Transnistria in the Light of Classic Criteria for Statehood

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Abstract: *The question of the statehood of Transnistria is a part of a more complex phenomenon of the existence of the de facto regimes. As we all know, there are some „classic" criteria in order to become a state and be a part of the international community. This article intends to offer a specific vision on the elements of statehood in the case of the Transnistrian region of the Republic of Moldova. It focuses, in particular, on the state power and population, but refers also to some new elements like the level of democracy and respect of the human rights.*
Keywords: *Statehood, Transnistria, State power, Population, Democracy.*

INTRODUCTION

States began to take shape in the way we know it today due to an event that took place in the seventeenth century, namely the Peace of Westphalia of 1648. However, the process of delimitation of the territory under a certain ruler and people that identified themselves as a community started much earlier, so at that time, it was rather a question of recognition of that communities within bounders.

The universal principle, existing at all times which was formalized as an official instrument in the nineteenth and twentieth centuries in relation to existence of a state consists of its recognition by other states and their willingness to have bilateral, or, where is the case, multilateral relations with that state. In present times, as a rule, in order to be recognized as a state, an entity must meet the requirements of the international community in accordance with public international law.

The classical conditions for existing as a state are laid down in international customary law, which has been codified in Article 1 of the Montevideo Convention of 1933 on Rights and Obligation of States. Thus, in order to become a subject of international law (member of the international community), an entity (state) must have: **a) permanent population, b) delimited territory, c) state power (government), d) capacity to enter into international relations with other states.** However, given the considerable evolution of international relations and the events that followed after 1933, especially the World War II, the Cold war, the disintegration of the USSR and Yugoslavia, the international community developed additional standards in order to obtain the status of a "state".

DE FACTO STATUTE OF TRANSNISTRIA

In what follows, I will analyse the *de facto* statute of Transnistria and will present my vision on the reasons and arguments why it should not be considered a state. According to the scholars[1] and experts opinions[2], *de facto* regimes are those regimes that have emerged, as a rule, as a result of the

[1] Daron Tan, *Filling the lacuna: de facto regimes and effective power in international human rights law*, in New York University Journal of International Law and Politics, vol. 51 2018- 2019, p.441.
[2] Cristopher J. Boergen, *Thawing a frozen conflict: legal aspects of the separatist crisis in Moldova*, St. John's University School of law, 2006.

illegal use of (armed) force. Due to the way of their apparition, states do not recognize such regimes as equivalent to a state, thus lacking the capacity to operate internationally.

De facto regimes are characterized by the fact that they possess authority and control as a matter of fact, without legal cover, whereas it operate within the territory of a State which already has a legitimate and recognized government. A rebel military force can "establish itself so well in a region within the territory of a State, even if it does not overthrow the legitimate government, that it can be recognized as a *de facto* government of that region over which it exercises effective control."[3] According to some scholars, the *de facto* post-soviet regimes (Nagorno-Karabakh, Abkhazia, South Ossetia and Transnistria) meet the 3 classical conditions for becoming a state and claim to meet the fourth, namely the ability to enter into international relations with other countries.[4].

STATE POWER

"State power" (government) can be described as the most important criteria for the existence of statehood, as all others are dependent on it.[5]. Moreover, it is not enough for a state power (a government) to exist as an authority, but it must exercise full control over the territory, while at the same time having the capacity to act independently from other states[6]. In this regard, the case of Finland between 1917 and 1918 should be cited as an example, when its sovereignty was not recognized until the government had full control over the territory without the need for the presence of foreign armed forces in order to secure this control. Another example is the "Manchukuo" case, when after Japan's occupation of the Manchuria region and the attempt to create an internationally recognized state, it was hit by the resolution of the League of Nations Assembly.

