ACCESSION OF THE REPUBLIC OF MOLDOVA TO THE EUROPEAN UNION WITH OR WITHOUT A DEFINED STATUS OF THE TRANSNISTRIAN REGION

ADERAREA REPUBLICII MOLDOVA LA UNIUNEA EUROPEANĂ CU SAU FĂRĂ STATUT DEFINIT AL REGIUNII TRANSNISTREI

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Summary. *This scientific article aims to analyze the perspective of the European integration of the Republic of Moldova in the context of the unresolved Transnistrian conflict, a controversial public topic, starting with the establishment of its first relations with the European Union until today, when Chisinau began accession negotiations. Some voices strongly believe that Moldova's accession to the European Union is conditional on the final and sustainable settlement of the Transnistrian conflict, because neither the territorial conflict nor the Russian army, which has been illegally stationed in the country for over three decades, can be imported into the European Union, or, the accession without the Transnistrian region could mean Chisinau ceding a part of the state territory, where about 360 thousand of its citizens live. A part of society, on the contrary, claims that the European Union has never conditioned its expansion by a priori solving the territorial problems faced by the candidate countries, and the Transnistrian conflict is a lever of Moscow's influence to block the European path of the Republic of Moldova. The analysis, in essence, of the problem of the European integration of the Republic of Moldova in the context of the Transnistrian conflict allowed the formulation of some conclusions that could contribute positively to the achievement of the country's European accession goal.*

Keywords*: conflict, European integration, territorial reiteration, security*.

Rezumat. *Acest articol științific are drept scop analiza perspectivei integrării europene a Republicii Moldova în contextul conflictului transnistrean nesoluționat, un subiect public controversat, începând cu stabilirea primelor sale relații cu Uniunea Europeană până astăzi, când Chișinăul a început negocierile de aderare. Unele voci susțin cu tărie că aderarea Moldovei la Uniunea Europeană este condiționată de reglementarea finală și durabilă a conflictului transnistrean, pentru că nu poate fi importat în Uniunea Europeană nici conflictul teritorial, nici armata rusă care de peste trei decenii staționează ilegal în țară, or, accederea fără regiunea transnistreană ar putea însemna cedarea de către Chișinău a unei părți din teritoriul de stat, unde locuiesc circa 360 mii de cetățeni ai săi. O parte din societate, dimpotrivă susține că Uniunea Europeană niciodată nu a condiționat extinderea sa prin soluționarea a priori a problemelor teritoriale cu care se confruntă țările candidate, iar conflictul transnistrean constituie o pârghie de influență a Moscovei pentru a bloca parcursul European al Republicii Moldova. Analiza în esență a problematicii integrării europene a Republicii Moldova în contextul conflictului transnistrean a permis formularea unor concluzii, ce ar putea contribui pozitiv asupra atingerea obiectivului de integrare europeană a țării.*

Cuvinte-cheie**:** *conflict, integrare europeană, reintegrare teritorială, securitate*.

INTRODUCTION

For many decades, unresolved territorial conflicts in the countries of the Eastern Partnership have been significant obstacles to political stability, economic development and social cohesion. As well as Georgia, Ukraine, Armenia and Azerbaijan, the path to independence for the Republic of Moldova, sovereignty and territorial integrity began with the outbreak of an armed conflict, widely known as the Transnistrian conflict. Even though the Transnistrian conflict shares some common roots with other unresolved conflicts in the post-Soviet space, it has distinct characteristics that set it apart [3, p.13-14]. To develop a comprehensive, peaceful, and sustainable settlement, it is essential to thoroughly understand the conflict's deep nature, underlying premises, causes, and key protagonists.

The actuality and importance of the researched problem are underscored by the fact that, as the Republic of Moldova has obtained candidate status for EU membership and initiated accession negotiations, the unresolved Transnistrian conflict assumes a new dimension [9]. Definitely, this issue requires not only the attention of the scientific community and the international community but also the engagement of the entire society.

The motivation for choosing this topic of research is primarily determined by the fact that, unlike the long-time efforts of the Republic of Moldova toward integration in the EU, over the last three decades, the Transnistrian settlement process has not advanced at all. The new regional security context generated by Russia's aggression against Ukraine, which is territorially a few kilometers away from the Transnistrian region and illegally hosting its troops and a huge military depot, raises new grounds for concern regarding the perspectives of both processes, European integration and territorial reintegration of the country, but at the same time, new opportunities to succeed. To conduct a thorough analysis of the topic, the following key questions were identified:

- How does the unresolved Transnistrian conflict impact Moldova's EU integration process?
- What are the security implications for Moldova and the EU if it joins with the unresolved Transnistrian conflict?
- What are the prospects for Moldova in resolving the Transnistrian conflict?

