

The United States Helsinki Commission's briefing
“Prospects for Unfreezing Moldova's Frozen Conflict in Transnistria”
June 14, 2011
2203 Rayburn House Office Building, Washington, DC

Witness written testimony of Mr. Vlad Spanu,
President of the Moldova Foundation in Washington, D.C.

I would like to express gratitude to the U.S. Helsinki Commission's members and staff for including this important topic – the conflict in the Republic of Moldova's eastern region – in its agenda. Special thanks to Winsome Packer and Kyle Parker who made this briefing today and other briefings and hearings on Moldova in the past possible. I express this gratitude on behalf of those who suffer the most because of this externally imposed conflict – that is, the residents of towns and villages on the Eastern Bank of the Nistru. Although they constitute the majority, those people are not represented at the negotiation table, including in the “5+2” format. Their voice is not heard not only in Moscow, Brussels, Vienna or Washington but even in their own capital, in Chisinau. They are not on the front pages, they are not interviewed by public or private TV stations in the Republic of Moldova to say their painful story of living in ghetto-type setting where residents have no rights.

What is happening today in the Eastern region of Moldova, controlled by the puppet separatist regime installed in Tiraspol in 1990-1991, is nothing else than a continuation of the Soviet Union's geopolitical policies, now, after 1991, embraced by the Russian Federation. To understand better this conflict, one should look back into history. There are several events that have to be remembered when tackling the Transnistrian conflict.

First, the 1792 Treaty of Iași, signed between the Ottoman Empire and the Russian Empire, after which Russia, for the first time, reaching the Nistru border and became the neighbor of the Principality of Moldova.

Second, the 1812 Treaty of Bucharest, resulted in the partition of the Principality of Moldova, the Eastern half of which was incorporated into Russia as Bessarabia until the 1917 Bolshevik Revolution.

Third, the 1924 creation, within the Soviet Ukraine, of the Moldavian Autonomous Soviet Republic on the Eastern Bank of Nistru where the majority constituted ethnic Romanian population, as bridge-head to once again successfully occupy Bessarabia in 1940 by the Red Army, as an outcome of the Stalin-Hitler pact of 1939.

Finally, in 1990-1991, the same territory East of Nistru, with its main city in Tiraspol, was once again used by the Kremlin master-minds as an outpost to keep the Soviet Moldova from getting away from USSR's, then, Russia's control.

Today, Russia's minimum objective in Moldova is to create a second Kaliningrad in the South to keep the Republic of Moldova and Ukraine in check. Her maximum objective is to get full control of the Republic of Moldova, through federalization schemes imposed on Moldova, where Transnistria and possible Gagauzia (another enclave inhabited by Christian Turks in the South), are to play the main role of holding veto power on the future of Moldova, its internal and external policies. As a bonus, by reaching these objectives, Russia will be able to encircle Ukraine, closing its only large window to the West, thus, keeping Ukraine into its orbit.

Focusing entirely on fruitless official negotiations to solve this conflict between Russia and Moldova is a big mistake. During 19 years of bilateral (Russian-Moldovan) and multilateral (in current "5+2" format and previous formats) negotiations, no resolution was achieved in ending the conflict. Russian troops are still stationed in Moldova, and Russia's support for separatism movement continue, while local residents of this region suffer.

These residents, who are nothing less than geopolitical hostages, are not allowed to have access to basic freedoms, including freedom of expression, of education in their native language, and of assembly, among others.

Education in the Romanian language is viewed by those in charge of this separatist regime as their main threat. This is why, as soon as the legislative body in Chisinau, still within the Soviet Union, adopted the language law in 1989 that established the return of the Roman script to the republic's official language, the Soviet authorities in Moscow triggered the separatist movement in the trans-Nistru district. The alphabet issue became central to the secessionist movement and it developed into a "school war" against educational institutions that opted for Latin characters. As result of discrimination policies in the field of education, the majority of the population in Transnistria – Romanian ethnics – has only 88 schools. They are authorized to teach in the native language, but only eight are permitted to use the Latin alphabet¹.

The several Romanian language schools made headlines in international media when, in July 2004, the Tiraspol militia seized the orphanage school in Tighina/Bender and schools in Tiraspol, Rybnitsa and Corjova were closed. The closing down of these schools was prevented only thanks to international pressure. These days, the situation in the eight schools is worsening. This is due to the Tiraspol regime's persecution and discrimination against pupils, their parents and teachers, but also because of the indifference and ill-thought policies of the Moldovan authorities.

¹ Historical Dictionary of Moldova, 2nd edition, 2007, Andrei Brezianu and Vlad Spănu, Scarecrow Press.

