



PERMANENT MISSION OF THE REPUBLIC OF MOLDOVA  
TO THE UNITED NATIONS

**Introductory statement for resolution A/72/L.58 entitled  
"Complete withdrawal of foreign military forces from the territory of the Republic of Moldova"  
by H.E. Mr. Tudor Ulianoschi  
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(UN General Assembly plenary, seventy-second session, 22 June 2018)**

Mr. President,

The draft resolution I have the honour to introduce today under the General Assembly's agenda item 35 focuses on a pressing legal and political issue against the background of a protracted conflict, externally generated, in the eastern part of the Republic of Moldova.

It addresses a matter of fundamental concern for my country: almost 27 years after regaining its independence and 26 years after its admission to the United Nations, the Operational Group of Russian Forces (OGRF) and its armaments are still stationed on the territory of the Republic of Moldova, **without its consent**.

The continued presence of foreign military forces and armaments on the territory of the Republic of Moldova **against its express wish** is not only incompatible with its independence, sovereignty, territorial integrity and permanent neutrality but it is also entirely incompatible with the rules of international law and the UN Charter.

Mr. President,

The presence of any foreign troops on the internationally recognized territory of any UN Member State, **without its consent and against its express wish**, constitutes a grave breach of the UN Charter and of the rules and principles that govern international relations.

The UN Charter and the international law are very clear on this account and leave no room for interpretations based on the circumstantial interests of any given Member State.

This is, Mr. President, the main message sent also by all resolutions adopted in the past by the UN Security Council and General Assembly on the unlawful military presence on the territories of the UN Member States.

The continued presence of the Operational Group of Russian Forces (OGRF) and its huge stockpiles of armaments on the territory of the the Republic of Moldova, a UN Member State since 1992, cannot and should not be an exception to the foregoing international rules and principles.

Accordingly, the proposed draft resolution reaffirms the need for all States to adhere strictly to the principles of the UN Charter and recognizes that the continued stationing of Russian military forces and armaments on the territory of the Republic of Moldova **without its consent** violates its sovereignty and territorial integrity, and that this is a problem that must be resolved in good faith, unconditionally, without further delay and in a peaceful manner.

Mr. President,

The obfuscated and circumstantial claim that the Operational Group of Russian Forces' presence on the Moldovan soil is somehow "legal" in terms of the 1992 Moldovan-Russian Ceasefire Agreement is merely a distortion of the actual content of that document.

**The 1992 Ceasefire Agreement was not intended to and did not give any basing rights for the Russian military forces in the Republic of Moldova.**

It merely provided for specific conditions and tools to stop the violent clashes that occurred as a result of a concerted unlawful action aimed at denying the authorities of the newly independent state to exercise the constitutional control over the eastern part of the country.

One of those tools was the creation of a Joint Control Commission (JCC) empowered with military contingents, labelled later on improperly as "peacekeeping", that were provided by the Parties to the Conflict, including the Russian Federation.

The recurring discreditable narrative of the Operational Group of Russian Forces' role as a "guarantor of peace and stability in the Republic of Moldova" subtly implies that the OGRF might have a certain "peacekeeping" role that makes it undistinguishable from the rotating Russian contingent which participates in the military component of the Joint Control Commission.

The truth is that the Operational Group of Russian Forces has nothing to do with the JCC's military component. There are no legal grounds for OGRF's to be considered part of that component and there are no legal grounds whatsoever for OGRF's continued presence in the Republic of Moldova.

For the sake of clarity, the draft resolution clearly distinguishes between the Russian rotating contingent operating under the JCC's military component and the Operational Group of Russian Forces and further stresses that the OGRF has not been entrusted with any "peacekeeping" or other legal mandate.

Still in this context, let me stress that the **JCC's military component has long ago fulfilled its scope.**

This obsolete mechanism has turned into a factor of conflict preservation and has failed to ensure the full demilitarization of the security zone. This is why the Republic of Moldova has repeatedly called, within the OSCE framework, for its transformation into a neutral **multinational civilian mission with an international mandate.**

Excellencies,  
Distinguished delegates,

The situation I just presented cannot be downplayed and casually defined as an "outstanding matter" that arises from the implementation or non-implementation of the signed but not ratified 1992 Moldovan-Russian Ceasefire Agreement.

This protracted situation is now almost twenty-seven years old and cannot be euphemistically characterised as a "bilateral issue between the two UN Member States".

