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**UNDERSTANDING THE CENTRIFUGAL FORCES
IN ASYMMETRIC POWER-SHARING ARRANGEMENTS.
THE CASE OF GAGAUZIA**

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**UNDERSTANDING THE CENTRIFUGAL FORCES
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The aim of this work is to understand the main centrifugal forces in the dialogue between the autonomous region of Gagauzia and Moldovan central public authorities. Although one of the few cases of the peaceful mitigation of an ethnic conflict in post-Soviet space, this autonomous arrangement was established with loose requirements that have resulted in only a superficial mechanism of integration for Gagauzia. This provides the grounds to consider Gagauzia, although a different case, in reintegration policies parallel to the Transnistrian issue. This analysis describes the irregularities, tensions and threats to regional stability posed by Gagauzia. While attempting to depict the complex picture of the factors hindering the functioning of the autonomous region, the present work sheds light on the informal practices and the lack of political will to efficiently implement the special legal status of Gagauzia.

KEY WORDS: *centrifugal forces, power-sharing arrangements, Gagauzia, Republic of Moldova, inter-ethnic tensions, minorities*

INTRODUCTION

The Autonomous Territorial Unit of Gagauzia (ATU Gagauzia) is a discontinuous region in the southern Republic of Moldova and the only case in Central Eastern Europe in which an ethnic group has been granted territorial autonomy. Established in 1994 as a compromise with secessionist desires, Gagauzia stands as a prominent example of the Moldovan central government's neglect of and inadequate efforts to integrate minorities. Although the settlement prevented replication of the Transnistrian scenario, the loose settlement of Gagauzia has persistently challenged the national and territorial integrity of the Republic of Moldova (Goda 2016, 209).

The adoption of the Law No 344/1994 on the Special Legal Status of Gagauzia institutionalized the compromise, granting the region the status of a territorial autonomous unit and entitling it to its own executive and legislative bodies: the governor, Executive Committee and Popular Assembly. The aim of the law, which prevented

conflict, lessened ethnic tensions and provided a mechanism to protect the interests of the Gagauz minority, was to suspend the conflict and move it to a post-agreement phase (Protsyk 2010, 235). The compromise, though, resulted in the lack of specific, clear provisions (Weller 2008, 391; Jävre 2008, 311, 313) and in ambiguous and extensive competences for the executive and legislative authorities of the autonomous region (Venice Commission 2002). Consequently, *“the lack of specific details regarding relations between the central authorities and the autonomous administration, especially in terms of competencies and finances, once again created a space for mutual mistrust, suspicion, and blame”* (Goda, 211).

Despite its initial mandate was limited on the Transnistrian issue, the Organisation for Security and Cooperation and Security in Europe (OSCE) decided in 2000 to monitor *“the political situation in the autonomous region [...] and] the centre-region relations in the areas of tax revenues, budget allocation, public property ownership, and adjustment of legislation”* (OSCE 2000, 75). The OSCE efforts to consolidate the confidence-building measures intensified after the signing of the Association Agreement in 2014. Regional development policies and the requirement to strengthen political dialogue revealed the strained relations between the Gagauz leadership in Comrat and the Moldovan Government in Chisinau. Subject to policies of social cohesion and uniform regional development, Gagauzia was also expected to serve as a positive example for the settlement process in Transnistria.

In the debates on the centrifugal forces around Gagauzia, Chisinau has been criticized for being *“uninterested in the Gagauz issue, relying mainly on political control technologies over the Gagauz elites and ignoring the Gagauz society”* (Ciurea/Berbeca 2015, 5). It is important to note that the use of political leverage, as well as administrative and financial centralization, has pervaded Moldovan public administration. This does not excuse government’s failed integration policies, but it does highlight that the conflict over Gagauzia, including the ethnic factor, has been highly politicized (Botan 2014) and stirred up by political leaders.

To identify the sources of tensions, this work looks at the legislation regulating the arrangements for the autonomous region to analyse the impediments to implementation of its special status. Moreover, this work examines the performance of the cooperation mechanisms in representing Gagauzia’s interests within central representative bodies to identify the factors leading to their underperformance. These arguments emerge from the interviews with both Gagauz and Moldovan civil servants and civil society representatives and an analysis of legislation of both the autonomous region and the national government, as well as from the author’s observations and previous scholarly work on the issue of Gagauzia.

WHY IS IT WORTH KEEPING AN EYE ON GAGAUZIA?

