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Article

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The problem of developing a model for the settlement Transnistrian conflict in the context of European integration of the Republic of Moldova

Anatolii DIRUN*, Valentina TEOSA**

Abstract

The participation of the European Union in the settlement of the Transnistrian conflict created favorable conditions for the implementation of the concept of "involvement without recognition" of the Transnistrian region in the legal field of the Republic of Moldova. The effectiveness of this approach largely depended on the effective functioning of the EU as an intermediary and the tools used to solve this problem. The purpose of the work is to consider the influence of the "post-military" stage on the effectiveness of the implementation of the mediation activities of the European Union, as well as to analyze the strategy of "Europeanization" from the point of view of rational choice theory, which affects the change in the behavior of the conflicting parties in the context of the settlement of the Transnistrian conflict.

Keywords: Transnistrian conflict, Europeanization strategy, post-war stage, conflict transformation

Introduction

The consolidation of the Moldovan society around the idea integration in the EU has not removed all the contradictions between the center and the regions in the Republic of Moldova on issues of domestic and foreign policy. This problem has been actualized for the Republic of Moldova as a state that has received the status of a candidate for EU accession in the context of the war on the territory of Ukraine. The rupture of socio-economic relations with Russia does not find full support among Moldovan citizens, and is also negatively perceived in Transnistria, in the southern and northern regions of the republic. One of the explanations for this attitude is the fact that the implementation of the Moldovan policy of integration until 2022 took place against the backdrop of maintaining trade and cultural relations with Russia. In turn, the official inclusion of the European Union in the process of settling the Transnistrian conflict took place only in 2005, when Tiraspol and Chisinau decided to grant observer status to the EU and US representatives in the negotiation process.

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Since by the time of the “pivot” towards Europe during the reign of President Vladimir Voronin in 2005, the republic had already formed the foundation of the negotiation process with Transnistria. In a generalized form, it can be said that since the official start of the negotiation process in 1994, two main solution models have been used in the settlement of the Transnistrian conflict: ‘Transnistrianization’ and Europeanization. And if, ‘Transnistrianization’ was typical until the early 2000s, after 2005, the mechanisms of Europeanization became more widespread.

By this time, the EU was guided by the adopted European Security Strategy, approved in 2003, in which regional conflicts were considered as one of the main challenges for European security. General approaches, as well as the procedure for the use of forces in peacekeeping operations and missions under the leadership of the EU, were regulated by the Amsterdam Treaty (1997), the Petersberg (1994) and Helsinki Declarations (1999). The proclaimed “EU Security Comprehensive” model included a wide range of tools: peacekeeping operations, police operations, security reforms, and post-conflict economic recovery. Such attention to the settlement of regional conflicts was due to the fact that “problems similar to Kashmir, conflicts in the Great Lakes region, on the Korean Peninsula directly or indirectly affect the interests of Europe, just like the centers of conflicts closer to it, primarily the Middle East. Violent or deadlocked conflicts that persist along our borders are a threat to regional stability”. Regional conflicts can often lead “to extremism, terrorism, statehood failure; they create conditions for the formation of organized crime and can fuel the need to master weapons of mass destruction”. Obviously, in each individual case, the EU has taken a different approach to resolving the problem, referring to the most practical approach is sometimes to address the roots of long-standing regional conflicts. It is recognized, however, that both military action and effective policing may be required. Economic instruments serve the purpose of economic recovery, and civilian crisis assistance helps restore civilian rule.

The process of settling the Transnistrian conflict has been going on for more than 30 years since the signing of the ceasefire agreement between the parties in July 1992. At the same time, the causes of the conflict, its development and culmination in the form of hostilities between the parties obliges the researcher to turn to the origins of the confrontation, the roots of which go back to the late Soviet period. In this regard, the correct typology of the conflict is important for the researcher, as it affects the development of tools for its settlement. At the same time, there is a need to take into account all the elements - both those that were at the heart of the conflict, and those that emerged during the peace process. The conflict in Transnistria is inherently ethno-political, categorized as identity conflicts. Along with the conflicts in Georgia and Azerbaijan, the events in Moldova were the result of contradictory internal political processes in the Soviet Union in the late 1980s and early 1990s. At

the same time, unlike Georgia and Azerbaijan, the Republic of Moldova has developed its own approach to conflict resolution, in which the post-military stage in relations between Chisinau and Tiraspol has taken a significant place.

1. Post-war stage as a new stage in the settlement of the Transnistrian issue

An analysis of the protracted nature of the Transnistrian conflict allows us to single out one important pattern, namely, the cessation of hostilities and the provision of a mechanism for controlling the situation over a long period of time, allows us to speak about the emergence of a new, post-war stage in the context of peacebuilding in protracted conflicts. The post-war stage can be defined as "the period of peaceful relations between the parties to the conflict from the moment of cessation of hostilities until the conclusion of a political agreement on the settlement of the ethno-political causes of the conflict" (Dirun,2021). It is quite logical that since the ceasefire in 1992, the parties have been using this time, including for the modernization of their armed forces. However, when we talk about the beginning of the post-war stage of the conflict, in practice this means the implementation of three mechanisms that minimize the possibility of resuming hostilities. First, the conduct of a peacekeeping operation on the line of contact between the conflicting parties; Second, the organization of a direct dialogue between the parties to the conflict in the framework of the negotiation process; Third, the public demand for a peaceful settlement of the conflict, not by armed means.