The need for an **early, orderly and complete withdrawal** of Russian troops and armaments from the territory of the Republic of Moldova has been emphasized in many consensual OSCE Ministerial Declarations and related UNGA resolutions, documents that the Russian Federation also subscribed to or co-sponsored. As a signatory of the 1999 OSCE Istanbul Summit Outcome Document, the **Russian Federation legally committed itself to complete withdrawal of its troops and armaments by the end of 2002.**

Despite concerns about the speed and transparency of the withdrawal process, the uneven progress achieved by the Russian Federation between 2001 and 2002 was noted and its self-commitment to complete the **orderly withdrawal of its troops and armaments** by **31 December 2003** was included in the Porto OSCE Ministerial Statement.

Responding in *good faith* to the Russian Federation's technical requirements pertaining to the **orderly withdrawal** within the new deadline (expressed by the wording *provided necessary conditions are in place*), the participating States of the OSCE agreed to continue their support for withdrawal of Russian troops and disposal of ammunition by appropriate measures, including through additional contributions to a *Voluntary Fund* established for that purpose.

At the beginning of 2004, the process of withdrawal has been completely ceased on the grounds that are both legally and politically untenable. The rigid conditionality by the Russian Federation that the OGRF's withdrawal shall be synchronised with and finalized only after the settlement of the protracted political conflict in the eastern part of the country is both illegitimate and unacceptable.

The **foreign troops' withdrawal** and the **conflict-resolution process** are **totally different issues** and **cannot be linked** and one should not be a condition for the other.

The Transnistrian issue is a matter that falls within the domestic jurisdiction of the Republic of Moldova.

The international conflict-settlement mechanism in place is mandated to facilitate, in conditions of neutrality and non-interference in the internal affairs, a political solution based on full respect for the sovereignty and territorial integrity of the Republic of Moldova.

The adopted consensual OSCE Ministerial Declarations explicitly stressed that progress on the withdrawal of the Russian troops and armaments cannot be linked to any other question, with due regard to existing agreements.

The references to the 2002 Porto OSCE Ministerial Declaration that contained technical wording related to the **orderly** aspect of the next stage of withdrawal process are out of context. As was agreed by all parties involved in the negotiation of that statement, the wording "necessary conditions" used in the context of **orderly** withdrawal refers solely to the technical arrangements and shall in no way be applied to any political circumstances."

Nor the 2002 Porto OSCE Ministerial Declaration neither other agreed documents stipulate a "mandate" for the Operational Group of Russian Forces to indefinitely "guard" in the eastern part of the country its huge amounts of armaments (21000 metric tons) or to "provide assistance and security guarantees" to the unconstitutional power structures created there after the signing of the 1992 Ceasefire Agreement.

Let me remind here, distinguished delegates, that the **Moldovan Constitution expressly prohibits the stationing of foreign troops on the national territory**. In view of this absolute prohibition no exceptions are allowed whatsoever.

The rigid and continued conditionality by the Russian Federation that the OGRF's withdrawal shall be synchronised with the settlement of an internal political issue clearly contradicts the internationally accepted principles, as enshrined in the UN Charter, in the 1970 *Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States* and, indeed, in all other documents adopted by the UN with a view to uphold the **sovereign equality**.

Mr. President,  
Distinguished delegates,

The proposed draft resolution cannot be portrayed as an “unfriendly action” towards another UN Member State or as an attempt to “move discussions elsewhere”.

The proposed draft resolution seeks to consolidate the support of the United Nations towards a Member State whose sovereignty and territorial integrity is undermined by the continued illegal military presence of another Member State.

The increased in scope and frequency of the illegal joint military exercises of the Operational Group of Russian Forces with the paramilitaries of the unconstitutional power structures in the eastern part of the country is nothing else than a continuous violation of the 1992 Ceasefire Agreement that contains a explicit legal binding commitment to ensure the “neutrality of Russian Forces”.

Aiming at upgrading the military offensive capacity of unconstitutional power structures, the illegal joint military exercises undermine the international efforts aimed at the peaceful resolution of the protracted Transnistrian problem.

The Republic of Moldova, echoed by other OSCE Member States, repeatedly expressed its deep concern in regard to these unlawful and destabilising activities that run contrary to the obligations of the Russian Federation in the framework of the “5+2” international settlement format.

We cannot but disagree, Mr. President, with the characterisation given by the opponent of this draft resolution that the Moldovan initiative is “confrontational by its nature” and represents a “potential source of open tension in the south-eastern Europe”.

To the contrary, the OGRF’s continued illegal presence and its unauthorised and provocative military activities on foreign soil befits that description and can be also identified as unlawful under the terms of Article 2, paragraph 4 of the UN Charter.

