Daria Isachenko

Université Humboldt de Berlin & Université de Magdeburg

**The EU border mission at work around Transdniestria:
a win-win case?**

Until recently little was known about Transdniestria, a small piece of territory situated between Moldova and Ukraine. What was mostly known is that this place is a "diplomatically isolated haven for transnational criminals and possibly terrorists", a "black hole" making "weapons, ranging from cheap submachine guns to high-tech missile parts".[1] In brief, it is a "gunrunner's haven", where "just about every sort of weapon is available" upon request.[2] Moreover, to arms production and smuggling, many experts add human trafficking and drug smuggling.[3]

Transdniestria as an informal state appeared on the scene in the early 1990s as the Soviet Union was on the verge of collapse. Since then, Transdniestria remains a contested territory which officially belongs to Moldova, but has managed to create its own attributes of statehood, seeking international recognition. The claim to statehood of this entity presents a great challenge to Moldova's territorial integrity, whose officials mostly view this statelet as a puppet, created by the "certain circles" in the Kremlin with the sole purpose of keeping Moldova under Russia's sphere of influence. Since no progress was made in settling this "frozen" conflict over the years, Moldova started to search for allies in the West. By 2005 the Moldovan government managed to persuade the European Union to

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[1] G. P. Herd, "Moldova and the Dniestr region: contested past, frozen present, speculative futures?", *Central and Eastern Europe Series*, 05/07, Conflict Studies Research Centre, Defence Academy of the United Kingdom, Febuary 2005.
[2] G. Jahn, "Hotbed of weapons deals", *The Washington Times*, 16 January 2004.
[3] Ibid.

respond to the threats coming from "the black hole of Europe" and to provide assistance to the solution of this conflict. In March 2005, the EU Special Representative for Moldova was appointed by the European Council. In October 2005, the European Commission Delegation to Moldova was opened in Chisinau. In addition, the EU joined together with the US the negotiating process as official observers. Most importantly, in November 2005, the EU Border Assistance Mission (EUBAM) started its work in the region. The general intent was to „play an important role in building preconditions for seeking peaceful settlement", in particular by helping Moldovan and Ukrainian border guard and customs services "to carry out effective controls" and "to reduce the risk of criminal activities such as trafficking in persons, smuggling, proliferation of weapons and customs fraud."[4]

This article explores how the EUBAM together with Moldova and Ukraine operate at the border and what effects this work has on Trasdniestria's claim to statehood. The theoretical underpinnings of this analysis are based on the notion of figuration, elaborated by Norbert Elias. The key idea behind this concept is that actors can not be conceived in isolation, but rather should be examined within a dynamic network of interdependencies. Actors are always interdependent, and their actions are thus influenced, constrained and enabled by figurations which they form with other actors. Within this network, or web of interdependencies, the balance of power fluctuates, with the effect of mutually affecting relations.[5]

The article proceeds in three steps. First, a detailed history of Transdniestria's trajectory towards independence is presented. The second part deals with the work of EUBAM in the region, including such questions as what EUBAM experts exactly do, how they view the border and its management, what the problems are that they encounter in controlling the border, and how the work of the mission is evaluated by the EU itself. Finally, an internal power figuration of this informal state will be sketched in order to demonstrate some of the effects of the mission on Transdniestria's claim to statehood.

The main finding of this analysis is that, despite the mutually exclusive goals of the two actors in question, the EUBAM and the political elite of Transdniestria, the presence of the mission at the border can be considered, paradoxically perhaps, as a win-win case. The EUBAM as well as the EU view their work in the region as a great success story. Being in the region permits the EUBAM to produce facts on what is happening at the border, which is in itself a significant advantage. Moreover, according to the self-assessment of the EUBAM, its work contributed greatly to the implementation of the customs regime between Moldova and Ukraine, a mechanism which meant to challenge Transdniestria's

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[4] *European Commission Press Release*, "Solana and Ferrero-Waldner to launch Border Assistance Mission in Odessa", IP/05/1488, Brussels, 29 November 2005.
[5] N. Elias, *What is Sociology?*, New York: Columbia University Press, 1984

source of income. However, precisely this event led to the internal consolidation of political elite inside Transdniestria, whereby the ardent supporters of independence, represented by the president and his entourage, gained the upper hand in internal power struggle over a moderate group, represented by the new business community.

Transdniestria's trajectory to independence

The slogan "suitcase – train station – Russia" was used by the Popular Front of Moldova in the late 1980s, which, with the introduction of *perestroika* and *glasnost* reforms, began to challenge the dominant position of the Russian-speaking elites in this Soviet republic. The response came with the slogan "we do not want to be Romanians" and with the establishment of *Pridnestrovskaia Moldavskaia Respublika* (PMR) on the left bank of the Dniester. The secession, although prompted by the rise of a nationalist movement in Moldova, has been conditioned in the long term by political-economic structures set up during the Soviet era.

Historically, the disputed territory of the Dniester River has been a borderland of shifting foreign influences. The western region on the right bank of Dniester, known as Bessarabia, was part of the Principality of Moldavia, a Romanian entity established in the 14th century. In the 16th century Bessarabia became a tributary state of the Ottoman Empire. Unlike Bessarabia, the eastern territory on the left bank of Dniester, at present claimed by the Transdniestrian authorities, was never part of the Romanian entity. It belonged to Kievan Rus' and Galicia-Volhynia and also experienced Ottoman rule. In 1792 the region was ceded to tsarist Russia. By 1812 the control of the Russian Empire extended to Bessarabia as a result of the Russo-Turkish war. With the collapse of tsarist rule in Russia in 1918, the leadership of Bessarabia decided to join the Romanian state that emerged after World War I.

To reassert its influence in the area, the Soviet authorities, in 1924, created a Moldavian Autonomous Socialist Soviet Republic (MASSR) within the Soviet Republic of Ukraine, covering the territory east of the Dniester – Transdniestria as well as other districts now part of Ukraine.[6] Unwilling to accept the loss of Bessarabia to Romania in 1918, Soviet authorities believed that this region west of Dniester belonged inside the Soviet Union. The formation of the MASSR, thus, was meant "to serve as a political magnet drawing the Bessarabians away from Romania".[7] Soviet rule was finally extended to Bessarabia when the Soviet Union annexed the region in 1940 as a result of the Ribbentrop-

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[6] C. King, "Ethnicity and institutional reform: the dynamics of 'indigenization' in the Moldovan ASSR", *Nationalities Papers,* 26:1 (1998), p. 60.
[7] Ibid.

Molotov Pact. The Soviet Socialist Republic of Moldavia (MSSR) was created, whereby Bessarabia was joined with the already existing MASSR. From 1941 until 1944 the region was occupied by Romanian forces.

After World War II the MSSR experienced significant demographic changes. On the one hand, there was a wave of immigration from other parts of the Soviet Union to the region, especially to the urban areas. At the same time, a large number of Moldovans left Bessarabia for Romania. The proportion of Russians and Ukrainians was augmented by the workers, engineers, and teachers coming to the region for jobs. Many of the officers who served in the part of the Odessa military district located in Transdniestria returned to the region with their families upon retirement, due to its mild climate. The result of these diverse policies of the Soviet Union was that the population of Transdniestria became more sovietized than the rest of Moldova, whereby their loyalty was neither to the MSSR nor even to the Russian Republic as such, but to the Soviet Union.[8] Importantly, during Soviet rule Bessarabia remained largely agrarian, whereas the Transdniestrian region developed into an industrial centre of Moldova. Its production facilities concentrated mainly on heavy industry and technical equipment for the defence sector of the Soviet Union. Moreover, the management of large state enterprises was responsible directly to the ministries in Moscow, rather than to the MSSR.