In the case of Transnistria and Moldova, we are talking, first of all, about the factually equivalent military potential of the parties, and the negative experience of solving the problem by armed means. To understand the importance and complexity of the emergence of the post-war stage in the Transnistrian settlement, it must be compared with a conflict of low combat intensity, which persists between the parties even after the signing of a ceasefire agreement. Since this happened over the past years in Nagorno-Karabakh, Abkhazia and South Ossetia, thereby complicating the peace process in these regions. Thus, the creation of a peacekeeping mechanism in the region in 1992 is one of the reasons for the effective implementation of the negotiation process as the main institutional instrument for resolving the conflict.

The official start of the negotiation process was laid on July 21, 1992, when the President of the Russian Federation B. Yeltsin and the President of the Republic of Moldova M. Snegur, in the presence of the leader of Transnistria I. Smirnov, signed the Agreement "On the Principles of Peaceful Settlement of the Armed Conflict in the Pridnestrovian Region of the Republic of Moldova". In accordance with this Agreement, joint trilateral peacekeeping forces were created, as well as the Joint

Control Commission (JCC), a Security Zone was established along the administrative border of Transnistria and Moldova on both sides of the Dniester. The JCC was formed from representatives of Russia, Transnistria and Moldova. The military contingents of the three sides were transferred to her subordination to ensure the ceasefire and security in the region (six battalions from Russia, three from each of the parties to the conflict). The principles for resolving the conflict were determined, obliging the parties not to use armed violence. The document mentioned “both sides” of the conflict, as well as three parties involved in the settlement”. The conclusion of the 1992 Agreement legally established the end of the war, marked the beginning of a peacekeeping mission on the banks of the Dniester and created conditions for the negotiation process, and for the first time recorded the international dimension of the settlement of the conflict in Transnistria (United Nations, 1992).

Thus, for the first time, a trilateral settlement format was established: the two sides of the conflict and Russia. It is important to note that a short period of time was required from the moment the Agreement was signed to the final cessation of hostilities. On July 31, the head of the Transnistrian Defense Department, Major General Sh. Kitsak, signed an order “On the cessation of hostilities in all sectors of the front”, and on August 1, an order “On the withdrawal of troops from the front line to permanent deployment points”. Officially, hostilities between Transnistria and Moldova have ended. On the same day - August 1, formations of the 106th division of the Russian Airborne Forces occupied the central part of Bendery. In addition to the Russian military, 50 law enforcement officers from Transnistria and Moldova remained in the city. In general, the period of hostilities lasted from March to June 1992 and claimed more than 1 thousand dead and 4.5 thousand wounded on both sides. For the Moldovan society, these figures were a real shock, which had a huge impact on the formation of the domestic and foreign policy of the state. Since the signing of the Agreement on the Principles of a Peaceful Settlement, it took the conflicting parties almost two years to officially start direct negotiations. At the same time, it is important to note that informal communication between the officials of Transnistria and Moldova never stopped, even during the period of hostilities in 1992 (Dirun, 2021).

As a result, on April 28, 1994, the first joint statement was adopted by the leaders of the conflicting parties - Moldova and Transnistria, who agreed on the basic parameters of the negotiation process. Then the parties agreed to immediately and without preconditions begin a negotiation process on the entire range of issues of mutual interest, as well as to remove all barriers that impede the normal implementation of economic, social and cultural ties and establish mutually beneficial ties in the economic, trade, credit, financial and other areas. The statement also recorded the consent of the parties to create a system of mutual and international guarantees for the full and unconditional

implementation of the agreements reached. In the same year, on October 21, as a follow-up to the agreement to start negotiations, a number of documents were signed on the methods and timing of the withdrawal of Russian troops to ensure the conduct of a peacekeeping operation on the Dniester. The parties agreed to synchronize the withdrawal of Russian troops with a political settlement of the conflict, which, in the opinion of the developers and signatories, could be achieved within a three-year period, which they called transitional.

The principle of such synchronization was also recorded in its documents by the OSCE, which from the very beginning played an active mediating role in the settlement (Agreement on Confidence Measures, 1998). The first practical result of the negotiations can be considered the Agreement signed on July 5, 1995 at the highest level “On the maintenance of peace and guarantees of security between the Republic of Moldova and Transnistria”, by which the parties assumed obligations not to use military force in mutual relations and not to exert political, economic or other forms of pressure on each other. At the same time, the parties to the conflict turned to Russia, Ukraine and the OSCE with a request to be guarantors of compliance with the agreements. This is how Ukrainian mediation began in the process of resolving the conflict in Transnistria, and the negotiation format itself expanded to a five-party format.