In the case of Transnistria, the illegal presence of foreign military troops (of the Russian Federation) on its territory, since 1994[7] and implicitly, on the territory of the Republic of Moldova is a notorious fact. Although there have been numerous attempts by the Republic of Moldova to request the withdrawal of these troops, which have materialized in international agreements concluded with the Russian Federation[8] (but not ratified by the Russian Federation or simply not fulfilled) or commitments[9] and adoption of different resolutions[10] of the international organizations, this has not happened so far.

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[3] Robert Jennings, Arthur Watts, Oppenheim's International Law, 9th ed, 1992, para.49, p.162.

[4] Dov Lynch, *Engaging Eurasia's separatist states: unresolved conflicts and de facto states*, Washington, DC, United States Institute of Peace Press, 2004, p.16

[5] James Crawford, *The creation of states in international law*, Oxford University Press, Oxford, 2006, p.56.

[6] Anthony Aust, *Handbook of international law*, Cambridge University Press, Cambridge, 2005, p. 136-137.

[7] On July 29, 1994, the Republic of Moldova adopted a new Constitution, which provided for the neutrality of the state and the prohibition of stationing troops belonging to other states on its territory.

[8] By way of example, the first agreement concluded in this regard was the Agreement between the Republic of Moldova and the Russian Federation on the legal status, manner and terms of withdrawal of military formations of the Russian Federation, that were temporarily stationed on the territory of the Republic of Moldova. Article 2 of this Agreement provided for the withdrawal by the Russian side of its military formations within three years from the date of entry into force of the Agreement, the withdrawal to be carried out simultaneously with the political settlement of the Transnistria conflict and the establishment of a special status of the„ Transnistrian region of the Republic of Moldova". Not ratified by the authorities of the Russian Federation, this Agreement never entered into force.

[9] See the Declaration of the Heads of State and Government of the OSCE at the Istanbul Summit of 19 November 1999, which called for a "rapid, proper and complete withdrawal of Russian troops from the Republic of Moldova" and welcomed the commitment undertaken by the Russian Federation to complete by the end of 2002 the withdrawal of the armed forces from the territory of the Republic of Moldova ", available at *https://www.osce.org/mc/39569?download=true*.

[10] UN General Assembly Resolution A / Res / 72/282 of 26 June 2018 on the complete and unconditional withdrawal of foreign military forces from the territory of the Republic of Moldova, available at *https://undocs.org/en/A/RES/72/282*.

According to the National Defence Strategy of the Republic of Moldova[11], "in the eastern region of the Republic of Moldova there is a significant military potential of separatist armed forces, supported multilaterally from outside. At the same time, in the eastern region, there are military formations of the Russian Federation, illegally stationed on the territory of the Republic of Moldova, contrary to the country's Constitution. The separatist and foreign forces, illegally stationed in the eastern region, have a considerable operational capacity, being able to constitute an intervention force at any time, which would allow the regime on the left bank of the Dniester and the Russian Federation to promote its strategic objectives". According to the National Security Strategy of the Republic of Moldova, the foreign military presence (AN. of the armed forces of the Russian Federation) has no legal basis, contradicts the provisions of the Constitution of the Republic of Moldova, commitments and international principles in the field of arms control and political and military relations between states. It is this military presence of a foreign state that is a key factor that supports and fuels the continuation of this "frozen conflict", along with the economic factor.[12]

With regard to the economic factor, it should be noted that since 1992, the Russian Federation has consistently subsidized the Transnistrian economy through direct financial assistance, relatively generous pensions for holders of Russian passports and the supply of electricity and gas at low prices and on credit[13]. According to the Constitutional Court of the Republic of Moldova[14], The Russian Federation has direct relations with the Transnistria in the field of gas export and Transnistria receives electricity directly from the Russian Federation. Moreover, the largest company in Transnistria, the metallurgical plant in Rabnita, was bought by a Russian company, and certain goods produced in Transnistria are presented as having their origin in the Russian Federation. Given its major economic influence in Transnistria, however, the Russian Federation is not interested in creating a prosperous economy that can exist autonomously. As the efficiency of the Transnistria economy depends on the Russian Federation, this instrument is used to control this area at the political level and to deepen the gap between Chisinau and Tiraspol[15].