On the political level the Moldovan elite from Bessarabia found itself alienated. Entry to the Communist Party of the Soviet Union was denied to most members of the Bessarabian section. The level of communist party membership among Moldovans was among the lowest when compared with other nationalities of the USSR.[9] Since Soviet authorities remained suspicious concerning the loyalty of Moldovans from Bessarabia towards Moscow, it was the already sovietized Transdniestrian political elite which dominated the political scene in Moldova.[10] This political preference for the eastern part of the MSSR is summarized quite concisely in the popular slogan from Soviet times: 'To become a minister, you must be from beyond the Dniester!'[11] Until the late 1980s no one from Bessarabia had been appointed as a first secretary of the Moldovan Communist Party.[12] With implementation of the policies of *glasnost* and *perestroika*, introduced by Gorbachev in the late 1980s, the privileged position of the Russian-speaking elite in the MSSR became contested.

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[8] C. King, *The Moldovans: Romania, Russia, and the Politics of Culture*, Stanford: Hoover Institution Press, 2000, p. 184.
[9] W. Crowther, "The politics of ethno-national mobilization: nationalism and reform in Soviet Moldavia", *The Russian Review,* 50, 1991, p. 186.
[10] King, *The Moldovans*, op. cit.
[11] S. Tröbst, "'We are Transnistrians!' Post-Soviet identity management in the Dniester Valley", *Ab Imperio. Theory and History of Nationalism and Empire in the Post Soviet Space,* 4:1, 2003, p. 441.
[12] King, *The Moldovans*, op. cit.

The challenge emerged from the Popular Front of Moldova, which, based on the assertion of a Moldovan national identity, demanded to change the script of the Moldovan language back from Cyrillic to Latin, and to make it the official language of the republic. Some members of the movement also aspired to the eventual unification with Romania. In August 1989 a law was passed which made Moldovan in Latin script the official language.[13] In spring 1990 the Popular Front came to power in the MSSR, replacing the communist party. In April the new Moldovan Supreme Soviet changed the republic's flag, adopting the Romanian tricolour. In June the name of the republic was changed from Moldavian Soviet Socialist Republic to the Soviet Socialist Republic of Moldova, to emphasize the Romanian spelling.[14] Furthermore, a declaration was passed which stated the supremacy of Moldovan law over the Soviet Constitution and legislation. The Moldovan Supreme Soviet also denounced the Ribbentrop-Molotov pact as an act of aggression and declared the incorporation of Bessarabia into the USSR in 1940 as illegal.

The MSSR was thus appearing to move towards Romania, while at the same time distancing itself from the Soviet Union. These changes, adopted by the Moldovan Supreme Soviet, did not pass unnoticed by non-titular groups. The language law and the search for identity among Moldovan nationalists led to protests among non-Moldovan groups of the MSSR, or rather the population that opposed integration with Romania.[15] In the south the Gagauz, a Turkic Orthodox group, formed a movement called *Gagauz Halki* (Gagauz People). In Transdniestria the opposition was especially strong among factory managers and local party officials. In August the factory leaders established the United Council of Work Collectives (OSTK) to organize and coordinate strikes to protest the language law. When the law was passed, local authorities of Tiraspol [Transdniestria's capital] refused to acknowledge its validity in Transdniestria. Beginning with strikes, the protests culminated in the emergence of movements in Transdniestria and Gagauzia seeking to establish their own republics. In August 1990 the Gagauz authorities declared their independence in the south of Moldova. During September of the same year, the local leadership of the Transdniestrian region declared the Pridnestrovian Moldavian Soviet Socialist Republic (PMSSR) a part of the Soviet Union, but separate from Moldova.

When the Soviet Union ceased to exist in the summer of 1991, the Transdniestrian leadership drafted its own constitution, elected Igor Smirnov as a president, and voted in a

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[13] This event was of great significance for the Moldovan nationalist camp. As suggested by Dima, "When the Cyrillic script was changed to Latin, all of a sudden everybody discovered that the Moldavians were in fact pure and simple Romanians… After all, it wasn't an alphabet question, but one of national identity; an identity which propelled the Moldavian Romanians on a new historical stage" (N. Dima, *Moldova and the Transdnester Republic*, Boulder: East European Monographs, 2001, p. 143).
[14] Ibid., p. 146.
[15] Calls for unification with Romania evoked memories of World War II, when the region was occupied by Romanian forces from 1941 to 1944. In addition, the adaptation of Romanian symbols was viewed as Romanization of the region.

referendum for the independence of Transdniestria the same year. Although the first armed clashes between the Moldovan state forces and paramilitary groups in Transdniestria occurred in November 1990, in spring 1992 the situation escalated into a war. The fighting was stopped in June 1992 with the intervention of the 14th Army, stationed in Transdniestria.[16] The cease-fire, however, did not guarantee the settlement, and Transdniestria followed the road of creating a separate state.

The short war in 1992 thus further consolidated the aspiration of the Transdniestrian leadership for independence and international recognition. In early stages of the conflict, between 1989 and 1990, the reaction of the Transdniestrian leadership towards events in the MSSR was the intention to have an autonomous status or a free economic zone for the left bank. In September 1990, when the PMSSR was established, the statements of Transdniestrian leadership were rather ambiguous concerning the aim of the declaration. When the declaration was made, the local press published appeals of the second congress of Transdniestrian People's Deputies to the USSR leadership, to the Soviet republics, as well as to the United Nations, asking that they "accept our status as equal partners in the community of sovereign states".[17] When, in September 1991, the PMSSR was to become PMR, Smirnov denied any aspiration to international recognition, saying that, "The referendum on independence should in no way be seen as an ultimatum… Our proposals for a reorganization of the Moldovan state system will remain in force. But now two completely equal partners will sit down at the negotiation table".[18] It is possible to say that declaration of independence was directed at increasing their status in the eyes of the opposition party, rather than at a hope of gaining a UN seat in the immediate future.

In Moldova, the creation of PMR was seen as a result of covert actions taken by the Kremlin. The personal ambitions of executive directors on the left bank to protect the economic base from the influence of Chisinau coincided with the aspiration of the Kremlin to keep the Soviet Union intact.[19] The necessary link between Tiraspol and Moscow was provided by a group of deputies called *Souz* (Union). *Souz* was created in February 1990, and its main goal, as the name suggests, was to prevent the collapse of the Soviet Union. One of the founders of *Souz* was Yuri Blokhin, a deputy of the USSR Supreme Soviet from the MSSR. Apparently it was Blokhin who provided Smirnov the necessary connection with the head of the USSR Supreme Soviet, Anatoly Lukyanov, one of the most active supporters of

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[16] On the details of the role that the 14th Army played in the conflict see Edward Ozhiganov, "The Republic of Moldova: Transdniester and the 14th Army", *Managing Conflict in the Former Soviet Union: Russian and American Perspectives*, edited by A. Arbatov, A. Chayes, A. Handler Chayes, and L. Oslon. Cambridge, MA: The MIT Press, 1997.
[17] *Dnestrovskaya Pravda*, 6 September 1990.
[18] P. Kolstø, and A. Malgin, "The Transnistrian Republic: a case of politicized regionalism", *Nationalities Papers*, 26:1, 1998, p. 109.
[19] D. Minzarari, S. Nikulin, and V. Soloviev, "Rol' Rossiiskoi Federatsii v uregulirovanii pridnestrovskogo konflikta", *Moldova Azi*, 26 March 2007.

