

Moving Beyond Intractability: Conflict resolution in the case of Transnistria

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Abstract

The Transnistrian conflict is often referred to as the most easily resolvable conflict in Europe, yet two decades after its outbreak it still does not seem to move out from the state of intractability. The thesis starts from the assumption that even intractable conflicts, which might be resistant to bargaining and negotiation, can be resolved through mediation and conflict transformation. This, however, should be done through the cooperation of Track I and Track II diplomacy, which is more a more effective approach to conflict resolution than either track applied alone. In the Transnistrian case transformative measure were applied in both tracks: confidence-building measures as part of official diplomacy and problem-solving workshops as well as community building as part of unofficial diplomacy.

The thesis focuses on the period between 2001 and 2012, and based on primary sources, mostly interviews conducted in Moldova with decision-makers, academics employees of international organizations involved in conflict resolution, it explores the effect and the interaction of transformative measures implemented in the two tracks. It seeks to point out why their effect has been limited and evaluate whether the recent changes in the Moldovan government and the so-called leadership of Transnistria created a better environment for conflict transformation to succeed.

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Introduction

After the dissolution of the Soviet Union, violent conflicts broke out in the post-Soviet space. In Eastern Europe the Transnistrian conflict, in the South Caucasus the secession of Abkhazia and South Ossetia as well as that of Nagorno Karabakh, in the North Caucasus the Chechen separatist attempts, while in Central Asia the Tajik civil war brought turmoil into the everyday life of people. Even though about two decades have already passed since their outbreak, these conflicts, with the exception of the Tajik civil war, still remain unresolved. The parties reached a relatively stable *status quo* and the conflicts are often referred to as ‘frozen’. This latter term, however, is a misnomer, as the conflicts and their dynamics did not remain unchanged; it is rather their settlement that reached a stalemate (Tocci, 2007, p.2; Popescu, 2010). Maybe more accurate terms would be ‘protracted’ or ‘intractable conflicts’, which underline the lengthiness of the conflicts and their resistance to repeated attempts aiming at their resolution, but do not make the impression that the conflict is static.

Out of all the post-Soviet intractable conflicts, it is the one between the Republic of Moldova and the separatist entity of Transnistria that is often referred to as the most easily resolvable conflict (Kamiewicz, Petrovická and Wunsch, 2010; Wolff 2010). This is due to the fact that, unlike in other post-Soviet conflicts, ethnic tensions and grievances do not play a central role in the maintenance of the *status quo*. Moreover, violence has not occurred between the parties since the signature of the cease-fire agreement in July 1992.¹ External actors soon engaged in the mediation of the conflict; Russia even intervened in the civil war and brokered the 1992 cease-fire agreement between the two parties. After setting up a

¹ With the exception of an unfortunate event on January 1, 2012, when a Russian officer serving in the peacekeeping force opened fire on a Moldovan citizen passing through the so-called border at Dubasari, and despite being ordered to, did not stop. The investigation of the incident is still on-going.

permanent mission in Chisinau in 1993, the Conference on Security and Cooperation in Europe (CSCE), later the Organization for Security and Cooperation in Europe (OSCE) has started to mediate peace negotiations between the parties with the assistance of Russia and Ukraine as equal mediators. Even though continuous mediation did not succeed to bring an end to the conflict in the past two decades, the recent developments in the Moldovan and Transnistrian so-called leadership, their approach to the conflict, as well as the re-launch of official negotiations between the parties in the end of 2011, raise expectations about progress toward a resolution.

This shift in the expectations indeed sheds light on the assumption that even intractable conflicts can be transformed and resolved. The present thesis starts from a socio-psychological approach and from the assumption that conflicts are not static structures but dynamically changing social constructs. According to Raimo Vayrynen (1991), conflicts are always in motion and should not be treated as if they were stable. He argues that in order to reach a mutually acceptable resolution, conflicts can and should be transformed.

However, in the case of intractable conflicts, where the conflicting parties have already proven that they are unable to find a solution on their own, third-party intervention seems to be necessary in order to reach a peaceful outcome. Certain authors suggest that such intervention should also aim at strengthening the parties own capacity to maintain and enforce the reached agreement (Miall, Ramsbotham and Woodhouse, 2002). In intractable cases, where the conflict—due to its length and/or intensity—already became embedded in the social structures of the affected societies, a capacity to overcome the conflict also has to be built *within* the society. Often the lack of trust contributes to the intractability of the conflict, and in order to put negotiations on track, confidence-building measures (CBMs) prove to be necessary as part of a pre-negotiation process in the framework of the official, so-called Track I diplomacy, where official representatives discuss, negotiate and mediate a settlement.

Official diplomacy, however, might prove insufficient to address certain social, political obstacles, which block the resolution. In such cases, Track II diplomacy between non-official representatives of the communities should also work on the facilitation of the resolution. Based on practical experiences of conflict resolution scholars, like Ronald Fischer and Herbert C. Kelman, it was found that Track II diplomacy can prepare the ground for the official track by helping to remove obstacles from the way of official negotiations (as cited in Ramsbotham, Woodhouse and Miall, 2011, p.182). More recently, based on the first large-N quantitative study on the operation of different tracks of diplomacy, Tobias Böhmelt (2010) found that the two tracks of diplomacy applied together are more effective than either official or unofficial diplomacy separately.

While reaching a political stalemate, the Transnistrian conflict also deeply affected the people living on the two sides of the river Nistru. Even though conflict mediation used the transformative tools and mechanisms of both Track I and Track II diplomacy, it has not arrived at the resolution of the conflict until now. Problem solving workshops, as tools of Track II diplomacy were already put into practice in the 1990s under the supervision of scholars from the Center of Conflict Analysis and the Foundation for International Security. These were followed by the Transnistrian Dialogues in the 2000s, a series of seminars and conferences, organized by the Moldovan Foreign Policy Association, which sought to contribute to the resolution process by bringing together influential representatives of the communities to discuss all aspects of the conflict, and to come up with new ideas, proposals for the resolution. Starting from 2004-05, confidence-building measures were also initiated by the OSCE and in 2007 by the EU as part of the official mediation process in order to facilitate progress toward the resolution.

Seeing that despite all the transformative efforts, which were supposed to move the conflict toward resolution, no progress have really taken place, several questions arise: *Have confidence-building measures and Track II efforts produced changes in the conflict environment in Moldova and Transnistria at all? Why did these attempts not succeed to resolve the conflict? Have the recent changes in the leadership brought along the necessary elements for them to succeed?*

To answer these questions, the present thesis will proceed as follows: The first chapter will serve to define the key terms and to lay down the theoretical framework within which I plan to conduct my research and my analysis. Here, I will discuss what we understand by conflict and what can lead to its intractability. Along the lines of the social-psychological approach to conflict resolution, I will argue that even intractable cases can be resolved, even if not purely negotiated, and I will also lay out when and why third-party intervention should be considered in intractable cases. This part of the thesis will exclusively rely on secondary literature.

The second chapter discusses the two tracks of diplomacy, where Track I stands for official and Track II for unofficial efforts. Concerning both tracks I will discuss possible forms of intervention, which aim at the transformation and through that at the resolution of the conflict. With regards to the official track I will discuss the use of confidence-building measures, while concerning the unofficial track I introduce the concept of problem solving workshops. However, I will argue that the coordination of the work of the two tracks is necessary in order to reach a sustainable resolution. Thus, I will close the chapter by presenting evidence for the effectiveness of Track I and Track II cooperation and by discussing three models, which make use of such coordination and all of which are relevant

for the Transnistrian case. The chapter also relies on secondary literature, case studies conducted on different conflicts.

In the third chapter, I will attempt to prepare the ground to answer my research questions about the case of Transnistria. I will introduce the historical background of the conflict, and show the development of the mediation and negotiation process from the 1990s. Nonetheless, I will only briefly look at the 1990s as a detailed analysis of the interaction of the tracks of diplomacy done by Andrew Williams is available about this period and confidence-building was not done yet to a great extent. The following decade, however, is less discussed in the literature from either point of view, thus, I will analyze both Track I and Track II efforts in the 2000s, and will pay special attention to the current conflict environment that evolved in the aftermath of the April 2009 civil unrest in Moldova and as a result of the election of Yevgeny Shevchuk in December 2011 in Transnistria.

The analysis of the Transnistrian case will follow the logic of an exploratory case study and although it will make use of secondary sources, to a large extent it will rely on primary research. The sources will include official documentation of the parties and the mediators as well as interviews I have conducted with governmental officials, representatives of international organizations and academics throughout April and May 2012 in Moldova and to a smaller extent also in Hungary.

In my conclusion, based on the research conducted in Moldova and informed by the lessons learnt in previous cases, I will attempt to answer my research questions and evaluate the current chances of the resolution of the Transnistrian conflict.

1. Resolving intractable conflicts through third-party intervention

In response to the changing international context following the Second World War and the perceived failure of international relations scholarship to prevent war, a new field of international studies, peace and conflict studies emerged in the late 1940s and early 1950s. The North American scholarship, which in the beginning predominantly focused on the prevention of war or in other words the promotion of negative peace, was soon complemented by a European counterpart that mainly focused on researching positive peace or means to overcome structural violence.² By the end of the 1960s, conflict and peace studies developed a solid theoretical and institutional background. From the 1970s, research took three main tracks. In the midst of the Cold War international conflict and conflict resolution naturally continued to be a dominant area of study, but it was increasingly complemented by the study of conflicts on the sub-state and community level. What brought a paradigmatic change, however, was the study of so-called intractable conflicts by John Burton, Louis Kriesberg and Edward Azar, who abandoned the international-domestic dichotomy, and focused on the quality of governance and of intra-community relations as potential sources of long-lasting, seemingly non-resolvable conflicts.³

The present chapter explains the concept of intractable conflict, and based on existing literature, it attempts to lay out a possible conflict resolution approach through which these conflicts could be moved toward a resolution.

² The distinction between positive and negative peace originates from the European founding father of the field, Johan Galtung. He defines the absence of war as negative peace; but he also thinks that in order to achieve positive peace, structural and cultural violence (injustice originating from the structure and from attitudes) must also be overcome. (Ramsbotham et al., 2011, pp.11-12)

³ For a comprehensive overview on the evolution of the field, check: Ramsbotham et al., 2011, pp.35-62.

1.1. From conflicts to intractable conflicts

Before introducing the concept of ‘intractable conflict’, it is essential to define what we mean by conflict in the first place. While there are several definitions applied in the scholarship, students of conflict resolution generally agree that conflict is fundamentally human, thus it cannot be completely removed or eliminated, nor is it necessarily harmful. According to Morton Deutsch (1991), conflict is an agent of social change, “a medium through which problems can be aired and solutions arrived at” (p.27). Here, I rely on the definition set by John W. Burton, one of the founding fathers of conflict and peace studies. He defined conflict by distinguishing it from disputes, which he classifies as short-term disagreements. Disputes can be relatively easily terminated through a negotiated or arbitrated *settlement*, as the contradictions between the parties are negotiable. On the other hand, a conflict is a long-term confrontation originating from deep-rooted contradictions concerning issues like values, beliefs or basic human needs. Such issues cannot be decided through a negotiated or arbitrated settlement since to reach a compromise on them is not viable. Burton’s explanation about causes found in human needs resonates with Edward Azar’s ‘Protracted Social Conflict’ (PSC) concept.

