

STATEMENT
of civil society organizations regarding the meaning of the
"Red Lines" in the process of Transnistrian settlement

Signatories of the Statement, civil society organizations acknowledge that the process of settling the Transnistrian conflict has recently witnessed a worrisome development that calls for strategic re-balancing and policy-pivoting of the settlement process.

This is why we are deeply concerned about the following:

1. Recent Statements of the OSCE Special Representative for Transnistria, Franco Frattini and references to the Transnistrian conflict by the UN Secretary-General, Antonio Guterres, including it among 13 conflicts of the UN Agenda of Priorities for 2018 **find out that the Government of Moldova lacks a coherent, politically assigned state policy, based on the constitutional norms, which would secure a sustainable, democratic and settlement, in line with the national interests of the Moldovan state. Lacking** strategic vision makes Moldova vulnerable to the most influential external actors, willing to impose their own agenda by demanding new and new concessions from the Republic of Moldova, ultimately making prejudices to the reintegration prospects of the Moldovan statehood, within the borders internationally recognized.
2. **We note with concern the unprecedented decision of the Moldovan authorities to recall the draft Resolution on the withdrawal of the Russian Troops from Moldova, via the UN Permanent Representative (20 October 2017), for an indefinite period of time. The MFA** has failed to accomplish a rather important task, without providing the Moldovan UN Mission with necessary resources and a clear political mandate in this regard. We believe the task remains however of outstanding importance, but only if Moldova will convey trustful and complete information on the illegal statute of the Russian illegal troops deployed on Moldovan soil, enabling international media, civil society and prestigious organizations to get the right picture of the sovereign rights of the Moldovan people, infringed by the secessionist regime. We shall prosecute the way how the regime is supplied with ammunition and fuel, who is financing the separatist militia and who allows the pass-by of top-level Russian military into Transnistria, the hotbed of illicit military and intelligence operations throughout the region, contrary to the bans imposed by the state authorities. The Bureau for Reintegration Policies is entitled to communicate in the most effective way on these sensitive issues with civil society.
3. **Transnistrian region is defined, according to a Decision of the Constitutional Court (Decision No.14 of 02.05.2017), as an "occupied territory"**. Consequentially, all state authorities have the constitutional duty to employ this terminology in relationship with the separatist regime, bypassing the tricks used by some groups, political parties and even foreign missions to equate the secessionist regime with the Moldovan state. This would be a fatal mistake to tolerate this sort of ambiguities. **Moldovan authorities have a direct obligation to prevent and strongly oppose the accreditation of certain elements of statehood on behalf of the separatist statelet, at the negotiation table as well as outside of it.** The outmost priority the Government is to extend its legitimate authority and fields of competence (of legal, social and political protection) to all its citizens on the left bank of the Dniester, not to be engage into every sort of traps, dubious external 'guarantees' and other obscure arrangements.
4. **The legitimate aim the Moldovan Government is define and apply effective tools and state policies, pursue opportunities to transform the existing 'frozen conflict' in accordance with**

its Constitution, not to offer "rescue vows" to the separatist regime. We cannot tolerate the existence of various "taboo" related to the security and defence fields, usually referred to the Russian military presence and paramilitary troops of the separatist regime in this region. There is no any legal or practical sense to tolerate the supply of ammunition and combat troops to the GOTR, deployed illegally on the left bank of Dniester, and the use of "humanitarian aid" to supply them, indefinitely. It is absolutely outrageous to hear about the so-called options to "re-open Tiraspol military airfield" from various party officials, represented in the Moldovan Parliament. It should not be tolerated anymore the practice of signing energy supply contracts for the purchase of electricity from the CT Kuciurgan, under dubious conditions, outside of the official tenders. Moldovan authorities shall get rid of the existing practices of tax-duty exempting business activities of the Sheriff Group in Tiraspol. These cases affect the credibility of the RM and point to major risks to the security and integrity of our state.

5. In 2018, Transnistrian companies will be able to continue exporting their products to the EU market due to the extension of the DCFTA, under exceptional conditions. We advocate for a wiser and strategic rebalancing of this policy, however. We firmly believe that the EU shall provide market access with the aim to modernize and accommodate Transnistrian business, willing to adopt to the norms and laws of the Republic of Moldova, not to strengthen the reckless positions of the Tiraspol separatist regime, enabling Sheriff to become even wealthier, and thus, contributing to the consolidation of its corruption-basis. **It is the right time to change this sort of uni-directional policy of privileges that makes no good to the local people, decent citizens that feel enslaved by the separatist regime. It is time to make Transnistrian business start paying taxes to the Moldovan budget, not just have tax exempts and privileges that downplay fair competition. Access to the EU market shall be conditional upon the respect for the law and legal order of the Moldovan state, and against it.** We expect, this position shall prevail in the Moldovan Government: access to this market is a good guaranteed by the Associated Statute of Moldova to the EU, not outside of it. All those who will show lack of respect and defy Moldovan laws may be deprived of this good in the interest of Moldova.
6. **We are deeply concerned by the continuing re-militarization of Transnistria.** In 2017, Russia conducted 150 military drills, compared to 48 in 2016. The drills have been integrated into the Battle Plan of the so-called WMD (Western Military District) of the Russian Federation, the heaviest military exercises from the End of the Cold War. We find disappointing the glaring lack of attention to these military drills in the separatist region from the official mediators of the 5+2 format. It is regretful that there is no responsible reactions on this sensitive issue from the OSCE Mission to the Republic of Moldova, no appropriate response on the existing military and security concerns of Moldova, which may create a sort of false impression of acceptability for the Russian military and its illegal military exercises on Moldova's sovereign territory. We do not want to believe this is the message to the Moldovan citizens from the states, acting under "5 + 2" format of negotiations. Civil society organizations **restate its full support to the primacy of unconditional withdrawal of foreign troops from Moldova and full demilitarization of the Transnistrian region.** We trust there is no legitimate solution on the conflict settlement as long as Moldovan territory is being occupied by Russian troops.
7. **Meanwhile, we condemn the involvement of two influential oligarchs (Guşan, Plahotniuc), outside of any legal mandate in the negotiations.** We reclaim this sort of business interference as it is contrary to the law, the EU values and rule of law, which shall prevail in Moldova. We are concerned that the practice of business replacement of the legal authorities may fuel the risk of adopting immoral and poor decisions with dramatic effects on national interests.