With the active mediation of Russia, Ukraine and the OSCE, the parties were looking for formulas for a future political settlement and were building up negotiating potential. The question of why the parties expected to find solutions to the conflict in a three-year period deserves special attention. One of the reasons in our opinion, the circumstance is that both Moldova and Tiraspol actively resorted to the help of Russia as a mediator and guarantor. It would not be an exaggeration to say that in the 1990s Moscow had a serious influence both on the left and right banks of the Dniester, which in turn was reflected in the positive dynamics of meetings between the conflicting parties. Since the mid-1990s and early 2000s, the years have been productive in terms of developing a political solution to the Transnistrian issue. First of all, we are talking about the “Primakov Memorandum” of 1997, in which Transnistria and Moldova fixed the concept of a “common state”. It should be noted that in addition to the efforts of international mediators, this became possible thanks to personal contacts between the leader of Transnistria, Igor Smirnov, with Moldovan presidents Mircea Snegur and Petr Luchinskiy.

In 2001, after the communist party headed by Vladimir Voronin came to power, the first serious crisis arose in the region, connected with the activities of the customs of Transnistria. The official authorities of Moldova withdrew the customs seals previously issued to Tiraspol for cargo clearance, thereby complicating the foreign economic activity of Transnistrian enterprises. As a result of these actions, negotiations between the parties were terminated. The guarantors and mediators had to

quickly create a new format - an auxiliary negotiation mechanism that would allow maintaining a dialogue between the conflicting parties at the level of political representatives of the parties. For this purpose, the creation of the “Permanent Conference on Political Issues in the Framework of the Transnistrian Settlement Process” was initiated. The corresponding agreement was reached in February 2002 during a meeting in Bratislava of political representatives of the countries-guarantors and mediators of the settlement - the Russian Federation, Ukraine and the OSCE, and one of the parties to the conflict - Transnistria. Moldova joined soon after. In diplomatic circles, the new negotiating mechanism was called the “Bratislava format”, which was a consultative body that did not involve the direct participation of the heads of state in its activities. As experts noted, the mechanism of the negotiation process has become more cumbersome, but the main thing is that it itself has been preserved. But even under these conditions, attempts were continued to find solutions at the institutional level based on the political formula of a settlement.

First of all, we are talking about the creation and work of the Joint Constitutional Commission in the spring of 2003, within the framework of which Tiraspol and Chisinau took the first steps to develop a draft constitution for a future federal state. The closest political project to be signed was the “Kozak Memorandum”, which envisages a solution to the conflict based on the model of asymmetric federalization of the Republic of Moldova. The failure of Russia's diplomatic efforts related to the refusal of President Voronin to sign the “Kozak Memorandum”, in fact, drew a line under the project of federalization of Moldova and became the starting point for turning the foreign policy of the Republic of Moldova towards the European Union.

In turn, the problem of developing a model for the settlement of the Transnistrian conflict with the participation of the European Union is due, in our opinion, to contradictions in the implementation of the two models of “Europeanization”. Within the framework of the first model, “Europeanization” is considered by the leadership of the Republic of Moldova as a task - to become part of the process of creation, dissemination of institutional norms, rules and procedures, which are first developed and agreed upon at the supranational level, and then implemented by the member states (Radaelli, 2003).

The second model is used to resolve protracted conflicts, in which europeanization is interpreted as a process driven and stimulated by European institutions, by linking the final outcome of the conflict to a certain degree of integration of stakeholders into European structures (Borzell and Risse, 2000). In practice, this meant that in the context of the protracted conflict, in which Moldova is one of the parties, it was the political institutions of the European Union that needed to develop a course in order to most effectively use each of the two indicated strategies. At the same time, it is important to take into account that the speed of implementation of each of these strategies in practice differs

significantly from each other, which in turn affects the results achieved. It is significant that in her interview, the President of Moldova, Maia Sandu, expressed her hope that the accession of the country to the European Union will take place in parallel with the reintegration of Transnistria into the republic. According to her, both processes should occur side by side. Sandu noted that if the standard of living in Moldova rises, then many more residents of Transnistria will be in favor of unification with Chisinau (Sandu, 2023). Formally, the country's reintegration policy began to be implemented from the first days of the negotiation process. However, it is the effectiveness of the use of the strategy of europeanization of the conflict that affects the achievement of practical results of reintegration in general. An analysis of 20 years of EU activities on the Transnistrian track allows us to better identify common patterns and evaluate the results obtained in the context of rational choice theory.

2. The “Rational Choice Model” in the Transnistrian Conflict: a working hypothesis

The object of study of the theory of rational choice are individuals, organizations or states that operate within a certain institutional environment. In turn, institutions with their limited capabilities influence the choice of an individual who, under these conditions, chooses the most beneficial strategy for himself. As Olson writes, the key motivation of an actor in choosing a strategy is his individual interest in realizing his own goal (Olson, 1971). At the same time, the researcher separately draws attention to the fact that the individual has his own hierarchy of values and priorities, within which he makes a decision. From the point of view of studying the behavior of the parties to the conflict, in addition to their own benefit, a number of researchers believe that the rational choice model is also able to take into account the possibility for the participants in the conflict to receive ideological advantages (Nicholson, 1990). However, the starting point in this case, the parties to the conflict should have the same understanding of the current situation, due to which a rational attitude to the present is formed. The difference in approaches to assessing what is happening should be resolved by transforming the structure of interests of the conflicting parties. The use of the rational choice model in the analysis of the actions of the conflicting parties in the Transnistrian conflict lies in the following hypothesis.

