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ECONOMIC CONFIDENCE-BUILDING MEASURES AND CONFLICT SETTLEMENT: THE CASE OF TRANSDNISTRIA

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Economic Confidence-Building Measures and Conflict Settlement: The Case of Transdniestria

Nadja Douglas & Stefan Wolff

Contents

Abstract	2
Introduction.....	2
Analysing the dynamics and interaction of CBMs on the local and international level.....	3
Conflict settlement in Transdniestria and economic CBMs	5
The evolution of the Transdniestrian conflict settlement process.....	5
Economic connectivity between Chisinau and Tiraspol after the break-up of the Soviet Union	6
Economic Confidence-Building across the Dniester.....	8
The DCFTA Negotiations	9
The Future of the DCFTA in Transdniestria.....	10
Conclusion	11
Appendix: Lessons learnt and prerequisites for future CBMs in protracted conflicts	13
References.....	14

Abstract

The lack of progress towards a settlement of protracted conflicts on the territory of the former Soviet Union is variously attributed to local intransigence and geopolitical blockage. This has given rise to the idea that a meaningful settlement process needs to address both of these issues by building bridges across local divides in the protracted conflicts and across the deepening divide between Russia and the West. In our paper, we examine the dynamic between these two arenas in the case of the Transdniestrian Settlement Process. We will do this 1) by examining the relationship between the geopolitical and local level theoretically and developing testable hypotheses about the impact of the former on the latter in the context of confidence-building; and 2) by reviewing past confidence-building measures (CBMs) in the case of the Transdniestrian conflict with a particular focus on economy and trade.

Introduction

Protracted conflicts continue to have a prominent place on the agenda of international politics. There is consensus among policy makers, analysts, and academics that three closely related factors account for the relevance of protracted conflicts in the international politics of the post-Soviet space. First, most protracted conflicts on the territory of the former Soviet Union are located on the territory of the so-called “in-between-states” that oscillate between East and West and are prone to be taken hostage by geopolitical manoeuvring for spheres of influence. Second, this competitive influence-seeking—principally by the EU, NATO and their member states on the one side, and Russia on the other—negatively affects the internal cohesion of these states and societies and makes them fragile and susceptible to civil unrest, especially in the context of their by-and-large incomplete social, economic, and political transitions. Third, protracted conflicts then become easy bargaining chips in international negotiations about issues reflecting the interests of outside powers more than the local conflict settlement needs of these states and societies, which, as a result, become ever more deeply divided along entrenched lines of conflict.¹

These three factors, in turn, play out against the background of the broader geopolitical positioning by Russia and the West, creating today’s rigid positions and Cold War-like stalemate. This geopolitical positioning has manifested itself, among others, in the eastward expansion of NATO and the EU, and especially the inclusion of former Soviet Republics in these processes since 2004, the annexation of Crimea by Russia and its support for the separatist entities in Eastern Ukraine, the conclusion of Association Agreements between the European Union and Georgia, Moldova and Ukraine, and the growing influence by Russia on the internal political situation in various post-Soviet countries (for example, in the context of the Eurasian Economic Union). The resulting “geopolitical blockage” is widely considered to be one of two major factors accounting for the absence of any settlement of the region’s protracted conflicts (Chamberlain-Creanga and Allin 2010, Istomin and Bolgova 2016, Kemp 2014, Remler 2015).

The other major factor frequently held responsible for the lack of meaningful progress towards conflict settlement is “local intransigence”, that is, the non-existence of sufficient political will and imagination among local conflict parties to find a feasible (i.e., mutually acceptable) and viable (i.e., sustainable) settlement through negotiations. This local intransigence, in turn, is frequently attributed to a lack of trust between the parties, with the consequent suggestion that confidence-building measures (CBMs) will be a useful first step towards an eventually negotiated settlement because they can enable parties to overcome critical commitment problems that prevent them from negotiating, implementing, and operating an agreed conflict settlement. While this assumption has been investigated in the context of

¹ For example, in the arms control talks in the 2000s, a package deal was created between the ratification of the adapted CFE treaty (i. e., advancement of arms control) and several of the protracted conflicts on the territory of the former Soviet Union (notably, a link was made between the withdrawal of Russian troops, weapons and ammunitions from the conflict regions in Moldova and Georgia). In Moldova/Transdniestria, this has become an issue deeply intertwined with Transdniestrian fears of forced reintegration and Romanianisation with a Russian peacekeeping/troop presence considered as the only viable guarantee against such a fate (Beyer 2010, Hill 2012, Schmidt 2009).

international conflict and intra-state conflict, we are not aware of any systematic analysis, comparative or otherwise, of cases that require simultaneous confidence-building within and between states. Consequently, we also lack knowledge and understanding of the relationship between these two levels of confidence-building and of the conditions under which CBMs can succeed on either or both levels. Here, the case of Transdniestria, because it has a long history of CBMs with varied outcomes and because it is so intricately linked to the relations between Russia and the West, can help illuminate the dynamics of simultaneous confidence-building within and between states.