Largely populated by the Gagauz people, Turkic-speaking Orthodox Christians, the region also contains significant populations of Ukrainians, Bulgarians, Roma and other ethnic minorities. The autonomous region is one of the poorest in Moldova, with the least dense transport infrastructure, yet it possesses the best supplies of water and gas reserves. Its administrative centre is the city Comrat.

Like the other minorities in Moldova, the Gagauz people have poor knowledge of Romanian and receive education mostly in Russian. Preferred among the young, urban population, Russian has overtaken the Gagauz language, whose existence is threatened because it is used mostly by the aged population, in rural areas and in private life (Cantarji 2016, 19). Given the scant knowledge of the Romanian language, Russian media are highly popular in the region and the main opinion-forming source (Nantoi, et al. 2016, 28). This situation not only fosters one-sided views among Gagauzia’s population but also threatens their linguistic identity. Another factor bringing the region closer to Moscow is the anti-Western discourse inherited from the russification policies and later reinforced by politicized discourses surrounding national identity. In the times of national awakening that followed perestroika, the Gagauz people, like the Transnistrians, associated desires for cultural associations or unification with Romania (advocated by the National Front of Moldova) as a threat to their culture leading only to eventual oppression¹.

Gagauzia’s close ties with Russia become evident in times of geopolitical unrest and internal power struggles. For instance, when banning Moldavian wine in 2013, Russia made an exception for Gagauz wine factories (Prina 2014, 10). Also, the results of the Gagauz referenda² organized on the eve of the signing of the Association Agreement in 2014 revealed residents’ strong sympathy for Russia (Cațus 2014) and disapproval of foreign policy that would distance Moldova from the Russian sphere. Gagauzia’s overwhelming support for membership in the Customs Union was driven by *“the tradition-*

1 This resulted in the autonomous settlement granting the right to external self-determination if Moldova lost its sovereignty (in case of unification with Romania or, more recently, admission to the European Union) in art 1(4) of Law No 344/1994 on the Special Legal of ATU Gagauzia.

2 The consultative referendum asked: *“Do you agree with the choice of Moldova’s foreign development course aimed at joining the Customs Union (Russia-Belarus-Kazakhstan)?”* The legislative referendum asked: *“Do you agree that the ATU Gagauzia should adopt a law allowing the Gagauz people to exercise their right to self-determination in case the Republic of Moldova changes its status as an independent state?”* The referenda results are unavailable on the Gagauz Central Electoral Commission’s website. According to media reports, however, 98.47% of the voters agreed that Moldova should develop an external policy favouring eventual membership in the Customs Union (Russia-Belarus-Kazakhstan), and 98.9% supported Gagauzia’s right to declare independence should Moldova lose or surrender its independence.

ally pro-Russian attitude of the local population; a fear of the potential unification of Moldova and Romania (fuelled by local officials and compounded by statements released by Bucharest); a fear of a further drop in trade with Russia and restrictions on access to the all-important Russian labour market; and also poor knowledge about the European Union and the process of European integration” (Cațus 2014, 1).

Preservation of the close ties with Russia was also a major theme in the 2015 campaigns in the elections for governor. For instance, while declaring openness to cooperating with any party willing to invest in the region, then-Governor Irina Vlah stated in her election manifesto that the Russian Federation was the guarantor of Moldovan statehood and Gagauz autonomy. Her campaign was also known to have received financial support from Iurii Iakubov, a Russian oligarch with Gagauz roots (who also financed the referenda), and her candidacy drew unanimous support in the Russian mass media (Chamber of Regions 2015; Pilgrim-Demo 2012, 13), which devoted unprecedented, intense reporting to the gubernatorial elections (Berbeca 2015, 12).

Within Gagauzia, the Soviet legacy (i.e. the collective consciousness and memory), language and perceptions of the West act as centripetal forces, but these become centrifugal forces in relation to the centre. Although true to a large extent for all minorities in Moldova, these aspects have a higher resonance in Gagauzia due to the fusion of sensitivity to geopolitical struggle and the leverage of enhanced powers that come with asymmetrical power-sharing. This fusion serves the interests of the political cartels that reinforce and perpetuate those centrifugal forces, primarily through the mass media, discourses and simple inaction.