In the context of the equivalent combat potential of the Republic of Moldova and Transnistria, resolving the conflict by military means is an elusive task. The conflicting parties were forced to look for new points of contact, as the request for a peaceful settlement was demonstrated by residents, both on the right and on the left bank of the Dniester. At the same

time, the difficulty of reaching a political agreement was offset by the desire of the parties to focus on the economic aspect of the relationship. The economic approach made it possible for politicians in Moldova and Transnistria to see their perceived benefits and risks, as well as the tools to achieve and neutralize them. In turn, the effectiveness of economic interaction largely depended on the efforts and capabilities of the EU as an intermediary. To solve this problem, the European Union had to choose the right instruments of sanctions and incentives, as well as determine the algorithm for their use in order to effectively involve Pridnestrovie in the legal field of the Republic of Moldova.

Since the most important condition ensuring the promotion of europeanization in the context of the conflict was not so much a political discourse focused on the values of euro integration, but the real interest of the participants in the conflict (Emerson, 2004). An analysis of the activities of the EU as a mediator for more than 20 years, based on the method of historical analysis, allows us to empirically verify the effectiveness of sanctions and incentives, and to highlight the emotional factor of values, the influence of which on the behavior of the parties significantly reduced the effectiveness of rational choice.

3. Sanctions as a tool for transforming the interests of Transnistria

The EU began to show interest in the Transnistrian settlement only at the beginning of the 2000s. The preparation and accession of Romania to the EU in 2007 brought the conflict closer to its borders. In this regard, already in the spring of 2003, the European Neighborhood Policy was proclaimed, in the context of which the EU's desire was declared to play a more active role in resolving the conflict in Transnistria, including the use of financial instruments for post-conflict reconstruction (European Parliament, 2003). Analyzing the process of Europeanization of the negotiation process, it is important to take into account the fact that the period of EU involvement in the negotiations (2003-2005) included two fundamental positions. First, the EU has never proposed projects related to the political status of Transnistria. In this matter, Brussels considered Tiraspol from the standpoint of the Law On the main provisions of the special legal status of settlements on the left bank of the Dniester (Pridnestrovie), adopted by Parliament in July 2005. Secondly, the main efforts of the EU were reduced to the need to return Transnistria to the Moldovan economic and customs space. The justification here was the arguments about the damage caused to the Moldovan economy by the unresolved conflict. For example, British experts, assessing the scale of economic damage,

indicated that Moldova annually loses up to 13% of GDP due to non-collection of customs duties, taxes and other payments from Pridnestrovian economic agents (European Union, 2006).

The EU High Representative for Security and Foreign Policy Javier Solana, commenting on the idea of subordinating Transnistria to the customs rules of Moldova, stated that the conflict in Transnistria is a conflict involving economic elites, and there is no place for such conflicts in the 21st century (newdaynews.ru, 2006). A demonstration of the seriousness of the intentions of the European Union in the Transnistrian direction was the initiative to impose sanctions against the Transnistrian leaders. On February 27, 2003, the EU imposed sanctions that prohibited members of the Transnistrian leadership from entering the countries of the Union. The EU stated that such measures are aimed at supporting a more active EU involvement in the political process and should encourage sanctioned individuals to cooperate in order to promote a political solution to the conflict. The possibility of revising such restrictions was linked to an assessment of the steps taken by the leadership of Transnistria to achieve significant progress in the negotiations (Council Common Position, 2003). European experts called the sanctions an early attempt to apply special EU instruments to the Transdnestrian settlement and an inverted EU perspective aimed at eliminating the symptoms, rather than eliminating the causes of the conflict (Cristescu and Matveev, 2011).

It is significant that the EU maintains these sanctions today. Despite the fact that the sanctions list has been reset to zero, it no longer contains persons to whom the ban applies. But the sanctions themselves are formally preserved, and the corresponding document on their extension is adopted every year (Declaration by the High Representative, 2019). Analyzing the initial stage of the European involvement of the EU in the Transnistrian settlement, one cannot ignore the attempt to include the EU in the sphere of security in the conflict region. Thus, in 2003, the Netherlands chairing the OSCE came up with an initiative to reformat the peacekeeping operation conducted on the banks of the Dniester under the auspices of Russia, in which the contingents of the conflicting parties interact. It was proposed to replace the contingents of Moldova and Transnistria with the OSCE forces, and to transfer control of the operation to the EU (Mikhailov, 2013). And although formally this initiative cannot be attributed to the proposal of the European Union, it was widely discussed, but did not find support, primarily from France, Germany and Italy, who did not want to worsen relations with Russia. And the Dutch diplomat A. Jacobovitz de Szeged, who put forward this initiative, was later, in 2005, appointed to the position designed to become another European instrument - the EU Special Representative for Moldova, responsible for guiding the Transnistrian settlement. Taken together, these initiatives to impose sanctions against Pridnestrovian officials, change the peacekeeping format, as well as the establishment of the position of a Special Representative laid the foundation for strengthening the influence of the EU in Moldova, which, in