The analysis of these questions will clarify several complex aspects regarding Moldova's European integration in the context of current realities. This includes examining the precedents set by Cyprus and West Germany, which joined the EU despite territorial issues, the future status of the Transnistrian region, the impact of the Transnistrian conflict on local and regional security. Ultimately, this approach will address the central question: How interdependent are Moldova's EU accession process and the resolution of the Transnistrian conflict?

SYNTHESIS OF MATERIAL AND RESEARCH METHODS

A systemic and multidimensional analysis of Moldova's EU accession in light of the unresolved Transnistrian conflict requires the use of various research methods to reveal its origins, essence and content. The historical method illustrated the evolution of the relationship between the Republic of Moldova and the EU over time, as well as the origins of the Transnistrian conflict. The analytical method approach involved analyzing, assessing, and characterizing the issue both individually and in comparison, with other similar contexts and realities. The comparative and synthesis methods highlighted the specific features of Moldova as a candidate state and compared these with other EU member states that faced territorial divisions, such as Cyprus and West Germany.

RESULTS AND DISCUSSION

The premises and causes of the Transnistrian conflict arose in the 1990s from the Russian Federation's strong desire to keep the Republic of Moldova under its influence and control. It is absolutely obvious that the Transnistrian conflict is not an internal one, being a classic conflict of a geopolitical nature, inspired from outside. On July 21, 1992, the Republic of Moldova and the Russian Federation signed a ceasefire agreement known as the *Agreement on Principles of the Peaceful Settlement of the Armed Conflict in the Transnistrian Region of the Republic of Moldova*, and effectively, Chisinau was forced to accept the exponents of the Tiraspol regime as part of the conflict as negotiation partners, most of them being citizens of the Russian Federation [1]. In fact, the Transnistrian entity, a narrow strip of land measuring about 4000 square km and having a length of 180 km situated at the Moldovan-Ukrainian border, is a political interface of Russia's geopolitical interests in the region.

Therefore, after three decades of inspiring the Transnistrian conflict from the outside, Moscow is continuing to generously feed the secessionist regime in Tiraspol, giving it substantial political, economic, financial, and undisguised military support [14]. Today, as never before, there is a different regional context generated by the unprovoked and unjustified Russian full-scale invasion war in Ukraine. Russia and Ukraine, who are mediators in the Transnistrian settlement issue for objective reasons, cannot participate in the process, and the dialog in the 5+2 format could not be held. But at the same time, the Republic of Moldova has obtained the status of a candidate country for the EU and has begun accession negotiations, which have unprecedentedly increased the role of the EU in the Transnistrian dossier. Moldova's efforts to join the EU and the advancement in this regard are changing the current paradigm of the Transnistrian settlement process, which has favored Moscow for so many years.

Moldova's relations with the EU were formally enshrined in the Partnership and Cooperation Agreement, which was signed on November 28, 1994. The EU-Republic of Moldova Action Plan was adopted in February 2005 for a period of three years, with the possibility of tacit prolongation. The document established the legal framework for

bilateral relations between Moldova and the EU in the political, commercial, economic, legal, cultural and scientific fields, which aim to support the country in strengthening democracy and the rule of law, respecting human rights by providing the appropriate framework for political dialogue, sustainable development of the transition to economy market by promoting trade, investment and harmonious economic relations [16].

On January 12, 2010, negotiations on the Association Agreement between the Republic of Moldova, on the one hand and the European Atomic Energy Community and their Member States, on the other hand (AA), were officially launched. After 15 plenary rounds of negotiations, the AA was concluded and signed on June 27, 2014, in Brussels, Belgium [2; 15].

Eight years after implementing the AA, Moldova applied for EU membership in March 2022 and was granted candidate status in June 2022. On June 1, 2023, the Republic of Moldova hosted the second Summit of the European Political Community, highlighting its commitment to collaborating with EU partners and Ukraine to tackle current challenges. The EU held its first intergovernmental conference with Moldova in June 2024 [6]. Since beginning the EU accession, Moldova has faced numerous challenges, including the loss of key markets, soaring inflation, a shortage of human capital, staged protests, airspace violations, and Russia's attempts to destabilize its pro-European reform government. The unresolved Transnistrian conflict remains a significant obstacle. Despite these difficulties, Moldova has demonstrated a strong commitment to advancing on its path to EU membership and meeting the Copenhagen criteria, which include stable institutions that guarantee democracy, the rule of law, a functioning market economy, and other democratic principles.