Souz.[20] Moreover, the members of *Souz* are believed to have arranged Smirnov's meeting with top Soviet leadership in Moscow in the summer of 1990. Apart from the meetings with Lukyanov and Gorbachev, Smirnov is alleged to have met the USSR Defence Minister, the head of the KGB, and members of the Ministry of the Interior.[21] Significantly, some of these representatives of the USSR security apparatus were involved in the organization of the August Putsch of 1991. In Moldova, thus, the secession of Transdniestria has been perceived as a result of deliberate policies of the USSR leadership which, with the help of Supreme Soviet deputies and the security apparatus, conspired to keep Moldova inside the Soviet Union.

The Moscow-Tiraspol relationship, however, has been more complicated in the period from 1990 to 1992. In general, the policy of Kremlin towards events in Moldova lacked in coherence as well as in consistency. When, in September 1990, the PMSSR was proclaimed on the left bank, troops of the Soviet Interior Ministry were reportedly sent to provide protection to the second congress of Transdniestrian deputies which had made this unilateral declaration.[22] Yet, when the authorities in Tiraspol asked to establish a new post of Minister of Internal Affairs for their republic, the then Soviet Interior Minister stated that the PMSSR declaration was anti-constitutional and rejected Tiraspol's request.[23] Officially, after the Soviet Union collapsed, the Russian government of Yeltsin recognized Moldova as an independent state and ensured its respect for the territorial integrity of Moldova. However, some Russian officials visited Transdniestria and promised to protect the rights of Russian-speaking minorities living outside the Russian Federation and to reassure people living in Transdniestria of the support of the Russian state against Moldovan attempts to re-establish constitutional order on its territory.[24] In addition, concerning the decision to intervene in summer 1992, it remains unclear whether the order came from Moscow, or it was the initiative of the General Lebed. Some observers believe that Moscow did not have full control over the actions of its army in Transdniestria.[25] Recalling the summer events of 1992, the former commander of the 14th army, Netkachev stated that after the 14th army came under the jurisdiction of Russia, the decision was taken to stop the conflict with military force. However, from Moscow he heard only "hang in there" (*derzhis'*) instead of concrete instructions. Later he would be replaced by Lebed, who "claimed to have special authorisation and instructions" from Russia's Vice-President,

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[20] Ibid.
[21] Ibid.
[22] S. Kaufman, "Spiraling to ethnic war: elites, masses, and Moscow in Moldova's civil war", *International Security,* 21:2, 1996, p. 130.
[23] Ozhiganov, *Transdniester and the 14th Army*, op. cit., p. 163.
[24] A. R. Aklaev, "Dynamics of the Moldova Trans-Dniester conflict (late 1980s to early 1990s)", *Ethnicity and Power in Contemporary World*, edited by K. Rupersinghe and V. Tishkov, Tokyo, 1996, pp. 83-115.
[25] King, *The Moldovans*, op. cit.

Rutskoi, and the Defence Minister, Pavel Grachev.[26] The Russian Ministry of Defence did not issue any official statements on having ordered the intervention, but was keen on using the example as a success story of the Russian military in dealing with violent conflicts in the former Soviet space.[27] If one is to characterize the role of Russia in the creation of PMR, it was not so much "the arm of Kremlin", a popular description on the right bank, but rather a result of the involvement of a multifaceted Russia, with its various actors, such as deputies, the security apparatus, ministries, and the military, among others, which had shifting objectives in the context of the Soviet Union's collapse and subsequent power struggles in the emerging Russian state. This might explain the absence of a clear stance on the Transdniestrian issue by the Soviet/Russian leadership and its ambiguous moves throughout the course of the events.

After 1992 the Moldovan nationalist wave began to fade away. The Popular Front managed to gain widespread support initially, because for many Moldovans the language issue meant a chance to improve their status in the Russian-dominated MSSR.[28] The Popular Front leadership, however, understood the public demonstrations in the late 1980s as a sign of an emerging pan-Romanian movement. When Moldova achieved its independence, the Popular Front continued the campaign for unification with Romania, but this idea only alienated the Moldovan public and government officials as well.[29] Thus, after independence, the idea of unification was abandoned. Also, the Chisinau government demonstrated its readiness to adopt more accommodating policies towards ethnic minorities.[30] However, the Transdniestrian state-building project east of the Dniester had already begun to unfold. It was the initial pro-Romanian and anti-Russian stance that was used by the Transdniestrian elite to consolidate support for PMR among people living on the east side of the Dniester.

Having proclaimed an independent state, Transdniestria continued the de facto separation from Moldova. In addition to the adopted constitution and to the established executive and legislative branches, Transdniestria created its own economic institutions in the period 1992–1993. A separate customs service was established, and trade with Moldova is considered as a foreign trade. On borders with Moldova and Ukraine, the PMR operates its own immigration service, including border police and a customs office. However, the most difficult aspect of the state-building project was not in creating the institutions, since

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[26] G. Pulin, "Pridnestrovskii konflikt: hod, prichiny i posledstvia", *Voenno-Promyshlennii Kurier,* 33:100, 2005.
[27] King, *The Moldovans*, op. cit., p. 195.
[28] A. Panici, "Romanian nationalism in the Republic of Moldova", *The Global Review of Ethnopolitics*, 2:2, 2003, p. 40.
[29] Ibid., p. 42-43.
[30] J. Chinn and S. D. Roper, "Ethnic mobilization and reactive nationalism: the case of Moldova", *Nationalities Papers,* 23:2, 1995, p. 305.

the rudimentary components were already in place, but in creating the necessary discourse in support for statehood and assuring that this discourse is being maintained. As a result, an academic research laboratory for the history of Transdniestria was established in March 1991 at the local university. The task of this research laboratory, first of all, has been to refine a state doctrine consisting of two core elements. The first principle involves a claim to statehood, which was deemed necessary in order to protect the population of Transdniestria from Moldova's nationalist policy. The second element is a claim of Transdniestria's historical bond to the Russian cultural sphere.[31] Most significant is the geopolitical connotation in the official discourse of PMR authorities. The PMR is often referred to as a strategic outpost of Russia on the western frontiers. As a "tiny bit of the Great Russian state" or "Russia's historical enclave on the doorsteps to the Balkans", Transdniestria is depicted as playing a central role in Moscow's geo-strategic ambitions, the implication of which is the guarantee of Russia's support for the survival of the PMR.[32] In this context, General Aleksandr Suvorov (1729-1800) became the most important political symbol of Transdniestria. The options for other historical symbols were rather limited, since they were not considered as particular to Transdniestria.[33] An equestrian monument of this military leader was established in the 1970s in Tiraspol, and "due to the general's prominence, his relationship to the region, his belligerence and Russianness, as well as his 'anti-Westernness'", Suvorov became a perfect symbol for the PMR. In 1991, stamps with his portrait were put on Soviet rubles, the very first PMR currency.[34]