turn, could already be transformed into practical carrot and stick tools to bring the positions of the conflicting parties closer together (ICG Europe Report, 2004). The official institutionalization of European participation in the negotiation process took place in April 2005 with the active support of the Ukrainian side and its 7 Steps initiative. The document contained a proposal to include the EU and the US in the negotiations, and although it was not supported by Moldova because of the ideas contained in it about holding democratic procedures in Transnistria under the patronage of international organizations, it nevertheless gave a serious impetus to the negotiation process.

The EU increased its engagement with Moldova, Ukraine and Russia, including through the establishment of a political dialogue through the EU Special Representative for Moldova (EUSR) appointed in spring 2005 with a mandate to strengthen the EU contribution in the settlement of the Transnistrian conflict and representation of the EU in various forums by developing close contacts with all relevant actors (European Council, 2007). It should be understood that to a high degree the work of the Special Representative overlaps with the activities accredited in Moldova by the Mission of the EU Delegation. However, according to experts, the Special Representative initially had more opportunities, including because he had more staff to work in the Transnistrian direction. In May 2005, Ukraine again launched an initiative known as the Yushchenko Plan. In this project, the US and the EU were offered the role of observers in certain areas. On the basis of the Ukrainian proposals, the OSCE developed its own draft, which was adopted in autumn 2005 in Odessa at a meeting of the pentilateral format (OSCE, 2005). Since then, the EU and the US have been direct participants in the negotiations on the Transnistrian settlement with the status of observers. It was from this year that the EU began the Europeanization of economic processes, which can be divided into several conditional levels: trade and economic involvement, economic and technical assistance to the negotiation process, and, finally, control of the region with the help of economic instruments. Thus, in 2005, the European Union Border Assistance Mission to Moldova and Ukraine (EUBAM) was established, the legal basis of which was the Memorandum of Understanding signed by the European Commission and the Governments of the Republic of Moldova and Ukraine. The Mission is called upon to work with these countries to bring the standards and procedures of border management, customs and trade in line with those in force in the EU member states, to promote international cooperation and to strengthen security in the region. Notably, EUBAM prioritizes promoting a peaceful settlement of the Transnistrian conflict through confidence-building measures and approximation of legislation and procedures in the areas of customs, trade, transport and organization of cross-border activities (EUBAM, 2006).

Just a few months after the establishment of the EUBAM Mission, on December 30, 2005, the beneficiaries of its assistance, Moldova and Ukraine, agreed and signed a joint statement of the heads of government on the establishment of a new customs regime for Transnistrian goods, according to which transit through the Ukrainian border can only be carried out on the basis of Moldovan customs acts. It should be noted that Moldova has put forward such an initiative more than once before, but the Ukrainian government rejected it, calling it a virtual blockade. For example, Sergey Pirozhkov, deputy secretary of the Security and Defense Council of Ukraine, in 2003, commenting on such Moldovan proposals, argued that Kiev would never go for an economic blockade of Transnistria (Pirozhkov, 2003). And later, in 2008, already in the rank of Ukrainian ambassador to Moldova, he explained the change Ukrainian position on this issue is the request of the European Union to enter into international standards of customs clearance of goods (Pirozhkov, 2008) and the impossibility of Ukraine's refusal from the new customs regime is obligations to the European Union. For Transnistria, which had traditional economic ties with the CIS countries and supplied the Russian market with the bulk of its products through the territory of Ukraine, the new customs regime created serious problems. Only in 2006, as a result of the shutdown of enterprises, the losses of the unrecognized republic amounted to more than 450 million US dollars, of which 380 million dollars were losses of economic agents, the rest was shortfalls in the budget. These amounts, in comparison with the consolidated annual budget of Transnistria, almost doubled the latter. External actors were involved in resolving the current situation. Official Moscow stated that the actions of Chisinau and Kiev, presented as restoring order on the border, in reality are another attempt to put economic pressure on Tiraspol in order to force it to political capitulation on the issues of the Transnistrian settlement.

The statement was followed by a large-scale provision of Russian humanitarian aid to Transnistria. Brussels, in turn, continued the tactics of coercive diplomacy, stimulating the transition of Transnistrian economic agents under Moldovan jurisdiction. For Transnistrian enterprises that agreed to register in Moldova and comply with Moldovan rules, the EU provided a special preferential treatment in its sales market in the form of individual trade preferences that increase competitiveness in the European sales market. In 2005, it was the GSP+ preference regime, and since 2008, an even more advantageous system of autonomous trade preferences (ATP). Moldova, in turn, undertook to provide Transnistrian economic agents with a special regime of registration and tax accounting with tax exemption. As a result of additional financial burdens that arose in connection with the emergence of new economic levers in Moldova to influence Transnistrian economic entities, the products of Transnistrian enterprises became less competitive in traditional markets. To this were added the problems of transporting Transnistrian goods to Russia, associated with the so-called transport

blockade, when the Transnistrian freight transport lost the Moldovan licenses necessary for its activities. Thus, the enterprises of Transnistria, which traditionally supplied their goods to the CIS markets, being burdened with double subordination and the ensuing double taxation, gradually redirected their exports to Europe. In this context, the foreign economic indicators of the unrecognized republic over the past decade and a half can serve as an indicator of the Europeanization of the Transnistrian economy.