Azar (1991) was among the first scholars to study the causes and dynamics of long-lasting and seemingly non-resolvable conflicts, which he found in the deprivation of human needs, similarly to Burton. According to him, PSC is “the prolonged and often violent struggle by communal groups for such basic needs as security, recognition and acceptance, fair access to political institutions and economic participation” (p.93). Azar points out the responsibility of the government in securing that the basic human needs of all citizens (majority and minority alike) are satisfied. He also draws a connection between

underdevelopment – a state where needs are not met – and conflict, suggesting that development leads to peace (Ramsbotham et al., 2011, p.101).

Like Azar, Burton (1993) also argues that protracted, deep-rooted conflicts can be *resolved*. In his view it is possible through an analytical problem-solving approach, which aims at satisfying the needs of both parties. Since needs are not objects to scarcity, a party's win does not need to mean the other's loss. Thus satisfying the needs of both parties is possible. However, according to Burton, a negotiated settlement would not bring lasting solution as it cannot address human needs.⁴ Additionally, it is also important to note that the problem-solving approach proposed by Burton is different from the approach equally named problem-solving by the Harvard School. While the Harvard School's approach is purely a workshop technique and focuses only on the given situation, Burton (1990) speaks about problem-solving as an overall approach, which does not only aim at resolving the given conflict, but it also attempts to create an environment that is conducive to future cooperation and to the 'provention' of violence. Hence, 'provention' is a move toward positive peace.

Nevertheless, despite the possibility that conflicts could bring a positive social change, and Burton's suggestions that even deep-rooted conflicts can be resolved, several of them lag on for a significant period of time without any sign that the parties would move toward an agreement. These protracted, deep-rooted conflicts are often referred to as intractable conflicts. However, as it is usually with definitions, scholars do not agree entirely on what constitutes an intractable conflict.

Pamela Aall (2003) gives a minimal definition concentrating on the lengthiness, protraction of the conflict and its resistance to the parties' or outsiders' attempts to their resolution. Louis Kriesberg (2003a), however, finds it necessary to provide a more qualified

⁴ The present thesis uses the terms 'resolution' and 'settlement' in a Burtonian sense.

description, stating that intractable conflicts as well are social conflicts, where at least one of the parties believes that it has incompatible goals with the other. He accepts Aall's basic definition concerning protraction and the conflict's resistance to be ended or transformed, but he also adds that only conflicts, which are waged in a destructive manner, can be qualified as intractable. If a conflict persists despite resolution attempts, but at the same time it is well-managed and there is no threat of violence, then in his take it is not seen as an intractable conflict.⁵ Crocker, Hampson and Aall (2009, p.494) on the other hand differentiate between violent and not violent intractable conflicts, calling the latter abeyant intractable conflict. In their view, in abeyant intractable conflicts violence is suspended or frozen usually because of the presence of an outsider third-party, who guarantees the terms of a negotiated cease-fire. However, in these cases the conflict is neither resolved, nor it is moving toward a resolution. The lack of violence, a state of negative peace is only guaranteed by the third-party, and consequentially it is dependent on its presence. While the withdrawal of the guarantor could possibly mean the return of violence, its presence certainly contributes to the protraction of the conflict.

It is enough to look at separate parts of Kriesberg's definition to see that intractability is a very subjective characteristic of a conflict. When does a conflict become long enough to be considered protracted? Does resistance to resolution attempts mean that there is absolutely no change in the situation? The question of destructiveness is also problematic: for one what might seem to be destructive, for the other might still be acceptable.⁶ These elements render it difficult to define intractability as a dichotomous variable, and rather point to consider it as a ratio/scale variable, where intractability is one end of a continuum ranging from tractability. Additionally, if we look at the time factor, we see that conflicts do not start off as intractable.

⁵ When talking about intractability, this thesis will consider Kriesberg's definition as a starting point.

⁶ Suicide bombing or forced suicide bombing might be considered as such an example. For instance in the 1990s the Provisional Irish Republican Army (IRA) used so-called proxy bombs: forced people from the opposite party to drive car bombs to strategic British targets where they were blown up.

They become so over time in reaction to how they are dealt with, perceived or interpreted. Intractable conflicts, thus, are potentially equally dynamic as any other conflict. Vayrynen (1991) argues that as conflicts are always in motion they should not be treated as stable, and when thinking about their resolution one should aim at their transformation. If intractable conflicts are dynamic, that also means that there is a possibility for their transformation, even if they seem to be resistant to any such attempt. 'Intractable', thus, should not be interpreted as irresolvable, rather 'stubborn' or hard to deal with (Crocker, Hampson and Aall, 2004, p.7).

There are several factors that contribute to intractability, they, however, should not be mistaken for the direct causes, which bring about the conflict. These factors, which pile up on the initial cause, are naturally different in every case, and there is no single template that would fit every conflict. Nevertheless, without attempting to be fully comprehensive, laying out the typical elements, that might contribute to the intractability should help us better understand the case analyzed in the present paper.

William Zartman, considering protraction from a rational choice approach, would argue that as in any conflict, also in intractable ones fruitful negotiations do not take place until the parties reach a mutually hurting stalemate, where they feel forced to find a solution since anything would be better than the *status quo*. Once the parties recognize that they are in a hurting stalemate, the conflict is ripe for resolution (Zartman and Berman, 1982, pp.66-78). This, however, does not mean that the conflict will be resolved once it is ripe. Ripeness is a precondition, but not a guarantee (Zartman, 2003). According to Zartman, intractable conflicts, thus, either have not reached this point yet or it has not been seized. While ripeness theory suggests *when* progress could be made, it does not tell us *why* protracted conflicts do not seem to arrive at this point.

Peter Coleman (2006), on the other hand, gives a broad analysis of these causes. He emphasizes characteristics originating from the context, the core issues, relations, processes and outcomes that maintain the intractability of the conflict. He argues that an interaction of multiple factors can be detected in intractable conflicts.

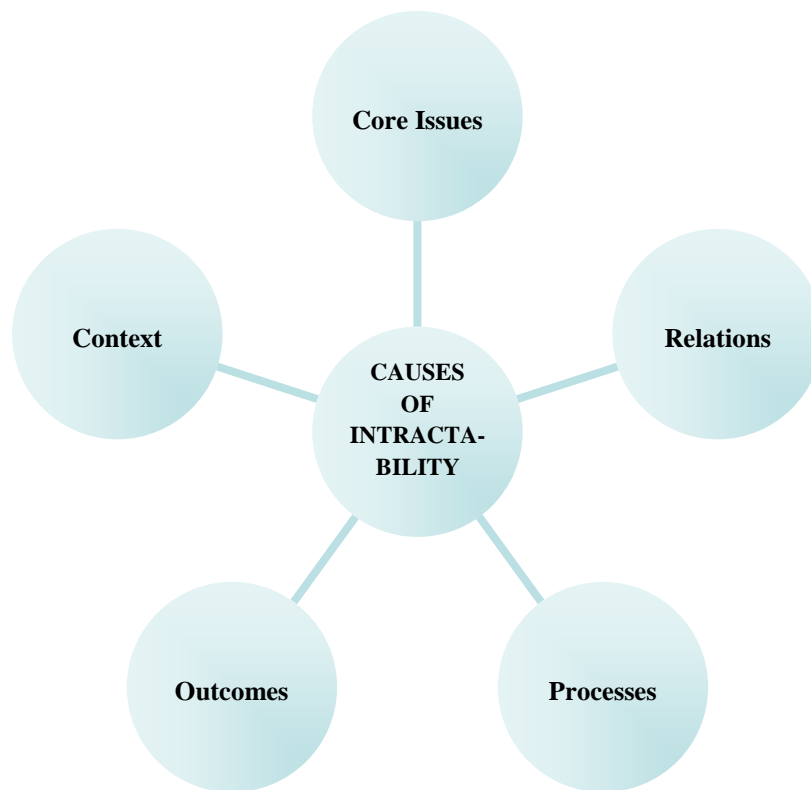


Figure 1. Main causes of intractability according to Peter Coleman

Looking at the *context*, he finds that intractable conflicts develop in situations where there is a significant imbalance in power originating from the legacy of dominance, or where structural injustice and violence is present and people cannot meet their basic human needs. This characteristic resonates with Burton's and Azar's previously outlined views. The sudden instability in the system, which shifts the balance of power, and questions the relative power positions—the extreme case of which is anarchy—can also contribute to intractable conflicts. *Issues* that can foster intractability usually originate from human and social polarities that are

not negotiable, or even if they concern tangible issues (land, resources etc.), these usually carry a symbolic meaning that makes it hard or impossible to discuss them based on material interests. When *relations* are exclusive and intergroup connections are limited or not present, when they are inescapable without significant losses, or when group identities become polarized and constructed in opposition to the out-group, and also when internal dynamics are intense or hidden agendas are present, intractable conflicts are likely to occur. Concerning *processes*, Coleman mentions the centrality of emotional responses as opposed to rationality, as well as malign social processes (e.g. stereotyping, selective perception, self-fulfilling prophecies) leading to escalatory spirals which strengthen the pervasiveness of the conflict. The *outcomes of the conflict*, which also maintain the destructiveness of the conflict, are protracted trauma, meaning the ‘loss of trust in a safe and predictable world’, and the normalization of violence and hostility, which fundamentally reshapes the perception and thinking of the conflicting parties.

Additionally to Coleman’s categorization, Crocker et al. (2009, pp.494-496) also cites geography and geopolitics, avarice of predatory warlords and even the failure of previous mediation attempts as a factor contributing to intractability. Being geographically e.g. at a buffer zone might increase the intractability of the conflict due to involved parties’ competition for power and influence. By the avarice of the warlords, they refer to the fact that certain groups do profit both economically and politically from the uncertainties of the conflict and do not want to change the *status quo*. Paul Collier and Anke Hoeffler (2010) argue that it is more likely that economic incentives would motivate and maintain conflicts than grievances or the deprivation of human needs. The failure of previous mediation efforts—let it be the fault of the parties or the mediators—further strengthens the perception that the conflict is indeed impossible to resolve. However, considering Vayrynen’s suggestion that all conflicts can be transformed to reach a resolution, one must argue that such a perception is

false. In order to move beyond intractability, this view has to be abandoned. To prove that the Transnistrian conflict is an intractable case we should find several of the characteristics contributing to intractability present. Moreover, if we seek whether the conflict went through any transformation due to the third-party intervention, we should see changes in these characteristics of intractability as it is safe to assume that a conflict can only be transformed if the causes of intractability are also dealt with. The question remains, though, how these causes should be dealt with. In the following section, I will lay out an approach that underlines the importance of official and unofficial mediation in the resolution of intractable conflicts.