The role of the EU in the Transnistrian settlement process. Being an observer in the 5+2 negotiation format, the EU is very actively involved in the democratization of the region and bringing it closer to EU standards. Since 2009, the VI Phase Confidence-Building Measures Programme (total budget over 45 million US dollars) has aimed to increase trust between people on both sides of the Nistru River by providing support to economic development and entrepreneurship, assistance for community development and cross-river civil society platforms, cultural and historical heritage support [23].

The benefits of the AA, like the free trade zone and the visa-free regime with the EU are crucial for the socio-economic development of the Transnistrian region. For instance, work on the Deep and Comprehensive Free Trade Area (DCFTA) between Moldova and the EU, as part of the AA, began in January 2012 and was provisionally concluded after seven rounds of negotiations by July 2013, with direct participation of Tiraspol representatives [8]. Moreover, the self-proclaimed authorities of the Transnistrian region have committed to ensuring preferential access for goods and services originating in the EU (by eliminating all local customs duties until the end of 2017), to comply with the phytosanitary control requirements of the Republic of Moldova, and to gradually adjust the local regulatory framework to EU standards. On 18 December 2015, the EU–Moldova Association Council decided that the conditions for extending the application of the

DCFTA had been fulfilled. Decision 1/2015 of the EU–Moldova Association Council duly extended the territorial scope of the DCFTA to the entire internationally recognized territory of the Republic of Moldova, so including Transnistrian region [22]. On January 1, 2016, the provisions of the DCFTA territorial application entered into force in the Transnistrian region, which demonstrates that the Transnistrian conflict is distinct from other conflicts in the post-Soviet space and highlights Tiraspol's interest in maintaining close ties with the EU. In the first semester of 2024, the export of economic agents from the Transnistrian region to EU countries constituted over 80%, a new record since the signing of the AA. For instance, in 2023, this outcome was over 70%. The main destinations in the EU, chosen by economic agents from the Transnistrian region, traditionally remain: Romania, Poland, the Czech Republic, Italy, Bulgaria, Germany, Slovakia [7; 19].

For almost 20 years, the EU, through its Border Assistance Mission to Moldova and Ukraine (EUBAM) has contributed towards the peaceful settlement of the Transnistrian conflict through the official international negotiation format 5+2 and its related expert working groups. The Mission is promoting EU border management standards and procedures for a quicker crossing of people and goods and monitoring the 453 km-long Transnistrian segment of the Moldovan-Ukraine border, as well as the 411 km-long administrative boundary line within the Republic of Moldova [10]. Over 357 thousand inhabitants of the Transnistrian region are citizens of the Republic of Moldova, EU candidate country and have benefited from the opportunity to travel freely abroad, as well as from the quality services of the educational and health care systems on the right bank of the Nistru River and from EU countries. Tiraspol is keen to continue benefiting from the significant advantages it currently enjoys [13].

The reintegration strategy of the Republic of Moldova is based on a quite general approach, promoting single spaces and having a single jurisdiction regarding law application, citizenship, social services, and educational services on the entire territory of the country. According to Article 110 (2) of the Constitution of the Republic of Moldova, *places on the left bank of the Nistru River may be assigned special forms and conditions of autonomy, according to the special statutory provisions adopted by organic law* [4]. Indeed, the resolution of the Transnistrian conflict primarily aims to address the core issue of the conflict: the development and adoption of a legal status for the Transnistrian region that respects the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognized borders as of January 1, 1990, clearly outlined in the relevant OSCE documents [11; 17]. Moreover, in 2005, Members of Parliament of the Republic of Moldova voted practically unanimously for the Organic Law *on the basic provisions of the special legal status of the localities on the left bank of the Nistru River (Transnistria) No. 173,* which states that *the Transnistrian region will constitute an autonomous administrative-territorial unit with broad competences at the local level in the most diverse fields, with its own basic law and local legislation that will not contradict the Constitution and the national legislation of the Republic of Moldova* [20].

The Transnistrian region should be adequately represented in the structures of the central state power and enjoy broad prerogatives regarding regional self-governance and participation in the decision-making process at the national level. The most essential aspect is that the reintegrated Moldovan state must be viable and functional, capable of ensuring respect for democratic principles and values, the rule of law, the protection of human rights and fundamental freedoms, and maintaining its primary foreign policy objective of European integration.

Transnistrian protracted conflict: a complex issue of EU security. There is no doubt that protracted conflicts constitute one of the principal challenges to security and stability across the Eastern Partnership and beyond, lying at the nexus of internal and external security [12], and require special attention from actors and stakeholders involved in their settlement to ensure that the Republic of Moldova's European integration process can move forward smoothly and that regional stability is maintained.

