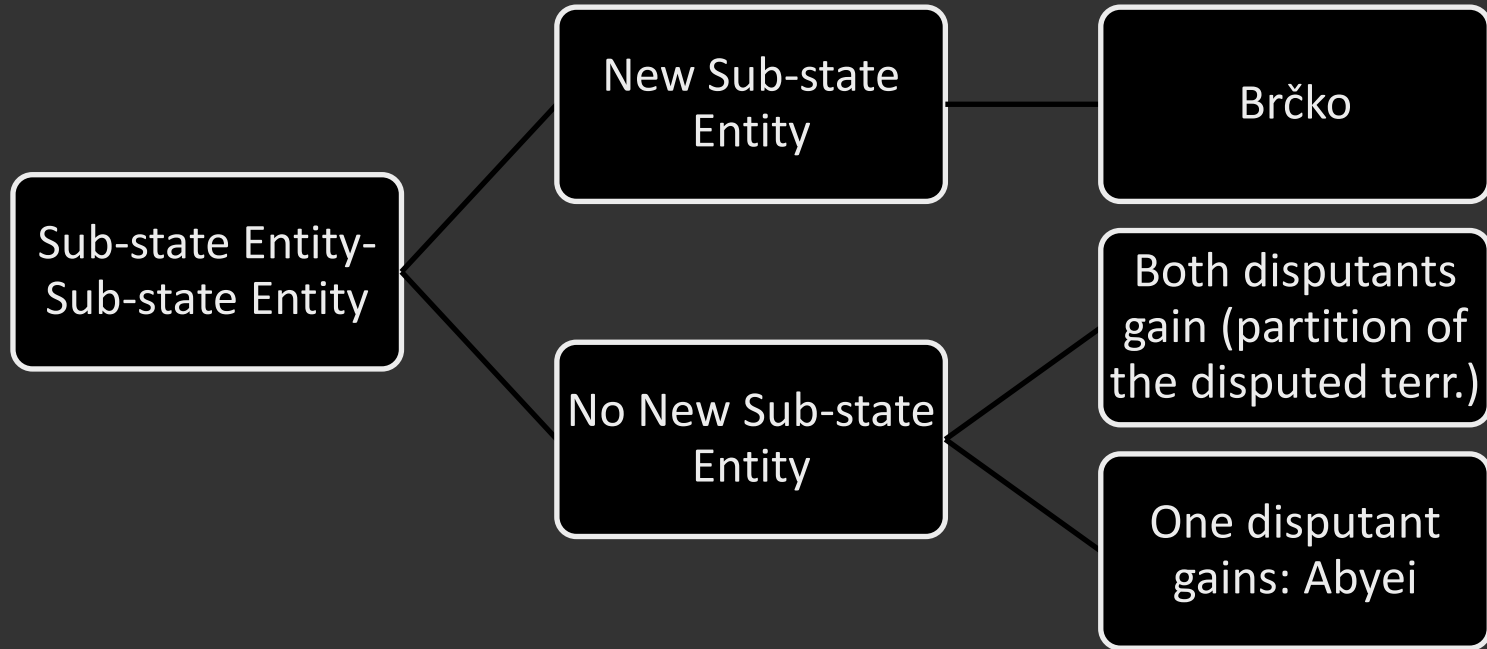
# Stakes and Remedies in Territorial Disputes



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# The Territorial Dispute/s in Moldova

## □ Transnistria—Gagauzia—Bender

- Territorial state construction: status of different entities vis-à-vis centre and each other
- Distribution of powers: between centre and entities
- Power sharing: at the centre and in entities
- Policy coordination and dispute resolution mechanisms
- Domestic and international guarantees

# The Territorial Dispute/s in Moldova

## □ The Russian dimension

- Demilitarization, neutrality, status of foreign (including Russian) troops

## □ The Romanian dimension

- Irredentism/unification

# The Existing Proposals

- ❑ Report No. 13 of the CSCE Mission to Moldova (1993)
- ❑ Russian Draft Memorandum on the Basic Principles of the State Structure of a United State in Moldova (2003)
- ❑ Proposals and Recommendations of the Mediators from the OSCE, the Russian Federation, and Ukraine with regard to the Transdnistriean Settlement (2004)
- ❑ Plan for the Settlement of the Transdnistriean Problem (2005)
- ❑ Law 'On Fundamental Regulations of the Special Legal Status of Settlements on the Left Bank of the River Nistru (Transnistria)' (2005)
- ❑ Moldovan 'Package' Proposal (2007)



# Existing Consensus?

## YES

- Transnistria as a separate territorial entity (not necessarily the only one) and to have a range of exclusive powers
- Need for coordination and dispute resolution
- Domestic and international guarantees
- Romanian dimension (option for secession)

## NO

- Confederation—federation—federacy
- Status of Bender (boundaries of Transnistria)
- Power sharing at the centre (representation/participation)
- Russian dimension

# A Consensus-consistent Framework?

- **Multiple asymmetric federacy arrangement**
  - Negotiate special status for Transnistria
  - Preserve status of Gagauzia
  - Determine status of Bender
- **Power sharing at the centre**
  - Co-opt entity officials into central government
  - Qualified/concurrent voting procedures in parliament
  - Entity representatives in constitutional court

# A Consensus-consistent Framework?

- Policy coordination and dispute resolution
  - Create implementation body with conciliation mandate
  - Judicial review and arbitration procedures at constitutional court
  - Establish ministerial offices to deal with entity affairs

# A Consensus-consistent Framework?

## □ The Romanian dimension

- Preserve option for secession in case of unification with Romania

## □ The Russian dimension

- Grand bargain: multilateral treaty guaranteeing Moldovan sovereignty, territorial integrity, neutrality, and demilitarization

# A Consensus-consistent Framework?

## □ Domestic guarantees

- Legal and constitutional entrenchment of settlement
- Qualified/concurrent majorities for constitutional change
- Entity consent requirement for changes to status/powers

## □ International guarantees

- Multilateral treaty
- International oversight and conditional support of implementation
- International participation in conciliation body

# A Final Thought

*“Being aware that the implementation of this plan depends primarily on the political will and the parties' determination...”*

(The [Ukrainian] Plan for the settlement of the Transdnestrrian problem, 2005)

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