

Decision on the Ukrainian Initiative Concerning the Settlement of the Transdnestrian Conflict and Measures for Democratisation and Demilitarisation of the Transdnestrian Zone

The Parliament adopts the present decision.

The only Article. – The Declaration on the Ukrainian Initiative Concerning the Settlement of the Transdnestrian Conflict, Appeal on the Criteria of Democratisation of the Transdnestrian Zone of the Republic of Moldova, and the Appeal concerning the Principles and Conditions of the Demilitarisation of the Transdnestrian Zone set forth in Annexes 1-3, shall be approved.

CHAIRMAN OF THE PARLIAMENT

MARIAN LUPU

Chisinau, 10 June 2005.

No.117-XVI.

DECLARATION
of the Parliament of the Republic of Moldova
on the Ukrainian Initiative Concerning the Settlement
of the Transdniestrian Conflict

Considering the peaceful and democratic resolution of the Transdniestrian conflict, restoration of the territorial integrity of the Republic of Moldova, as well as realisation of people unity to be an indisputable priority for internal development of the country,

Proceeding from the understanding of the importance of a large internal and international consensus on identification of ways to resolve the Transdniestrian conflict,

The Moldovan Parliament welcomes the initiative of the Ukrainian President Viktor Yushchenko to support aspirations of the Republic of Moldova to get unified and highly appreciates the proposal of the Ukraine, considering it an essential step towards strengthening of the territorial unity of our State and removal from the Transdniestrian zone as soon as possible a separatist, authoritarian and criminal regime that explicitly threatens regional security.

The Parliament of the Republic of Moldova notes that the proposal submitted by the Ukraine contains a new and effective approach to the Transdnestrian settlement issue – *realisation of the settlement through democracy*. This approach may consolidate international efforts of democratic countries to resolve the conflict and activate civil society in the Transdnestrian zone with the view to exercise by its members their basic human rights and freedoms.

At the same time, the Parliament of the Republic of Moldova mentions that the Ukrainian initiative did not find its reflection in some settling principles, including those concerning:

- withdrawal of Russian troops;
- demilitarisation, principles and conditions to democratise the zone;
- establishing of a transparent and legal control over the Transdnestrian segment of the Moldovan-Ukrainian border.

The Parliament of the Republic of Moldova considers that these issues should find their resolution through the additional efforts of the international community, jointed with vigorous efforts of the Ukraine.

The Moldovan Parliament also states that some aspects of the proposed plan may endanger the sovereignty of the Republic of Moldova and raise questions about the effectiveness of some of its elements. Among these there is an idea of participation of the Transdnestrian zone in promoting of foreign policy of the Republic of Moldova, as well as one to create a so-called committee of conciliation. Nevertheless, The Parliament of the Republic of Moldova expresses its hope that some elements that raise doubts will find their solution on the basis of the provisions of the Moldovan Constitution and international law, as well as within the framework of a constructive dialogue with new leaders democrats in the Transdnestrian zone.

The Moldovan Parliament considers that the plan for settling of the Transdniestrian conflict, proposed by the Ukraine, is a proof of opening and a positive beginning for the development of a constructive international dialogue on this matter on a qualitatively new level.

The Parliament of the Republic of Moldova expresses its hope that the Ukrainian initiative will become a major factor to implement the unification of our State and society, as well as the European prospects of the country.

APPEAL
of the Parliament of the Republic of Moldova
on the Criteria of Democratisation
of the Transdniestrian Zone of the Republic of Moldova

Reaffirming its commitment to the international conventions on basic human rights and freedoms,

Bearing in mind the principles of the Declaration of the Parliament of the Republic of Moldova on Political Partnership to Implement Objectives of the European Integration of 24 March 2005,

Appreciating the peaceful and democratic restoration of the territorial integrity of the country as the most important priority that is a guarantee of its sustainable and long-term development,

Considering the existence of a separatist and authoritarian regime in the Transdniestrian zone of Moldova that deprived its population from fundamental human rights and freedoms and that ignores openly the UN, OSCE and Council of Europe criteria and standards to be intolerable in a modern Europe,

Taking into account the fact that this „frozen conflict” is a seat of regional instability,

Being aware that the lack of control from the state central authorities bodies of the Republic of Moldova over a part of its territory and over a state border segment is incompatible with the European choice of the country,

Welcoming the initiatives of the Ukrainian President Viktor Yushchenko aimed at a final and long-term settlement of the Transdnestrrian conflict,

Underlining the importance of provisions included in the Ukrainian proposals concerning the need to democratise the Transdnestrrian zone as an indispensable condition for restoration of the rule of law in the zone, for creation of conditions that would guarantee rights and freedoms to all citizens, irrespective of their nationality, conviction and confession, and, accordingly, for fair and long-term settlement of this conflict,

The Parliament of the Republic of Moldova adopts this Appeal.