LEGISLATIVE FRAMEWORK

Other centrifugal forces that affect the functioning of the Gagauz autonomous region emerge from loopholes in the functioning of the public administration. For instance, the National Strategy on Decentralization highlights issues that point to the main sources of tensions in Gagauzia. Among the most prominent are: “the unclear, incomplete delimitation of competences between public administration authorities of different levels”³; “the excessive intervention of central public administration and local public administration (LPAs) of the second level in the process of financial re-

3 The territorial administration in Moldova differentiates between administrative territorial units (ATU) at the first level (cities/municipalities and villages/commune) and the second level (Rayons, Balti and Chisinau municipalities and an autonomous territorial unit with special status, i.e., Gagauzia). According to Law No 436/2006 on Local Public Administration, local public administrations (LPA) are also organized at the first level (executive and deliberative authorities in towns and villages) and at the second level (executive and deliberative authorities in Rayons, Balti, Chisinau and ATU Gagauzia).

sources management by LPAs of the first level”; and “the budgetary dependence of each level of the public administration on the higher one”⁴. The following sections elaborate on these issues.

INCOMPLETE DELIMITATION OF COMPETENCES

Law No 344/1994 is the primary law regulating the peculiarities of Gagauzia’s autonomy, in particular, the competences of its public authorities and their relationships with the other local and central public authorities within the state. The law addresses only the domains in which the representative bodies of the autonomous region hold competences to perform. The most illustrative example is art 12 (2), which lists the areas where the Popular Assembly can issue normative acts (local laws): “a. science, culture, education; b. housing and utilities, amenities, [...] e. economy and ecology”. Gagauz regional authorities have adapted to the ambiguity of Law No 344/1994 by interpreting “power in their own way, developing it for other local legislative acts”, resulting in the extension of regional autonomy (Cioaric 2016, 33). The ambiguity of power sharing is also reflected in the Gagauzia’s inaccurate status in the hierarchies of both the territorial and the public administrations and the unclear legislative hierarchy of the Law on Local Public Administration⁵, Law on Special Legal Status of Gagauzia and Legal Code of Gagauzia⁶ adopted by the Popular Assembly, which “amounts to a constitution for the autonomous region” (Venice Commission 1999).

UNCLEAR STATUS IN THE TERRITORIAL-ADMINISTRATIVE ORGANIZATION

The territorial-administrative organization provides more grounds for tension between the centre and the autonomous region. Gagauz authorities’ main complaint is that in funds transfers from the central national budget, Gagauzia is treated as one administrative unit (Ekspres-Kanon 2016), although, from its point of view, it comprises 3 *raions*⁷. Annex no 4 of national Law no. 764/2001 on Administrative-

4 Law No 68/2012 on the Approval of the National Decentralization Strategy and the Action Plan for Implementing the National Decentralization Strategy for the Years 2012–2018, at: <<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=344005&lang=1>>.

5 Law No 436/2006 on Public Administration.

6 Law No 28-XXX/1998 of Legal Code of Gagauzia (Gagauz Yeri) (tr.ru), at: <<http://www.halktoplushu.md/index.php/ulozhenie-gagauzii>>.

7 According to art 10(1), Law No 764/2001 on Administrative-Territorial Organization of Republic of Moldova, a *raion* (district) is an administrative division comprised of villages and cities united through territorial, economic and socio-cultural relationships.

Territorial Organization presents Gagauzia as one territorial unit with three cities. The regional law⁸ of the autonomous unit, however, uses the same wording as art 10 of Law No 764/2001 to define *dolay* (*raions*) and list the three cities as *dolays*. Some officials from the central administrative bodies think that the Gagauz elites insist on recognition of three *raions* for financial interests as more territorial divisions mean more personnel and money transferred from the central budget⁹.

UNCLEAR HIERARCHY OF INSTITUTIONS

Within the national public administration system, Gagauzia's Executive Committee and Popular Assembly are hierarchically equal to other second-level LPAs. According to the Gagauzia's Legal Code, however, within the autonomous region, the same bodies stand as the supreme representative bodies in relation to both first- and second-level LPAs¹⁰ elected following national elections. Stated first in Law No 344/1994 and expanded in the Legal Code of Gagauzia, the competences of the Popular Assembly, Executive Committee and governor overlap with the competences of the national representative bodies and contradict the provisions regulating their functioning. These overlaps violate the principle of public authorities' decisional autonomy stated both in the European Charter of Local Self-Government and in the national legislation regulating the public administration.