Last week, on June 9, 2011, in an open letter to the Moldovan Parliament and to Prime Minister Vlad Filat, Eleonora Cercavschi, chairwomen of the Lumina Association that represents teachers from Transnistria, asked for help. Cercavschi is also principal of the Stefan cel Mare high school in Grigoriopol, but it was forced to evacuate to another school in Dorotcaia some 20 km away, thus, every day, students and teachers have to travel this distance by bus. She accuses Moldovan authorities of designing discriminatory policies against Romanian language schools that use the Latin alphabet. Cercavschi argues that these students are put in tougher competition when applying to Moldovan universities than those from schools controlled by the Tiraspol regime. These, along with persecution by separatists are the major cause why five high schools and three middle schools lose students. If in 1989 the total number of students in five high schools was 5878, in 2011 this number was only 1837, 3.2 times less.

The other 80 Romanian language schools in the breakaway region continue to use the Russian-Slavonic alphabet in teaching of the language, dubbed “Moldovan”, as it was imposed by the Soviet regime on all schools in Bessarabia in 1940. More than that, today, these schools continue to use an out-dated curriculum and use textbooks from the Soviet period. If the Russification of the Republic of Moldova was largely stopped when the country gain independence in 1991, it still flourishes in its Transnistrian region. Suffer mostly the Romanian speaking population, but Russification policies also affect other minorities such as Ukrainians, Bulgarians, Jews or Gagauz.

This 21st century soft-genocide, called by the OSCE linguistic cleansing², mainly against the Romanian ethnic population, resulted in sharp reduction of Romanians/Moldovans from 40 percent in 1989 to 31.9 percent in 2004, while Russian ethnics increased their presence in Transnistria from 24 percent in 1989 to 30.4 percent in 2004 (the number of Ukrainian ethnics, the second largest after Moldovans, remains constant), based on census results.

Schools are not the only target of the regime in Tiraspol. Free media can not penetrate on the Eastern Bank of Nistru because of radio and TV jamming and prohibition of printed media; local journalist are arrested and intimidated. The arrest in 2010 of Ernest Vardanian, an Armenia-born journalist, citizen of Moldova and a resident of Tiraspol, is the most notorious example of the KGB-style intimidation of free press. He was accused by intelligence services of Transnistria – which are, in fact, local office of the Russian FSB – of spying for Moldova, that is, he was accused of spying for his country in his own country.

In March 2010, the Transnistrian intelligence services kidnapped Ilie Cazac, an employee of the Moldovan Fiscal Inspectorate in Tighina (Bender), in Varnita, a town controlled by the Chisinau central authorities. Cazac was also accused of espionage. His parents have been on hunger strikes numerous times for weeks, protesting outside the Russian Embassy in Chisinau, hoping

² Linguistic cleansing underway in Transdnestria. OSCE Press release. 15 July 2004.

through their actions to secure the release of their son, but in vain. Last Sunday, June 12, Cazac's mother approached U.S. Senator John McCain who was visiting Moldova and pleaded for help. What else a mother can do for her son?

The private property is another target of the separatist regime. From time to time, local farmers are prevented to cultivate their land or bring home crops from their own fields. Let me cite U.S. diplomat David Kostelancik, who told the OSCE council on April 21, 2005 the following about an incident involving farmers: *"The United States is troubled by the ongoing, systematic harassment of Moldovan farmers from the village of Dorotscaia by Transnistrian authorities. These villagers farm land that is located in an area under the de-facto control of the Transnistrian authorities, who last year installed a "customs" post in the zone. The effect of this move has been to deny the villagers access to their farmland, and thus their livelihood. Last year the entire harvest for this village was lost due to Transnistrian restrictions on the farmers harvesting the fields. This year, the harassment has continued, with reports that Transnistrian authorities have impounded tractors and detained farmers who are trying to plow and sow their fields."*³

Why are these violations of basic human rights allowed to continue to happen in the 21st century? Who is responsible for it? The right and obvious answer is the master minds behind the separatist movement strategy in Moldova's Eastern territory. Somehow identical elements of this strategy can also be seen in other ex-Soviet republic, Georgia, with two separatist regions – Abkhazia and South Ossetia – that launched a war against central government in Tbilisi in 1991-1992. In all these cases, Russia played the major factor in triggering the conflict and, then, supported the separatist puppet governments. In 2004, in the legal case "Ilascu and others versus Russia and Moldova" examined by the European Court of Human Rights in Strasbourg, the judges concluded that the "Russian 14th Army and other elements of the Russian government had contributed to the creation and continued existence of the Moldavian Transnistrian Republic (MTR)". In 2006, lawyers of the New York City Bar Association in their study of the Transnistrian conflict demonstrated that Russia's activities in Moldova violate international law by supporting the Transnistrian regime and having military presence on the Moldovan soil without the agreement of the Moldovan government⁴.

As in Georgia's Abkhazia and South Ossetia, in Moldova's Transnistria leaders of the separatist regime are Russian citizens and, reportedly, on payroll of the Russian intelligence services and military.

