

END NOTE

ROMANIA ATTEMPTS TO ALLEVIATE BORDER PROBLEMS WITH UKRAINE

By Taras Kuzio

The timing of Romanian President Ion Iliescu's visit to Ukraine on 17-19 September was not unexpected. Ukraine's "Zerkalo nedeli/Dzerkalo tyzhnya" newspaper predicted as far back as its 8-14 June edition that Romania would be pushed into patching up its border dispute with Ukraine by the impending November NATO summit in Prague.

It was therefore somewhat disingenuous of Romanian Foreign Minister Mircea Geoana to say in August that "Romania is not under any time pressure from the point of view of European and Euro-Atlantic integration." In June, Romania presented to NATO its progress in implementing its Membership Action Plan as the basis for NATO membership.

Romania's actions followed a similar pattern in 1997, when Bucharest sought to resolve outstanding border problems on the eve of the Madrid NATO summit. On 28 April 1997, Ukraine and Romania resolved their border dispute only a day before reformist President Emile Constantinescu applied for Romania to join NATO. The treaty was formerly signed in June 1997, a month before the NATO summit, and went into effect in October of that year. The Romanian Foreign Ministry complained in 1997 that postcommunists and nationalists who opposed the border treaty with Ukraine were "circles alien to Romania's interests that wanted the country to stay outside European and Euro-Atlantic structures."

After the signing ceremony, President Constantinescu said "Romania now fulfils all of the conditions to be accepted in the first wave." But, even French and Italian lobbying failed to secure Romania as a candidate for NATO membership in 1997.

Iliescu's visit to Ukraine last week came after thirteen rounds of negotiations had failed to reach a breakthrough in the final obstacle in Romania's border dispute with Ukraine. In 1997 the existing border was confirmed in the treaty, but the delimitation of the maritime border was deferred for two years. However, this has yet to be achieved.

Of Ukraine's seven neighbors, Romania has ranked alongside Russia as the most intransigent over border issues. Both the former communists led by Iliescu and extreme nationalists, such as the Greater Romania Party, opposed the 1997 treaty. Only because of a reformist president and his allies in parliament did the treaty muster support. The treaty was narrowly ratified by the Romanian Senate by a vote of 65 to 50, with three abstentions, and in the

lower Chamber of Deputies by a vote of 165 to 92. Three opposition left and nationalist parties boycotted the signing ceremony (including Iliescu's party).

The Romanians were the only one of Ukraine's many national minorities who called for a boycott of the 1 December 1991 referendum on Ukrainian independence. In the early 1990s, Romania challenged Ukraine's right to North Bukovina, which has a Ukrainian majority; northern and southern Bessarabia; and Hertza and Serpents islands, which are located 30 kilometers from the Danube River and 120 kilometers from Odesa.

Soviet forces occupied North Bukovina (now Chernivtsi Oblast), Bessarabia, and Hertza in 1940 as part of the Nazi-Soviet Molotov-Ribbentrop Pact. These regions were confirmed as part of the USSR by the 1947 Paris Peace Treaty. After 1945, the central Bessarabian region was added to the interwar Moldavian ASSR, which had been part of the Ukrainian SSR, to create the Moldavian SSR. The former Moldavian ASSR, lying to the east of the Dniester River, has been de facto independent as the diplomatically unrecognized Transdnister Republic since seceding from Moldova in 1990-92.

Although Romania and the USSR successfully demarcated their land border, they did not do the same for the maritime border in the Serpents Island region. By 1995 the Romanian-Ukrainian dispute over this maritime region flared up anew as Romania sought to appeal to the International Court of Justice. In a December 1995 statement, the Ukrainian Foreign Ministry claimed that Romania's actions "qualify as an effort to raise territorial claims against Ukraine."

In response to Romania's territorial claims, Ukraine built up military installations on Serpents Island, although the 1997 treaty forbade Ukraine from placing "offensive weapons" there. Ukraine built a modern wharf, seismic station, wind-and-diesel power station, modernized military barracks, and a telephone communications network. The military installations are to be closed down this year. In May, the Ukrainian government earmarked 161 million hryvni (\$32 million) to expand infrastructure, communications, and economic activities on Serpents Island, as well as to demilitarize it. These government plans cover improving border protection of Serpents Island's continental shelf and territorial waters.

The dispute between Ukraine and Romania over Serpents Island resembles recent disputes over similar small uninhabited rocky islands between Greece and Turkey (Imia in Greek/Kardak in Turkish) and Morocco and Spain (Leila in Moroccan/Perejil in Spanish). The major difference is that in the mid-1990s, 17 major oil and gas deposits were discovered in the Serpents Islands region.

Besides Serpents Island, two other problems have bedeviled Romanian-Ukrainian relations. First, the status of the 325,000 ethnic Moldovans and 135,000 ethnic Romanians in Ukraine. Geoana accused the Ukrainians of continuing to implement "Stalin's theory about the existence of a Moldovan language and a Moldovan nation," which he believes is "fiction." Romania's postcommunists therefore hold similar views to the country's nationalists that Ukraine has in reality 460,000 "Romanians" (not 135,000, as per the 1989 Soviet census). Within Moldova, only nationalists back this viewpoint while postcommunist centrists support a policy of "one people, two states"

and the left sees Moldovans as a completely separate people, as in the former USSR.

The second issue is the reciprocity of rights for Romanian and Ukrainian minorities in Ukraine and Romania, respectively. The 1997 treaty included -- on Romania's insistence -- the Council of Europe's Recommendation 1201 allowing for territorial autonomy, following opposition by Bucharest to the inclusion of that recommendation in the treaty it signed with Hungary relating to the rights of ethnic Hungarians in Romania. Romania has demanded the establishment of a "multicultural" university in Chernivtsi (in Romanian Cernauti) while refusing to open a Hungarian equivalent in Transylvania.

In Ukraine, the Romanian minority has 20 newspapers, journals, television, and radio programs. Romanian-language schools exist in every region where Romanians and Moldovans reside. In Romania, on the other hand, there is only one Ukrainian-language school, which was reopened in 1997, that caters to 10, 000 Ukrainian school pupils. Ukrainian-language textbooks encounter publishing difficulties and Ukrainian television and radio programs are rare.

During President Iliescu's visit last week the two sides agreed to settle the final section of their border dispute by June 2003. It remains to be seen if they will in fact manage to do so, after the failure of the two-year period between 1997-99 set for this same purpose.

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