We begin with an outline of a theoretical framework that conceptualises CBMs as efforts to build bridges between the relevant conflict parties and their related stakeholders as applied to the particular environment of the Transdniestrian conflict. We then reflect on the methodological implications of testing the hypotheses that we generate from this consideration of the existing literature and justify our approach to data collection and analysis. In the empirical part of our paper, we start with a brief background section that contextualises the Transdniestrian conflict in its historical and contemporary setting, and then examine under what conditions the pursuit of CBMs in the field of economy and trade at the local level (i.e., between Chisinau and Tiraspol) has been possible (and successful) depending on the state of relations between Russia and the West. We conclude with some general observations on the extent to which these CBMs have contributed to progress on conflict settlement (or not) and suggest avenues for further research in the case of the Transdniestrian conflict and beyond.

Analysing the dynamics and interaction of CBMs on the local and international level

Confidence-building measures or confidence- and security-building measures (CSBMs) have their modern-day origin in efforts to reduce the risk of a military superpower confrontation in Europe in the 1970s. They are closely associated with the then Conference on Security and Cooperation in Europe and its Helsinki process, leading to the Helsinki Final Act of 1975 (Organization for Security and Co-operation in Europe 1975), and the Stockholm (1986) and Vienna (1990) Documents (Organization for Security and Co-operation in Europe 1990, 1986). As such they were initially primarily focused on arms control and arms reduction, seeking to reduce the risk of war between the superpowers in the late-Cold War, early post-Cold War periods (Garrett 1992), Rittberger, Efinger, and Mendler (1990).

Only in the early 1990s did traditional C/SBMs garner attention in the context of conflicts within states.² Within this emerging body of literature, work by Fearon (1998), Lake and Rothchild (1996), and Walter and Snyder (1999) emphasised the critical role of information failures in escalations to civil war, that is, an inability of parties to signal credibly their defensive rather than offensive intentions. This consequent uncertainty can be mitigated by CBMs (Doyle and Sambanis 2002, Gerring 2007, Spears 2000). The increasing scholarly engagement with CBMs in the intra-state context reflected the similarly increasing attention paid to this issue by international organisations, notably the OSCE.

A critical gap that has, thus far remained in the literature, is related to situations in which there is a simultaneous need to build confidence between local conflict parties and their external patrons in the international community. Put differently, rather than just being in need of a bridge between local conflict parties, CBMs may also be needed to build a bridge between actors in the international community. While we thus understand relatively well the dynamics of confidence-building between states and between conflict parties within states, our knowledge of the relationship between these two levels of confidence-building is limited. In the context of the conflict between the Transdniestrian entity and Moldova, this relationship has rarely been explored. Among the few authors who do so, Chamberlain-Creanga and Allin (2010) emphasise the need to see “the Transdniestrian stalemate as located in a ‘social context’ that is both local and global”, arguing that Russian policies are ultimately

² This occurred in parallel with debates elsewhere in the IR literature about the utility of the security dilemma as an explanation of conflicts within states (Posen 1993, Roe 1999, Kaufman 2001, Kaufmann 1996, Kaufmann 1998).

driven by a strategy according to which “Russia is not likely to support any settlement that threatens its ever-growing influence on the EU’s eastern borderland” (Chamberlain-Creanga and Allin 2010, 343). Similarly, Beyer and Wolff (2016) point out that, in “the context of the kind of great-power competition that has been played out in Moldova” since 2003/4, “both Russia and the EU have been able to use leverage and linkage in pursuit of their interests” (Beyer and Wolff 2016, 349f.).

From this perspective, the logic of confidence-building as part of external conflict settlement efforts is critically shaped by the nature of the external environment in which the dynamics of confidence-building and conflict settlement play out, namely the contested EU-Russia neighbourhood. Here, both of these actors vie for influence over the countries in this region, and these competitive efforts at regime export (Agné 2012, Bredies 2009, Burnell and Schlumberger 2010, Hagemann 2013, Levitsky and Way 2002, Levitsky and Way 2005, Way 2016) have significant impact on the dynamics of conflict settlement as explored conceptually by Sasse (2016), and by Broers (2016), Gerrits and Bader (2016), and Hughes and Sasse (2016), in the context of the post-Soviet region, and by Beyer and Wolff (2016) with specific reference to Moldova.

This connection between different levels of analysis has been established for some time. For example, Fen Osler Hampson observed almost three decades ago that in relation to security cooperation in regional conflicts that “it would be a mistake to draw the distinction between the two levels—the regional and the global—too sharply or to underestimate the importance of super-power security cooperation”, noting that “the new détente in East-West relations had a decidedly positive impact on conflicts at the regional level” (Hampson 1990, 472). Translated into our specific case study, we would thus expect that an atmosphere of constructive engagement between Russia and the West would facilitate confidence-building at the local level between Chisinau and Tiraspol. In the absence of such an atmosphere, not only would the international community be unable to work jointly towards increased local confidence, but in line with theories of proxy warfare (Bar-Siman-Tov 1984), the external patrons of local conflict parties would have an interest in actively blocking local confidence-building efforts.