Whereas Transdniestria has been seeking international recognition, the Moldovan government has been trying to restore its territorial integrity. In mid 1990s the two sides were close to coming to a compromise. In 1996, for instance, a protocol was signed on cooperation of customs services. According to this agreement, Transdniestria received the opportunity to use Moldovan customs stamps for its export activities. In return, Moldovan customs officers expected to get access to the border segment controlled by Transdniestria and conduct joint work on the border. This part of the agreement, however, was not implemented by Tiraspol.[35] Whereas Transdniestria proceeded to equip its borders in early 1990s, Moldova started to focus on the internal border with its eastern region in 1999, by setting up posts of the fiscal police, which were subsequently joined by customs services in

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[31] K. Büscher, "Separatismus in Transnistrien. Die 'PMR' zwischen Rußland und Moldova", *Osteuropa,* 46/9, 1996.
[32] Tröbst, "'We are Transnistrians'!", op. cit., p. 450.
[33] Ibid., p. 454.
[34] Ibid.
[35] NOSTRUM Workshop Report, "Strengthening border controls in Moldova: problems and priorities", published by *EuroJournal.org – Journal of Foreign Policy of Moldova*, 02/2005, p. 9.

2003. Since this piece of territory is not considered as a state border, Moldovan authorities have been constrained to strengthen these internal posts with proper border guards.[36]

More problematic for Moldova is its state border with Ukraine, where Chisinau has neither control nor a mere overview. This has been the case not only because this is the area where Transdniestria exercises its de facto control, but also because Moldova's neighbour, Ukraine, has not be as cooperative as the Moldovan authorities would like it to be. In 2001, for instance, Moldova introduced new customs stamps and urged its trade partners not to accept any goods coming from Transdniestria unless accompanied by the new stamp. Ukraine, however, referring to its legislation, insisting on its role of unbiased mediator and warning of a possible humanitarian catastrophe in the region, did not cease letting Transdniestrian goods cross its border with the old Moldovan stamps.[37] Only in 2003, not without pressure by the EU and the US, did Ukraine formally agree with Moldova's request to pay attention to the customs stamps. Informally, however, the customs stamps were often overlooked at the border crossing points.[38] Furthermore, in 2001, Moldova suggested to introduce joint border posts on the Ukrainian territory. This proposal was not accepted by Ukraine, which again referred to potential conflicts with the internal legislation, which forbids the presence of foreign controlling authorities on its territory.[39] In 2002, Moldova's president put forward the idea of establishing an international monitoring mission. The OSCE and the EU considered such a possibility in early 2004. However, due to an ambiguous stance of Ukraine, issues of mission's mandate and budget, no serious action was taken until November 2005.[40]

Enter the EU

The recent engagement of the EU in the region increased, once Romania became an EU member, putting Moldova in its direct neighbourhood. The eastern region was identified as one of the priorities in terms of security concerns.[41] Moreover, the new EU members from Eastern Europe have been particularly interested in the region due to "geographic and historical reasons", and helped to bring the region to the general attention of the EU.[42] Thus, when in June 2005 Moldova's president, Voronin, and his colleague from Ukraine sent a letter to Javier Solana asking for support at the border, the answer was not only a

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[36] Ibid., p. 11.
[37] Ibid., p. 10.
[38] Ibid.
[39] Ibid.
[40] Ibid.
[41] Interview, political advisor to the EU Special Representative, Chisinau, Moldova, May 2006.
[42] These include Hungary, Czech Republic and the Baltic states in particular. Interview, political advisor to the EU Special Representative, Chisinau, May 2006.

positive, but also a prompt one. In November the same year, the EU Border Assistance Mission began to operate in the region, tasked with assisting Moldova and Ukraine to "harmonise their border management standards and procedures with those prevalent in EU member states."[43] The hope was that monitoring the border would allow to contribute to the solution of the Transdniestrian issue. Firstly, the mission's work would provide with the indispensible information what is happening at the border. Secondly, the EUBAM's presence would undermine Transdniestria's source of wealth and thus make the local authorities less intransigent towards a settlement within the territorial integrity of Moldova.[44]

In the first period of six months, the EUBAM was financed by the EU Commission with 4 million Euros and supported by 69 EU experts and 40 local personnel.[45] The budget was subsequently extended to around 20 million Euros and the staff to around 100 EU experts.[46] Whereas one third of experts is recruited directly by the EU commission, most of EU customs and border guard experts are seconded by EU members, predominantly by the new EU member states.[47] With these resources the EUBAM monitors the Moldova-Ukraine border which is 1,222 km long, out of which 955 km is a "green border" segment that is the area with no physical signs of a border.[48] In addition, 470 km of the Moldova-Ukraine state border is not controlled by Moldova, but by Transdniestrian authorities with about 25 official crossing points to Ukraine.[49] The EUBAM does not operate within the territory claimed by Transdniestrian authorities, nor are EUBAM experts allowed to enter Transdniestria's territory even if off-duty. Importantly, the EUBAM can give only recommendations to Moldova and Ukraine on areas for improvement of border management; it does not enjoy executive powers.

At the start, there were some sceptical voices whether the mission can achieve the goals it has set.[50] The head of the EUBAM mission, Ferenc Banfi, was also aware of the challenges of the mission's task, such as the initial uncertainty over support and cooperation of local agencies in the region, the scarce resources of the EUBAM, and most importantly "consistent good will and support" of the EU for this border mission.[51] In

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[43] EUBAM's objectives, www.eubam.org, accessed 21.05.2009.
[44] A. Lobjakas, "Moldova: EU launches first 'neighbourhood policy' border mission in Post-Soviet space", *Radio Free Europe/Radio Liberty*, 9 October 2005.
[45] *EUBAM Annual Report 2005-2006*, p. 3.
[46] Ibid., p. 3.
[47] Countries that have sent their experts in 2006 include: Belguim (1), Czech Republic (6), Estonia (5), Finland (6), Germany (9), Hungary (7), Italy (6), Latvia (7), Lithuania (8), Poland (14), Portugal (1), Slovakia (3), UK (1). *EUBAM Press Release*, "First year of EUBAM rated as success", 30 November 2006.
[48] *EUBAM Press Release*, 30 November 2006.
[49] Ibid.
[50] See, for example, Vladimir Socor, "EU launches unprecedented mission on Ukraine-Moldova border", *Eurasia Daily Monitor,* 2:190, 13 October 2005.
[51] *EUBAM Annual Report 2005-2006*, Foreword by Ferenc Banfi, Head of EUBAM, p. 2.

addition, since the first period of six month the EUBAM was sponsored by the EU Commission's rapid reaction mechanism, there was a certain compulsion to succeed. In the words of Ferenc Banfi, "the mission had to prove its worth within this period to secure longer-term EC funding".[52]

The everyday life activities of EUBAM experts consist of two main duties. First is the on-the-job training of Moldovan and Ukrainian customs and border guard personnel. The training covers many areas: how to examine vehicles, how to spot fraud documents, and how to check passports. At the management level EUBAM experts provide advices on how to set up night patrols, how to deal with subordinated personnel, as well as how and why to conduct briefing meetings.[53] The second main task of EUBAM experts consists in patrolling the border and making unannounced visits on the border checkpoints to observe how Moldovan and Ukrainian customs and border guard personnel manage the border control and implement the lessons learned.[54]

The problems that the EUBAM detected in the region concern both, the border itself and its management. The first conclusion that EUBAM experts arrived at was that, in the words of a Ukrainian customs official, "no trucks full of weapons drive through the border here, neither do people carry around bags full of drugs".[55] Instead, the mission could observe a surprisingly high amount of chicken meat imported to Transdniestria. For example, in the first six months of the work on the border from October 2005 to March 2006, the mission calculated 40 thousand tonnes of chicken meat delivered into Transdniestria, which amounts to 67 kilograms per person.[56] Since by comparison about 5 kilograms are consumed per person in Germany in the same time period, the EUBAM naturally assumed that there is something not in order.