1.2. Third-party intervention in intractable conflicts

Although the resolution of intractable conflicts is undoubtedly hard, they certainly should not be left to settle themselves. Not only because the parties have proven that they cannot settle the conflict on their own, but also because, given today's warfare, simple, outright victories putting a definite end to the conflict, are unlikely to happen (Crocker et al., 2009, p.496). We have seen that the causes of intractability go deeper than negotiable interests, often they are nurtured by mutually re-enforced fears and mistrust that further escalate the conflict. As a result of such processes, the conflict becomes integral part of the society, and people get accustomed to live with it. Under such circumstances a negotiated settlement combined with peacekeeping cannot bring a lasting solution, as it does not address the people who are influenced by the underlying social processes. Crocker et al. (2004, p.15) argue that in order to tackle intractable conflicts, a strategic approach has to be adopted of which mediation and conflict resolution is a central element.

Although mediation is not the only, it is definitely the most frequent form of third-party intervention in conflicts.⁷ The goal of the mediator who gets involved in the conflict is to help the parties to mutually find a solution to their problem, starting from bringing them to the same table through facilitating actual negotiations to drafting final agreements. While the mediator has a wide range of tools, it cannot make decisions for the parties and it is generally not him who would enforce agreements. It is often discussed whether the mediator does need to be neutral in the sense of being completely detached from the conflict, or it should be somehow is engaged. While Andrew Kydd (2006) found that neutral mediators, being more acceptable for both parties, are usually more successful in their attempts, Paul Wehr and John Paul Lederach (1991) found in Central America that the parties only accepted the mediator if that was involved and engaged in the conflict. Being engaged, however, does not mean being biased or partial. A partial mediator, as opposed to an involved one, will just further strengthen intractability.

When is mediation useful? According to Jacob Bercovitch (1985), mediation might be the preferable choice for conflict resolution when:

“a) a dispute is drawn out and complex; b) the adversaries’ own conflict management efforts have reached an impasse; c) neither side is prepared to countenance an escalation of the dispute; and d) the adversaries are sufficiently co-operative and are prepared to break the stalemate by having some contact and communication. (p.738)”⁸

⁷ Forms of third-party intervention include facilitation, mediation and arbitration. While during facilitation and mediation the conflicting parties maintain full control over the process, in arbitration they give up the control and accept the decision of the third-party.

⁸ Bercovitch uses the terms conflict and dispute interchangeably, but what he refers to qualifies as conflict using the terminology of Burton, which the present thesis also adopted.

Bercovitch's take, thus, suggests that when mediation starts the parties have already reached the mutually hurting stalemate and want to find a way out. This, however, is often not the case, as we have previously noted. Just the fact that mediators get involved in conflicts does not mean that the parties are ready to find and accept a solution. Mediators frequently have to ripen the conflict in the pre-negotiation phase of the peace process, and prepare the ground for negotiations. However, when we talk about ripening the conflict we think generally within the structuralist paradigm of mediation, which builds on rational choice theory and on objective issues to a conflict as we noted before about Zartman's ripeness theory, as well. Working in this paradigm, mediators tend to use different 'carrots and sticks' and bargaining strategies (Crocker, Hampson and Aall, 2001, pp.20-21). However, as we previously noted, bargaining might not be an adequate approach in intractable cases, where the conflict already has become an embedded part of the society, and trust to engage in substantial cooperation is lacking between the parties. This is even more so, if they previously experienced failures in mediation. Since in these cases differences are usually not negotiable, mediators have to find ways to transform the conflict to reach a resolution.

The transformation of a conflict falls within the social-psychological paradigm of mediation where as opposed to bargaining, third-parties try to engage the conflicting parties in communication with each other in order to change their attitudes toward one another and their perception of the conflict (*ibid.* pp.22-24). Transforming the conflict means that significant changes have to occur in the identity, grievances and goals of the parties, as well as in their means of struggle (Kriesberg, 2003b). Building on Vayrynen's (1991) four fields of transformation, Ramsbotham et al. (2011, pp.175-176) identifies five segments, which, once changed, are conducive to the transformation of the conflict. These are the context of the conflict, meaning both social, regional and international; the structure which means the

goals and the relationships of the actors; the actors themselves which can mean a change in the leadership, appearance of new parties, interests etc; the issues the conflict is about and the ones that later piled up on them; and finally personalities and group identities. Thinking back to the causes of intractability outlined in the previous section, we can see that those and these areas largely overlap.

To reach the transformation of the conflict in intractable cases, third-parties attempt to establish contacts and a sustainable dialogue among the parties, and they often try to involve non-officials, influential representatives of the societies. By doing so, the mediators engaged in a social-psychological approach to conflict resolution often go beyond official diplomacy to facilitate a deep, substantial change in the society, as well. Reaching a change in attitudes can be achieved by using a divers set of tools, like consultative meetings, problem-solving workshops, trainings in conflict resolution or third-party assisted dialogues as a pre-mediation activity applied both in official and unofficial structures (Crocker et al., 2001, p.23). The goal of these interventions is to dispose of the negative emotions, overcome fears and misperceptions and eventually build trust and confidence between the conflicting parties, both on the official level and on the level of communities. Without working with the social groups in question, and helping them to transform their perceptions about the conflict in a way that renders a win-win solution possible, no resolution can stick, even if decision-makers previously agreed to it. Hence, mediators need to engage both in official and unofficial diplomacy, as will the following chapter.

2. Official and unofficial diplomacy

While traditional diplomacy has a longer history, unofficial diplomatic efforts have gained more and more importance since the 1980s, especially in cases when questions of identity, beliefs, human needs are at the source of a conflict. Since 1981, when William D. Davidson and Joseph D. Montville (1981) made a distinction between official and unofficial diplomacy, we refer to the former as Track I and to the latter as Track II diplomacy. Thus, by Track I diplomacy we understand the interactions between the official representatives of states, organizations etc., who have the authority to make decisions in the name of their represented entity. Track II diplomacy, on the other hand, is unofficial and non-structured interaction that builds on the presumption that conflicts can be overcome or at least eased by appealing to “common human capabilities to respond to good will and reasonableness” (p.55). While in official diplomacy the participants are official representatives of either the conflicting parties or third-parties who intervene with an official mandate, in unofficial diplomacy we see a wide variety of actors. Normally, though, they are non-governmental actors: religious or humanitarian organizations, NGOs, academics or think tanks, even ordinary citizens. Often former government officials can take up unofficial, Track II activities in which case their former post can increase the leverage of their work (e.g. Jimmy Carter). However, Davidson and Montville do not claim that Track II diplomacy could replace official efforts due to its lack of coerciveness and the fact that participants of Track II diplomacy cannot make official, enforceable decisions. Track II diplomacy, on the other hand, is important for psychological reasons, and is suitable to deal with fears, needs, misperceptions and grievances by creating fora for the parties to meet, talk and build connections. The two

tracks, hence, complement each other and need to work together, so they can make up for each other's shortcoming.

In the following part, I will show how the different tracks of diplomacy can prove useful in intractable conflicts, and I will discuss how their coordination and parallel application should be a considerable approach in order to reach a sustainable resolution.

2.1. Tracks of diplomacy

In intractable conflicts, as stated previously, third-parties often need to work on ripening and transforming the conflict both as part of official and unofficial mediation. Official mediation, however, is often considered to be more effective and powerful, since it can directly rely on the authority and power of the representatives of the conflicting parties. Also it is often better funded and resources are more available to motivate, influence or coerce the other party. While bargaining and in general techniques based on rational choice might be more relevant to the tool-kit of official diplomacy, tactics used to transform the conflict environment are also not lacking. Mediators frequently encourage the parties to engage in confidence-building activities as part of official diplomacy to reduce distrust, de-escalate the conflict or prevent the renewal of violence.

Confidence-building measures (CBMs) are most often associated with military, security and disarmament, as their roots are to be found in the Cold War era. During this period, the most important concern was stopping nuclear proliferation and quitting the downward spiral of nuclear deterrence, which can be aggravated by the perceptions and misperceptions of the big powers. To exit the spiral without going to war or surrendering, Charles E. Osgood (1962) coined the concept of Graduated Reciprocation in Tension-reduction (GRIT). He proposed to reduce tension through a step-by-step approach in which

one party makes a conciliatory effort small enough not to be a painful concession to make. The expectation is that the other party should reciprocate the move, but even if it does not, the first party can keep on making such conciliatory attempts as they are not too costly. If the second party responds positively, it can start a 'peace spiral', which takes the parties out of the conflict by enforcing trust, confidence and predictability. A similar, but still slightly different Tit-for-Tat logic appears in Robert Axelrod's (1984) work 'Evolution of Cooperation', where he elaborates a possible exit strategy from the iterated prisoners' dilemma. He also argues that playing 'nice' is more effective on the long-run than 'non-nice strategies', but underlines that in order to avoid being abused or exploited, the party, which starts nice and makes the first concession, needs to be provokable by the other. Thus, if the other responds defectively, the first party needs to respond accordingly. This provocability is what is missing from Osgood's GRID concept, which argues that the first party should continue to act 'nice', even if the other does not reciprocate it in the beginning.

As mentioned, in the Cold War era CBMs were mainly used in security or military related questions and generally meant demobilization, disarmament, exchange of information, arrangement for the free flow of information etc. Nonetheless, already the UN's Comprehensive Study on Confidence-Building Measures (1982, pp.33-34) mentioned briefly other areas where such measures could be put into practice. These could be political, economic measures, which include respect for international treaties or human rights, also joint economic development projects especially in border areas, or the elaboration of bilateral and regional agreements on cooperation or integration. Political confidence-building measures within a country can introduce power-sharing, electoral reform, the decentralization of power to certain regions or other localities (Creative Associates International, Inc. [CAI], n.d.), however, we need to note that such measures in intractable territorial conflicts tend to be already part of the solution and not measures that lead to it. CBMs can also address the

cultural sphere, for example, through showing respect for the cultural and religious leaders, practices and monuments, refraining from repressive laws on language or religion and avoiding the declaration of one official language when it can be a source of tension (*ibid.*). Political and cultural measures are especially important in intractable conflicts, where tension usually runs deeper than it could be resolved by ‘simple’ disarmament.

Stefan Wolff (n.d.) argues, that in the mid-term CBMs can “increase contacts and trust between conflict parties and socialize them into a new approach to addressing their dispute” (p.1), while in the long term, they can provide a foundation for a lasting settlement. Holly Higgins (n.d.) also argues that CBMs seem to be the most useful tools to prepare for a more comprehensive agreement. However, one should consider that the correct timing of the application of CBMs is also important. Looking at the conflict cycle, CBMs generally are most effective in the non-violent stages of the conflict: either in the early stages when outright violence has not occurred yet or in later stages when such measures serve to prevent the re-escalation of violence. According to the CAI (n.d.), CBMs are least likely to work between parties who are directly involved in violent encounters against one another. When applied in military conflicts, though, their aim is not to alter the balance of power—this is also not the idea behind Osgood’s GRID model and Axelrod’s Tit-for-Tat game—but to contribute to an environment conducive to the resolution of the conflict. Even in these cases, non-military-based CBMs can be applied with success if both parties are committed and willing to engage in such activities, and if there is no significant power imbalance between them (CAI Inc, n.d.).

