

Autonomy And Conflict Transformation: The Case Of The Gagauz Territorial Autonomy In The Republic Of Moldova

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1. Introduction

Gagauz-Yeri, the land of the Gagauz, is a relatively young autonomous territorial unit situated in the southern part of the Republic of Moldova. Following tense conflicts in the late eighties, early nineties between the Gagauz and the independence seeking government of the then Moldovan Socialist Soviet Republic (MSSR), an agreement on an autonomy statute was reached in 1994. In the meantime, Moldova had achieved independence and had gone through a bloody civil war with the separatist regime in its eastern Transdnestrian region. The Autonomy Statute for Gagauzia, which entered into force on 14 January 1995, was aimed not only at bringing the area around the Gagauz capital Comrat back under the control of the central government but also at serving as a model for the solution of the conflict with the separatist Transdnestrian regime.

Whereas some international observers regard the Gagauz autonomy as a model for Eastern Europe and the CIS, others consider it as being too liberal, granting too many rights to the small Gagauz minority.¹ Another point of debate is the ‘leopard skin pattern’ of Gagauzia (see map). In any case, it soon became obvious that some crucial details had not been solved satisfactorily by the Autonomy Statute and that further agreements and regulations were necessary. An understanding on the tax distribution in 1997, the adoption of the long envisaged Basic Law, the Code of Gagauz-Yeri, in May 1998, and the Moldovan territorial-administrative reform of 1998/1999 nearly completed the legislation regarding the Gagauz autonomy. Following the 1999 local elections in Gagauzia, however, discussions arose between the newly elected Gagauz leadership and the central government in Chişinău focusing, *inter alia*, on economic matters.

The main aim of this study is to analyse how the legal propositions of the Autonomy Statute and related legislation are applied in practice and, on that basis, to develop recommendations how to optimize the design of the Gagauz autonomy. To achieve this aim, the study consists of three parts. First, the socio-historical background of the Gagauz conflict and its solution through the Autonomy Statute will be discussed. Second, the legal framework will be analysed with the aim to isolate the basic features of the Gagauz autonomy. This will be combined with an in-depth analysis of how these legal provisions work in practice. Special emphasis will be put on the political system, the economic dimension of the autonomy, the relationship between Gagauz and non-Gagauz in Gagauzia, and on the national level and the protection and development of the Gagauz identity in the framework of the autonomy. The final part will summarize the findings made in the sections above and will develop the envisaged policy recommendations.

¹ Paula Thompson, “The Gagauz in Moldova and Their Road to Autonomy”, in ed. Magda Opalski, *Managing Diversity in Plural Societies – Minorities, Migration and Nation-Building in Post-Communist Europe* (Ontario: Nepean Forum Eastern Europe, 1998), 128-147; Vladimir Socor, “Gagauz Autonomy in Moldova: A Precedent for Eastern Europe?”, *RFE/RL Research Report* 3 (1994), 33, 20-28.

2. The Gagauz conflict

The Gagauz are a Christian-Orthodox Turk people located primarily in the southern part of what is today the Republic of Moldova. According to the 1989 Soviet census, 153,458 Gagauz lived in Moldova and some 45,000 in the neighbouring parts of Ukraine and other parts of the Soviet Union. Smaller Gagauz settlements can also be found in Romania, Greece and Bulgaria. Thus, some Gagauz leaders argue that the Republic of Moldova is as much their homeland as that of the Romanian-speaking Moldovans.²

The Gagauz ethnogenesis is still subject to debate.³ It is, however, generally accepted that the Gagauz lived under Ottoman rule in Bulgaria around Varna and Balchik, together with Muslim inhabitants and Bulgarians.⁴ Like many Christian Bulgarians they fled to Bessarabia during the Russo-Turkish wars and they settled alongside Bulgarian, German and other settlers in the southern Bugeac region. The area changed hands between Romania and Russia, respectively the Soviet Union, several times and especially Romanian rule is remembered among the Gagauz in terms of oppression and corruption. On the other hand, no conflicts were reported with the local Moldovan population, Bulgarians or others.