8 Law No1-III/1995 of ATU Gagauzia on the Territorial-Administrative Unit of Gagauzia (Gagauz Yeri) (tr.ru.), at: <<http://halktoplushu.md/index.php/zakonodatelstvo-ato/zakony-ato-gagauziya/925-ob-administrativno-territorialnom-ustrojstve-gagauzii-gagauz-eri>>.

9 Information from the author's interview with an official.

10 Art 51 of the Legal Code of Gagauzia sets out the powers of the Popular Assembly. Its right to "revoke in whole or in part, decisions and orders of the Executive Committee and of local authorities if they conflict with the legal code and the laws of Gagauzia" (§9) conflicts with the courts' jurisdiction to rule on the legality of a particular decision. Another competence allows the Popular Assembly to "determine the functioning of local authorities" (§7) and "dismissal of persons holding positions of responsibility in authorities of public administration of Gagauzia" (§8).

Or: The status granted to the governor in art14(1) of Law 344/1994 and art 58 of the Legal Code stipulates that "all bodies of public authority of Gagauzia submit to him/her [the governor], although only members of the Executive Committee may be subjected to the governor's authority".

Or: The Executive Committee's right to "cancel the decision of any local government body if it contradicts the current legislation and interests of society", provided in art 78(2) of the Legal Code of Gagauzia, violates the principles of the division of power and local autonomy.

UNCLEAR LEGISLATIVE HIERARCHY

The unclear legislative hierarchy affects the naming of the decisions issued by the Popular Assembly, given the interchangeable use of the terms "normative acts" and "local laws" within the Moldovan legal system. This ambivalence reveals conflicting views about the implementation of Gagauzia's special status. The Gagauz insist on the recognition of local laws as a type of law (Berbeca 2016, 46), while the central government argues that no such category of law exists in the national legal system¹¹. Moreover, the national Parliament is the only representative body entitled with legislative powers, so any legal acts issued by the other bodies of public administration¹² are normative¹³, not laws.

It is important to emphasise that this issue is also rooted in the general principles ruling the hierarchy of legal norms: namely, when legislative acts with equal juridical force conflict, subsequent normative acts hold priority. In the absence of coordination, this situation has led to a multitude of (national) legislative acts adopted after the Law No 344/1994 which are detrimental to the autonomous region and ignore the legislative competences of the Popular Assembly (Cuijuclu/Sircheli 2015). At the same time, though, it is worthwhile to consider that the acts issued by the Popular Assembly, such as the Law on Legal Acts¹⁴ and the Education Code¹⁵, not only duplicate the national laws but also assign powers that make the autonomous region more of a state-in-state structure.

In the absence of a strongly consolidated status and clear legislative and institutional hierarchies, the arrangements for Gagauzia seem to be a back-and-forth issue. In other words, both sides follow contrasting interests and views, which explains their firm stance and low receptivity to compromise. The dialogue between the centre and the autonomy thus is defined by arguments that inhibit any efforts to settle the dispute.

11 The Constitution (art 72) and Law No 780/2001 on Legal Acts (art 7) endorse only three categories of legislative acts: constitutional, organic and ordinary laws.

12 Law No 317/2003 on Normative Acts of the Government and Other Bodies of the Central and Local Public Authorities.

13 Art 10(c) of Law No 317/2003 ranks the legal acts adopted by the Popular Assembly alongside the decisions made by the representative bodies of second-level public authorities.

14 Law No37- XIV/III/2005 of ATU Gagauzia on Legal Acts (ru), at: <<http://halktoplushu.md/index.php/zakonodatelstvo-ato/zakony-atogagauziya/918-o-zakonodatelnykh-aktakh>>.

15 Law No 27-28(235-236)/2016 on the Education Code of Gagauzia (ru), *Ekspres-kanon*, official gazette of Gagauzia, at: <<http://halktoplushu.md/index.php/zakonodatelstvo-ato/zakony-ato-gagauziya/1343-ob-obrazovanii>>.

BUDGETARY DEPENDENCE ON HIGHER LEVELS OF THE PUBLIC ADMINISTRATION

Despite several provisions on taxes and duties¹⁶ granting autonomy over funding sources¹⁷, Gagauzia remains highly dependent on transfers from the central national budget. For instance, 62.47% of Gagauzia's budget for 2016¹⁸ came from transfers from the national central budget (special destination 61.60% and social assistance 0.87%) and 37.5% from proper earnings (Ekspres-Kanon 2016).