The smuggling scheme operates in the following way. The chicken meat is legally imported from the Ukrainian ports in Odessa. Ukraine is documented as a transit country, and Transdniestria as a destination, allowing thus to circumvent customs duties. Once in Transdniestria, the goods are reloaded to smaller trucks or cars and re-exported back to Ukraine or further to Moldova. This time however the shipment does not cross the border check points, but is done via alternative routes. This scheme generates higher profits, then if transported directly to Moldova or Ukraine because of the difference in taxes on imports.

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[52] Ibid.
[53] Interview, EUBAM expert, Kuchurgan, Ukraine, May 2006.
[54] Interview, EUBAM expert, Polanka, Moldova-Ukraine border check point, May 2006.
[55] Interview, Ukrainian customs official, Kuchurgan, Ukraine, May 2006.
[56] "Achievements of EUBAM 2005-2006", January 2008, www.eubam.org/files/0-99/23/Mission-achievements-eng%20Nov%2007.doc, accessed 20 May 2009.

The EUBAM estimates that smugglers' earnings lie at around 750 Euro per every tonne of smuggled goods.[57]

If the amount of profits can be estimated, it is more problematic to identify the smugglers themselves. What the EUBAM experts could observe is that "a sophisticated *modus operandi*" of smuggling suggests that these groups are well organized and well equipped with the necessary logistics such as storage houses, trucks and drivers.[58] The connection to Transdniestria's authorities is ambiguous. The EUBAM concludes, for instance, that they seem to be "either unwilling or unable to take effective action to counter" smuggling activities.[59] Besides chicken meat, other most frequently smuggled goods include tomatoes, sugar, cigarettes and construction material.[60]

The wide spread smuggling activities have to do with the fact that large segments of the border are not regularly monitored, and most of the area is the so-called green border. In many places it is not clear where the border actually lies. As observed by the EUBAM, "the border between Moldova and Ukraine is characterized by terrain naturally conductive to the unfettered movement of goods and people, necessitating first-rate management of the green border."[61] The demarcation process between Moldova and Ukraine started in 2002. The problem however is that the process can not be completed due to the control of the border segment by Transdniestria. The absence of full demarcation makes it difficult to take a legal action against "offenders as there can often be no conclusive proof that the border has been crossed illegally."[62] The EUBAM has already recommended to render the border more visible and to introduce physical obstacles in the area. Thus, besides signs which signal the border area, it was advised to make a ditch in places where numerous instances of illicit activities were observed.[63] The aim of these measures is not only to reduce smuggling activities, but also to prevent illegal border crossings. Such cases are abound, especially because many people who live in Transdniestria own fields on the Ukrainian side. Instead of going to the checkpoint, some simply crosses the border haphazardly. However, if one is intercepted by this illicit activity, there is an administrative charge and even a court

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[57] Ibid.
[58] Interview, EUBAM Expert, Polanka, May 2006.
[59] Summary of the key recommendations in EUBAM Needs Assessment and Recommendation Report, http://www.eubam.org/index.php?action=group&group=22&sid=j66fkea9p8zjvl15btw3l4ekha4fq4o0, accessed 20 May 2009.
[60] Another problematic issue is the imported cars. Both Ukraine and Moldova do not allow import of old cars. However, some are brought to Transdniestria, registered there, and then brought back to Ukraine by citizens who declare the change of residence. This scheme appears to be more of an individual nature; however during the period of five months, 400 of such cases were registered. Interview, Ukrainian customs official, Kuchurgan, May 2006; ICG Report 2006, p. 4.
[61] *EUBAM Annual Report 2005-2006*, p. 11
[62] Ibid.
[63] Interview, EUBAM expert, Polanka, May 2006.

hearing. According to one EUBAM expert, people do not do it intentionally, but rather "simply because people do not have this border in their head, as it was not there before."[64]

Regarding the management of border in the region, the EUBAM observed two major problems. First is the lack of cooperation not only between Moldovan and Ukrainian agencies involved in border control, but also between particular agencies such as border guard and customs services. Thus, in 2007 the Investigation Advisory Unit was created to promote inter-agency and cross-border cooperation and coordination, in particular regarding such areas as "the exchange of information, reduction of overall or duplication in investigations, reduction of conflict over competences, and joint investigation techniques."[65] The second problem is corruption. Against this phenomenon a number of active measures have been already undertaken. At the checkpoints, signboards were erected with a general request to border crossers to hand in passports for control "without irrelevant items", i.e. bank notes.[66] Besides, the EUBAM tries "to reinforce the anti-corruption message through the promotion of peer accountability" among local agencies, by conducting joint operations which involve customs, border guards and police working together.[67] The corruption, however, concerns not only individuals working at the border, it has much broader roots, which appear to lead to Kiev. Ukrainian border patrols operate based on plans which are submitted in advance to the headquarters. Thus, "Kiev knows where every border patrol is in the country at any one time".[68] It is assumed that the routes of patrolling teams are passed on to the interested smugglers.[69]

Overall, the EUBAM has given a number of advices to Moldovan and Ukrainian border guard and customs agencies regarding the border management. The recommendations are at times only partially accepted, mostly for two reasons. One of the obstacles is inconsistency with the local legislation.[70] A further difficulty involves the question of competence, because the local agents often do not feel authorized to implement EUBAM recommendations.[71] For the EUBAM this fact of frequent delegation of decision-making, what can also be termed as a strategy of evasion, has to do with the "over-centralization" of border guard services in the region, regarded as a result of "the military structure and mind set they inherited from the Soviet era".[72] However, the same processes can be observed in the customs services, their civilian status notwithstanding.[73]

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[64] Interview, EUBAM expert, Kuchurgan, May 2006.
[65] *EUBAM Annual Report 2007*, p. 6.
[66] Interview, Ukrainian customs official, Kuchurgan, May 2006.
[67] *EUBAM Annual Report 2005-2006*, p. 13.
[68] EUBAM expert cited in ICG Report 2006, p. 7.
[69] Ibid.
[70] Interview, Ukrainian customs official, Kuchurgan, May 2006.
[71] Ibid.
[72] *EUBAM Annual Report 2005-2006*, p. 28.
[73] Ibid.