Modernization, in small measures, reached Gagauzia, like the rest of Bessarabia, only under Soviet rule, when collectivization and mechanization of the agricultural production took place and education for all parts of the population was introduced. However, besides the short period from 1958 to 1962, this education took place in Russian instead of Gagauz. As a result, the Gagauz language was used only in oral communication between family members and the village community. Between 1957, when the Cyrillic alphabet was introduced for Gagauz, and 1989, only 37 books⁵ were published in the Gagauz language. All official communication took place entirely in Russian. Therefore, "Gagauz national awareness was initially activated as a struggle to save the Gagauz language and thus (sic) population from disappearing during Soviet rule".⁶ One of the goals of those who were engaged in identity politics was to create a literate population in their 'supposedly native tongue'. The policies of glasnost and perestroika gave the small circle of Gagauz intellectuals more room to voice their ideas and thus a small cultural awakening began in the mid-1980s.⁷

In the same period, a Moldovan national movement came into being in Chişinău, which was united in the Popular Front of Moldova in summer 1989. At the beginning, the Front embraced opposition forces from different nationalities – especially Ukrainians and Gagauz who had also suffered under the soviet-style russification policy and who were perceived as potential allies by the Moldovans. However, a nationalistic agenda quickly gained the upper hand against more general demands for democratization and transparency. The demand to

² Charles King, *The Moldovans. Romania, Russia and the Politics of Culture* (Stanford/Ca.: Hoover Institution Press, 1999), 209.

³ Thompson, "The Gagauz in Moldava", *op.cit.*, 129-131; Hülya Demirdirek, "Reclaiming Nationhood through Renativization of Language: The Gagauz in Moldova", *Nationalismus in den nationalen Gebietseinheiten der osteuropäischen Gesellschaft*, Nationalismus, nationale Bewegungen und Nationalstaatsbildung in der spät- und postkommunistischen Gesellschaft 3 (Oslo: [manuscript], 1998); King, *The Moldovans*, *op.cit.*, 210-211.

⁴ Demirdirek, "Reclaiming Nationhood through Renativization of Language", *op.cit.*, 3. Some scholars even maintain the position that the Gagauz are actually Bulgarians, see for example Emil Peitschev Böev, "The Scientific Problem Gagausians", *South East European Monitor* 2 (1995), 5, 60-72.

⁵ Charles King, "Gagauz-Yeri and the Dilemmas of Self-Determination", *Transitions* 1 (1995), 19, 21-25.

⁶ Hülya Demirdirek, "Reclaiming Nationhood through Renativization of Language", *op.cit.*, 1.

⁷ Paula Thompson, "The Gagauz in Moldava and Their Road to Autonomy", *op.cit.*, 132.

make Romanian in the Latin script the official state language won support rapidly in spring 1989, and first splits between reform-minded Moldovan-speakers and more conservative Russian-speakers became apparent. On 31 August 1989, the Supreme Soviet of the MSSR gave way to the public pressure and passed a new language law, declaring Moldovan in the Latin script the state language of the MSSR. As a matter of fact, this was a compromise solution. The language was called 'Moldovan' and not 'Romanian' and Russian retained an official status as the language for interethnic communication. Nevertheless, the Russian-speaking part of the population, including the Gagauz, perceived the new language law as an outright threat. The crucial point was Article 7 of the law, which stipulated that everybody working in a position in which they had to communicate with customers had to speak both languages. In order to enforce these provisions, compulsory language tests were foreseen within five years. After decades of intense russification everybody in Moldova could speak Russian to some extent, but nearly nobody besides the Moldovans themselves could communicate in the new state language. According to the 1989 census, only 4.4 per cent of the Gagauz were fluent in Moldovan, but 73 per cent used Russian as a second language. In fact, Russian was their language in the political field in this period of "national awakening" (Demirdirek). Thus, the plans of the Popular Front to introduce Moldovan in the Latin script as the official state language and to make it mandatory for all employers in the public sector were perceived as a major threat not only by Russians and Ukrainians, but also by the Gagauz. Demands for a union of Moldova with neighbouring Romania stirred fears even further, especially against the background of the Romanian rule in the period between the two World Wars. The result was a reactive nationalism⁸ by the non-Moldovan parts of the population. In the case of the Gagauz, this reactive nationalism was further strengthened by a pro-active nationalism, which concentrated on demands for control over local resources and revival of indigenous culture.⁹ Communist elites of the region, who reckoned that they would improve their situation by mobilizing national sentiments, as well as convinced Gagauz nationalist who had even spent some time in Soviet jails for voicing their ideals, worked together in this period for the Gagauz cause.