POPULATION

Due to the semi-closed and "unrecognized" nature of the de facto Transnistrian regime, it is not possible to operate with official information regarding the population, so I have selected data from various sources in order to obtain statistics as accurate as possible. According to the so-called „Ministry of Foreign Affairs" of Transnistria[16], the population of the area is 555 thousand people, of which 31.9% Moldovan, 30.4% Russians and 28.8% Ukrainians. However, it seems that these data are outdated, as according to other sources, also of Transnistria origin, at the time of the 2015 census, 475 thousand people lived in Transnistria[17][18]. The latest statistical data are available on the official website of the so-called „Ministry of Economy" of Transnistria, according to which on January 1,

[11] approved by Parliament Decision No.134 of 19.07.2018

[12] See also the position of the German Federal Foreign Office, available at *https://www.auswaertiges-amt.de/en/aussenpolitik/laenderinformationen/moldau-node/transnistria-conflict/2139010*.

[13] Rebecca Chamberlain-Creanga, John O'Loughlin, Gerard Toal, *Divided Space, Divided Attitudes? Comparing the Republics of Moldova and Pridnestrovie (Transnistria) Using Simultaneous Survey*, Eurasian Geography and Economic, Vol. 54, no. 2, 6 august 2013, p.4.

[14] Decision no. 14 of 2 May 2017 on the interpretation of Article 11 of the Constitution.

[15] Kamil Całus, *An aided economy. The characteristics of the Transnistrian economic model*, Centre for European Studies, no. 108, Warsaw, 14 May 2013, p.1.

[16] *http://mfa-pmr.org/ru/republic_main*

[17] *https://point.md/ru/novosti/obschestvo/nazvana-chislennost-naseleniia-pridnestrovia*

[18] *https://regnum.ru/news/society/2237171.html*

2019, the population of Transnistria consists of 465.1 thousand people[19]. A simple analysis show as that there is a considerable decrease in the number of inhabitants in Transnistria that can be observed by comparison with statistics of 1989, when there was a population of 680 thousand people.[20].

Returning to the classical conditions of statehood, regarding the existence of a permanent population, there is no need of a certain number of population. In principle, the mere existence of the inhabitants on a delimited territory may be sufficient to meet this criterion, but there may still be a need to prove the "real" association of people with this territory.[21]. In this regard, the status of persons living within an entity could be defined through the legal framework.

The so-called existing regulatory framework in Transnistria[22] offers the possibility to obtain the „citizenship" in extremely simple and favourable conditions. First of all, the Transnistrian regime allows multiple citizenship. In order to obtain the "citizenship" of Transnistria through "naturalization" it is enough to live on its territory for at least 1 year, with the possibility to be outside the territory for a period of 3 months. In fact, there are a number of situations in which it is not even necessary to meet the above criteria, so that if a person has outstanding achievements in science, technology or culture, he can obtain citizenship immediately, if provided it is of interest to Transnistria. At the same time, Transnistrian „citizenship" can be granted without respecting the 1-year term, on the basis of marriage with a person who has Transnistrian citizenship; on the basis of graduation from Transnistrian educational institutions and employment; on the basis of carrying out entrepreneurial activities for at least 6 months in Transnistria, etc. By comparison, no country in Southwest Europe has such a permissive legal framework[23]. Among the 17 states subject to analysis, only in Armenia and Poland the minimum term of stay within the territory of the State is 3 years, in case of other states it starts with 5 years onwards[24], whereas in 11 states there is a condition to renounce to the dual citizenship. Also, only in Croatia and Hungary does the citizenship of a spouse serve as an obligation of the state to grant citizenship, in other cases there are a number of additional conditions and the granting of citizenship is at the discretion of the state.