Civil society must exercise democratic control over the activities of the Moldovan Government's Reintegration Policy Bureau in order to prevent regrettable politicizations or strategic errors in the development, presentation and evaluation of policy options. We condemn the lack of transparency in the preparation of the protocol on the registration of car-plates of the Transnistrian region, missing adequate risk assessments to protect Moldovan interests.

8. We find that during the year 2017, hostile forces to the interests of the Republic of Moldova carried out several publicity actions in favour of the alleged statehood of Tiraspol in several foreign capitals: Rome, London, Tel-Aviv, Strasbourg, and Moscow. **We noticed the high interest of the separatist leaders in exploiting various CoE, OSCE and even UN platforms to misinform international audience about the origins of this conflict.** Civil society should not passively and melancholically assist to this repacking of old lies, but to attack the essence of secessionist narratives, rejecting the policy of accommodation to the existing "de facto states" We draw Western partner's attention to the fact that that offering platforms to the separatist leaders, they consequently encourage the separatist regime in Tiraspol to defend their status quo that is not sustainable. Instead of helping Moldova to reintegrate, they risk to invest their international prestige and resources for a cause that is pursued by the revisionist policies of the Russian Federation in Moldova, the only force that feeds insecurities in Eastern Europe, and in Moldova, in particular. This is not the way to build up sustainable democratic settlement of the conflict.

Based on the above,

1. We call upon the Government of Moldova and its development partners to make sure that every confidence building project, any infrastructure or humanitarian assistance program, implemented to the benefit of the population in Transnistria, shall include **specific clauses regarding the respect of territorial integrity of Moldova and the non-recognition of the lawfulness of the decisions and competence of the separatist authorities.** Currently, the separatist regime, with the tacit or indifferent agreement of some international partners, benefits from some types of international aid, without making itself subject to human rights compliance, and without removing the totalitarian mechanisms of total control over the population, exercised by the KGB structures. **We demand a policy of democratic conditionality that abolishes abuses and gradually re-build the effective political freedoms and rights to the individuals.**
1. We demand Moldovan authorities to respect their own international commitments on local autonomy and subsidiarity (European Charter of Local Self-Government), raising the issue of local self-governance as a vital issue in Transnistrian conflict settlement negotiations. The Government of Moldova should continue the process of decentralization of state power, while strengthening the rule of law, enhancing public order and sanctioning abuses, illegalities, corruption and other crimes, which often have direct connections with the secessionist regime, its obscure economy and interests.
2. We are very much concerned about the electoral laws adopted by Moldovan Parliament in June 2017 that could be used in the forthcoming elections by oligarchic groups. Restricting election competition, monopolizing access to mass media, and discriminate investment of huge resources for some candidates voted by the secessionist elites may not correspond to the universal election standards. It is obvious that establishing uninominal constituencies in a region that persecutes political opponents and blocks free movement of citizens may create a **paradoxical situation through which separatist oligarchs will be able to send their delegates**

to the Moldovan Parliament, mimicking democratic practices only to perpetuate their power and influence, not for the reintegration of the region into the Moldovan state.

3. We ask the parties involved in the "5 + 2" format **to make a major assessment of the illegal deployment of the Russian regular troops in Moldova, without the consent of the constitutional authorities.** We ask all mediating parties to contribute to the unconditional, full and complete evacuation of Russian troops from Moldova, withdrawal or destruction of the existing ammunition and equipment, dismantling of the existing networks of secret services and other hostile forces deployed in Transnistria, as an integral part of the Moldovan state. The purpose of the "5 + 2" talks is to settle the conflict on the basis of the Moldovan Constitution, not perpetuate it for an indefinite period of time.
4. **We ask the Government of the Republic of Moldova to elaborate a smooth and strategic vision of the reintegration policies,** which will establish the priorities and priorities, the application of the principles and provisions of the Constitution (articles 1, 2, 7 and 8 - principles of "unity, sovereignty, indivisibility and independence") and of the Law no.173-XVI of 22.07.2005 „On the special legal status of the localities on the left bank of the Dniester River", as well as the international conventions to which it is a part, through the broad consultation and involvement of the society.
5. **We reiterate that civil society shall not tolerate any plans, engineered under the table** (such as the 2003 Kozac Plan) and encourage the authorities of the RM to adopt those policies that will enjoy the support of civil society, creating a genuine consensus that is adequate to the national interest. We ask the Government of the Republic of Moldova not to sit on the table with any of the abusers and criminals who continue to violate human rights and fundamental freedoms in the secessionist region, claiming that they may escape punishment for the deeds committed. It is necessary to adopt a mechanism to regulate the travels of funeral figures of the separatist regime on the territory of Moldova and abroad.

This Declaration was supported by signatures of culture and science, diplomats, journalists and politicians. **The Declaration remains open to be signed by other supporters.**

Signatories:

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