The *Gagauz Halki* (Gagauz People) movement, which had also been founded in 1989 and which had sidelined with the Popular Front of Moldova at the very beginning, had consequently changed sides quickly. The Gagauz leadership under Stepan Topal, a nationalist-turned-communist, was seeking closer relationships with pro-soviet forces, including the Transdnistrians. On 12 November 1989, a "Gagauz Autonomous Soviet Socialist Republic" was proclaimed by an assembly in Comrat. This step was regarded as unlawful by the Moldovan Supreme Soviet, but a real dialogue between Moldovans and Gagauz was not initiated. In reaction to the Moldovan declaration of sovereignty, on 19 August 1990 the Gagauz leadership proclaimed a "Gagauz Soviet Socialist Republic", which would be independent from Moldova, but part of the Soviet Union. Gagauz elections were scheduled for 28 October. On 25 October 1990, approximately 40,000 Moldovan volunteers mobilized by the then Prime Minister Mircea Druc travelled to Gagauzia in order to prevent these illegal elections. Moldovan police and Soviet Interior Ministry troops managed to stop the volunteers and to prevent a bloodbath. Thus, the showdown between the lightly armed Moldovans and paramilitary Gagauz formations did not result in large scale violence, but it alienated the Gagauz further from the Moldovans. The central authorities de facto lost control

⁸ William Crowther, "The Politics of Ethno-national Mobilization: Nationalism and Reform in Soviet Moldavia", *The Russian Review* 50 (1991), 2, 183-202.

⁹ Charles King, *The Moldavans, op.cit.*, 217.

over the Gagauz area around Comrat and a small number of Moldovan policemen were killed in 1991 and 1992 in the course of Gagauz attacks on Moldovan police stations.

First compromise proposals to establish some form of self-governance in the Bugeac region had been voiced already in spring 1991 by the Moldovan Supreme Soviet as well as by moderate Gagauz nationalists.¹⁰ But official negotiations between the Moldovan Government and the leaders of Gagauz-Yeri started only in September 1992, when President Snegur travelled down to Comrat for a meeting with the Gagauz “President” Stepan Topal. In summer 1992 Moldova had experienced a bloody civil war in Transdnistria and this experience had a decisive influence on the Gagauz conflict. The bloodshed of Bender in June 1992, where at least 200 people were killed in the course of three days, acted like a healing shock. The civil war in Transdnistria as well as the experiences in Gagauzia of October 1990 strengthened moderate, compromise-seeking forces on both sides. Another important factor which favoured a compromise solution in Gagauzia is the fact that Gagauzia, unlike Transdnistria, is an extremely poor region which has always depended on the help of the central government. Decisive for a political settlement was, however, the continuous power shuffle from pro-Romanian unionist to centre-left Moldovanist parties.

The unionist forces opposed any forms of political-territorial autonomy for national minorities or any federalization of Moldova. As a compromise solution, they promoted the idea of a Cahul county, which was to include all the Bulgarian and Gagauz settlements of southern Moldova. This county should receive a special status directed at the development and preservation of their culture and identity. Special sub-prefects, located in Comrat and Taraclia, the centres of these two minorities, were to be appointed.¹¹ Although the unionists were ready to accommodate the non-Moldovan population to a certain degree by offering them some forms of cultural autonomy, the general attitude of the right wing forces towards the minorities remained mixed. From within the more radical parts of the Popular Front, today represented by the Christian Democratic Popular Party, the view is still expressed that the minorities living in Moldova are a result of the colonizing policy of the Russian and Soviet Empires aimed at the de-nationalization of Bessarabia.¹² In contrast, however, the majority of the Moldovan population believes that the harmonious accommodation of the demands of ethnic minorities is integral for the consolidation process of the Moldovan statehood.¹³ Moreover, facing an aggravating socio-economic situation, the ordinary population became more and more preoccupied with the question of daily survival and did not show much interest in the political peculiarities of Gagauzia.

The 1994 parliamentary elections yielded a clear victory for the centre-left Agrarian Democrats. With some 43 per cent of the vote they received an absolute majority of the seats. Together with the Socialist Unity Bloc, they were even strong enough to pass a new constitution without the consent of the unionist parties, which together gained only 17 per cent of the vote. This new constitution finally opened the road for an autonomy statute for Gagauzia, which had already been drafted to a large extent by the negotiations conducted since 1992. It reads in Article 111 (1): “The places on the left bank of the Nistru river, as well as certain other places in the south of the Republic of Moldova may be granted special forms

¹⁰ Paula Thompson, “The Gagauz in Moldova and Their Road to Autonomy”, *op.cit.*, 135.

¹¹ Interview with Vasile Nedelciuc and Ion Neagu/Marin Beluta, September 1999.