By 2014, the economic context was overgrown with two new European initiatives for the conflict region - an attempt to include Transnistria in the free trade zone formed by the Association Agreement signed with Moldova (Deep and Comprehensive Free Trade Area - DCFTA) and support for the establishment of joint borders with Ukraine on the Transnistrian segment of the border with Ukraine. Ukrainian-Moldovan posts of customs and border control. By that time, as noted in Tiraspol, Brussels' positions in the region had significantly strengthened, having received additional institutional and legal consolidation. And although Tiraspol managed to enter into direct negotiations with Brussels on the future of trade and economic relations, insist on not joining the DCFTA as part of Moldova and get the EU to abandon the idea of ending the preferential trade regime for Transnistrian goods, nevertheless, according to experts, tools to influence the external the policy of Transnistria in the EU has become more. The basis for such fears is the dependence of the export-oriented Transnistria on European markets and the increased control of the EU over the Transnistrian economy.

Finally, over the years of the customs regime introduced in 2006, there has been a radical reorientation of Transnistrian exports. The main trade partner of Transnistria has traditionally been Russia. So, for example, until 2001, Transnistria's exports to Russia amounted to about 25-30%, and until 2005 it reached 40%. In 2006, with a 25% drop in overall exports due to the blockade, exports to Russia accounted for almost 50%. And even in 2007 and 2008, the share of Pridnestrovie's exports to Russia was 43% and 40.5%, respectively. Now one of the main trading partners of Transnistria is the EU. The EU accounted for 29.4% of all exports in 2020¹⁴⁶. If we take into account the fact that another 53.2% is accounted for by Moldova and Ukraine, which have taken a course towards European integration, then the degree of separation from the Russian market (only 6.4% falls on the share of the Russian Federation) is more than indicative. To date, more than two thousand Pridnestrovian economic agents have passed under Moldovan jurisdiction, including all budget-forming enterprises of Transnistria, such as the Moldavian Metallurgical Plant, the KVINT wine and brandy factory, the Tirotext textile factory and others (Bulletin of the Pridnestrovian Republican Bank, 2021). Thus, without formally developing the status of Transnistria, the political institutions of the

EU have seriously influenced the involvement of economic agents from the left bank of the Dniester into the legal field of the Republic of Moldova.

4. The EU Confidence Building Policy and its limits to effectiveness

The implementation of a set of sanctions aimed at the imposed involvement of Transnistrian economic agents in the legal field of Moldova was used by the Transnistrian authorities to develop an internal ideological discourse about the blockade of the Transnistrian economy and the negative perception of the EU's efforts in the Transnistrian society. Largely for this reason, in 2009 the European Union decides to implement projects aimed at strengthening confidence building measures between Chisinau and Tiraspol. Hugh Mingarelli, Deputy Director General of the Directorate for External Relations of the European Commission, said at a meeting in Chisinau with the Minister of Foreign Affairs and European Integration of Moldova Andrei Stratan that "... the population of the Transnistrian region will benefit from the implementation of these projects, the purpose of which is to modernize society and reduce the consequences of the conflict on the Dniester" (Dirun, 2017, p. 28). In the period from 2009 to 2015, more than 174 projects were implemented more than 1870 jobs were created. Total funding amounted to €24.3 million, of which the European Union €23.2 million and UNDP €1.1 million over the period 2012-2015. It should be noted that when developing plans for the implementation of projects in Transnistria, representatives of the European Union checked their positions with the Transnistrian authorities. Thus, according to the Deputy Minister of Foreign Affairs of Transnistria Vitaly Ignatiev, Brussels is ready to offer Tiraspol targeted projects for the long term, funds that can be invested in the budgets of EU structures for 2013-2015. Within the framework of the Confidence Building Measures program, funded by the European Union and implemented by UNDP, 16 civil society development projects on both banks of the Dniester will be funded in 2023, which should reach more than 30,000 people. Their total cost is more than 290 thousand euros. The initiatives were selected through an open competition for which 90 proposals were submitted. A significant contribution to the development of confidence building measures between Tiraspol and Chisinau was the policy of football diplomacy. Thus, the Moldovan football champion, the Sheriff team received permission from UEFA to host European teams at its home stadium in Tiraspol. One of the signs of the effectiveness of the incentive policy was the increase in the number of residents of Transnistria who received Moldovan citizenship. According to the Bureau of Reintegration, the number of residents with Moldovan citizenship is 350 thousand people, while the total population of Transnistria is 465 thousand people.