³ U.S. Troubled by Harassment of Moldovan Farmers in Transnistria. United States' David Kostelancik addresses OSCE Permanent Council. <http://www.america.gov/st/washfile-english/2005/April/200504251340391CJsamohT0.8719141.html>

⁴ Thawing a Frozen Conflict: Legal Aspects of the Separatist Crisis in Moldova. The Association of the Bar of the City of New York. May 2006

Blaming only Russia for the existence of Transnistria is just part of the story. There are other actors who benefit from the status-quo, mainly in Kiev and in Chisinau. Smuggling of arms and goods, human trafficking are often associated with Transnistria, dubbed the “black hole of Europe”. But the main responsibility has to be put on the shoulders of the political leadership in Chisinau. After all, most residents of Transnistria are Moldovan citizens, although Moscow and Kiev rush in giving passports in expedite mode to everyone who asks, in order to later claim the need for protection of their citizens and, eventually, claiming this territory, east of the Nistru River.

Russia’s actions in Moldova are as many and as reckless, as allowed by both the Moldovan government and by international community. Recently, I have asked a ranking member of the Moldovan parliament in charge with budgeting how much was allocated in the state budget for programs aimed at reunification of the Transnistrian region, like education, healthcare, infrastructure. The answer was “none”. Residents of Transnistria are fed up by empty promises of politicians during elections or statements at international forums and they are looking for concrete deeds.

Another simple question to the current Moldovan government is why is there no strategy or an action plan on the reintegration of the East Bank of Nistru. Even the Communist-led Moldovan government, which was in the reaction mode to Russian proposals that ultimately led to the infamous Kozak memorandum designed by the Kremlin to federalize Moldova, made a few steps towards working with a plan. In 2004, civil society experts from Moldova and abroad put together such a strategy called 3-D (Demilitarization, Democratization and Democratization of the Transnistrian region). Three experts who co-authored or contributed to the 3-D strategy promotion in Moldova, in Washington, Brussels and Kiev are among witnesses at this briefing. As it turned out, the principles laid down in the 3-D strategy were used by the Moldovan parliament in three resolutions related to the trans-Nistrian conflict adopted in June 2005 and also in the Moldovan Law on the basic provisions of the special legal status of the localities from the left bank of Nistru River, passed in July 2005. Another element of that strategy was the international involvement in searching for settlement solutions. In December 2005, the EU Border Assistance Mission for the Ukraine-Moldova border was launched, aiming at suppressing the traffic in arms, drugs, and human beings, as well as the regular commercial contraband of which MTR is consider to be both a source and a transit route. Starting October 2005, the European Union and the United States joined Moldova, MTR, Russia, Ukraine, and OSCE in the new “5+2 format” of the trans-Nistrian settlement process⁵. But, as previously stated, these negotiations did not bring any results in terms of resolution, therefore, today, a new approach is needed that should be incorporated into a new strategy or plan. The focus should be put on confidence building measures, meeting the needs of residents on the east bank. The Moldovan

⁵ Historical Dictionary of Moldova, 2nd edition, 2007, Andrei Brezianu and Vlad Spănu, Scarecrow Press.

government has no excuse why such a strategy has not been designed yet, if it claims to be serious in regard to Transnistria. Thus, the Moldovan government should not wait for the international community to come and solve its problems. Instead, the Moldovan politicians should take the lead and do whatever they can for their citizens residing in Transnistria, who feel abandoned and betrayed by their own government.

Moldova's Western partners – U.S. and EU – as well as other mediators like OSCE should put more pressure on Moldova when it comes to providing basic services for residents in Transnistria. When a Moldovan citizen from Transnistria comes to Moldovan law-enforcement and prosecuting officers for help because their rights were violated, he usually hears that his government is impotent in protecting his rights or, worse, Transnistria is not part of their jurisdiction. The Moldovan government bodies have not only the legal authority, but they have obligation to start investigation, file cases against those who committed human rights violations, especially when those violators are citizens of Moldova, but on the payroll of Tiraspol. Unlawful arrests, torture, illegal detention, kidnapping and killing, are ordered, but not committed by Igor Smirnov, self-proclaimed president of Transnistria since 1991, or by Vladimir Antyufeyev, head of security apparatus (indicted for crimes against both Latvian and Moldovan states). These Russian citizens are assisted by concrete militia officers, prosecutors, judges who blindly follow these orders, for which they should be investigated by the Moldovan law-enforcement bodies. These people will think twice before they take orders from people like Antyufeyev, if they knew that for their unlawful deeds they have to answer in a court of justice. Many of these middle and low level executors are citizens of Moldova; they travel freely to Chisinau or foreign countries, conducting their private business. This practice must simply stop.

For Moldovan officials it is easier to blame everything on geopolitics, on international community that has no stomach to deal with Russia and solve this conflict, than to get their sleeves rolled and address real problems of very concrete individuals who come to Chisinau for help that today are met often with indifference.