Finally, in line with George (1988) we would expect that the extent to which confidence can be built locally in the presence or absence of actual confidence or at least a C/SBM process between Russia and the West is dependent on the specific issue area in which local confidence-building is attempted. George distinguishes between the “tightness or looseness of perceived dependence and vulnerability on a particular security issue” and the degree to which this issue is considered central or peripheral to the relevant actor’s overall security agenda (George 1988, 652). George posits that issues central to the security agenda with a high degree of vulnerability have the greatest potential for security cooperation. Conversely, issues that are peripheral and have a low degree of vulnerability would have the lowest potential. Intermediate potential for security cooperation exists in relation to peripheral issues with high vulnerability and central issues with low vulnerability. (George 1988, 652ff.)

Given that George also identifies spheres of influence as a central security issue, we have to consider whether different areas of military and non-military confidence-building at the local level would reflect different degrees of perceived vulnerability and utility of unilateral measures. Specifically with reference to the Transdnistrian conflict, we would expect that the perceived vulnerability is greater in relation to the potential of economic collapse than the prospect of a military confrontation. Hence, we would expect to observe a greater degree of economic confidence-building at the local level, even in the absence of similar processes at the global level. Reluctance to make progress on global-level security commitments would then impede local-level progress on military C/SBMs, in reverse analogy to Hampson’s finding that global-level détente increases the likelihood of local-level cooperation (Hampson 1990).

To summarise, we would expect:

1. Economic CBMs between Chisinau and Tiraspol to increase at a time when there are efforts under way between Russia and the West to build confidence between them at a global level.

2. Economic CBMs between Chisinau and Tiraspol to continue even as confidence-building between Russia and the West at the global level fails.

A third hypothesis that we can derive from our theoretical reflections, but which we do not test in this paper, is that global-level CBMs, by contrast, are a necessary, albeit not sufficient, condition for local-level CBMs.

The case of Transdniestria is very well suited to a preliminary investigation of these two hypotheses. C/SBMs are generally well documented in this case, the authors have extensive prior knowledge of the case, and through existing networks of contacts had the ability to conduct key informant interviews to probe the dynamics surrounding local-level economic CBMs in greater detail.³ Where access to key informants was more limited (especially concerning in Russia and EEU institutions), we relied on public statements of key officials and relevant policy documents and cross-checked them to the extent possible with other experts on the issue and against available grey literature and secondary sources. This enables us to provide critical pieces of evidence informing our argument.⁴ This combination of data collection methods allows the application of both co-variation and process-tracing as methods for testing the validity and, as necessary, refining the expectations formulated above. In this sense, we are carrying out a limited plausibility test in the context of one particular time period (2010–2016) of a specific case (the Transdniestrian conflict). By considering the time period 2010–2016, we capture the change of key characteristics in this relationship—from a low in 2009/10 after the change in government in Chisinau, to a serious effort at improving confidence between Russia and the West in the form of the Meseberg process between 2010 and 2012, and then again a deterioration in relations following the failure of Meseberg and the subsequent crisis in Ukraine from late 2013 onwards.

In terms of co-variation, we can thus distinguish between two time periods and we would expect a higher level of economic CBMs during the period 2010–12 when the Meseberg process was fully operational, but no respective decline in the period 2013–16, despite the break-down of the Meseberg process and the generally deteriorating relations between Russia and the West following the escalation of the Ukraine crisis.

Expected co-variation would confirm the general plausibility of our two hypotheses, but would not establish an actual causal relationship between our independent and dependent variables (global-level and local-level C/SBMs, respectively). In order to do this, we need to employ process-tracing, using official policy documents, statements by, and interviews with, relevant policy makers in Chisinau and Tiraspol, as well as Brussels and Moscow, in order to establish whether the dynamics of local confidence-building were indeed driven by global-level dynamics in the way we theorised in the preceding section.

Conflict settlement in Transdniestria and economic CBMs

The evolution of the Transdniestrian conflict settlement process

The Transdniestrian conflict was triggered by various incidents, among them the change of language policy adopted by the Supreme Soviet of the Moldavian SSR on 31 August 1989: Russian as second official state language was abolished and the return to the Latin Romanian alphabet decided. Protests against the central government's ethnic policies emerged notably in Gagauzia and Transdniestria. They developed into secessionist movements, which in the case of Transdniestria yielded in a brief though violent war between Transdniestrians and Moldovans during 1991 that resulted in the loss of 600 to 900 lives. Due to the Russian military intervention on the Transdniestrian side, Moldova had no choice but to sign a cease-fire agreement with Russia in Moscow on 21 July 1992. It provided for an immediate ceasefire and the creation of a demilitarised Security Zone along the Dniester River as well as a Joint

³ We acknowledge the support of Dr Nino Kemoklidze, University of Birmingham, who collected most of the interview data in June 2016.

⁴ While this constitutes only 'second-best' practice for research (as opposed to interviews), it is particularly appropriate in difficult environments, such as (semi-) authoritarian regimes and volatile (post-) conflict areas, given that it limits the risk exposure of both researchers and interlocutors, while it still enables researcher to collect evidence for the construction of a viable analytical narrative.