Researchers also have yet to study the issue of the effectiveness of the implementation of the Europeanization strategy in the context of realizing their own interests in the region of such states as

Romania, Germany, Bulgaria and Poland. But in general, all these actions have made EU policy in the region much more flexible and institutionalized. This concerns the establishment of the institution of the EU Special Representative, acting in the conflict zone and reporting directly to the High Representative for Foreign Affairs and Security Policy (High Representative for Foreign Affairs and Security Policy / Vice President of the European Commission), as well as the creation of a special thematic department in EU External Action Service responsible for mediation policy.

At the same time, the strategy of Europeanization of the Transnistrian conflict, using the recommendations of rational choice theory, has also demonstrated the limits of its effectiveness. The main problem for increasing confidence building measures between the parties is the factor of the different value system of coordinates of the conflicting parties, which are based on intangible assets such as language, culture and history (Kolosov, 2019). In other words, no matter what economic preferences enterprises receive from the European Union, and citizens of Pridnestrovie who have Moldovan citizenship could enjoy the advantage of a visa-free regime, different cultural understanding of the causes of the conflict, as well as a vision of the prospects for its settlement, continue to have a serious impact on the final decision (Waal, T. and Twickel, N. 2020). There is no doubt that the EU-proposed confidence-building measures policy has improved and expanded intercultural communication between the parties. However, this strategy could not be consolidated into a system of guarantees between the parties. A certain mechanism that compensates for the lack of a system of guarantees for maintaining peace in the region was the geopolitical balance of power, which did not allow any of the international actors: Russia, the EU and the United States to gain additional advantage and influence on the situation.

Conclusions

An analysis of the activities of the European Union from 2005 to the present day testifies to the effectiveness of the use of the policy of sanctions and incentives based on the recommendations of the theory of rational choice in the settlement of the Transnistrian conflict. There are at least three main indicators of the success of Pridnestrovie's involvement in the legal field of the Republic of Moldova. First, in 2022, 64% of exports from Transnistria went to the EU, which is 10% more than in 2021. This, in turn, entailed the registration of economic agents of Transnistria in the authorities of the Republic of Moldova. Second, in 2023, the total number of citizens from the left-bank regions of the Dniester with Moldovan citizenship is 350 thousand people out of 465 thousand of the total population. This fact testifies, in our opinion, to the growing demand of the inhabitants of Transnistria for the use of the

European labor market and education. Third, the EU funding of projects to increase confidence building measures between the banks of the Dniester, gradually removes the enemy image from the parties to the conflict from the agenda and translates it into a complex but pragmatic relationship.

At the same time, stimulating the parties to the conflict, primarily Transnistria, to the European choice as a political platform has demonstrated the limits of using the rational choice methodology. For Transnistria and the Republic of Moldova, European integration takes place in different systems of value coordinates. If for Tiraspol the process of European integration is of an economic nature and does not contradict the pro-Russian vector of the statehood of Pridnestrovie (Rytovuori-Apunen, 2020). For the Republic of Moldova, Europeanization is a consolidating factor for the Moldovan society. Such a different understanding of European integration among the parties to the conflict is reflected in a different assessment of the Soviet past, which is transformed into problems in the present and forms opposite approaches to understanding the common future.

The outbreak of hostilities on the territory of Ukraine in February 2022 became a serious test of the strength of the agreements reached between Transnistria and Moldova mediated by the EU. Since in wartime conditions the logic of war comes to the fore, and rational tools no longer have such effectiveness. The question remains how long the status quo can be maintained in maintaining peace in the region, which, in fact, ensures the independence of Transnistria. Such a formulation of the problem is natural in that the emergence of the Transnistrian issue in 1990, as well as the hostilities on the territory of Moldova in 1992, were the result of the collapse of the Soviet state. After 30 years, the war in Ukraine actualized the issue of the struggle for influence in the post-Soviet space.

Thus, the outcome of the war in Ukraine will have a decisive significance and influence on the dynamics of the settlement of the Transnistrian conflict and the determination of the status of Tiraspol in the new system of European security. Under these conditions, the increased influence of the European Union, achieved through effective mediation, can play a significant role both in maintaining peace on the banks of the Dniester and in developing a political format for resolving the conflict.

References

- Borzel, T.A. and Risse, T. (2000), When Europe Hits Home: Europeanization and Domestic Change – *European Integration online Papers (EIoP)*, 4(15). <http://eiop.or.at/eiop/texte/2000-015t.htm>
- Cristescu, R. and Matveev, D. (2011), *Peacebuilding and Conflict Prevention in Moldova: the role of the EU* (retrieved from <http://www.eplo.org/assets/files/2>).