In these conditions, it is necessary to analyse to which extent the population of the area is considered "associated" with the Transnistrian *de facto* regime. In the light of the above, given the conditions under which people can become "citizens" of the Transnistrian regime, it is not clear how their attachment to the regime manifests itself and whether there is a close connection which is inherent in the relationship state-citizen. Given the fact that granting of citizenship of the Tiraspol regime is not conditioned at least by the criterion of knowing a language spoken on its territory, the nature of the so-called "citizenship" should be considered equivocal and perhaps even contested. Moreover, compared to the normative framework of the states in the region, this citizenship of the *de facto* regime cannot be equalled or assimilated, by virtue of the conditions of obtaining, to the institution of "citizenship" as it is provided in the legislation of these states.

Another issue is whether the "citizenship" of Transnistria is sufficient to be considered as a basis for the existence of the population (as a classic criteria) in the context that a majority of residents

[19] *http://mer.gospmr.org/gosudarstvennaya-sluzhba-statistiki/informacziya/ezhegodnik-gosudarstvennoj-sluzhby-statistiki/statisticheskij-ezhegodnik-20191.html*

[20] Vladimir Fomenko, *Profilul Migrațional Extins al Transnistriei*, statistical report conducted under the auspices of the International Organization for Migration, Chișinău, 2017

[21] Malcolm Evans, *International Law*, second edition, Oxford University Press, 2006, p. 232.

[22] *http://mfa-pmr.org/ru/ymB*.

[23] Costica Dumbrava, *Citizenship in Central and Eastern Europe*, Comparative Report, Global Citizenship Observatory (GLOBALCIT) Robert Schuman Centre for Advanced Studies, April 2017, available at *https://cadmus.eui.eu/bitstream/handle/1814/46112/RSCAS_GLOBALCIT_Comp_2017_02.pdf?sequence=1&isAllowed=y*.

[24] Countries analysed Armenia, Belarus, Bulgaria, Croatia, Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Republic of Moldova, Poland, Romania, Russia, Slovakia, Slovenia, and Ukraine.

have another citizenship. As I have shown above, there is no "Transnistrian" people, the inhabitants of the region being in proportions of almost 1/3 divided into Moldovan, Russians and Ukrainians. According to some sources, at the level of 2008, around 160,000 inhabitants of Transnistria had the citizenship of the Republic of Moldova, which at that time constituted 35% of the population with the right to vote. Also, 90% of the population of Transnistria had a different citizenship than that offered by the "Transnistrian passport"[25]. At the same time, according to data provided by the *de facto* leader of Tiraspol[26], in 2019, on the territory of Transnistria lived about 80,000 thousand citizens of Ukraine, 200,000 citizens of the Republic of Moldova and 220,000 citizens of the Russian Federation. Even if the information presented cannot be considered as official, and its authenticity can be disputed, this does not prevent me from advancing the idea that the majority of the population of Transnistria enjoys the citizenship of another state. Especially that, pursuant to the Office for Reintegration that used data presented by the Public Services Agency, on August 31, 2019, in the Transnistrian region were documented 332 861 people holders of identity documents of the Republic of Moldova, which according to estimates is between 71% and 95% of the total population on the left bank of the Dniester and in the Municipality of Bender[27].

Even if we assume that the *de facto* authorities of Tiraspol would operate with correct data, without using a simple mathematical calculation by which the collected figures would constitute almost entirely the population of Transnistria, these figures are more than representative in finding that there is no "Transnistrian" people and no real "Transnistrian" citizenship. In this regard, it is important to note that these data symbolically reflects the ethnic structure of the population in the Transnistrian region. Therefore, regardless of the sources of information, in the context that almost all of the inhabitants of Transnistria are citizens of other states, what kind of "indigenous" population can be spoken of? In principle, the fact that people have another citizenship is very easy to understand, or Transnistrian "citizenship" is only recognized by other breakaway states and does not offer any benefits of traveling abroad.