Control Commission overseeing the trilateral Peacekeeping force, consisting of Moldovan, Transdnestrian and Russian troops. Over time, and because of the lack of progress towards a final status settlement, Transdnestrian authorities built and consolidated a de facto state, which, while it has so far not gained any international recognition, has proved remarkably stable and viable, including two peaceful transitions of power in 2011 and 2016.⁵

We must not take the general lack of progress towards a settlement of the conflict as a lack of effort by various domestic and external actors. Numerous plans and strategies were elaborated over the years as ways out of the deadlock, however none of them succeeded. In late 2005, the extended 5+2 format became the new negotiation format in the Transdnestrian settlement process, adding the EU and US as observers (+2) to the existing five-sided format (the two conflict parties plus the OSCE, Russia, and Ukraine as mediators and guarantors of a settlement). In 2005, the parliament in Chisinau passed a law on Transdnestria's future status in Moldova. Arguably representing a Moldovan obligation under the 2005 Yushchenko Plan, the Transdnestrian authorities criticised the move as a unilateral act undermining any settlement efforts. In an equally unilateral response, they organised a referendum on independence and subsequent integration with Russia, which was supported by an overwhelming majority.

Both of these steps marked a new low in relations between Chisinau and Tiraspol, which had gradually deteriorated since 2004. As a result, the official negotiation process stalled for almost six years, even though informal talks in the 5+2, 3+2 (mediators/guarantors and observers) and 1+1 (conflict parties) formats continued. It was only in 2011, following a German-Russian initiative (the so-called Meseberg Process), that official 5+2 Talks resumed. In April 2012, the two sides, assisted by mediation of the Irish OSCE Chairmanship, agreed to a "Document of principles and procedures and for the conduct of negotiations" and an agenda for future talks. Undoubtedly a high-point in successful confidence-building, the positive momentum achieved by then was not sustained and relations deteriorated quickly to a point where no official talks were held in 2013 and 2014, partly because of Russian pressure in the context of the eventually successful negotiations between Chisinau and Brussels that led to the signing of the Moldova-EU Association Agreement. Talks resumed in 2015 and continued through 2016 under the German OSCE Chairmanship. The initial months of the Austrian OSCE Chairmanship were characterised by tedious negotiations. However, before the last round of 5+2 talks in Vienna in November 2017, an important step forward was taken by the joint opening of the Gura Bîcului-Bîcioc Bridge. The bridge had been closed for traffic for over twenty years, to the detriment of the local population. Furthermore, the chief negotiators of both sides signed a number of agreements. These included the apostillisation by the Moldovan authorities of higher-education diplomas issued in Transdnestria (a step that will permit students from Transdnestria to study abroad in countries other than Russia), the facilitation of telecommunications links between the two banks of the river, further regulation of the functioning of Moldovan-administered Latin Script Schools in Transdnestria, and access for Moldovan farmers to their lands in the Transdnestrian-controlled Dubăsari region.

Economic connectivity between Chisinau and Tiraspol after the break-up of the Soviet Union

Part of this wider context is the historically grown economic connectivity between Moldova and Transdnestria with its roots in Soviet economic policy, subsequently re-shaped, but never completely severed, by Transdnestria's de facto separation from Moldova. In order to understand the complexities of confidence-building in the economic sphere, it is therefore necessary, to examine how this economic connectivity evolved over the past quarter-century.

Transdnestria "has always been a natural hub for Moldova's trade with the east in respect to both land transportation and energy pipeline connections" (World Bank 1998, i). Back in 1989-90, even before the

⁵ For more detailed discussions of the historical background of the Transdnestrian conflict, see, among others, Gordon (2012), Hill (2012), King (1999), Roper (2001), Sanchez (2009), and Vahl and Emerson (2004).

dissolution of the Soviet Union, the idea was put forward to turn the cities of Tiraspol and Bender/Bendery⁶ into free economic zones in order to establish the so-called regional self-financing for the Left Bank Region – a model popular during *perestroika* in the Baltic states (Center for Strategic Studies and Reforms 2001, 2003). The rationale behind this idea was Transdniestria's overall standing in the economy of the Moldovan Soviet Socialist Republic (MSSR), among others due to the "large-scale multi-sectoral industry". As a result, Transdniestria's de facto secession in 1991/2 significantly affected the rest of Moldova not only politically but also economically.

The ties created in over 40 years of a common Soviet past should have provided a natural basis for rapprochement, yet after de facto seceding from Moldova in the early 1990s, Transdniestria embarked on the path of decoupling its economic institutions from the rest of the country. It established its own central Transdniestrian Republican Bank, issued separate currency and set up separate customs services by introducing its own customs control posts along the River Dniester. During the 1990s and early 2000s, much of the trade there was unregulated and the region was a place for unrecorded foreign trade, tax evasion, and smuggling (Myers 2006, Vdovii, Opriş, and Mogoş 2012).⁷ This was also due to lack of control over the region's eastern border with Ukraine, which effectively remained out of Chisinau's control (World Bank 1998, 4) and undoubtedly further affected already strained economic relations between Moldova and Transdniestria. However, as many acknowledge, "the level of integration prior to the conflict was so high [between these entities] that trade links have been partially maintained despite all the difficulties, and the exchange of goods remain[ed] rather intensive" throughout much of the 1990s (World Bank 1998, 6). As Yurii Ganin, Head of the Tiraspol-based working group of the Transdniestrian Investment Forum pointed out, "we had a war but we still had [inter-community] trade. War stopped and trade continued" (Interview with Yurii Ganin, June 2016).

