

Analysis – Is the citizenship of the Republic of Moldova attractive to the Russians soldiers from the Transnistrian region? How easily can it be obtained?

A notification requesting to construe Article 11 of the Constitution of the Republic of Moldova was registered with the Constitutional Court of the Republic of Moldova on 26.05.2014. The notification focused on whether the deployment of military troops of other states or under international mandate on the territory of the Republic of Moldova violated Article 11 of the Constitution.

This notification did not remain unnoticed by the Tiraspol administration, thus, on 24.10.2016, the 'Supreme Council' of Tiraspol put forth a draft law amending the *Law on Citizenship of the Transnistrian Moldovan Republic*, which, *inter alia*, eliminated – up to an absurd level – certain mandatory conditions for obtaining 'citizenship of the Transnistrian Moldovan Republic'.

Thus, the Constitutional Court of the Republic of Moldova pronounced, on 2 May 2017, the Judgment No 14 construing Article 11 of the Constitution (*the Republic of Moldova's permanent neutrality*), attesting in this respect the unconstitutionality of the deployment on the territory of the Republic of Moldova of any troops or military bases, managed and controlled by foreign states.

Following the Judgment No 14 of 02 May 2017 of the Constitutional Court, the Tiraspol administration, by the

latest legislative amendments of 31 May 2017, 'formalised' that artificial mechanism put forth on 24.10.2016, to ease to a maximum extent the acquisition of 'citizenship of the Transnistrian Moldovan Republic' by the Russian citizens who support unconditionally and/or are part of the Russian army (*Russian citizens performing their military service for at least one year in the peacekeeping bodies, including in the operational group of Russian troops from the Transnistrian region, as well as representatives of Prosecutor's Offices and of other governmental bodies of the Russian Federation*).

Also, certain general conditions for obtaining 'Transnistrian citizenship', such as: knowledge of language, refusal to hold another citizenship and the presence of legal sources of income, were also eliminated through these legislative amendments.

Following these amendments, the Tiraspol administration insists on maintaining the Russian troops on the left bank of Nistru River, by granting 'Transnistrian citizenship'. This sets preconditions for foreign soldiers to obtain quite easily the Republic of Moldova's citizenship.

The impact of these amendments will be felt in time, as these measures come to strengthen the actual control of the Russian Federation over the territory of the left bank of the Nistru river. The actual control, which on the one hand is an obvious obstacle to the reintegration of the Republic of Moldova, and, on the other hand, due to its unlawful and arbitrary character, results in constant violations of the human rights for the citizens of the Republic of Moldova who live in the Transnistrian region.

In addition, due to the impossibility to check the accuracy of the 'official' information provided by the Transnistrian region, these data entail a high risk of manipulations to obtain fraudulently the Republic of Moldova's citizenship.

The latest amendments to the 'regulatory framework', introduced by the *de facto* administration, are thus able to jeopardize the efforts made to ensure the Republic of Moldova's security, including by the opportunity to grant to the Russian soldiers the Republic of Moldova's citizenship. Republic of Moldova's citizenship could thus be attractive to the Russian soldiers or other persons from the Russian Federation or CIS also due to the liberalised visa regime with the European Union, which could affect not only the security of the Republic of Moldova, but also the relationship with the European Union.

Due to the fact that the constitutional authorities do not have comprehensive and accurate data on persons that were on 1 January 1990 in the territory that is now controlled by the *de facto* administration of Tiraspol, nor data on persons born during the last 27 years, we recommend to establish additional filters to the procedures for granting the Republic of Moldova's citizenship to the inhabitants of the eastern part of the country, precisely in order to avoid such situations.

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