The Russian Federation has maintained a presence consisting of two motorized rifle battalions of the Western Military District in Transnistrian region since 1992. The Operative Group of Russian Troops, about 1500 soldiers are deployed illegally in the region without the consent of the Moldovan authorities and periodically conducts exercises of an offensive nature, including forcing the Nistru River, jointly with military structures subordinate to the Tiraspol regime. Also, there is the Russian largest illegal arm and ammunition depot in Cobasna district of the uncontrolled region (about 20,000 tons), which definitely presents a serious security danger not only for the Republic of Moldova, Ukraine and Romania but for the entire region [21]. The risks and threats that the ammunition depot in Cobasna pose for the security of the population in the event of an explosion, considering the fact that this village is located at a distance of only 2 km from the border with Ukraine, are indeed very high. The military formations of the Tiraspol regime have multiple conventional weapons beyond the control of the international community and definitely represent a serious threat to regional peace and security. The devastating consequences of separatist movements, such as those in the Transnistrian region, cannot be ignored, especially given the dramatic impact of separatism seen in neighboring Ukraine [5, p. 199-204]. However, while these challenges are significant, they should not constitute an insurmountable obstacle to Moldova's process of joining the EU.

Moldova's accession to the EU, which involves implementing reforms, establishing partnerships, and acquiring EU expertise, will positively impact both local and international security. A defined status for the Transnistrian region could lead to improved security arrangements, potentially integrating EU security mechanisms and standards to enhance border management, law enforcement, and overall security infrastructure. Additionally, the resolution of the war in Ukraine would likely have significant implications for the security of the entire Republic of Moldova, including the Transnistrian region, and could facilitate the settlement of the Transnistrian conflict. Regarding the particularities of the candidate state Republic of Moldova and other states that became members of the Euro-

pean Union in a context of territorial division, like Cyprus and West Germany in 1957, it's essential to recognize the unique circumstances and challenges faced by each country. While Moldova has demonstrated a strong commitment to European integration, including signing an AA with the EU, implementing significant reforms, and beginning accession negotiations, the context and realities of these countries are markedly different. Cyprus's EU membership was seen as a potential catalyst for resolving the conflict but in fact did not contribute to resolving the territorial dispute and the division remains a significant issue within the EU framework. According to some experts opinion:*"after the accession of Cyprus, the EU understood how difficult it is to import an unresolved conflict and will not risk doing the same, neither in the case of Serbia nor in the case of the Republic of Moldova"* [18]. Related to the Federal Republic of Germany, it became a founding member of the European Economic Community, the precursor to the EU, in 1957. Or, at that time, Germany was divided into West Germany and East Germany due to post-World War II arrangements. The division of Germany became one of the most significant symbols of the Cold War and its EU accession was conceptualized as a process of unifying the two halves of Cold War Europe.

From the above, it is clear that the Transnistrian conflict has distinct characteristics that differentiate it from other post-Soviet conflicts and international precedents involving countries with territorial divisions that have joined the EU. These characteristics are essential for understanding the specific challenges Moldova faces with EU accession. The undefined status of the Transnistrian region presents a complex challenge with significant implications for Moldova's EU accession. However, implementing reforms, enhancing security cooperation with EU countries, and developing partnerships and expertise will positively impact the resolution of the Transnistrian conflict.

CONCLUSIONS

Even though Moscow has consistently used the Transnistrian conflict to obstruct Moldova's EU accession efforts, and there are reasonable grounds to expect that this strategy may persist, Chisinau must remain committed to pursuing a peaceful, comprehensive, and sustainable resolution of the Transnistrian conflict;

Resolving a complex and long-standing issue like the Transnistrian conflict could pose risks and potential delays for Moldova's EU accession process. However, despite these challenges, resolution remains feasible due to several key factors:

- Being compatible from a historical, cultural, and civilizational perspective, the population on both banks of the Nistru River has the potential to live in peace and mutual understanding within a reintegrated, democratic, and prosperous European state.
- Over decades, Tiraspol has maintained strong economic, social, and cultural connections with the EU, which helps to sustain the local economy and improve living conditions for the population.

- Through Moldova's EU accession process, Tiraspol has been implementing, for many years, certain EU regulations in areas related to trade and economic standards.
- Almost all inhabitants of the Transnistrian region hold citizenship of the Republic of Moldova, which is an EU candidate country. Moreover, many also possess Romanian citizenship, making them citizens of an EU member state.

The resolution of the war in Ukraine would likely have significant implications for the security of the entire Republic of Moldova, including the Transnistrian region, and could facilitate the settlement of the Transnistrian conflict.

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