Moreover, in the mid-1990s in particular, there were some further attempts from Tiraspol to try and reintegrate Transdniestria's economy with Moldova's economic system. A number of agreements were signed between Chisinau and Tiraspol, including an agreement on regulating the monetary and credit systems. As part of this agreement, Moldova opened a branch of its National Bank office in Tiraspol. This was followed by a custom's agreement a year later which resulted in abolishing customs posts between the west and east banks. Instead, joint customs posts were established at the border with Ukraine. Furthermore, in order to regulate, and standardise, Moldovan and Transdniestrian customs relations, Moldova also shared its customs stamps and seals with Tiraspol (International Crisis Group 2004, World Bank 1998). Since Transdniestrian enterprises were now no longer required to pay taxes to the Moldovan authorities, the internal border between these entities turned into a place of uncontrolled 'legal' smuggling with vested interests from various business circles not only in Transdniestria and Moldova but also in Ukraine and Russia. This "created a powerful network" in and around Transdniestria that had more interest in maintaining the status quo than trying to find solutions to the conflict (International Crisis Group 2004, 15). In fact, some would argue that such a 'network' of status quo supporters in the region exists up to present time. However, this situation began to change from 2001 onwards.

The newly elected president, Vladimir Voronin (in office 2001–2009) had an initial 'honeymoon' period with Transdniestria, but soon reversed course and increased economic pressure on Transdniestria. The first step in this direction was the introduction of new customs stamps and seals in line with WTO standards (International Crisis Group 2004, 7). This was part of a process of Voronin turning more decidedly westwards and towards the EU in his foreign policy orientation following the failure of the

⁶ The City of Bender/Bendery is located in the so-called buffer/security zone but under de facto administrative control of Transdniestria.

⁷ According to data from EUBAM, cigarette and alcohol smuggling remains a significant problem along the Transdniestrian segment of the Ukraine-Moldova border. Between December 2015 and November 2016 alone, customs officials seized 40 million cigarettes and 72,000 litres of alcohol/ethanol (European Union Border Assistance Mission to Moldova and Ukraine 2017, 23).

Kozak Memorandum process (which soured his relations with Russia) and the success of the Orange Revolution in neighbouring Ukraine (which demonstrated the perilous ability to survive of semi-authoritarian regimes blatantly disregarding popular preferences).

Thus, a number of further agreements were signed in the course of 2005. On 7 October, the Memorandum of Understanding between the European Commission and the Moldovan and Ukrainian Governments, thus, established the legal basis for the EU Border Assistance Mission to Moldova and Ukraine (EUBAM), which was launched later that year. This was followed by another agreement between Chisinau and Kyiv on 30 December 2005 “on normalizing the trade regime” on the border between the two countries (Socor 2006). These moves had further serious implications for Transdnistria’s economy, which by then had already suffered for several years.⁸

However, Moldova’s European turn, eventually, also fostered closer economic relations between Chisinau and Tiraspol and between the EU and Transdnistria. Autonomous Trade Preferences, granted to Moldova in 2008, were subsequently extended to Transdnistria as well, the only condition being that Transdnistrian companies wishing to benefit from them had to register in Chisinau.

Despite tense relations over the years, “traditional trade relations and personal contacts between the economic entities” continued (Center for Strategic Studies and Reforms 2003, 10); moreover, they acquired a completely new dimension as Chisinau intensified its efforts to establish stronger relations with the EU, especially after the change in government in 2009. In Moldova as well, there is a strong belief that closer ties with the rest of Europe will help transform the country into a more attractive entity (both politically and economically) for the residents in the break-away region. Thus, European integration is also seen as “the necessary precondition for the country’s sustainable reintegration” (Groza 2015, 5).

Economic Confidence-Building across the Dniester

According to the OSCE Guide on Non-military Confidence-building Measures, “[t]here is no commonly accepted definition for CBMs in general and for non-military CBMs in particular.” (Organisation for Security and Cooperation in Europe 2012, 9). This notwithstanding, the Guide defines CBMs as “actions or processes undertaken in all phases of the conflict cycle and across the three dimensions of security in political, economic, environmental, social or cultural fields, with the aim of increasing transparency and the level of trust and confidence between two or more conflicting parties to prevent inter-State and/or intra-State conflicts from emerging, or (re-) escalating and to pave the way for lasting conflict settlement.” (Organisation for Security and Cooperation in Europe 2012, 9) With particular reference to economic CBMs, the Guide also notes that such measures “can bind States and communities together through economic co-operation and thereby remove barriers of mistrust” (Organisation for Security and Cooperation in Europe 2012, 9). What we can usefully take from the OSCE’s conceptualisation of (economic) CBMs is that they constitute measures that increase transparency, enhance trust, facilitate joint problem-solving, and contribute to conflict settlement.