A major claim on the centre made by Gagauz representatives is the right to receive more financial aid for capital investments and reparations. They argue that too few infrastructure projects have been developed or successfully completed in their region and that too few foreign grants have been distributed to Gagauzia. The absence of formalised procedures for making decisions about transfers *"increases the central government's leverage over local governments across the country as well as over the Gagauz leadership"* (Protsyk 2010, 247). Nevertheless, Berbeca (2013) insists that the problem is not entirely the fault of central authorities. He argues that Gagauzia's low funding is also explained by the lack of established projects or, in general, a lack of project proposals that comply with eligibility criteria (Berbeca 2013, 11). In addition, low knowledge of Romanian affects the autonomous region's capacity to receive funds from the national central budget as project applications are required to be written in Romanian.

Tensions over the distribution of financial resources concern not only the central authorities but also emerge within the autonomous unit, primarily in relation to access to the reserve fund. Intended to be used for humanitarian aid after acts of God¹⁹, it is equally divided between the Popular Assembly and the Executive Committee. Of the Popular Assembly's reserve fund, 90% is assigned to deputies divided propor-

16 The composition of Gagauzia's budget is determined by art 18, 344/1994 Law on Special Status of Gagauzia and arts. 2(1).2 and 5(3) of the 397/2003 Law on Local Public Finances. According to art 18, Law No 344/1994, Gagauzia's budget consists of *"all types of payments established by the legislation of the Republic of Moldova and the People's Assembly"*.

17 With the exception of custom taxes and penalties, the following taxes and duties collected within Gagauzian territory and jurisdiction go directly to its central budget: all value-added taxes, excise duties and income taxes from physical and juridical persons and half of road taxes.

18 Annex no1, ATU Gagauzia Law No 1-3(209-211)/2016 on the Budget of Gagauzia for 2016 (tr.ru).

19 Art 3, Local Gagauz Law No 11/2013 of UTA Gagauzia on Reserve Fund (tr.ru), Law No 11/2013, at: <<http://halktoplushu.md/index.php/zakonodatelstvo/zakony-ato-gagauziya/914-o-rezervnom-fonde>>.

tionally among the population of the 35 electoral districts. This allows deputies to decide the management of the financial resources within the electoral districts they represent. Doubts have arisen about the degree of transparency of expenditures and the legitimacy of the Popular Assembly's competence as a deliberative institution to manage budgetary funds (Sirkeli 2016). Criticism has been levelled against using money from the reserve fund for publicity purposes on the eve of electoral campaigns. Deputies have frequently directed money to infrastructure construction (Pilgrim-Demo 2016, 4-5), attributing the benefits and the spending to their names.

The governor administers the rest of the reserve fund allotted to the Executive Committee. The lack of clear provisions regarding the distribution of financial resources leads to tensions between the mayors and the Executive Committee. For instance, the mayor of Vulcanesti has accused the Executive Committee of favouritism and centralisation of decision-making and has argued that the mayors best know localities' issues and thus are more competent at deciding where to assign the money.

UNDERPERFORMING COOPERATION MECHANISMS

The dialogue between Gagauzia and the centre is institutionalised though the following mechanisms of cooperation: the Popular Assembly's right of legislative initiative in the National Parliament; the inclusion of the governor as a representative of the autonomous region in the Moldovan government; and the appointment of the heads of the Executive Committee's branch divisions as members of the Moldovan government within the ministries' boards²⁰ and departments. However, a series of shortcomings in the activity in these mechanisms reveals the absence of a contractual relationship and the failure to establish a constructive dialogue and promote the Gagauz minority's interests.

THE POPULAR ASSEMBLY

The Popular Assembly of Gagauzia is both the autonomous region's deliberative body and a mechanism intended to represent its interests in the national legislature. Like the government, the Popular Assembly has the right of initiative, while the assembly chair is responsible for introducing and advocating draft laws during the parliamentary sessions. The assembly also has the right to participate in the implementation of national foreign and domestic policy relevant to the interests of the autonomous unit.

20 Ministries' boards have advisory status and are empowered to make decisions on major issues in the areas of competences belonging to the ministries, hear reports on the activities of heads of departments and their subordinated administrative bodies and supervise implementation of their decisions.