Since the EUBAM mandate has been extended implies that there are still many areas for improving the border management in the region. In general, the mission's work is regarded as a success story.[74] In particular, it is considered as "the most effective and efficient of the EU's external security promotion operations and a showcase of EU's policy of constructive engagement with its eastern neighbours".[75] Even though the assumptions about large-scale arms-trafficking have been exaggerated, the EUBAM is now able to produce the facts of what happens at the border. In addition, in the words of the deputy head of the EUBAM, Antti Hartikainen, it is a fact that the mission's work has rendered smuggling more difficult. [76] What was also made more difficult are the PMR leader's trips abroad.[77] On one occasion, members of the EUBAM monitoring the border check point at Kuchurgan, Ukraine, were astonished to see the preferential treatment of Smirnov by the Ukrainian border services, which let Smirnov through bypassing the line. Whereas in the view of the Ukrainian side, this was done because Smirnov was late for a meeting in Kiev, the EUBAM members insisted that he should still be treated just like other border crossers, and wait in the line if necessary and go through all the necessary controlling procedures.

Another fact which is worth noting since it is also regarded as contributing to the success story is that the presence of EUBAM in the region led Moldovan and Ukrainian authorities to finally implement a joint customs declaration in the spring 2006.[78] In December 2005 Moldovan and Ukrainian leaders signed an agreement, whereby the Ukrainian side agreed to let goods exported from Transdniestria cross the border only if accompanied with the necessary documentation from Moldova. To be able to export their goods Transdniestrian enterprises were required to register in Moldova. The Ukrainian side started to implement the new customs regime in March 2006.[79] How this event was handled by Tiraspol authorities and how it affected internal power struggle will be discussed in the following section.

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[74] Interview, political advisor to the EU Special Representative, Chisinau, May 2006.
[75] V. Kononenko, "EUBAM Moldova after one year: Assessing the EU's security promotion at the separatist border", *CFSP Forum*, 4:5, September 2006.
[76] A. Lobjakas, "Transdniester: EU monitors detect only 'minor' smuggling", *Radio Free Europe/Radio Liberty*, 8 April 2006.
[77] This episode is based on interviews with EUBAM expert and a Ukrainian customs official, Kuchurgan, May 2006.
[78] Lobjakas, *RFE/RL*, op. cit.
[79] The delay was explained by the fact that Ukrainian customs agents waited for an official decree, since they could not implement the new customs regime simply based on news reports. Interview, Ukrainian customs officer, Kuchurgan, May 2006.

Inside Transdniestria

The facts which EUBAM has been able to produce about this unrecognized state are also evaluated in a positive way within Transdniestria. For instance, the EUBAM conclusions that no large-scale weapons smuggling has been observed in the region came as a great relief to the local authorities. Now, they are able to refer to the reports of international exports that these accusations have been part of propaganda campaign of Moldova, which created this myth of Transdniestria as a "black hole" of Europe.[80] Regarding smuggling of food items, Transdniestria's president denied any such activity stating that Transdniestria "has a landlocked location. If such illegal activity takes place it could only do so with the cooperation of its neighbours, neither of which have been targeted for attack in the same way".[81] The amount of chicken meat imported to the region which surprised the EUBAM experts, in the view of local authorities, had to do with the expected blockade of Transdniestria by Moldova, so additional food reserves were needed.[82] Most importantly perhaps is the effect that this so-called blockade had on internal political figuration of Transdniestria. In particular, it led to the internal consolidation of the political elite.

Since the 1990s the political power has been monopolized by the president and his entourage. Having worked as assistant director of a factory in Ukraine, in November 1987 Igor Smirnov moved to Transdniestria and was appointed to lead the machine-building factory Elektromash in Tiraspol. In 1989, he was elected to lead the OSTK, an organization which managed strikes against the language law. Promoted by the OSTK, Smirnov won a seat in the City Soviet of Tiraspol and was elected as its chair, a key political post in Transdniestria at that point. He also managed to be elected to the Supreme Soviet of the MSSR. The engineer-turned-politician still dominates the political scene of Transdniestria, having been re-elected four times in succession.

Over his years in power, Smirnov attempted to monopolize the official discourse, according to which the president and the state were considered one and the same. Importantly, his advisor and close political companion, Anna Volkova, has written a detailed story of Smirnov's political career in a book tellingly entitled *Lider* (The Leader*).*[83] According to this official biography, Smirnov was at first reluctant to enter politics in the early 1990s. However, encouraged by his OSTK fellows, he eventually took the lead in the

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[80] See for example news coverage from Transdniestria's main English-speaking media outlet *Tiraspol Times*, "Moldova repeats weapons claims against PMR; now as a 'thing of the past'", 24 July 2006, and "EU confirms absence of weapons smuggling", 22 October 2006.
[81] *Tiraspol Times*, "No weapons smuggling from Transdniestria, EU border monitors say", 13 September 2007.
[82] Interview, PMR deputy, Tiraspol, June 2006.
[83] A. Volkova, *Lider*, Tiraspol: Olvia Press, 2001.

struggle for PMR sovereignty.[84] Smirnov thus emerged as the leader without alternative, as the only candidate who can deliver the promised recognition of the PMR. In the presidential elections of 1995, the slogan used in Smirnov's campaign was "Don't change horses in midstream", implying that Smirnov, as the first president of the PMR, must keep the post in order to lead the PMR struggle for independence henceforth. The elections campaign of 2001 went even further, attempting to link the personality of Smirnov with the Transdniestrian republic itself. This time the slogan suggested "The river is the Dniester, the state is the PMR, the president is Smirnov", underlining the historical continuity and indivisibility of Smirnov and the state.[85]

This indivisibility is presented in a local publication, *PMR: History in Photographs*, covering the period between 1989 and 2003.[86] The first and foremost figure featuring in this photographic account of PMR history is Smirnov. Making his first appearance on the fourth page, Smirnov is subsequently to be found in almost every single photograph. The story portrayed in this photo book has several dimensions. First, it depicts the PMR trajectory with numerous images of the leader chairing the meeting of deputies which proclaimed the independence, making speeches at rallies and ceremonies, talking to members of the people's volunteers units who participated in the armed conflict, thanking Russian peacekeepers for their military service, and signing the first constitution. Second, there is a significant emphasis on efforts to establish a connection to the people, represented by pictures of Smirnov handing diplomas to school and university graduates, visiting factories, as well as awarding prizes to the winners of various sports events. In general, there is a tendency to portray the leader as a common man. His biography is often described as one of a welder-turned-politician, comparing him with Brazil's Luis Ignacio "Lula" da Silva.[87] There is a corresponding personal dimension in the *PMR History in Photographs* when Smirnov is shown receiving congratulations on his birthday or seen fishing "in the rare minutes of rest".[88] Finally, his efforts to promote PMR statehood and to assemble indispensable support are expressed in photos with delegations of Russia's deputies to the region, as well as in a photo in which Smirnov is seen talking on the phone with former Ukrainian leader Kuchma. The caption below the photo strongly affirms: "The connection is stable".[89] In brief, what we can observe here is the monopolization of official discourse, which serves as a powerful instrument in dealing with internal opposition. The message sent is that any critique of Smirnov is tantamount to an attack on PMR statehood.

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[84] Ibid.
[85] Tröbst, "'We are Transnistrians!'", op. cit., p. 460.
[86] V. V. Ivanov, *Pridnestrovskaya Moldavskaya Respublika: Stranitsy Fotoletopisi 1989-2003 = History in Photographs 1989-2003*, 2nd Edition, Tiraspol: PMR Ministry of Information and Telecommunications, 2003.
[87] See further http://www.presidentpmr.org/category/62.html, accessed: 23 May 2009.
[88] Ivanov, op. cit., p. 63.
[89] Ibid., p. 68.