In terms of the empirical basis of our argument, then, we focus on one area of economic confidence-building in particular: the negotiation of the DCFTA application to Transdnistria as of 1 January 2016, which gives us an opportunity to make causal-process observations to further buttress our argument.⁹

⁸ For instance, already in 2002, the total export of goods from Transdnistria had reduced by 35.6% in comparison to the previous year, while the export of goods to Moldova declined by 39%. Transdnistrian imports of goods also shrunk by 16.9%, including a decline of imports from Moldova by 30.2%. According to Transdnistrian officials, the region’s losses from this ‘economic blockade’ amounted to \$167.8 million over the course of 2002 and first quarter of the 2003 fiscal year (Center for Strategic Studies and Reforms 2003, 10).

⁹ In future work, we also plan to examine the activities of the EU Border Assistance Mission to Moldova and Ukraine in more detail. The EUBAM Mission offers a longer-term perspective on the implementation of different types of confidence-building measures (and thus facilitates co-variation). In addition, EUBAM is particularly relevant because its mandate includes a specific objective for the Mission to “make a positive contribution towards the settlement of the conflict in Transdnistria” (European Commission 2005, 8). This part of its mandate

The DCFTA Negotiations

The full implementation of the EU-Moldova Association Agreement implied consequences for Transdniestria as well, and without any agreement on post-implementation arrangements would have required the establishment of a 'hard' internal customs border. Apart from the obviously negative consequences for the conflict settlement process of such a development, there would also have been severe economic repercussions for Transdniestria, leading some to fear the collapse of the Transdniestrian economy and a consequent humanitarian crisis in the territory (Lungu 2016, Lupușor et al. 2016, Puiu 2015). This gave the local conflict parties and their respective external patrons strong incentives to find a solution to this problem, thus necessitating further economic confidence-building that eventually paved the way towards an agreement in December 2015 on the extension of the applicability of the DCFTA (in force for the rest of Moldova since 2014 but with a two-year transitional period during which the previous ATP arrangements continued to apply) to Transdniestria. The wider context of the AA/DCFTA negotiations is thus a suitable case study to test our hypotheses about the relationships between global- and local-level economic CBMs.

Moldova and the EU started negotiations about the AA and the DCFTA in 2010 and 2011 respectively and de facto authorities in Tiraspol were included in this process as observers. For Chisinau, it was important to apply the AA throughout the entire country, including Transdniestria (Groza 2015, 5). The negotiations were completed in 2013, and in June 2014 Moldova and the EU signed the AA, the application of which, together with the DCFTA, provisionally started from September 2014. By that time, in 2013 the EU Council had made a decision to extend the Autonomous Trade Preferences (ATPs) offered to Moldova since 2008 until the end of 2015 when the ATPs were to be replaced by the DCFTA from 1 January 2016 (Interview with Iulian Groza, June 2016). Transdniestria had been part of the ATPs as well and thanks to this scheme both Moldova and Transdniestria "could export certain quotas of their goods to the EU market without paying customs fees" (Cașus 2016). Already in 2015, for instance, Transdniestria's exports to the EU amounted to 30%. As some have pointed out, "the economic interest of the Transdniestrian region is linked, with over 70%, to the Western economic space" and that without the DCFTA Transdniestrian budget "could lose about 50 million USD, which would represent about 5% of the GDP" (Groza 2015, 6). However, despite economic rationality seemingly pointing towards Transdniestria participating in the DCFTA too, its authorities continuously insisted on the region's economic and trade links with the Russian Federation and the Russia-backed economic space of the Eurasian Economic Union (EEU).

Thus, it seemed that Transdniestrian authorities were not willing to make any concessions on this issue and were to miss out on having access to the European markets from 2016. Initially, in the early period after the EU and Moldova started negotiations on the AA in 2010, the Transdniestrian side generally did not seem to appreciate the potential magnitude of the (negative) impact of being left out of a DCFTA with the EU. In the absence of Russian counter-pressure, capacity-building was intensified especially at the level of working jointly with the Moldovan and Transdniestrian chambers of commerce on trade relations more generally and the impact of the DCFTA in particular. Even as relations between Russia and the West deteriorated, Moscow did not intervene to prevent these CBM projects to continue. This created both greater awareness on the Transdniestrian side of the challenges and opportunities presented by DCFTA implementation and helped to put into place a broader coalition of actors on the

was further developed in a 2015 Addendum to the original Memorandum of Understanding (MoU, (European Commission 2015): "To contribute to the settlement of the Transdniestrian conflict by, inter alia, strengthening the border management and customs regime, and confidence building measures, thus favouring interaction and exchanges between the two banks of the Nistru river and contributing to reducing possible security threats." We also plan to examine the work of the OSCE Mission to Moldova in relation to confidence-building measures as well as programmes and projects sponsored by the EU and implemented by UNDP. For the purposes of this research report, a focus on EUBAM is sufficient to illustrate our argument, partly because EUBAM CBMs overlap with some of the OSCE's work through EUBAM's involvement in the work of several Expert Working Groups on the ground (including Customs, Railway Transportation, and Road Transportation).

left bank willing to reach a compromise with the EU. Thus, following intensive negotiations between Brussels and Tiraspol, a deal was reached in December 2015 under which the EU accepted the inclusion of Transdniestria into the application of the DCFTA for Moldova as of 1 January 2016 (Wolff, personal communication from UK diplomat, June 2016).