- Dirun, A. (2021), *Political communications in a “protracted” conflict: Case of Pridnestrovie, Конфликтне зоне на постсовјетском простору и регионална безбедност*, pp. 183 - 201. https://doi.org/10.18485/iipe_postsovjet.2021
- Dirun, A. (2017), The European Union and Transnistrian conflict: old approaches and new challenges, *Anuarul Laboratorului Pentru Analiza Conflictul Transnistrean*, 1, pp. 23-32.
- European Union (2006), *Action Plan "Republic of Moldova - European Union"*, Handbook. - TO. Gunivas, p. 65.
- European Parliament (2003), *Communication from The Commission to The Council and The European Parliament “Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours”* (retrieved from http://eeas.europa.eu/enp/pdf/pdf/com03_104_en.pdf).
- European Council (2003), *Council Common Position concerning restrictive measures against the leadership of the Transnistrian region of the Moldovan Republic* (retrieved from: [https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX %3A32003E0139](https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32003E0139)).
- European Union (2019), *Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova* (retrieved from <https://www.consilium.europa.eu/en/press/press-releases/2019/11/28/declaration-by-the-high-representative-on-behalf-of-the-eu-on-the-alignment-of-certain-countries-concerning-restrictive-measures-against-the-leadership-of-the-transnistrian-region-of-the-republic-of-moldova/>).
- Emerson, M. (2004), *Formation of the political framework of Greater Europe*, Electronic Library Institute of Europe RAS (retrieved from www.ieras-library.ru/documenti/soveurope/2004/emerson.doc).
- European Council (2003), *European Security Strategy "A secure Europe in a better world"* (retrieved from <http://www.consilium.europa.eu/uedocs/cmsUpload/031208ESSIIRU.pdf>).
- European Council, (2007), Appointing the European Union Special Representative for the Republic of Moldova, Official Journal of the European Union L 46/59 (retrieved from: [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ: L:2007:046:0059:0062:EN:PDF](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:046:0059:0062:EN:PDF)).
- EUBAM, (2005), *Who we are* (retrieved from: <http://eubam.org/ru/who-we-are/>).
- Featherstone, K. and Radaelli C. (2003), *The Politics of Europeanization*, Oxford: Oxford University Press. <https://doi.org/10.1093/0199252092.001.0001>
- ICG (2004), *Moldova: Regional Tensions over Transdnistria* (retrieved from <https://d2071andvip0wj.cloudfront.net/157-moldova-regional-tensions-overtransdnistria>).

- newdaynews.ru (2006), *Javier Solana's visit to Moldova has been cancelled* (retrieved from <https://newdaynews.ru/pmr/58156.html>).
- Kolosov, V. (2019), *The Transnistrian conflict: the battle of identities. The settlement will be long and difficult* (retrieved from: Official website of Nezavisimaya Gazeta: http://cis.ng.ru/opinions/2000-11-29/5_konflikt.html).
- Mikhailov, S. (2013), European Union policy towards Moldova and the Transnistrian settlement: institutional and national aspects, *Problems of the National Strategy*, 2(17), p. 62.
- Moldova–Transnistria (2009), *Eforturi comune pentru un viitor prosper. Procesul de negocieri = [Молдова– Приднестровье: Общими усилиями – к успешному будущему. Переговорный процесс] Moldova– Transdnestria: Working Together for a Prosperous Future. Negotiation Process* / editorial team: Matveev D., Şelari G., Bobcova E., Cseke B., „Cu drag” publishing house, 320 p.
- Nicholson, M. (1990), *Formal Theories in International Relations*, Cambridge University Press, p. 272.
- Olson, M. (1971), *The Logic of Collective Action*, Harvard Economic Studies, p. 198.
- Pirozhkov, (2006), *Ukraine stopped the transit of Transnistrian cargo* (retrieved from: <https://www.rbc.ru/economics/04/03/2006/5703c2be9a7947dde8e0a477>).
- Pirozhkov, (2008), *Ukrainian Ambassador: Moldova and the EU do not allow Ukraine to lift the blockade of Transnistria* (retrieved from: <https://regnum.ru/news/economy/1438636.html>).
- Pridnestrovian Republican Bank (2021), *Bulletin of the Pridnestrovian Republican Bank*, 1, p. 7 (retrieved from: <https://www.cbpmr.net/data/prbvd242-2.pdf>).
- Radaelli, C. (2003), The Europeanization of Public Policy, in: Featherstone, K. and Radaelli, C. (eds.), *The Politics of Europeanization*, Oxford University Press, Oxford, pp. 27-56.
- Rytovuori-Apunen, H. (2020), *Power and Conflict in Russians Border lands*, I.B. Tauris, London, pp. 83-89.
- Sandu, M. (2023), They would like to remake the Soviet Union, *Financial Times*, 5 May (retrieved from: <https://www.ft.com/content/2a8278f8-5e58-413d-a6b9-41fb207f9cc0>).
- Teosa, V and Dirun, A. (2022), Using the concept of “Human security” in the study of the post-military stage of the Transnistrian settlement: problem statement, *Journal Anuarul Laboratorului Pentru Analiza Conflictul Transnistrean*, 1, pp.127-138.
- United Nations (1992), *Agreement on the Principles for a Peaceful Settlement of the Armed Conflict in the Dniester Region of the Republic of Moldova*, 21 July 1992 (retrieved from: <https://peacemaker.un.org/moldova-peacefullsettlementdniestr92>).
- Waal, T. and Twickel, N, Emerson, M. (eds.) (2020), *Beyond Frozen Conflict*, CEPS, Brussels, Rowman & Littlefield International, London, pp. 38-40.