Nonetheless, it is also important to mention the shortcomings of confidence-building measures. Most importantly, they are not enforceable and thus absolutely dependent on the compliance of the parties. Additionally, it is still unclear whether CBMs, a ‘tactic’ which was developed during the Cold War in a quasi inter-state military conflict, can be applied equally

successfully in intrastate conflicts where military issues are less central than social processes. It is also crucial to note that certain specificities of a conflict might render CBMs less effective, e.g. if external parties are in competition for influence in the conflict region, CBMs might be undermined by their activities (*ibid.*).

To sum up, CBMs can be a useful tool to contribute to the transformation of an intractable conflict, if they address the issues provoking tension between the parties, and if both parties are committed to initiate and reciprocate the attempts. When examining the Transnistrian case, we will need to consider whether the CBMs implemented as part of the official diplomacy address the root causes and the main issues that contribute to the intractability of the conflict, what the parties' approach is to CBMs, and whether we can notice significant changes in the conflict due to these measures.

The other track where third-party intervention takes place, and where transformative efforts are more likely to occur, is unofficial or Track II diplomacy. It has no precise, unified definition in the literature, and it can also refer to a wide variety of actions. Among others, it is also referred to as supplementary diplomacy, pre-negotiation, consultation or back-channel diplomacy, all of which emphasize different aspects of the unofficial process. However, the common characteristic is that it involves non-officials, who work toward the resolution of the conflict. While unofficial diplomacy can take several forms, the most frequently used techniques by third-parties are problem solving workshops and dialogues, the participants of which are typically non-official, but influential and knowledgeable opinion-leaders of their communities: academics, local conflict resolution practitioners, civic activists, journalists or parliamentarians. In these workshops or even series of workshops the participants get together and, with the facilitation of conflict resolution professionals, discuss any topic that is related to the conflict. These so-called interactive problem solving workshops, which were

widely used by e.g. John Burton, Herbert C. Kelman and Edward Azar on the ground, intend to improve communication, to develop a sense of trust and confidence among the parties, and show that cooperation is possible. In this sense their direct aim is similar to that of confidence-building measures in official diplomacy. However, their overall goal goes beyond that; their aim is to discuss and analyze the conflict in a nonbinding, academic atmosphere, and to try to find new, mutually acceptable solutions and ideas for the resolution of the conflict, which maybe could not emerge in an official setting (Kelman 2003). Thus, they do try to draw an agenda for the actual resolution.

The underlying assumption of Track II efforts is that intractable conflicts are not only inter-state or intergovernmental but also intersociety conflicts, which means that conflict resolution is also necessary on the community level. The resolution also requires that solutions emerge from within the communities through interactions of the parties, hence third-parties, e.g. the facilitators of problem solving workshops, do not propose solutions for the participants. Hence, a mutually acceptable solution addresses the needs of both parties and is something that they can remain committed to (Kelman, 2003, pp.93-94). Arriving to this point from a position where the participants saw each other as enemies requires a major shift in their perceptions and attitudes. In fact, it was found that these Track II processes help to transform people's perception of the conflict and to break out of the logic of a zero-sum game (Pearson, 2001; Rothman and Olson, 2001).

Another aspect of unofficial diplomacy that directly involves or addresses citizens from different backgrounds from the two sides of the conflict is also referred to as Track III diplomacy. Here unofficial intermediaries aim at (re-)building personal relations on the grassroots level, which were interrupted as a result of the conflict. The objective is the same as in other forms of unofficial diplomacy: building trust and confidence, fighting stereotypes and faulty images about the other. The idea behind addressing the citizenry is that peace

should be build through a bottom-up process (Chigas, 2003). By involving people who experience the results of the conflict on a daily basis, intermediaries attempt to build a peace constituency that they consider necessary to achieve sustainable solutions to the conflict.⁹

In conclusion, we can consider that the prerequisites for successful Track II intervention, which we will need to look for in the Transnistrian case, are the neutrality of the facilitators, the influence of the participants on decision-makers and on their constituencies, and an amount of workshops that allow, as an outcome of the intervention, the overcoming negative emotional processes and the rise of constructive ideas that can be fed into the official processes. The presence of grassroots projects can also enforce transformative effects on the lowest level.

In the following section, I will discuss the interaction between official and unofficial tracks of diplomacy. To render understanding easier, I will illustrate the different approaches with actual cases where they were put into practice.

2.2. Coordinating tracks of diplomacy

While several studies examined how unofficial diplomacy influences official conflict resolution attempts, research rarely tried to explore the effectiveness of the different tracks of diplomacy and the effectiveness of their cooperation. In the first quantitative large-N study conducted on the interaction and the effectiveness of the different tracks of diplomacy, Tobias Böhmelt's (2010) findings further confirm Davidson's and Montville's argument about the complementarity of unofficial diplomacy to the official track. Böhmelt argues that due to the greater leverage, resources and power of enforcement of the parties of the conflict

⁹ Peace constituencies and the community building approach were central for example in the inter-Tajik dialogues after the civil war or in the Northern Ireland peace process.

and the third-parties, official Track I diplomacy must be more effective than unofficial diplomacy. Given the chance (time and opportunity), nonetheless, the unofficial track can influence the official through introducing ideas, results of the Track II consultation into the official process. However, working on its own, unofficial diplomacy was expected to and proved to be less effective due to the lack of leverage, extensive resources and enforcement. Meanwhile, interacting tracks, or in other words multi-track diplomacy, proved to have a better effectiveness in establishing a stable settlement. Hence, while Track II might not be the good choice to be employed alone, it clearly has an added-value to the official track. Due to the work of the unofficial track, cooperation between the tracks helped to establish trust and enabled communication among all actors involved in the process. Moreover, compliance with the official decisions could be enforced also on the grassroots level as representatives of the societies were also involved in the conflict resolution process (Böhmelt, 2010, p.171). While the findings do not state anything revolutionary, it was the first time that a quantitative study confirmed the previous qualitative case studies.

Böhmelt's findings also resonate with Diana Chigas's (2003) argument, who looked at the implementation of confidence-building measures in official diplomacy and found that even if CBMs agreed between the official authorities are supposed to be successful thanks to a clear willingness to cooperate, their effect might not be lasting. Discussing intractable cases, she argues that confidence-building measures can be undermined by the dynamics of the parties' relationship if those are not addressed also on a lower, unofficial level that would support the CBMs. Thus, following her logic means that Track I efforts need to be complemented by unofficial attempts of conflict resolution to reach a lasting solution. To illustrate how unofficial attempts can influence the official diplomatic track, I now turn to Ronald J. Fisher's and Loreleigh Keasley's contingency model, and I will also briefly present

Fisher's comparative work on the transfer effects of Track II diplomacy, more precisely of problem solving workshops, widely used on the field in various conflicts.

The contingency model developed by Fisher and Keasley, while admittedly is simplistic and only a far approximation of reality, serves to show that at different stages of the escalation of a conflict, different types of third-party interventions should be used to fit the characteristics of the given situation (Fisher, 2007). The overall goal of these interventions is to de-escalate the conflict and eventually move toward its resolution. The model distinguishes between four conflict stages based on the level of escalation which are: discussion, polarization, segregation and distraction – moving from the least toward the most escalated. Apart from different types of mediation and arbitration, Fisher and Keasley also distinguish *third-party consultation* as a type of intervention, by which they refer to problem solving workshops aiming at establishing communication between the parties and analyzing the conflict (*ibid.* p.314).

The model identifies the three points of complementarity, where consultation can add to mediation or arbitration by being non-official, non-coercive and having a lower leverage. First, consultation can be used successfully in the stage of polarization, where no violence occurred yet, but the perception of the parties about one another already started to become flawed due to the deterioration of the communication between them. In this stage consultation can improve relations and guide (back) the parties to official mediation or negotiation. Consultation can also be applied in more escalated cases, at the stage of segregation and even of distraction. But while at the stage of polarization consultation in itself can be successful in re-directing the parties to negotiation or mediation, in the stage of segregation and distraction it can only be applied alongside techniques, which have more leverage to stop the escalation of the conflict. At the stage of polarization and segregation the role of consultation is to foster communication, but in a destructive conflict its main aim is to

provide a thorough analysis of the conflict that can help understanding the situation (*ibid.* pp.314-315).

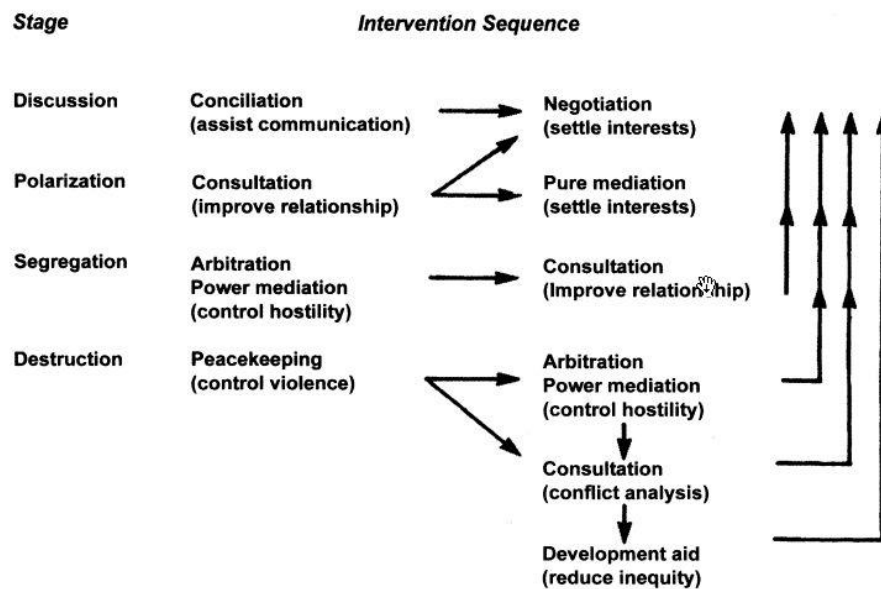


Figure 2. The contingency model of Fisher and Keesley
Source: Fisher, 2007, p.315.

The contingency model was criticized by David Bloomfield for being too linear in modeling the conflict through four stages of escalation. He argues that on the ground things are more complex and different stages can be present at the same time on different levels of the conflict. His other criticism is that the contingency model disregards the wide variety of actors involved in the conflict. While the model addresses officials and through the methods of consultation also influential representatives of the society, it ignores the grassroots level, which Bloomfield finds key (*ibid.* p.316). Additionally, analyzing third-party intervention in the case of Yugoslavia, Keith Webb, Vassiliki Koutrakou and Mike Waters (1996, p.187) also formulated a criticism that the contingency model is too simplistic, it does not reflect the complexity of reality, and it should be further developed to prove useful for the literature.

Nonetheless, despite all the criticism, the model illustrates well how unofficial diplomacy should complement other forms of third-party intervention and when it should be used. However, it does not say anything about the actual process through which the unofficial track feeds into the official diplomatic efforts. To examine that, Fisher's later study on the interaction of unofficial and official diplomacy proves useful.