Strictly speaking, the actual confidence-building was implemented between the EU and Transdniestria. Yet by means of brokering the deal, the EU succeeded in achieving concomitantly a higher degree engagement between Chisinau and Tiraspol on trade/DCFTA measures. By not opposing the deal, and subsequently not sabotaging it, Russia passively contributed to the possibility of local confidence-building, and as a side-effect built up mutual confidence with the EU. Hence, the leverage that Russia and the EU have over local actors is an important part of the causal mechanism, not only in terms of preventing local CBMs, but also in terms of facilitating them. The actor constellation at the time—with EU proactively impacting on Transdniestria, Russia observing but not resisting and Moldova displaying an indifferent stance however without room for manoeuvring to block—allowed for the deal to be reached.

Some in Transdniestria are well aware of the potential contradictions in Tiraspol's policies. As Yurii Ganin, head of the Tiraspol-based working group of the Transdniestrian Investment Forum, pointed out, "on the one hand we want to have free trade with the EU which implies harmonisation of our legislation in accordance with EU standards, but at the same time we are intrinsically linked with Russia and the EEU" (Interview with Yurii Ganin, June 2016). This clearly indicates an acute awareness on the part of a key Transdniestrian actor of the precarious position of the entity in the larger geopolitical context. While there is significant local Transdniestrian interest in more economic confidence-building, these efforts are constrained by dynamics beyond the influence of Transdniestria (and Moldova).

The Future of the DCFTA in Transdniestria

Analysts have hailed the DCFTA deal with Transdniestria as Brussels' (and Chisinau's) great achievement de Waal (2016).¹⁰ While most do not expect any solution on the political status of Transdniestria in the short to medium term, almost everyone seems to agree that the new deal "bring[s] the two territories closer together, mitigating against future conflict" and that unlike Ukraine, "Moldova uses trade to ease relations and build bridges" (De Waal, 2016).

Transdniestria's economy almost entirely depends on trade. Tiraspol uses income from exports (rather than taxes) to generate money for the budget, which makes them much more vulnerable to external pressures (Interview with an EU official, June 2016). Due to its landlocked geographic position, it has also been particularly affected by the ongoing conflict in Ukraine which has been an important transit country for Transdniestria. Devaluation of the national currencies of its main trading partners (Moldova, Russia, Ukraine) has also played its role. Weaker economic standing of Russia, due to Western sanctions and the falling oil prices also meant that the financial support from Moscow was gradually decreasing (Interview with Yurii Ganin, June 2016).

In fact, as Tatyana Laryushin points out, at a recent business forum in Chisinau, some businessmen from Transdniestria were openly talking about the dire economic situation in the region and were urging the Ministry of Economics of Moldova that something needed to be done, that Transdniestria was getting poorer and poorer (Interview with Tatyana Laryushin, June 2016). This indicates the vulnerability of actors to economic "shocks" as well as the centrality of the issue to their interests—and hence a greater probability to seek cooperation.

¹⁰ While much attention has been paid to the track-one negotiations between Tiraspol and Brussels, there were also important track-two initiatives. For example, the UK's Conflict, Stability, and Security Fund supported a project on developing cross-river trade relations that ran in parallel to official negotiations on the DCFTA.

The surprise of Russia's reaction to Transdniestria's rapprochement with the EU (i.e., allowing Tiraspol to sign the new DCFTA deal) may not in fact be such a big surprise after all. Many agree, both in Chisinau and Brussels, that "Moldova had nothing to gain from it [the DCFTA deal with Transdniestria] economically. There were only political gains" (Interview with an EU official, June 2016). In fact, Moscow equally did not really lose anything by this move: it maintains the status quo whereas Transdniestrian businesses continue to access the EU market "without the need for any concessions and without the need to integrate with Moldova and the EU" (Caľus 2016).¹¹ Thus, even during a period of heightened Russia-West tensions, stabilising local economic CBMs were possible as they reflected the right 'mix' of vulnerability and centrality in terms of the issue at stake for the two geopolitical adversaries.

Conclusion

Based on our reading of existing scholarship on confidence-building measures at the local and global levels, we hypothesised that local-level confidence-building would be negatively affected by deteriorating relations at the global level. Conversely, better geopolitical relations between Russia and the West would equally improve prospects of local-level confidence-building. In addition, we also proposed that these local-global relations would differ across 'sectors' of confidence-building, in line with existing scholarship that suggests that the propensity for cooperation increases the more vulnerable the sides feel in a particular area and the more central it is to their overall security agenda.