OTHER CRITERION

International practice, from the beginning of the twentieth century, but especially after the World War II, has shown that the legal element and the classical conditions for assessing the state character is not enough, the international community developing some „additional" criteria, mostly of a political nature. In fact, there have been situations in which the political aspects had a greater value, but these can be included in the category of exceptions. The idea that must be kept in mind is that social and human relations have developed in the way that the international community will not recognize the entities that claim to be states, in which there are constant and serious human rights violations and anti-democratic regimes are installed forced, using the armed forces and the intervention of other states[28]. There is sufficient practice to show that a state entity created as a result of the illegal use of force cannot *per se* meet all the criteria of a state, so it cannot become a state either.[29]. In the following, I will briefly present a vision on the establishment of the Transnistrian

[25] Renars Danelsons, *Moldova, Minorities and the International Community*, Advanced Social and Political Research Institute, University of Latvia, 2008, p.13.

[26] *http://president.gospmr.org/press-sluzhba/novosti/press.html*.

[27] *https://gov.md/ro/content/comentariu-cu-privire-la-unele-declaratii-ale-liderului-transnistrean-vadim-krasnoselski*

[28] In this regard, see UN Security Council Resolution no. 541 on the Republic of Northern Cyprus; The behaviour of the states regarding the situation in East Timor in the period 1975-1999, manifested by the non-recognition of the sovereignty character of Indonesia over the region.

[29] Jure Vidmar, *Democracy and state creation in international law*. PhD Thesis, University of Nottingham, 2009, p.82

regime through the armed forces, the state of democracy and respect for human rights in the Transnistrian region.

As already mentioned above, the armed forces of a foreign state - Russian Federation, are currently stationed illegally on the Transnistrian territory of the Republic of Moldova. The origin of this stationing will not be analysed, as this territory was part of the Soviet Union, which presupposes the legality of the appearance of these forces and stationing until the declaration of independence of the Republic of Moldova. The role of the Russian army can be divided into two phases: assistance during the 1992 war and current activities, including the maintenance of arms depots in Transnistria. Russia's 14th Army played a decisive role in the 1992 war, intervening on the part of the Transnistrian separatists.[30]. During 1991, the 14th Army consisted of several thousand soldiers, infantry, artillery, armoured and aviation units (including fighter jets and helicopters) and had several depots and ammunition, including one of the largest depots of ammunition in Europe, located in Colbasna, Transnistria[31]. For comparison, the Republic of Moldova did not have an army of its own, so police and volunteer detachments fought in the 1992 armed conflict. In the years 1991-1992, as a result of the confrontations with the Moldovan law enforcement forces, several military units belonging to the USSR, later to the Russian Federation, sided with their ammunition with the Transnistrian separatists, while numerous military equipment of the 14th Army came into the possession of the separatists[32]. The logical conclusion of the involvement of the armed forces of the Russian Federation in the conflict and implicitly in the crystallization of the Transnistrian separatist entity is the signing of the Agreement on the principles of peaceful settlement of the armed conflict in the Transnistrian region of Moldova on July 21, 1992 by the President of Moldova Mircea Snegur and the President of the Russian Federation, Boris Yeltsin. By this Agreement, the Russian Federation and the Republic of Moldova are expressly recognized as "conflicting parties", which undertake to take measures to cease armed actions. Considering that the mentioned Agreement was signed by the highest representative of the political elites of the Russian Federation, the involvement of the Russian armed forces in the internal affairs of the Republic of Moldova is directly recognized and the "contribution" to the consolidation of the separatist regime in Tiraspol is demonstrated.

According to the so-called "Constitution" of the Tiraspol regime[33], it declares itself a democratic regime, which respects human rights and equal rights, ensures free elections, ensures the right to property. In practical terms, however, the situation is completely different, democracy being present only on paper. According to data provided by the organization "Freedom House", which conducts an annual survey of the level of democracy in all countries of the world, Transnistria recorded in 2018-2019 a score of 10/40 in the category of political rights and 14/60 in the category of civil rights[34]. At the level of 2020, these parameters have become even lower (9/40 - political rights and 13/60 civil rights). According to the "Freedom House" report for 2019, it is found that in Transnistria there are no effective means of investigating and combating high-level corruption, there is no real political pluralism with the guarantee of real rights for the opposition.