Scholars point out the Popular Assembly's lack of professionalism and its failures to identify the current issues of the autonomous unit, adopt a comprehensive approach to solve them, use appropriate terminology when drafting the bills and promote the adoption of draft laws (Cuijuclu/Sircheli 2015, 16). Moreover, the Popular Assembly has missed a series of legislative procedures, including monitoring draft laws, leading to inefficiency in realizing the right of legislative initiative. These circumstances explain why most draft laws submitted in the Parliament have been cancelled on technical grounds (Cuijuclu/Sirkeli 2015). Most drafts submitted by the Popular Assembly refer to Gagauzia's electoral system, public administration or financial issues (Parlamentul Republicii Moldova 2015); (Cuijuclu/Sircheli 2015, 22–32). While claiming to respect the principles of equity and equality, some legislative initiatives have been, in fact, tendentious²¹ and aimed at increasing political and economic leverage of Gagauzia (Cuijuclu/Sircheli 2015, 16).

THE EXECUTIVE COMMITTEE

Acting on the governor's proposal²², the Executive Committee's heads of branch divisions are appointed as members of the Moldovan government within the boards of ministries and departments. Not only are the autonomous region's issues rarely discussed, but the lack of any reports on the ministries boards' activities and meetings makes it *"difficult to assess the performance of the Executive Committee within the Ministries' boards"* (Cuijuclu 2015, 16). There is no standing practice for the organisation of regular meetings, and the frequency of the Ministries boards' meetings varies from a monthly basis to a gap of more than two years (ibid). Also, both the poor training of personnel and the lack of documents regulating employees' activities (e.g. professional development plans and duty regulations) affect the performance of the Executive Committee (Levitskaia 2016, 68).

A former member of a ministry board explained that while the environment within the boards is usually favourable for dialogue, there are issues in cooperation between

21 Initiative no 277 on 13 June 2014 required amending National Law No 847/1996 on Budgetary System and Budgetary Process to stipulate that not less than 5% of the public money assigned for local capital investments should be allotted to ATU Gagauzia. The intention was to give the autonomous region preferential treatment compared to other territorial divisions. As well, initiatives nos 266 and 228 on 13 June 2014 called for amending national laws to harmonize national legislation with the regulations of the Law on Special Legal Status of Gagauzia. The intent was to transfer the *"institutions of Police, Prosecutor and other [state] bodies"* to the absolute control of the autonomous region, which would conflict with the national legal system and foster practices of patronage.

22 Art 19 of Law No 344/1994 on the Special Legal Status of ATU Gagauzia.

the offices of the government and of the Executive Committee²³. The ambiguities in laws and power devolvement and simply civil servants' poor knowledge of the autonomous region's issues hinder the interaction between the authorities in public administration. As well, the ministries' board meetings are conducted in Romanian, so language is another impediment to active involvement by Gagauz branch-divisions heads in the boards' discussions. Given their low proficiency in the state's official language, the heads of branch divisions often prefer to stay quiet or even not attend the meetings, thinking they will be unable to have a say in the outcomes of the discussions.

In the absence of a consolidated, transparent procedure, the dialogue between the government and the regional executive bodies is highly vulnerable to tensions. For instance, following the issuance of the Gagauz Education Code, tensions increased to the point where Gagauz stated that the head of its Education Division had not been invited to the board meetings of the Ministry of Education (Guvernul Republicii Moldova 2016). For its part, the Ministry of Education argued that it had sent an invitation. While the truth is hard to determine, such an atmosphere clearly cannot lead to constructive dialogue.

THE GOVERNOR

The governor is the head of the Executive Committee, holds an *ex-officio* mandate in the national government and enjoys the status of a minister. Despite the governor's competence to address the interests of Gagauzia during government meetings and parliamentary sessions, this mechanism of cooperation is inefficiently used (Cuijuclu 2015, 9). The main hindrances to successfully implementing these mechanisms are the limited human resources in the autonomous region's executive authorities to facilitate the process and effective participation and the governor's failure to elaborate a clear vision of Gagauzia's main interests and a strategy to promote them in cooperation with the central government (Cuijuclu 2015, 9). Also, during the period analysed (October 2014–November 2016), the governor neither introduced any issues in the government meeting agenda nor questioned any issues regarding the protection of minority rights (Guvernul Republicii Moldova 2016).

THE WORKING GROUP – A HOPE?