We found both of these propositions broadly confirmed. Efforts at local-level confidence-building were generally fewer and less successful during times of tension between Russia and the West, but this effect is less pronounced for the economic sector compared to the politico-military one. On the basis of our analysis of the data available to us at the moment, we found that after the break-down of the Meseberg process and the escalation of the Ukraine crisis, economic confidence-building continued to some extent. One of the few concrete measures that the sides continued to agree on was the regular extension of a March 2012 decision on the full resumption of rail freight traffic connections between the sides and through Transdniestria.¹² This trend continued even as politico-military relations reached another low point between 2015 and 2016.

Perhaps even more significant was the fact that, tolerated by Moscow, Transdniestrian interest and involvement in the DCFTA negotiations increased, culminating in the December 2015 decision to extend its application across the entire territory of the Republic of Moldova in its internationally recognised borders. Implementation of the relevant provisions continued, despite an escalation in politico-military tensions in the summer of 2016.

What conclusion can be drawn from these findings? The past track record of confidence-building between the sides makes it unlikely that the arguably positive effects of the trade arrangement (DCFTA) under the EU-Moldova Association Agreement could be transferred easily to other spheres. However, it does not preclude the possibility of confidence-building in different areas at different speeds. This, in turn, will be determined by how vulnerable the sides, and their external patrons, feel and how central the relevant issue is to their overall security agenda. Here, our findings suggest a somewhat divergent conclusion. While the literature suggests that high vulnerability and centrality of an issue should increase the propensity for cooperation, our comparison of economic and military C/SBMs in relation to the conflict in the Transdniestrian region of Moldova indicates that high vulnerability and a more peripheral nature of an issue lead to more cooperation. We interpret this in relation to the dual dynamics of local- and global-level confidence-building. Both sides and their external patrons were

¹¹ In fact, many of these Transdniestrian businesses are owned by Russian conglomerates. For more than a decade now authorities in Tiraspol have actively engaged in a process of privatisation and many of the "strategic industrial assets located inside Transdniestria, such as steel, cement and hydroelectric plants, for instance, are now under the control of Russian big businesses (Chamberlain-Creanga and Allin, 2010: 333).

¹² The current extension of the original 2012 Protocol on rail-freight traffic was recently renewed until 31 December 2018.

highly vulnerable to an economic implosion of Transdniestria (which would have been likely without agreement on DCFTA extension). At the same time, military confidence-building locally is more directly connected to the global level, where there has been no positive movement for several years.

Despite the differences between instances of local economic and military CBMs, there are some lessons to be learned more broadly. First, the feasibility and viability of confidence-building is highly contingent upon the context in which it happens, and success in one case is not necessarily transferable to another one. This is particularly obvious in relation to the EU-Moldova DCFTA and its application, since 2016, to Transdniestria. There was an inclusive process of finding a solution that was not blocked by Russia, because Moscow had little to lose and much to gain from allowing the other three actors to prevent an economic collapse in Transdniestria. From conflict settlement negotiations and attempts to raise confidence between Moldovan and Transdniestrian parties as well as best and worst practices in the past, several considerations have been listed as recommendations for future C/SBMs in Table 1 in the appendix.

In sum, exaggerated hopes linked to C/SBM have to be mitigated, since they will never be a means to deal with the root causes of a conflict and can at best transform hostile relationships into a working one (Desjardins, 1996, p. 4–5).

What is currently needed is a dual dynamic of local- and global-level confidence-building to facilitate feasible and viable external security guarantees. Progress will likely be slow, suffer from setbacks, and ultimate success cannot be automatically assumed. However, any efforts at CBMs on the local level will have a higher chance of success if they are transparent, inclusive, and locally led. On the political and international level, the Moldovan/Transdniestrian question should be made a higher priority (both with the EU and the Russian side). Even in the absence of progress in the politico-military dimension, external actors need to work to maintain, lock-in, and where possible expand progress to other areas.

Appendix: Lessons learnt and prerequisites for future CBMs in protracted conflicts

Level of action	Local level	Global level
CBM elements		
Actors	<ul style="list-style-type: none"> - Avoid putting host state and de-facto entity on equal footing - Ensure local ownership (involve the sides but also respective civil societies) - Create incentives 	<ul style="list-style-type: none"> - Involve not only partners within the negotiation framework (special envoy level), but also respective patron states (raise awareness of the initiative)
Institutions	<ul style="list-style-type: none"> - Authorities on both sides should be briefed about implications of CBMs - Parliamentary approval 	<ul style="list-style-type: none"> - Ensure consistency and coordination with other multilateral regimes and organisations
Content	<ul style="list-style-type: none"> - Offer tailor-made solutions, no blue prints 	<ul style="list-style-type: none"> - Get guarantees from patron states
Process	<ul style="list-style-type: none"> - Ensure transparency - Allow sides enough time to familiarise with documents - Taking into consideration timing of initiative 	<ul style="list-style-type: none"> - Ensure transparency - Taking into consideration timing of initiative
Legal framework	<ul style="list-style-type: none"> - Adopt a status-neutral approach 	<ul style="list-style-type: none"> - Align CBMs with pertinent international agreements

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