

# STUDY The status of peacekeeping forces in international law: the Republic of Moldova case



On 27 January 2015, was launched, during a panel discussion, the Study “The Status of peacekeeping forces in

international law: the Republic of Moldova case”.

Using a scientific-practical approach, the author of the study is assessing from the perspective of international law the events of 1992, trying to explain to what extent the involvement of a third party (Russian Federation) can be seen as impartial. At the same time the author analyses the opportunity of the Agreement signed on 21.07.1992, given that the objectives of that agreement were neither achieved nor wished to be achieved, while the situation in the region seems to be provocative every time the Chisinau authorities try to promote an independent policy, aimed at advancing the interests of their citizens.

According to Ion Manole, the executive director of Promo-

LEX, the role of the peacekeeping forces is not limited to deploying armed soldiers on a certain territory, but to contribute towards securing that region and re-establishing relations between the two banks. We stand for a political dialogue, but for one that is based on the norms of international law, and we want the authorities to be more active in this respect. Not least, the lack of solutions for these problems leads invariably to grave violations of human rights in the transnistrian region.

One of the conclusions of the study refers to the clear inefficiency of the current format of negotiation of the transnistrian conflict, underlining the fact that in the last 22 years the situation not only lacked any positive changes but the parties are placed in unequal positions. The Republic of Moldova is the only subject of international law that represents this territory, and the arguments brought by the "transnistrian" side in favour of their right for separation are unfounded, and lack any norm of international law, the author underlined.

The author is also concluding that the Russian Federation has breached repeatedly the provisions of the 1992 Agreement, a legal document that bears its signature. In this sense, the author brings several arguments, such as: the inclusion, with Russian help, of the transnistrian side into the format of negotiations, the support of the Tiraspol administration in introducing some pseudo-customs and border checkpoints, and regular breach of the concept of humanitarian aid granted by a state or an international organization. In addition, the differentiation of economic relations between the Russian Federation and Republic of Moldova on the one hand, and between the Russian Federation and the "transnistrian" region – on the other, and not least the political influence of Russia in the transnistrian region, allows Tiraspol to have a non-constructive attitude towards the Chisinau authorities in the solution of the conflict.

Regarding the current format of the peacekeeping forces, one of the recommendations of the study highlights the need for a change of format into a civil and police observers based on principles that establish the contemporary concept of peacekeeping policies promoted by UN. Another recommendation calls for a more dynamic dialogue with the EU institutions to ensure a role as active as possible in the solution of the conflict, including through having a decisive role in the future format, without denying the importance of the states already present in the negotiation process – Ukraine and Russian Federation – although, in case of the latter, without the unimaginable and claimed right of veto.

The electronic version of the Report is available [here](#).

***The study was developed by Vitalie Gamurari, PhD, university lecturer at the Academy of Sciences of Moldova, within the project “Consolidation of respect for human rights in the transnistrian region of Moldova”, implemented by Promo-LEX with the financial support of the National Endowment for Democracy (NED).***

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