Moreover, there is no independent justice system in the Transnistrian region, which is subordinate to the *de facto* authorities, so there are no guarantees of a fair trial. In other words, the fact that in the Transnistrian region there is an oligarchic regime with economic elites who support political elites or, over time, have become part of them, and promote their own interests, has been

[30] Cristopher J. Boergen, *Thawing a frozen conflict: legal aspects of the separatist crisis in Moldova*, St. John's university school of law, 2006, p.9.
[31] Case of Ilașcu and others v. Moldova and Russia of 8 July 2004, p.10.
[32] Ibidem p. 13.
[33] *http://www.vspmr.org/legislation/constitution/*
[34] *https://freedomhouse.org/country/transnistria/freedom-world/2019*.

documented in studies conducted by international experts[35]. Even so, it is simply impossible for a regime that cannot exist independently economical, political and military, have an army of a foreign state on its territory, to be considered a democratic regime.

Although respect for human rights is a component of a democratic state and the existence of a genuine democracy, the importance and complexity of this process requires a separate analysis. Especially, if we refer to the situation in the Transnistrian region, there are notorious decisions of the European Court of Human Rights (ECHR), an institution that is part of the Council of Europe. Probably the most well-known decision of the ECHR involving Transnistria is the case of Ilascu and others v. The Republic of Moldova and the Russian Federation, in which, besides recognizing multiple human rights violations such as the prohibition of torture and the right to liberty and security, the court also established the responsibility of the Russian Federation for the violations taking place in Transnistria. In paragraph 392 of the judgment, the Court states that Transnistria was formed in 1991-1992 with the support of the Russian Federation, being invested with organs of power and its own administration, which in 2004[36] continued to remain under the effective control or at least under the decisive influence of the Russian Federation and which, in any case, survived thanks to the military, economic, financial and political support provided by the Russian Federation. In 2016[37], The Court reiterated that Transnistria can only exist - resisting the efforts of Moldova and international actors to resolve the conflict and restore democracy and the rule of law in the region - only as a result of Russia's military, political and economic support. Finally, the Russian Federation was convicted of violating the rights of the European Convention on Human Rights, as a result of the actions of the *de facto* authorities of Transnistria, namely - the prohibition of torture (art. 3); the right to liberty and security (art. 5); the right to respect for private and family life (art. 8); freedom of thought of conscience and religion (art. 9); the right to an effective remedy (art. 13). In fact, human rights violations in the Transnistrian region take place and are regularly reported by the Promo-Lex[38], a non-governmental organization that aims to develop democracy in the Republic of Moldova, including in the Transnistrian region.

CONCLUSION

Despite the fact that the entity called Transnistria owns population, territory and control over it (some kind of state power), it is not only the question of recognition that prevents it from becoming a state and a subject of international relations. It is clear that there are serious concern over the capacity of the *de facto* authorities (state power) to maintain their control over the territory without the economic, military and political support of a foreign state. As well, it is quite disputable that population living within its territory identifies itself as a people of Transnistria and have a national consciousness. Even if it is more a question of politics, the level of democracy in the Transnistrian region constitutes another serious barrier in the efforts of *de facto* authorities to obtain recognition. I hope this opinion will be useful for those that are interested in Transnistrian issue and will help to better understand the current situation.

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[35] See in this regard Margarita M. Balmaceda, *Privatization and elite defection in de facto states: The case of Transnistria, 1991–2012*, Communist and Post-Communist Studies, University of California Press, 2013, Renars Danelsons, *Moldova, Minorities and the International Community*, Advanced Social and Political Research Institute, University of Latvia, 2008.