Based on an small-N qualitative comparative analysis, in which he explored the interaction between unofficial and official diplomacy, Ronald Fisher (2005) argues that interactive conflict resolution (ICR), as defined by Burton and Kelman in their problem solving approach, does prepare the ground for official diplomacy through a complex combination of transfer effects originating from the unofficial track. He analyzed nine ethnopolitical conflicts, where ICR was applied, which included the conflict between Indonesia and Malaysia in the mid-1960s through which Malaysia became independent; the Israeli-Palestinian conflict (focusing on the unofficial, mainly back-channel diplomacy leading to the Oslo accord in 1991); the civil war in Lebanon in 1984; the famous case of Mozambique where the efforts of a religious NGO, the Community of Sant' Edigio, helped to bring about peace; the interracial conflict in South Africa; the civil war in Tajikistan; the Transnistrian and the South Ossetian conflict both analyzed in their 1990s phase; and the border dispute between Peru and Ecuador in the mid-1990s.

Fisher discusses the *power and the potential of third-party intervention* to influence the situation, the *receptivity of the conflict* to this intervention at the given point in time, and the *probability as well as the degree of the transfer effects* from the unofficial track to the official. Along these three lines, he managed to identify certain conditions which helped to increase the power of the intervention, to make the conflict more receptive and to increase the likelihood of the transfer. Concerning the intervention he found that it was effective if the participants of the unofficial track were high-ranking officials or if they had direct connections to the leadership, if an adequate amount of informal, well-managed meetings

were held (albeit, he does not explain what should be an adequate amount), and if the third-party had good conflict resolution skills (Fisher, 2005, pp.217-219; p.226).

The receptivity of the conflict depended on whether it was a conflict with the goal of integration or separation. Thus, conflicts like the ones in South Ossetia, Transnistria and between the Israeli and Palestinian authorities, where there was a territorial conflict between the official authorities and authorities unrecognized by the given state, proved to be less receptive, even if the intervention was powerful or transfer effects were present. He also found that power balance made the conflict more receptive to the intervention than power asymmetry, while a higher escalation of the conflict and a higher level of intractability (e.g. longer time spent in a conflictual state) also worked against the receptivity of the conflict (*ibid.* pp.220-223; p.227).

The nine cases produced a variety of transfer effects. In certain cases the appearing transfer effects are hard to measure as they refer to subjective, qualitative developments, e.g. cognitive changes or changes in the relationship between the parties to the conflict. In other cases the effect might be more explicit, for example when certain ideas or so-called substantive products (joint statements, proposals) reappear in the official process after being discussed or composed in the unofficial track. The most apparent indicator of transfer effects is when structural connections change or develop between the different tracks. A good example for that would be the involvement of people in the official talks after they participated in the unofficial track (Fisher, 2007, p.312). The likelihood of transfer was higher in cases when the third-party clearly stated the rationale and the objective of the intervention (e.g. to prepare the ground for negotiation, remove concrete obstacles, come up with new ideas that can be fed into the official process etc.), when appropriate targets were chosen (leadership, negotiators, public-political constituencies or governmental-bureaucratic ones), and when there was a high level of complementarity between the tracks (Fisher, 2005).

All in all, Fisher drew the conclusion that if the conflict was more receptive and the intervention was more powerful, there was also a higher likelihood that strong transfer effects would appear. Even though such conclusion looks appealing it is important to note that it was drawn upon the analysis of nine cases, all of which were described by a different conflict resolution researcher or practitioner. It is thus probable that the different case studies emphasized different elements and they might have disregarded others. Fisher himself points out the limitations and the early stage of his study, and generalizes only with caution.

Apart from the use of interactive problem solving workshops, another successful approach, named ‘public peace process’, also builds on the involvement of unofficial diplomacy. It was developed and outlined by Harold Saunders and Genaddy Chufrin based on the Dartmouth Conference, a bilateral conference series between the United States and the Soviet Union starting in the 1960s and continuing even after the Cold War. The approach was also applied in the inter-Tajik dialogues following the Tajik civil war (Slim and Saunders, 2001). The dialogue went through four phases, the first of which was the selection of the participants: generally people on the second or third level in the decision-making authority who would meet regularly. Their overall aim from the second stage was similar to that of the interactive problem solving workshops: to discuss issues related to the conflict and to develop a working relationship between the conflicting parties by overcoming misperceptions, stereotypes and building mutual respect and trust among them. At the second stage participants discussed their feelings about the causes and the process of the conflict, and when the need emerged to commence official negotiations, the participants of the dialogue started to develop a framework for negotiation (stage three) and proposals for its content (stage four) (*ibid.* pp.45-46).

When the negotiation framework was accepted by the officials, the unofficial process started to feed into the official one. Naturally, as Saunders and Chufrin also point out, it is hard to judge to what extent the dialogue influenced the negotiation. The most direct linkage occurred through an overlap between the participants of the dialogue and the participants of the negotiation team who could transfer the ideas that emerged in the unofficial meetings. Apart from that, participants of the dialogues shared their ideas for the reconciliation with the officials in the form of memoranda, several of which later appeared in the official documents – though Saunders and Chufrin does not claim that they have a clear understanding of the process of transfer in the Tajik case, as it was not monitored or followed up. Similarly, even though the standpoints of the parties to the conflict changed during the dialogue process, it is not known whether it resulted from the transformed views of the dialogue participants (*ibid.* p.47).

The involvement of the nonofficial actors went farther than just participation in the dialogues. Participants remained further engaged in building a functional civil society that is committed to engage as many people as possible from all sides in a public peace process. Saunders considered the involvement of citizens necessary, since they could function as a peace constituency, and their support for an eventual agreement could guarantee that it would be respected (*op.cit.*). The public peace process, thus, is a multi-level process that involves everyone from officials through representatives of the parties to ordinary citizens. As opposed to Fisher's and Keasley's contingency model, the public peace process does not discuss when Track II efforts are most effective, but claims that they are necessary throughout the whole process in cooperation with official diplomacy.

Another model which should be briefly discussed here, since it will be relevant for our case, is the community development strategy most famously used in the conflict in Northern

Ireland by Joe Camplisson. The strategy itself is based on John W. Burton's basic human needs theory and is applied in identity-based conflicts. In this approach, the aim of the mediator/facilitator is to make the parties realize that violence is not a solution to their problem, make them accept the conflict as a shared problem and help them to find other, win-win solutions through a so-called assisted analysis, which can satisfy the needs of both parties. Where this method is different from problem solving workshops is that it does not target influential representatives of communities with access to the leadership, but it involves people on the grassroots level. These people naturally cannot bring about a political solution, but they are the ones most affected by the conflict on an everyday basis. Thus, according to this approach, they should also be engaged in the peace process through mutually beneficial connections both on the personal and community level, which would prove them that working together could lead to a win-win solution (Hall, 2004, pp.6-7).

However, like other methods, the community development strategy was also developed to be complementary to the official negotiation or mediation process. In order to build connections between the tracks, facilitators seek to bring NGOs and officials together in seminars from both sides where they can discuss different aspects of the conflict and build trust and confidence among their constituencies. For effective cooperation, though, the acceptance of the authorities is necessary, who on the other hand often fear that community development will bring about change that will empower a new leadership. Thus, convincing them to embrace and lead the change is a challenge, but as the Northern Irish case showed it is possible.

All in all, we can argue that coordination of different tracks of diplomacy in conflict mediation would be necessary since it proves to be more effective than either official or unofficial diplomacy on its own. Together they can address a wider range of problems and

issues related to the conflict as well as they can reach a wider range of actors involved in the conflict. The models presented in the subchapter showed that Track II diplomacy can provide a foundation for the official track in a pre-negotiation phase, but it can also help the implementation of a solution reached by the official negotiations later on. Conducted in parallel with the official track, unofficial diplomacy can create connections, bring new ideas and build peace constituencies, which all working together help the peace process. Nonetheless, coordination between the tracks is often problematic. Also due to the lack of established routine templates, coordination might face certain obstacles even if the parties involved in the Track I and Track II efforts would like to cooperate. Thus, in order to create the foundation of a successful cooperation, the roles of the official and the unofficial interveners should be accurately defined; they should be distinctive, but complementary. Along with creating long-term incentives for cooperation, the participants of the tracks should establish mutual trust among each other both personally and through their offices (Nan and Stimling 2003).

3. Third-party intervention in Transnistria

The Transnistrian conflict with its twenty years is one of the protracted conflicts of the post-Soviet space the outbreak of which was motivated by a mix of ethnic, economic and political reasons. Despite almost two decades of international mediation which started already in 1993 and the use of transformative efforts in both tracks of diplomacy, this conflict where no violence occurred between the parties in the past twenty years, still did not reach a resolution. The present chapter will start by trying to give an explanation to the outbreak of the conflict that is often over-simplified in the literature. Then it will map out those elements, which contribute to the intractability and protracted nature of the conflict.

Conflict mediation started as early as 1993 under the auspice of the CSCE, later OSCE, and the first unofficial attempts to conflict resolution also appeared already in the 1990s. Nonetheless, this early period cannot be considered successful in any regard. The present thesis will only briefly discuss the 1990s as transformative efforts in conflict resolution and the cooperation of tracks of diplomacy in this period were already thoroughly discussed by Andrew Williams (1999; 2004), who himself worked on Track II efforts in Moldova. Instead this chapter will focus on the period starting from the 2001 parliamentary elections, which brought the Communist Party and Vladimir Voronin into power. This period is less discussed from the point of view of this thesis, despite confidence-building measures as part of the official track were first put into practice under the Communist governments,¹⁰ and Track II efforts also got a new momentum with the involvement of local NGOs, activists

¹⁰ The 1998 Odessa Agreement did outline CBMs and many agreements were signed in the 1990s, but generally they were not implemented afterwards.

and foreign donors. Unlike the previous chapters, this chapter heavily relies on primary sources, which include official documents and interviews conducted in Moldova in May 2012.

3.1. The Transnistrian conflict – a historical assessment

To understand the roots of the Transnistrian conflict, one needs to look at the tumultuous history and diverse heritage of this country which, due to being located in a buffer zone between great powers, frequently changed both its rulers and its borders. While the 14th and the 15th century brought the rise of the independent Moldovan Principality, encompassing not only the territory between the Prut and the Nistru but also a significant part of what is today's Romania and Ukraine, in 1538 it already became the vassal of the Ottoman Empire. Much later, in 1791 in the Treaty of Iasi, Russia and the Porte agreed to draw the border between the two empires along the river Nistru, which remained in force until 1812, when Russia conquered the Eastern part of the Moldavian Principality between the Nistru and the Prut, and incorporated it into the Empire under the name of Bessarabia. In 1878, the newly independent Romania, which had grown out of the Principality of Wallachia, incorporated the Western part of Moldavia up till the Prut. In the overture of World War I, and as a consequence of Russia's preoccupation with the October Revolution, Romania managed to march in to Bessarabia, and in agreement with pro-Romanian circles of the local elite, it declared the unification of Bessarabia with Romania in 1918 (King, 2000, pp.11-35; Hopmann, 2001, pp.129-130).¹¹

¹¹ The maps attached in the Appendices help to follow the territorial changes in the region.