Some observers assess the PMR state-building project as quite successful. Stefan Tröbst concludes, for instance, that the stability of the Transdniestrian republic, apart from the role played by the security services and by Moscow, is "at least partially homemade and that history-based creation is one of the key factors in this development".[90] This conclusion is based on three pieces of evidence. First, according to a study conducted on "National processes, language relations, and identity" in 1998 by sociologists from Transdniestria, Moldova, Russia, and the US, one could observe "processes of the formation of a territorial socio-cultural identity of the Transdniestrians" taking place in the region.[91] The study produced the following numbers: 83 percent of respondents expressed their support for preservation of Transdniestrian statehood, and around 44 percent believed that "a unique unified community... of the Transdniestrian people existed".[92] Second, Tröbst points to the cult of personality surrounding Smirnov and suggests that his re-election since the creation of the republic "speaks for itself".[93] Third, an example of civil society's support for Smirnov's policies is provided. When Moldovan and Transdniestrian leaders were negotiating the normalization of relations in 1997, an organization called "Defenders of Transdniestria" (*Zaschitniki Pridnestrovia*) distributed fly-sheets requesting that Smirnov adhere to the constitution's principles of "sovereignty and independence, security and integrity of the state".[94]

However, it needs to be mentioned that in assessing the support of Smirnov, the activities of the civil society in Transdniestria should be approached judiciously, due to various virtual techniques used by local authorities to stage and simulate public support. The leading figure in securing Smirnov's authoritarian regime is believed to be Vadim Antyufeev, the head of the Ministry of State Security.[95] The Ministry's activities include not only suppression of the opposition, but also creation of civil society movements to engineer popular support for Transdniestria's cause for recognition.[96]

Furthermore, Smirnov and his family members dominate not only the political life of Transdniestria but are also active in the economic sphere. Smirnov's younger son is a

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[90] Tröbst, "'We are Transnistrians!'", op. cit., p. 461.
[91] Ibid.
[92] Ibid., p. 462.
[93] Ibid.
[94] The leaflet addressed Smirnov, asking that he remember that Transdniestrians are against: "losing the independence of our republic; becoming a province of Romania; living on our native soil as uprooted; losing our language and having to be ashamed of our nationality; passing an exam in Romanian language that we do not know and therefore losing our jobs; repaying back the West for the Republic of Moldova's many billions in loans." Finally, the leaflet was concluded with the hope that the President would "remain faithful to the oath of allegiance to the people of Transdniestria" (quoted in Ibid., p. 463).
[95] G. Hanne, "The 'Dniester Moldovan Republic': building an authoritarian state", *The EU and Moldova: On a Fault-Line of Europe*, edited by Ann Lewis, London, 2004, p. 81.
[96] One notable example of such movement is the youth organization "Proriv" (Breakthrough) which was created by the Ministry of State Security in 2005. For further details on how local authorities engineer popular support see: D. Isachenko, "Symptoms" of democracy in Transdniestria, *S+F: Sicherheit und Frieden = Security and Peace*, 2/2009, pp. 96-101.

deputy in the Supreme Soviet and heads the newly founded Patriotic Party of Transdniestria. His political activity is supplemented by his chairmanship of the Transdniestrian branch of Gazprombank. Smirnov's elder son has held the lucrative top position in the local customs service since the early 1990s. According to some estimates, the budget of Transdniestrian Customs is much higher than the budget of the republic.[97] Tellingly, for people living in Transdniestria, the official name of their self-proclaimed state PMR does not stand for *Pridnestrovskaia Moldavskaia Respublika* but rather for *Papina i moia Respublika* (Papa's and My Republic), an expression coined in reference to the state's appropriation by Smirnov's family.

In addition, the Smirnov family allegedly owned Sheriff, the largest company in Transdniestria, which currently owns a chain of supermarkets, petrol stations, and a TV channel. In addition, Sheriff monopolised the telecommunications network and won a number of privatisations of various factories. In 2000, it began the construction of a sports complex, including a huge stadium. The company also sponsors a football team, FC Sheriff, and built the largest orthodox cathedral in the centre of the capital Tiraspol.

Although Sheriff's activities are highly visible in the region and, according to the public relations websites, serve as a source of pride for Transdniestria's aspirations to statehood,[98] it has been somewhat unclear who is in charge of this company. Concentrating largely on illegal trade activities, it was established by two ex-officers of the special services in the mid-1990s. Initially, its entrepreneurial activities developed by special arrangement with the president's family. In return for unconditional support, Sheriff was offered complete exemption from tax payments and import duties.[99] However, as its entrepreneurial activities grew, so did its political ambitions. A number of observers believe that although initially Sheriff did have close links with the Smirnov family, interests gradually diverged. Sheriff is believed to have eventually become discontent with the isolation of the PMR, a situation which is detrimental to its growing business activities. As a result, some insinuate the readiness of this group to sacrifice PMR statehood for an arrangement with Moldova to legalize its business.[100]

It all started in 2000, when the Renewal (*Obnovlenie*) movement was founded with Sheriff's financial support. Concerned with economic developments in the region, a number of deputies and entrepreneurs gathered, as the movement's name suggests, to 'renew' the republic by concentrating on market reforms. Major disagreements with the executive branch started in spring 2005, when 17 deputies of Renewal, led by then vice-speaker of the

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[97] *International Crisis Group Report*, "Moldova: regional tensions over Transdniestria", Chisinau/Brussels, 2004, p. 16.
[98] See, for example, http://www.pridnestrovie.net/sheriff.html, accessed 15 February 2008.
[99] *Kommersant* [Russian Daily], "Pridnestrovskii referendum vyigrala staraya gvardia", 19 September 2006.
[100] Interviews with local and foreign observers, Tiraspol, Transdniestria, April-June 2006.

Supreme Soviet Evgeny Shevchuk, initiated an amendment to the constitution that would have curtailed presidential powers. Following accusations that they were trying to usurp power, the deputies subsequently abandoned the initiative. In the parliamentary elections of December 2005, Renewal managed to win the majority, challenging the pro-Smirnov *Respublika* movement. This success was strengthened by the election of Renewal's leader, Shevchuk, as speaker of the Supreme Soviet.

The victory of Renewal in the elections had to a large extent to do with changes in public opinion. As pointed out by Vladimir Korobov and Georgii Byanov, "ordinary people have become tired of their established political leaders and of social differentiation – they felt growing resentment in relation to the low living standards and stagnation in the region" as well as wide spread corruption.[101] The calls for political and economic renewal on the part of the new elite thus found an appeal among the Transdniestrian society at large.