[36] The decision of the European Court of Human Rights was delivered on 8 July 2004. Similar findings regarding the exercise of effective control of the Russian Federation over Transnistria can be found in the Case of Catan and others v. Moldova and Russia of October 19, 2012.

[37] Case of Mozer v. The Republic of Moldova and Russia of 23 February 2016, para. 110.

[38] *https://promolex.md/12633-incalcari-masive-ale-drepturilor-omului-in-regiunea-transnistreana/?lang=ro*. *https://promolex.md/13548-dreptul-la-proprietate-este-incalcat-in-regiunea-transnistreana-promo-lex/?lang=ro* .

BIBLIOGRAPHY

Primary sources

Constitution of the Republic of Moldova of 29 July 1994;

National Defence Strategy of the Republic of Moldova approved by Parliament Decision no. 134 of 19.07.2018;

The National Security Strategy of the Republic of Moldova approved by the Parliamentary Decision no. 153 of 15.07.2011;

Agreement between the Russian Federation and the Republic of Moldova regarding the legal status, procedure and period for the withdrawal of the Russian Federation Military Units/Formations, temporarily situated in the territory of the Republic of Moldova, 1992;

Istanbul Document of Sixth OSCE Summit of Heads of State or Government, Istanbul, 18-19 November 1999;

UN General Assembly Resolution A / Res / 72/282 of 26 June 2018;

UN Security Council Resolution no. 541 of 1983 on the Republic of Northern Cyprus;

The case of Ilașcu and others against Moldova and Russia of July 8, 2004;

The annual report of the organization "Freedom House" for 2018;

The annual report of the organization "Freedom House" for 2019;

The annual report of the organization "Freedom House" for 2020;

The case of Catan and others against Moldova and Russia of October 19, 2012;

The case of Mozer against the Republic of Moldova and Russia of February 23, 2016.

General Works

Dov Lynch, Engaging Eurasia's separatist states: unresolved conflicts and de facto states, Washington, DC, United States Institute of Peace Press, 2004;

Robert Jennings, Arthur Watts, Oppenheim's International Law, 9th ed, 1992;

James Crawford, *The creation of states in international law*, Oxford University Press, Oxford, 2006;

Anthony Aust, *Handbook of international law*, Cambridge University Press, Cambridge, 2005<

Malcolm Evans, *International Law*, second edition, Oxford University Press, 2006.

Articles

Daron Tan, *Filling the lacuna: de facto regimes and effective power in international human rights law*, in New York University Journal of International Law and Politics, vol. 51 2018- 2019;

Rebecca Chamberlain-Creanga, John O'Loughlin, Gerard Toal, *Divided Space, Divided Attitudes? Comparing the Republics of Moldova and Pridnestrovie (Transnistria) Using Simultaneous Survey* , Eurasian Geography and Economic, Vol. 54, no. 2, 6 august 2013;

Kamil Całus, *An aided economy. The characteristics of the Transnistrian economic model*, Centre for European Studies, no. 108, Warsaw, 14 May 2013;

Renars Danelsons, *Moldova, Minorities and the International Community*, Advanced Social and Political Research Institute, University of Latvia, 2008;

Margarita M. Balmaceda, *Privatization and elite defection in de facto states: The case of Transnistria, 1991–2012*, Communist and Post-Communist Studies, University of California Press, 2013;

Cristopher J. Boergen, *Thawing a frozen conflict: legal aspects of the separatist crisis in Moldova*, St. John's University School of law, 2006;

Vladimir Fomenko, *Profilul Migrațional Extins al Transnistriei*, raport statistic realizat sub egida Organizației Internaționale pentru Migrație, Chișinău, 2017;

Costica Dumbrava, *Citizenship in Central and Eastern Europe*, Comparative Report, Global Citizenship Observatory (GLOBALCIT) Robert Schuman Centre for Advanced Studies, April 2017;

Jure Vidmar, *Democracy and state creation in international law.* PhD Thesis, University of Nottingham, 2009.