The subsequently established Soviet Union did not recognize the annexation of Bessarabia, though it did not re-conquer the territory only after World War II. In the meantime, the Moldavian Autonomous Soviet Socialist Republic (MASSR) was established in 1924 as part of the Ukrainian Soviet Socialist Republic. This autonomous republic on the left side of the river Nistru served later as the starting point for the retake of Bessarabia. When in 1940 Stalin annexed Bessarabia to the Soviet Union, six Western *raions* of the MASSR bordering the Nistru also got attached to the territory to form the new Moldovan state, the Moldavian Soviet Socialist Republic (MSSR). This decision was mainly taken for ethnic reasons since the population of the former MASSR was more Ukrainian than Moldovan (King, 2000, pp.181-182). After uniting these six *raions* with the central parts of Bessarabia, a “more Moldovan” Moldova was created.

The causes of the Transnistrian conflict can be at least to some extent traced back to the political, economic and social changes of the Soviet era during which the two parts of the MSSR on the two banks of the river went through different developmental paths. During the Soviet period, the Eastern bank, which used to be part of the MASSR, played a more important role in the life of the country. It had already been successfully sovietized before it was attached to the Bessarabian parts. Due to its industrialization (esp. defense industry) and the consequent inflow of mainly Russian and Ukrainian workers from other parts of the Soviet Union, the Eastern part of the country became far more connected to and integrated into the Soviet Union than the rural Western bank of the Nistru (*ibid.* pp.183-184). Military connections were also stronger between the Union and the left bank, since a part of the 14th Army was stationed in Tiraspol.

Additionally, starting from the annexation of the territory from Romania, the Soviet regime also attempted to create and enforce a unique Moldovan culture and identity, different from the Romanian. The main tools were for one the introduction of the Moldovan language

as the national language, which was in fact Romanian with the addition of some Russian words, written in Cyrillic script, and for two the creation of a new elite (Lynch, 2004, p.33), who at least in the beginning almost exclusively came from a ‘more trustworthy’ Russian or Ukrainian background rather than from among Moldovans. Without exception all first secretaries of the Communist Party of the MSSR were also from the left bank on the Nistru (King, 2000, p.184). The strong connections of the Eastern bank with the Soviet Union without doubt contributed to the rising tensions starting from 1988 and to the outbreak of the civil war in 1992.

With the weakening of the central Soviet regime toward the end of the 1980s, a new political elite started to formulate in Moldova originally as a reform movement. It clustered around the Moldovan Popular Front, and originally enjoyed the support of all ethnicities. However, in its demands it soon turned ethnic. Besides promoting independence from the Soviet Union and the reintroduction of Moldovan written in Latin script as the official language, some segments of the movement also started to advocate unification with Romania as a political agenda. Such slogans naturally alienated the non-Moldovan groups from the movement. In 1989, feeling the shifting balance of power, the Popular Front presented its demand to the Moldovan Supreme Soviet to adopt Latin-script Moldovan as the only official language of the country. Consequentially, the Supreme Soviet accepted a new language law in August 1989, which also declared Russian to be the language of interethnic communication. In next year’s legislative election, in March 1990, representatives of the Popular Front were allowed to run as individual candidates, and despite losing their non-Moldovan supporters, they managed to win 40% of the seats in the Supreme Soviet. In June 1990, they declared independence from the Soviet Union for the first time. In December, Mircea Snegur, who was a vocal advocate of Moldovan independence and strongly opposed Gorbachev’s attempts to revive the Soviet Union, won the presidential elections.

Meanwhile in Transnistria, which for historical and economic reasons identified more with the Soviet Union, such developments were perceived with fear and suspicion. In 1989, Igor Smirnov—who only had moved to Transnistria in 1987 from Ukraine—was elected the chair of the United Council of Working Collectives, which started organizing strikes and protests in reaction of the new language law of the country (Hopmann, 2001, p.131). Given the pro-unionist slogans, and the perceived growing nationalism expressed by some segments of the Popular Front, there was a fear that the new language law was only the first step toward the reunification of Moldova with Romania. As an answer to Moldova's first declaration of independence, on September 2, 1990, Transnistria declared its independence from Moldova as the "Pridnestrovian Moldavian Soviet Socialist Republic within the Soviet Union." The separatist entity soon elected its own Supreme Soviet, elected Igor Smirnov president, and in December 1991 held a successful referendum about the independence of Transnistria from Moldova. When in August 1991, following the Moscow putsch, Moldova proclaimed its independence again; Transnistria openly refused the authority of Chisinau (Jackson, 2003, p.99).

The rising tensions culminated in a brief military conflict between the parties. In March 1992, Snegur issued an ultimatum to Transnistria to comply with Moldovan jurisdiction and when it was refused Moldova declared martial law. The fighting started in March; during May and June the Dubasari region was under serious attacks (Kirillov, 1995, p.60), and in June fighting started in Bendery—a city under Transnistrian authority on the Western bank of the river (Hopmann, 2001, p.131). The 14th Russian Army, which was stationed in Tiraspol, intervened on the side of the separatists and remained in Transnistria afterwards, as well. A ceasefire agreement was brokered by Russia in July 1992, and a tripartite (Russian-Moldovan-Transnistrian) peacekeeping force was set up under the control of the Joint Control Commission to monitor the demilitarized territory along the river Nistru.

Since then no violence has occurred between the sides, but twenty years later the peacekeeping forces are still present.

When looking at the causes of the conflict we get a complex picture. While certain explanations focus exclusively on the ethnic and cultural element and emphasize the different positions of Moldovans and Russian-speakers/Slavs concerning the secession of Moldova from the Soviet Union as well as on fears of non-Moldovans of growing Moldovan nationalism (Havermas 2002; Bogomolov, Semyvolos and Pushkar, 2009), others present a more complex approach. However, the rising nationalism in Bessarabia, which alienated the non-Moldovan ethnics from the reform movement, is only one component and maybe not even the most important one. Dov Lynch (2004, p.33) does not deny that the conflict was ethnically driven to the extent that the new language law and the nationalist voices did raise fears among the Transnistrian population, nonetheless, he also adds an element along the lines of Collier's theory that the separation was also motivated by economic and political concerns. He argues that the old political elite felt challenged by the new elite emerging in Bessarabia, which threatened Transnistrian control over the industry and subsidies from Moscow. The Transnistrian elite, trying to protect its interests, thus rose up against the new elite. Charles King (2000) also points out that the conflict was first and foremost not about national myths and symbols even if these were used as mobilizational tools, but about political and economic interests of the old and new elites "in an environment in which everything quickly came up for grabs" (p.185). To illustrate this point: while there were even more ethnic Slavs (Ukrainians and Russians) in Bessarabia than in Transnistria, in Bessarabia there were no revolts against the rising elite. If the conflict was strictly about nationalism and the protection of the rights of non-Moldovans, these groups in Bessarabia should have also

protested. Thus, it was much more likely a revolt of the displaced elite than a revolt of the people (*ibid.* p.187).

3.2. Attempts to resolve the conflict

Already during the violent fights, Ukraine tried to involve external mediators to help mitigate tensions. It contacted the CSCE, which at that stage was not ready for active involvement on the ground, and thus could not participate in bringing about the ceasefire agreement between Moldova and Transnistria (Hopmann, 2001, p.143). Nonetheless, multi-party mediation started rather early after the ceasefire, once the CSCE field office opened in Chisinau in 1993. The third-parties, who participated in the mediation process between the Republic of Moldova and the secessionist region of Transnistria, were the CSCE/OSCE, providing the institutional and legal framework for the talks, Russia and Ukraine. The basis of the mediation, in line with the mandate of the CSCE mission, was laid out in Report No.13, which called for “consolidating the independence and sovereignty of the Republic of Moldova along with an understanding about a special status for the Trans Dniester region” (CSCE, 1993). This statement, which tried to find a middle ground, but which did not reflect the goals and ambitions of the conflicting parties at this stage, emphasized the restoration of Moldova’s territorial integrity as a main objective, but argued that due to historic, linguistic and to some extent ethnic differences it would be justified to grant Transnistria a special status within Moldova.

Although the CSCE/OSCE provided the framework for the mediation, throughout the 1990s its role was rather limited. The most important achievement reached in the five-partite format was the Moscow or Primakov Memorandum on the Principles of the Normalization of

the Relations between the Republic of Moldova and Transnistria, signed in 1997. The Memorandum called for the continuation of pursuing legally state-like relations between Moldova and Transnistria, and declared that Transnistria, while gaining the right to conduct foreign economic relations on its own, should participate in the conduct of foreign policy with Moldova (OSCE, 1997, Articles 2-4.).

The fact that the most important agreement of the 1990s is named after the Russian foreign minister of the time and was signed in Moscow reflects the leverage of Russia on the whole resolution process. A strong leverage in itself would not be a problem, but Russia's partial contribution to the resolution process is highly questionable. Its active role on the side of the separatists already in the civil war, and later on in support of the maintenance of the Transnistrian *de facto* statehood created a strong asymmetry in power between the two sides, which contributed to the intractability of the conflict. Arcadie Barbarosie (personal communication, May 8, 2012) even argues that the Transnistrian conflict is not a conflict between Moldova and Transnistria, but between Moldova and Russia, more precisely between Moldova's state-building project and Russia's imperial ambitions in the region. In his view, Russia artificially generated and maintains the conflict to represent its own interests in the region. Hence, one can safely assume that Russia's partial behavior as a mediator is in fact an obstacle to progress in the process.

Moreover, it is questionable whether the situation was ready to be mediated already at the point when mediation started. Bercovitch argues that mediation is useful when the conflict is complex and the parties own efforts to resolve it have failed. Given that a civil war had taken place between the parties, one can consider these conditions to be met. It is also considered to be a requirement that the parties want to avoid the further escalation of the conflict, what the ceasefire agreement of July 1992 seems to have proven. However, when it

comes to the parties' readiness to cooperate, the environment of the 1990s shows a problematic picture.

In this early period, independence caught the new elite off guard. It was unprepared and there was a lack of capacity in the Moldovan administration to engage seriously in conflict resolution. Thus, in the first 10 years no serious attempts were made on the Moldovan side to resolve the conflict (V. Ostalep, personal communication, May 9, 2012). In the meantime, the so-called Transnistrian authorities under Smirnov's rule started to build up their own *de facto* state with all the political, economic and social institutions as well as administrative structures of statehood, and they succeeded to consolidate their control over the left bank. The consolidation was to a large extent also facilitated by Russia's military and financial help that it provides for the region ever since the civil war (Lynch, 2004, p.21; p.35). Consequentially, the separatist entity has reached a stage when maintaining the *status quo* became highly profitable both in political and economic terms for the so-called leadership. Thus, when we look at the causes of intractability during the 1990s, lack of readiness, or rather preparedness of the parties was most likely among them.