Renewal's rise has been regarded optimistically by Moldova and the West. In Moldova, Shevchuk's election was to a large extent welcomed, with Moldova's leader calling him "a figure with a promising future".[102] There is considerable hope in Chisinau that Renewal is sufficiently moderate to achieve some type of compromise in solving the Transdniestrian issue. In the West, too, the increasing influence of Renewal is seen as sign of possible settlement. A senior EU official, for instance, is convinced that Shevchuk might agree to allow a special OSCE mission to the region with the purpose of assessing democratic reforms, whereas Smirnov has resisted the idea since it was first introduced by Moldova and Ukraine in 2005.[103] Furthermore, according to a Western diplomat in Moldova, "The consensus is that a substantial proportion of the Transdniestrian business community is ready to sign up to Chisinau's rule... These guys know that there is money to be made in legal business".[104]

Unsurprisingly, Smirnov's reaction to the election was not enthusiastic and he was quick to remind that "The main priority of all branches of the government was and remains consolidation of the PMR's statehood".[105] Taking this reminder seriously, the Renewal leadership repeatedly stated that the goal of the movement is to achieve the status of a sovereign state.[106] However, the introduction of a new customs regime by Moldova and Ukraine in spring 2006 led to tensions between the Smirnov family and the business community. Even though the customs regime applied only to exports, the leadership also banned imports to the region during the first weeks in order to construct the image of a

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[101] V. Korobov and G. Byanov, "The 'Renewal' of Transnistria", *Journal of Communist Studies and Transition Politics,* 22:4, 2006, p. 519.
[102] Ibid., p. 523.
[103] *International Crisis Group Report*, "Moldova's Uncertain Future", Chisinau/Brussels, 2006, p. 11.
[104] Cited in Ibid.
[105] *Nezavisimaya Moldova* [Moldova's Daily], 17 January 2006.
[106] *Nezavisimaya Moldova,* 21 December 2005.

blockade imposed by Moldova, Ukraine, and the West. The tension was alleviated following a compromise: Smirnov subsequently yielded to Sheriff's insistence and withdrew the restrictions on imports of food commodities.[107] Enterprises were also allowed to obtain a temporary registration in Chisinau permitting them to resume export of their goods. Politically, however, Smirnov portrayed the situation as the "fortress under siege of an external enemy" to marginalise supporters of dialogue with Chisinau, that is, Sheriff and Renewal.[108]

Even prior to these events, the Renewal movement was wary of openly declaring readiness for steps towards cooperation with Moldova. As stated by Shevchuk, "Any Transdniestrian politician who would say that he is for a unitary Moldova automatically becomes cadaver in Transdniestrian politics".[109] As a result of the new customs regime, or rather of the political manipulation of its public perception as "blockade", the previously moderate position of Renewal radicalized. Moreover, Shevchuk, who was seen as a possible rival to Smirnov in the presidential elections in December 2006, refused to stand for presidential post. His reason was that "Internal political struggle between leaders of two power branches in the course of elections campaign would only increase tensions in the society with a possible consequence of destabilisation of state.... For us the main priority is to resist external threats and to preserve Pridnestrovie as a state".[110]

Moreover, during the spring 2006 "blockade", Tiraspol could rely on unprecedentedly conspicuous support of Moscow. Trucks with humanitarian aid were sent to the region from Russia. A cooperation protocol was signed between Moscow and Tiraspol, whereby Smirnov was referred to as "President" of Transdniestria for the first time by Russia. Moldova, on the other hand, had to face suspension of its wine products imported to Russia, as it was suddenly discovered that the chemical composition did not correspond to the norms of Russia's health inspectors. In addition, Moldova also had to deal with increased prices for gas supplies, and the planned visit of Moldova's leader was cancelled by Moscow until the "blockade" was still in place.[111]

Besides, the Kremlin reportedly advised the Transdniestrian leadership to hold a referendum on self-determination. In particular, it recommended that the PMR authorities insist on the Kosovo model for settlement, and not to include the Russian Federation into the formulation of a referendum question.[112] Yet, on 17 September 2006 the population of Transdniestria were asked to respond to the following questions: (1) whether he/ she

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[107] ICG Report 2006, op. cit., p. 10.
[108] A. Popov, "Tiraspol softens its stance on new customs regulations: a first or a pyrrhic victory?", *EuroJournal.org – Journal of Foreign Policy of Moldova*, Issue 6, 2006.
[109] Cited in Ibid.
[110] *Novyi Region*, [Russian News Agency], 29 December 2006.
[111] *Kommersant*, "Rossia ne priznaet Moldaviu ", 23 March 2006.
[112] *Kommersant*, "Presidenta Pridnestrovia prinyali za priznannogo", 10 May 2006.

supported the course of Transdniestrian independence and the republic's subsequent voluntary accession to Russia, and (2) whether he/she would support renouncing Transdniestrian independence to join Moldova. The referendum resulted in 97 per cent of votes in favour of independence and union with Russia.[113]

While for Moscow the referendum was needed to pressure the Moldovan government, the vote actually became part of the Transdniestrian authorities' internal power struggle. For the "patriots" of the PMR (the current leader, Smirnov, the foreign ministry, the security services, and several public movements) this phrasing of the question and the referendum results would serve as a justification for the cessation of dialogue with Chisinau and the consolidation of the status quo. Such a scenario was not in the interest of a group of business leaders, represented by Renewal, whose deputies hoped that the referendum could contribute to international recognition so that business activities could finally be legalized. As a result of their pressure, "independence" was included into the referendum question, but it was Smirnov who emerged as an ultimate winner, as he managed to use the political capital he had garnered during the referendum for his campaign in the presidential elections of December the same year.[114]

Implications

What does the case of Transdniestria tell us about the border processes in Europe? In this regard, two ideas deserve to be highlighted. One concerns the practices of drawing the border. What we can observe in the case of the EU mission around Transdniestria is the process how borders emerge. Importantly, the EUBAM has been not only producing facts about the border, but also producing the border itself. However, as it was mentioned earlier, people do not have this border in their head. This is especially so in the case of local political elite of Transdniestria and the "certain circles" in the Kremlin. Of particular importance is the context of disintegration of an Empire, and the resulting ambiguous relationship between the centre and its borderland. As the balance of power was changing within formalized territorialities (Moldova becoming an independent state), Transdniestria sought support from its motherland. The outbreak of violence in turn strengthened the connection with the Empire's core. This informal state emerged thus from a rearrangement of a territorial order, the armed conflict being a manifestation of this rearrangement. As this new territorial rearrangement did not correspond to the imaginary order of local actors

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[113] According to Tiraspol's official data, the turnout in the referendum was 77 per cent. Olvia Press [Transdniestria's News Agency], 18 September 2006.
[114] *Kommersant*, "Sheriff na tchas" and "Pridnestrovskii referendum vyigrala staraya gvardia", 19 September 2006.

and their sponsors, we can still observe this emotional engagement of Russia in its borderlands, and Transdniestria's political authorities who use this to their own advantage in their statehood aspirations. The same kind of emotional engagement appears to dominate the reasoning of the EU actors involved in the region, whereby security interests cover only part of the picture. It is worth recalling that it is primarily the new EU members who strive to steer the EU engagement in the region due to "historical and geographical reasons."

The second implication concerns the PMR state-building project. Certainly, the border to Ukraine is crucial for survival of this statelet. But the PMR leadership has also learned to use the regional interdependencies to advance their own agenda. The statement of Smirnov that in the case of smuggling Transdniestria does not stand alone is very much resonant in a broader sense. Its state-building project can neither be regarded in isolation, nor in terms of a mere dependency. This web of interdependencies, whether the basis of this figuration is the search for profits or an emotional attachment, ranges from "certain circles" in the Kremlin to border guards and customs officials in Kuchurgan and Kiev. Thus, the figuration of Transdniestria involves quite a plurality of external as well as internal actors. Whether this place is black hole or not, it is certainly not a black box.