To hold free and democratic elections in the Transdnestrrian zone is impossible in conditions where the Constitution of the Republic of Moldova and international democratic standards are disregarded, the political pluralism and freedom of expression are lacking, any manifestation of an attitude different from the imposed one is repressed;

The Parliament of the Republic of Moldova proceeds from the fact that for eradication of the mentioned abuses a large and a complex process of democratisation of the region shall be imposed upon under the supervision and monitoring of the international community that must include among other measures the following:

- liquidation of political police (of the so-called Ministry of State Security), which suppresses any manifestation of freedom and eliminates the political opponents to the current separatist regime what makes impossible to prepare and organize free and democratic elections in compliance with the OSCE and Council of Europe standards;
- reformation of so-called judicial power of the Transdniestrian zone;
- releasing of political prisoners that are detained illegally into the Transdniestrian zone prisons, according to the European Court of Human Right decision of 8 July 2004;
- removal of the obstacles to free activity of political parties in the Republic of Moldova on the territory of the Transdniestrian zone;
- removal of the obstacles to free activity of the national and local mass media on the territory of the Transdniestrian zone;
- removal of the obstacles to free activity of the non-governmental organizations and development of the civil society in the zone as an important element of the public life in a democratic state;
- holding of the elections in the Transdniestrian zone of the Republic of Moldova under the exclusive aegis of an International Electoral Committee, authorized by the OSCE, with the largest representation of the member states within it;
- exercise of the right to participate in the electoral process in the zone only on the basis of confirmation of the citizenship of the Republic of Moldova;
- monitoring of democratic standards must be performed by the International Electoral Committee within at least 5 months before the date of elections;
- international monitoring of democratic standards in the Transdniestrian zone, as well as the organization of the electoral process by the International Electoral Committee cannot bring about any consequences regarding the recognition of this entity under the international law.

The Parliament of the Republic of Moldova expresses its conviction that without a previous ensuring of the above-listed conditions it is impossible to guarantee the rights of the citizens of the Republic of Moldova from this zone to freely expression of their will as a key element for the peaceful and democratic settlement of the Transdniestrian conflict, as well as it makes impossible to set up representative bodies in the Transdniestrian zone.

Proceeding from this the Parliament of the Republic of Moldova requests the Council of Europe, OSCE and European Union to be involved actively in the process of democratisation of the Transdniestrian region and hopes to be supported by these European institutions in achieving the stated criteria concerning the democratisation of this zone as a basic element in the political settlement of the Transdniestrian conflict.

APPEAL
of the Parliament of the Republic of Moldova
concerning the Principles and Conditions of the Demilitarisation
of the Transdniestrian Zone

Reaffirming the commitment of the Republic of Moldova to observe international acts in the field of security, weaponry and disarmament control,

Proceeding from provisions of the Declaration of the Parliament of the Republic of Moldova on Political Partnership to Achieve the Objectives of the European Integration of March 24, 2005 and, in particular, from principles concerning the peaceful, democratic and definitive resolution of the Transdniestrian problem,

Understanding that the military factor of the Transdniestrian problem is defiance to the national and regional security that needs to be solved immediately,

The Parliament of the Republic of Moldova requests the assistance of the OSCE, EU, CoE, the USA, Russian Federation, Ukraine and Romania in order to remove the threats represented by the military factor of the Transdniestrian conflict through demilitarisation of the zone by concerted efforts of the international community.

Proceeding from provisions of Article 11 of the Constitution of the Republic of Moldova, the Parliament reaffirms that the territory of the Republic of Moldova, as a neutral state, cannot be used for dislocation of the armed forces of other states.

Basing on this constitutional provision, as well as being sure of the special interest of international community in a speedy settlement of the Transdnestrrian conflict, the Parliament of the Republic of Moldova stipulates the following indispensable conditions for the demilitarisation of the Transdnestrrian zone:

1. The Russian Federation shall finish the withdrawal and liquidation of Russian military arsenal, as well as the withdrawal of Russian military forces from the territory of the Republic of Moldova by the end of 2005.
2. The Russian Federation and the Republic of Moldova shall recognize that the military units dislocated under the Moldovan-Russian Agreement of July 21, 1992 in the security zone of the Republic of Moldova achieved their provided purposes, following to be reduced gradually and removed completely from the territory of the country till December 31, 2006. Simultaneously, within the mentioned period, after a request made by the Republic of Moldova to the OSCE, it shall be performed the gradual and full transformation of the existent pacifying operation into an international mechanism of military and civil observers that will act with the OSCE mandate, and the Moldovan-Russian Agreement of July 21, 1992 losing its relevancy. The International Mission of Military and Civil Observers with the OSCE mandate shall operate in the Republic of Moldova up to the full political settlement of the Transdnestrrian conflict.
3. The Republic of Moldova assumes the obligation to propose within the NATO Program "Partnership for Peace" and to achieve through the International Mission of Military and Civil Observers the dissolving of military formations in the zone, the liquidation of weaponry and military technique, as well as social rehabilitation and

requalification of persons that belong to the staff of so-called Transdniestrian military formations.

4. In its turn, after the fulfilling by the Russian Federation of its obligations assumed within the Istanbul OSCE Summit (1999) on full, undelayed and transparent withdrawal of army and weaponry from the territory of the Republic of Moldova, including the contingent and armament under the Moldovan-Russian Agreement of July 21, 1992, the Parliament of the Republic of Moldova expresses its availability to ratify the adapted Treaty on Conventional Armed Forces in Europe, which represents a fundamental element of the European security.

The Parliament of the Republic of Moldova adopts this appeal and submits it to the OSCE, EU, CoE, the USA, Russia, Ukraine and Romania in order to obtain their support for fulfilling effectively the demilitarisation of the Transdniestrian zone of the Republic of Moldova in the proposed variant, as well as in view of unifying the efforts to strengthen regional security, stability and sustainable democratic development in this part of Europe.