The period starting with 2001 when the Communist Party won the legislative elections with 50.07% of the votes and took 71 seats in the parliament brought changes in the Moldovan approach to conflict resolution. The majority in the parliament gave the party green light to elect Vladimir Voronin president, who was very determined to solve the conflict right after his election. To illustrate how unprepared the Moldovan side was until then: in 2001 the Institute for Public Policy produced a series of analysis on the conflict for the parliament which was lacking before (O. Nantoi, personal communication, May 4, 2012). Voronin was open to meet Smirnov, and they soon agreed on the mutual recognition of documents and certificates as a first step toward resolving the problems between Moldova and Transnistria. In Smirnov's interpretation the agreement meant the recognition of the

Transnistrian passport, while Voronin's intention was only to recognize birth and death certificates and some school documents (A. Barbarosie, personal communication, May 8, 2012). As a consequence, relations grew colder almost immediately and remained so throughout the Communist governments, until 2009.

In 2002, the first proposal suggesting a federal solution for the conflict was put forward in Kiev, but Voronin refused to further debate it. Instead a more elaborate plan for the resolution was presented in 2003 as the result of meetings between Russia, Moldova and Transnistria. The Kozak Memorandum outlined by Dmitry Kozak, a counselor of Russian President Vladimir Putin, proposed the creation of a federal state where Transnistria would have equal powers to Moldova, including a veto in issues concerning Transnistria. Besides, a late amendment to the proposal would have made it possible for Russia to continue stationing peacekeeping troops on the territory of Moldova even after the settlement. Even though originally Moldovan President Vladimir Voronin agreed to the solution, presented with the amendment and pressured by demonstrations in Moldova as well as by the strong disagreement of the United States and the EU, he refused to sign the document in the last minute. This led to the deterioration of Moldovan–Russian relations until 2005 when the official '5+2' negotiating format was set up – this time already involving the US and the EU as observers to the process (Rodkiewicz, 2011, pp.10-11).

After the failure of the Kozak Memorandum, Moldova quickly developed its relations with the European Union, trying to balance its worsening relationship with Russia. In 2005 an Action Plan was signed between the country and the EU and it became part of the European neighborhood policy, the EU opened its delegation in Chisinau, the post of the EU Special Representative (EUSR) for the Transnistrian conflict was created and the EU Border Assistance Mission was set up between Ukraine and the internationally recognized Western border of Moldova. The same year Ukraine presented a new settlement initiative, the so-

called Yushchenko Plan. It moved away from the federal solution, so it would have been acceptable for Moldova, but not for Transnistria. Also in 2005, the EU and the United States joined the so far five-partite talks as observers to the mediation process (Moldovan government official, personal communication, May 1, 2012). The so-called 5+2 talks started in late 2005, but broke down already in the beginning of 2006 because of disputes over the access of Moldovan landowners' to their lands in the Dubasari region (a territory under the authority of Chisinau but on the left bank of the Nistru). Official negotiations did not resume until the end of 2011, so the parties officially did not manage to move forward with the resolution for another six years.

The relations on the political level further deteriorated when in 2006 Moldova introduced an obligation for companies in Transnistria to register on the right bank in order to be able to export their goods. The Tiraspol leadership interpreted it as a blockade over Transnistria, and it repeated the referendum on the independent status of Transnistria where over 90% voted for independence. This was the climate under which the idea to introduce confidence-building measures between Moldova and Transnistria was raised by third-parties, while 5+2 meeting continued to be held informally without making any progress.

Developments occurred in 2010, after the Alliance for European Integration led by Prime Minister Vlad Filat came into power. With this change in the government the rhetoric concerning conflict resolution changed, as well. Compared to Voronin's 'Russia-first' approach according to which he preferred to negotiate directly with Russia, the new leadership is more in favor of multi-party mediation, the 5+2 format and the confidence-building approach. According to their view Transnistria cannot be regarded only as a territory, but should be considered as a community of people whose sympathy the Moldovan government should gain. It is also argued that in the past twenty years a new generation has

grown up on the two banks of the river, who have no memory of living in the same state, belonging together and who do not know each other (Popov, 2011).

High level meetings restarted between Vlad Filat and Igor Smirnov in 2010 and after years of informal meetings the 5+2 talks finally resumed in November 2011. One must note though that this latter was not exclusively due to the reduced tensions between Moldova and Transnistria, rather it was a political decision enforced by Russia as an answer to the Meseberg Memorandum. In this agreement Russia and Germany outlined an increased cooperation between Russia and the EU on security issues and conflict resolution in Europe. Besides proposing a joint consultative committee, the Memorandum, initiated by Chancellor Merkel, explicitly refers to stronger coordination between the EU and Russia in order to reach tangible progress in the Transnistrian settlement within the already existing 5+2 format.

Relations were expected to further ameliorate when Yevgeny Shevchuk, the former speaker of the Transnistrian Supreme Soviet, was elected president in Transnistria in December 2011. Shevchuk, who was considered a moderate candidate, won the so-called elections by defeating Smirnov and the Russia-backed candidate, Anatoliy Kaminski. Although he was not elected with a mandate to reintegrate Transnistria into Moldova, he definitely has a wider space to maneuver and shows a greater willingness to cooperate with the Moldovan authorities.

Since Shevchuk's victory, two more 5+2 meetings have been organized, and in April 2012 the parties managed to agree on the principles and procedures as well as the future agenda of the talks. Future issues will be discussed in three baskets: 1) social-economic, 2) general humanitarian, human rights and legal issues and 3) institutional, political and security related issues of the settlement. This last one might cause problems, though, since Moldova wants to discuss the transformation of the peacekeeping operation under this basket, while the Russian negotiator emphasized multiple times, that military issues are non-negotiable in this

format. Moreover, no document contains so far the final goal of the negotiation process (Moldovan government official, Reintegration Bureau, personal communication, May 3, 2012).

After this extensive, but surely not all-encompassing summary of the past ten years of the official process, the following two sections will try to examine how transformative efforts were put into practice both as part of official and unofficial diplomacy in this period, and despite no resolution was reached, whether these attempts managed to transform the conflict and bring the parties closer to finding a solution.

3.2.1. Confidence-building in official diplomacy

Previously we have identified CBMs as efforts contributing to the transformation of the conflict, which in intractable cases is more likely to lead to its resolution than bargaining. We have seen in the previous historic overview that negotiation and mediation did not bring the parties closer to each other and to finding a solution. This section will examine whether CBMs managed to achieve more in moving the parties toward resolution. Thus, when evaluating the effectiveness of CBMs, we should look for changes in the context, the structure, the actors, the issues or the personalities and group identities of the conflict as well as the identified causes of intractability. Such changes serve as indicators to the transformation of the conflict.

CBMs were proposed in 2001-03 when official negotiations were still on-going, but they became more important when the process broke down. In the early 2000s, the OSCE put forward a proposal to implement classic confidence and security building measures in the field of military and security. The goal was to move the parties toward disarmament and

transparency through a process modeled on the Conventional Forces in Europe Treaty and the Dayton Agreement. At this point military and security issues were absolutely not on the table in the official talks, and the Transnistrian side refused to discuss it even on this lower, more technical level. The OSCE recognized that the initiative could not achieve changes if it insists on hard security issues, thus it initiated softer measures, like mutual visits, establishing contacts between military officials, or eventually cooperation in disaster relief (e.g. in the security zone in case of floods) (OSCE official, personal communication, May 2, 2012).

The second pack of CBMs was initiated by the EUSR, Kálmán Mizsei, in 2007 at a Wilton Park conference after a short consultation with the advisor of the Moldovan president. The proposed measures focused first and foremost on economic issues and people-to-people contacts, all of which can have a direct effect on the life of people. Couple months later, the proposal presented by President Voronin included again security issues, as well, and suggested the set-up of working groups (WG) (Former EU diplomat, personal communication, April 18, 2012). The goal was to go beyond rebuilding trust in the leadership as the CBMs also targeted the population. The CBMs took two directions: 1) more politicized issues were discussed in WGs that were organized along the line ministries; 2) small projects with the aim of confidence- and community building funded by the EU and implemented by the United Nations Development Program (UNDP). While the first is clearly part of the official track, the second will be discussed among the unofficial attempts.

Out of the eight WGs proposed by Moldova only three were accepted by Transnistria and set up in 2008 (environment, health and social affairs, transport and infrastructure) (*op.cit.*), but in the beginning they were rather reluctant to meet. The events of 2009, the civil unrest and the elections, also blocked their work (OSCE official, personal communication, May 2, 2012). The first major break-through was achieved in the area of railway transportation after the WGs restarted in 2010 under the Filat government. As a result of a

series of talks, passenger transportation was restored between Chisinau and Odessa through Tiraspol in the autumn of 2010. After the so-called election of Yevgeny Shevchuk in Transnistria in December 2011, CBMs got a higher support from the Transnistrian side, as well, and Tiraspol started to reciprocate the initiatives. The areas of cooperation slowly expanded, and by now 10-11 WGs meet regularly. The progress is considered to be slow, but steady, and the new so-called leadership of Transnistria is more willing and open to cooperate, especially on economic, telecommunication and transport issues (*op.cit.*).

As opposed to the Smirnov-regime which never initiated CBMs, the Shevchuk-regime came into power with the intention to facilitate the movement of people and goods between Transnistria, Moldova and Ukraine and it did considerably ease “border-crossing” between Transnistria and Moldova, so far only during holidays though. When it comes to military and security issues, Transnistria still firmly refuses to discuss them in working groups, just like legal issues concerning the future reintegration, which are also off the table. Considering the lack of a clear roadmap or agenda, multiple interviewees voiced the critique that there is a ‘danger’ that CBMs would improve life in Transnistria without knowing how reintegration will take place. This would strengthen Transnistria’s *de facto* statehood and prolong the conflict. To this critique the answer of an official was that without CBMs Transnistria could gain even more power, and CBMs also served to avoid that. It is naturally hard to judge who is right, but the evaluation of the transformative effects might bring us closer to a decision.

CBMs certainly established new and regular connections between authorities in Chisinau and Tiraspol, which reduces misperceptions and helps understanding between the parties. In this sense CBMs might really serve as a control over Transnistria, since Moldovan authorities now have better opportunities to follow what happens on the left bank. The meetings have raised new issue areas on the agenda and more recently notable progress has been made in the movement of people and goods. The impression is that both parties are

more willing to talk to each other, although, we cannot argue confidently that this is due to the confidence-building process and not simply to the change in the political leadership. Although it would be tempting to assume that the re-launch of the official 5+2 talks is a result of multiple years of confidence-building, given that it still happened under Smirnov, who was not receptive of CBMs, and considering Russia's interests after the Meseberg Memorandum and its influence on the process, it is more likely that Russia pressured Transnistria into the talks. The change in the leadership and the resumption of the 5+2 talks is likely to create a positive surrounding for the CBMs though. On the one hand, the current authorities on both sides are more open toward these measures, willing to reciprocate them, and seem to understand their essence. On the other hand, the re-launched negotiations now have the chance to establish a long term agenda beside the CBMs, which critics of the process found missing so far. In this regard the negotiation and the confidence-building process can mutually support each other on the long-term.

3.2.2. Unofficial attempts for conflict resolution

Similarly to CBMs, the Track II attempts are also expected to facilitate changes leading to the transformation of the conflict. However, in this case we have to examine both the unofficial efforts and whether changes have occurred through the interaction of the unofficial and the official track of diplomacy. For that, we will use Ronald Fisher's transfer model. As noted earlier this chapter will not discuss Track II diplomacy conducted in the 1990s, and will instead focus the past decade which is more relevant for the present.