Mr. President,

Through its *Declaration* of 21 July 2017, distributed subsequently to the UN membership as an official document of the General Assembly and the Security Council, the Parliament of the Republic of Moldova reaffirmed and re-emphasised the long-held official Moldovan position that the unauthorised continued stationing of foreign troops in the eastern part of the country constitute “*violations of the constitutional provisions as well as of the international law*”.

The Parliament has also reiterated its calls for “*the resumption and conclusion of the withdrawal process of Russian forces, particularly of the huge quantities of arms and munitions which, by their continued presence on the territory of the Republic of Moldova*”.

While located on the territory of the Republic of Moldova, those weapons and munitions are not under its “*jurisdiction or control*”.

Due to complete lack of transparency on and access to foreign weapons and munitions, both the Moldovan Government and the OSCE are effectively prevented to assess the technical conditions of those munitions, some of which may pose substantial environmental danger, or to monitor weapons and munitions transfers within its territory or abroad.

For the same reasons, the Republic of Moldova is unable to fulfil its international obligations as a State Party under various UN and international disarmament conventions, particularly those that ban certain categories of weapons.

This situation, distinguished delegates, is of an **international character** and shall not be allowed to persist.

The Government of the Republic of Moldova has repeatedly apprised the UN General Assembly and the High Contracting Parties to respective conventions of its concerns in that regard.

It is also against this background that the proposed resolution, in its operative part, urges the Russian Federation to complete orderly, unconditionally and without further delay the withdrawal of the Operational Group of Russian Forces and its armaments from the territory of the Republic of Moldova and further encourages the OSCE participating States to facilitate the completion of the process of withdrawal, in accordance with the relevant OSCE Ministerial decisions and as agreed at the OSCE Istanbul Summit in 1999.

Mr. President,

The draft resolution requests in its last operative paragraph the inclusion, in the provisional agenda of the seventy-third session of the General Assembly, an item entitled "*Complete withdrawal of foreign military forces from the territory of the Republic of Moldova*".

The respective request fully complies with Article 11, paragraph 2, of the UN Charter. An item on this issue and its subsequent constructive consideration by the General Assembly would constitute a highly needed application of preventive diplomacy vis-à-vis a UN Member State, whose sovereign rights under the UN Charter, territorial integrity and sovereignty are continuously challenged.

Let me remind, in this context, that the Republic of Moldova requested the inclusion of a supplementary item, with an identical title, in the agenda of the current, seventy-second session of the General Assembly.

Despite our strenuous, two month long, efforts to create premises for a consensual recommendation by the General Committee (GC) and in the absence of any procedural objections on behalf of GC Members, it was not yet possible to safeguard a procedural action fully compliant with the Rules 41 and 42 of the Rules of Procedure.

We firmly believe that any amendments intended to change the title and substance of the proposed items or resolutions, in a way that completely reverse their scope or, by their political implications, might undermine or violate UN Member States' sovereignty and territorial integrity shall not constitute a subject of procedural action or consideration both in the General Committee and in the UN General Assembly.

Excellencies,  
Distinguished delegates,

By bringing before the UN General Assembly the issue of long-awaited withdrawal of foreign troops from the territory of the Republic of Moldova we do not seek confrontation or politicization.

It is a matter of high principle and of high political importance for every UN Member State to fully exercise its legitimate rights and authority on its own territory.

It is hoped that this initiative would enjoy the same support and constructive attitude on behalf of the UN Member States as the similar GA resolutions, adopted in 1992 and 1993, that contributed to the withdrawal of foreign military forces from the territories of Baltic States.

The overarching purpose of the draft resolution A/72/L.58 before the Assembly today is to uphold the fundamental principles of the UN Charter.

Therefore, distinguished delegates, a vote in favour of this resolution will not be a vote against any Member State but rather it will be a vote to uphold the UN Charter and the International Law.

Likewise, a vote against any motion that seeks to deny the consideration of the proposed draft resolution will be a vote to uphold the sovereign rights of the UN Member States to bring before the General Assembly issues of legitimate concern that falls within its competence.

In conclusion, Mr. President, on behalf of the Government of the Republic of Moldova, let me express deep gratitude to the co-sponsors of the draft resolution A/72/L.58: **Canada, Czech Republic, Estonia, Georgia, Latvia, Lithuania, Poland, Romania, United Kingdom and Ukraine.**

Likewise, I wish to thank in advance all UN Member States which will vote today in the spirit of International Law and the UN Charter.

I thank you, Mr. President.