With the signing of the Association Agreement, Gagauzia, like Transnistria, became an important element in the European Union's (EU) efforts *"to strengthen the*

23 Information from the author's interview with a former member of the ministry board.

sovereignty and territorial integrity of the Republic of Moldova and to contribute to the reintegration of the country". Considering the EU's priorities in Moldova, improving the functioning of Gagauzia's autonomy ranks high on the agenda of the EU-Moldova Human Rights dialogue and is addressed in the confidence-building process and the creation of an inclusive society. To improve the dialogue between the central and regional authorities, a working group consisting of members of the national Parliament and the Popular Assembly was created in 2015. Unlike earlier joint commissions that ceased activities after the elections and lacked a strategy, this permanent working group aims to define the competences of the autonomous region within the constitutional norms of the Republic of Moldova (PRM; GHT 2016).

The group seems to be promising and has been praised for its systematic, pragmatic approach. It has addressed socio-economic issues, and according to the activity report for the first year of activity (2015 – 2016)²⁴, the group made the decisions on the following issues:

- the use of international loans and sources of road funds in the ATU Gagauzia
- distribution of money to the National Ecologic Fund for the past five years
- establishment of the Gagauz Agency for Regional Development, which gives the autonomous region direct access to capital investment and is intended to eliminate tensions with the Centre and suspicions of favouritism
- implementation of the 2016–2019 action plan to improvement the socio-economic situation of the autonomous region
- adoption of three draft laws to consolidate and define the special legal status of the autonomous region²⁵

Moreover, at the request of the working group, the National Justice Institute will provide specialized training to aspiring judges and prosecutors willing to work in Gagauzia. Also at the working group's request, civil servants working in the Popular Assembly can receive training in the Secretariat of the Moldovan Parliament.

24 Activity report of the working group for the first semester, 2016 (trad.ro), at: <<http://parlament.md/LinkClick.aspx?fileticket=H4E1lno%2fgRk%3d&tabid=237&language=ro-RO>>.

25 *Nr.318 on 15/7/2016* – on amendment to art 27, Law No 344/1994, implying the need for a positive statement from the Popular Assembly on any amendments to Law No 344/1994; *Nr.319 on 15/7/2016* – on administrative decentralization of LPAs, excluding the institutions of the governor, Popular Assembly and Executive Committee from second-level LPAs and categorising them as LPAs of a special level; *Nr.354 on 17/08.2016* – on territorial administration, delimiting Gagauzia from an ordinary territorial division of the second level.

Although the working group has created a more positive political environment, it requires permanent experts to assist with analysis and evaluate the feasibility of the decisions taken (Cuijuclu 2015, 14). Also, incongruities in the appointment of deputies²⁶ have led to *“new changes in the composition of the Commission, which may affect the decision-making process and the continuity of its functioning”* (Cuijuclu 2015, 14). Unlike earlier joint commissions, this working group has produced evidence of attempts to improve the dialogue between the two centres of powers and harmonise the legislation regulating the special legal status of ATU Gagauzia. However, given the weak governance, the group risks becoming an illusionary model of minority rights protection, attracting the appreciation and support of international actors. A thorough analysis of the group's effectiveness, therefore, is needed to avoid further misuse of the international budget support.

CONCLUSION

The ATU Gagauzia is an intriguing case to observe the functioning of territorial autonomies, the more so in the context of democracies in transition and geopolitical struggles. Although a successful case of inter-ethnic conflict mediation, the Gagauzia autonomous region is a modest example of harmonious asymmetric power-sharing. Socio-economic, political and geo-political factors fuel constant discord between Comrat and Chisinau. Although the formal arguments concern the implementation of the autonomous region's special legal status, in practice, divergent views on resource distribution generates most of the tensions.

Given the uncertainty throughout the national legal system and the conflicting provisions regulating Gagauzia's special legal status, the region's relationship with the centre produces many, contradictory arguments that hinder the efforts to reach compromise. The formal debate revolves around arguments on irregularities in the laws regulating the region's special legal status. Yet, in practice, each side's interests in keeping and obtaining more decision-making power and influencing the distribution of political and economic cause the dispute of decisions.

Intended to support dialogue between the central and regional authorities, the co-operation mechanisms clearly underperform and are instead used to increase leverage in national institutions and over economic matters. Moreover, the lack of initiative and skilled staff can be understood as indicating a general lack of interest in improving the status quo. Legislative inconsistencies and ambiguous power devolvement thus favour the private interests of both national and regional shareholders.

26 *“According to art 16 of the Regulation of the Parliament, members of the commission (group) are appointed by the Parliament for the period of convocation of the Moldovan legislature, which does not coincide with the period of convocation of the Popular Assembly”* (ibid).

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