The first big Track II project was launched during the stalemate of the official talks in 2006 by a Moldovan think tank, the Foreign Policy Association (APE) and was financed by

the British Embassy. The initial motivation was that in the lack of progress in the official track, people on lower level should be engaged to solve those problems between Moldova and Transnistria, which can be solved without the officials. The workshop of the Transnistrian Dialogues targeted influential representatives of the society from both banks including journalists, representatives of CSOs, academics and also parliamentarians, and brought them together to establish contacts and destroy stereotypes. As previously mentioned, by this time a new generation grew up socialized by the conflict, and without having proper contacts between the societies stereotypes flourished. According to an organizer of the Dialogues, no one thought initially that organizing such an event is possible, but it turned out to be successful. The participants got to know each other and saw that they are not so different, culturally they are similar. Another development he mentioned is the change in the attitudes of journalists who previously had used ‘tough words’ to describe the other party, and started to avoid these after the workshops writing in a more reconciliatory tone (R. Vrabie, personal communication, May 3, 2012).

Based on the success of the first year, the Transnistrian Dialogues continued in 2007-2010, involved further people and started to put foreign policy issues on the table. Every year the workshops and seminars were complemented with a study visit abroad, where participants could learn about each other through talking to third-parties, and with a conference where policy-makers, politicians, academics, journalists and representatives of the civil society involved or interested in conflict resolution met to discuss different aspects of the Transnistrian conflict.¹² The follow-up process showed that the Dialogues significantly contributed to building good interpersonal relations. Maybe the most important transfer effect was brought about by the governmental changes both in Moldova and Transnistria. Regular

¹² The documentation of the Transnistrian Dialogues is available on the website of the Foreign Policy Association.

participants of these talks, who were previously either academics or lower ranking officials, are now in governmental positions. From the Moldovan side the most prominent example is Andrei Popov, who established the Dialogues and who is currently Deputy Minister of Foreign Affairs and European Integration. In Transnistria, Yevgeny Shevchuk himself participated when he was Speaker of the Supreme Soviet, but also the current so-called foreign minister, Nina Stanski or Shevchuk's spokesman, Yevgeny Zubov were among the participants, and the list could go on. The fact that the current leadership knows each other personally, and has undergone a learning and socializing process together is a considerable asset compared to the previous situation, where high ranking officials were not in personal contact with each other. The old tensions thus disappeared.

All experts whom I asked about the Transnistrian Dialogues agreed that unofficial diplomacy makes a valuable contribution to the resolution process. Generally they mentioned that it creates communication channels, fights propaganda and helps to overcome stereotypes. Since the participants meet foreign experts, these seminars open them up to the world and study visits enrich their vision. When asked about whether ideas and recommendations were put forward for the officials as the output of these meetings, talking about the authorities in 2006-2010, Radu Vrabie (personal communication, May 3, 2012) noted that the governments were not interested in exploiting the recommendations, and the Dialogues could not contribute to the official process this way. One must not think that while the official negotiations broke down, informal 5+2 meetings were still held, thus there would have been an opportunity for the officials to use the ideas raised by the Dialogues. Vrabie's impression was supported also by other academics, who complained that despite all the conferences, papers and advising, the Moldovan government still does not seem to take the necessary steps to move toward resolution, nor does it back up the unofficial process of building bridges

between the communities with its own programs (O. Nantoi, personal communication, May 4, 2012; A. Barbarosie, personal communication, May 8, 2012).

Although it seems that the Transnistrian Dialogues were not successful in transferring ideas and recommendations directly, a new process might be more successful in this regard already because it now runs in parallel to the official 5+2 talks. The Würzburg meetings modeled on the earlier mentioned Dartmouth Conference series started to meet in September 2011. This is the replica of the official negotiations on Track II level with only civil society participants, who on the other hand have good access to decision-makers. Here the aim of the process is explicitly to discuss relevant policy problems and formulate new ideas, which maybe could not be put forward by officials in Track I. Unlike in the case of the Transnistrian Dialogues, the process would continue even after the resolution is reached just like in the Tajik, or the original Russian-American case (L. Litra, personal communication, May 7, 2012). The second meeting, where already substantial issues were discussed, was held in May 2012, but the process is still too young to be evaluated. Nonetheless, it certainly should be followed up in the future to examine interactions between the two tracks in the Transnistrian case, and to see to what extent this process follows the original and the Tajik example.

The criticism was mentioned that, despite the fact that the official rhetoric acknowledges that there is a gap between the societies (since a new generation grew up without having proper contacts), the government does not organize its own projects, which would bring the communities on the two banks of the river closer together. While governmental programs still seem to be missing, international donors put a big emphasis on contributing to building connections on grassroots level. While Western embassies are also involved with smaller projects (e.g. trainings, seminars, summer/winter schools, competitions for children) (Western diplomat, personal communication, May 8, 2012), the biggest donor funding confidence-building projects on the grassroots level currently is the European Union.

The EU's partner in implementing the usually less than a year long projects is the UNDP that selects the winning applications. Support for CBMs started in 2007/08 along with CBMs in the official track to encourage the cooperation of CSOs which was lacking at that time. The idea was that the local communities on both sides of the river, and especially in the bordering areas in the security zone, have to deal with similar, very practical social, infrastructural, health or environment related problems, thus giving them the chance to work on these through joint projects is a more effective approach to tackle the problem than doing it separately. Besides addressing these issues, the program also supports civil society and business development, and all together it has the added-value of building bridges between organizations in Moldova and Transnistria, which the donors consider a necessary pre-requisite for the resolution (UNDP official, personal communication, May 7, 2012).

While the donors try to address the most important developmental challenges of the country, one must also acknowledge that the sustainability of civil society projects is a problem at the current level of development of the country. The donors generally support capacity building as well and apparently there are more and more new organizations applying for CBM projects (*op.cit.*), but there is a danger that NGOs become dependent on foreign donors. In opinion surveys conducted by the Institute for Public Policy in the past 10 years, 75-80% of the population steadily considers itself poor, meaning they can only afford the essentials at best (Institute for Public Policy, 2011). Thus, in Moldova there is no middle-class developed yet that could volunteer its time and money for charity and for funding CSOs. The situation is even worse on the left bank, where CSOs face not only financial but also legal challenges, as they are still looked at with suspicion (A. Barbarosie, personal communication, May 8, 2012).

Unfortunately the limitations of the present research and difficulties with arranging interviews with NGOs and CSOs do not allow to further engage in the subject of community

development and in its contributions to conflict resolution. However, as the donor programs develop, it would be interesting to examine whether the grassroots level is really perceived to be an agent of transformation and what effects it has on the official process.

Conclusion

The aim of the thesis was to examine why despite all the transformative efforts implemented both as part of the official and the unofficial tracks of diplomacy, the Transnistrian conflict still does not seem to be moving out from the state of intractability. Based on the social-psychological approach to conflict resolution, I argued that even intractable conflicts can be resolved as they are also constantly changing social constructs. However, in these cases, since the conflict became embedded in the society, transforming them can lead to a more sustainable solution than a negotiated solution. While a negotiated settlement, which is the goal of mediators approaching conflict resolution through a structuralist perspective, might seem to be easier and faster, it is harder to maintain and make accepted by the people involved in the conflict, since not involving them in the process, it does not take into account the needs of the societies. The social-psychological approach to conflict resolution studied in this thesis, on the other hand, takes into account human needs, and seeks to reach a win-win solution for the conflict through transforming it. This is best to be done through the cooperation of the official and unofficial tracks of diplomacy, since they can complement each other and are more effective when applied together.

In the Transnistrian conflict transformative effort were applied both as part of Track I diplomacy, where confidence-building measures were used, and as part of Track II diplomacy, where a series of seminars and conferences functioned as problem-solving workshops, confidence-building projects contributed to community building, and recently a new dialogue was launched modeled on the Dartmouth Conference series. As so far no such

analysis was done, this thesis attempted to give a brief, but comprehensive overview and analyze the effect of transformative measures applied in the Transnistrian conflict since 2001.

To answer the first research question, we can argue that the analysis of the case showed that certain aspects of the conflict did change during the last decade; however, not everything is due to the transformative measures. The appearance of foreign donors, who promote and fund CBMs, did bring a minor change to the international context of the conflict, albeit cannot balance the overwhelming leverage of Russia on the process. Nonetheless, thanks to the CBMs and unofficial diplomacy there are better contacts and better relationships between Moldova and the separatist entity of Transnistria both on the level of the leadership and on the level of civil society. This also leads to overcoming prejudices, fears and stereotypes, which in turn helps to avoid the dominance of emotion-driven processes, and prevents the possibility of the escalation of the conflict. Due to confidence-building working groups there are more and more issues being discussed, but the core problems blocking the resolution are still not on the table.

The bigger changes, though, were not the results of transformative measures. Arguably, the changes in the government in Moldova and in the so-called leadership in Transnistria have the most significant effect on the conflict environment. In both cases a more cooperative leadership is in place, who might not have been put into their current positions by the transformative measures, but who certainly did benefit from them by being the participants of Track II processes. While here the socialization effect of unofficial diplomacy did play an important role, the transfer of ideas and proposals was not successful in 2006-2010.

The reason why these attempts did not manage to resolve the conflict is complex. The fact that official negotiations stopped and the two tracks could not really cooperate certainly did play a role in it. The receptivity of the conflict to transfer effects was also low, but mainly

because of the leadership on both sides. Russia's leverage on the process, its will to pursue its own interests in the region and its partial position while being a mediator also poses obstacles for conflict transformation even now, when a more cooperative leadership in Transnistria could maybe take the resolution process forward.

The recent personality changes in the leadership did create a more receptive environment for CBMs and for the cooperation of the tracks of diplomacy, since they seem to be more committed to such an approach and since they were also socialized by it. The re-launch of the official negotiations, the start of the Würzburg meetings and the continuing community building on grassroots level certainly shows a more promising picture than the past two decades at any point. Nonetheless, the analysis showed that conflict transformation can have only limited impact if the parties and the mediators are not committed to it and for the future of the Transnistrian conflict this will be a major concern. At this stage it is too early to judge whether the new leadership is enough for CBMs and unofficial attempts to successfully transform the conflict, but in the future it will be worth to follow how the different tracks interact with each other, and what chances transformative measures have in the presence of a spoiler like Russia, who while being a mediator, disregards them.

Appendices

Map 1. – Romanian Lands before 1812



Source: Charles King (2000) *The Moldovans. Romania, Russia and the Politics of Culture*. (Hoover Institution Press: Stanford, California).

Map 2. – Greater Romania, Soviet Moldova and After, 1918-present



Map 2. Greater Romania, Soviet Moldova, and after, 1918 to the Present

Source: Charles King (2000) *The Moldovans. Romania, Russia and the Politics of Culture*. (Hoover Institution Press: Stanford, California).

Map 3. – Republic of Moldova



Map 3. Republic of Moldova

Source: Charles King (2000) *The Moldovans. Romania, Russia and the Politics of Culture*. (Hoover Institution Press: Stanford, California).

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