¹² Interview with Ion Neagu/Marin Beluta, September 1999.

¹³ *Ibid.*, 137.

of autonomy according to special statutory provisions of organic law.”¹⁴ After further negotiations with Gagauz politicians and discussions in Parliament as well as consultations with experts from the Council of Europe, on 23 December 1994 the Moldovan Parliament passed the “Law on the Special Juridical Status of Gagauzia (Gagauz-Yeri)”, which is referred to here as “Autonomy Statute”. To safeguard the compromise solution laid down in the law, two stipulations were introduced. First, any changes to the law demand a three-fifth-majority vote in the Moldovan Parliament. Although the opinion of the Gagauz authorities does not have to be heard officially before introducing such changes, this provision gives them a certain assurance. Moreover, enactments by the central authorities which infringe on the powers of Gagauzia shall be annulled by the Moldovan Constitutional Court. Consequently, the Moldovan Parliament passed a resolution the same day, calling on the Moldovan Government to bring its own enactments into accord with the law and to submit to the Parliament suggestions on actions necessary for introducing conforming legislation. These actions, however, have apparently not been undertaken in the necessary manner, as one can hear in nearly every conversation with Gagauz officials.

Nevertheless, the near-violent conflict between the central government and Gagauzia has been successfully transformed into a political discussion based on a more or less commonly accepted legal framework. The negotiations which led to the Autonomy Statute itself have been the first important step in this transformation process as suspicion on both sides gave way to a certain degree of confidence.¹⁵ However, as Gurr mentions, “Transformation of secessionist conflicts is decisively achieved only when political trust in autonomy arrangements has been established on both sides, and tested in the peaceful resolution of subsequent disputes.”¹⁶ Thus, the following discussion of the law will especially take into account, how the Autonomy Statute is used in practice and how subsequent conflicts are dealt with.

3. The Autonomy Statute of Gagauz-Yeri and its application in practice

a) The Political System of Gagauzia

The Autonomy Statute defines Gagauz-Yeri – the Gagauz Land – in Article 1 as an autonomous territorial unit, with a special status as a form of self-determination of the Gagauz, which constitutes an integral part of the Republic of Moldova. As Chinn has noticed: “The title itself has significance. From the outset the law recognizes both the people and their land.”¹⁷ Gagauzia is entitled to resolve within the limits of its competence questions of political, economic and cultural development. In case of a change in the status of the Republic of Moldova as an independent state, the people of Gagauzia are even granted the right of external self-determination. This provision, laid down in Article 1, paragraph 4, is one of the most controversial of the law and anathema especially to the right-wing forces in Moldova. However, because of their desire to unite Moldova with Romania and before the background of the events in 1989/90, it was a central, hardly negotiable provision for the Gagauz. The

¹⁴ Constitution of the Republic of Moldova at <http://www.ifes.md/constitution/03/11.html> as of 16 December 2001.

¹⁵ Rudolf Mark, “Das Gesetz über die besondere Rechtsstellung von Gagausien (Gagauz-Yeri)”, *WGO-Monatshefte für Osteuropäisches Recht* 37 (1995), 5, 291-297.

¹⁶ Cited after Connie Peck, *Sustainable Peace: The Role of the UN and Regional Organizations in Preventing Conflict* (Lanham/Md.: Rowman & Littlefield, 1998), 50.

¹⁷ Jeff Chinn and Steve Ropers, “Territorial Autonomy in Gagauzia”, *Nationalities Papers* 26 (1998), 98.

fundamental rejection of Article 1, paragraph 4 by unionist forces, which continues until today,¹⁸ motivated them to challenge it even at the Constitutional Court – without success. The significance of Article 1, paragraphs 4 for the present is, however, merely symbolic: On the one hand, the unification-debate in Moldova has cooled down considerably and on the other hand, the real possibility to form a viable independent state out of the scattered parts of underdeveloped Gagauzia has to be judged extremely sceptically.

From the outset, it was the aim to include as many Gagauz as possible in the new entity without including too many non-Gagauz. In order to decide on the disputed territory of the autonomous unit, a referendum was held on 5 March 1995 in 36 localities in which the Gagauz either constituted more than 50 per cent of the population or in which the referendum was initiated by one third of the population. As a result of this procedure, Gagauzia today consists of 1,848 km², comprising three towns and 29 villages from the former districts of Basarabesca, Ceadâr-Lunga, Comrat, Taraclia and Vulcănești. Twenty-eight of these localities are inhabited mainly by Gagauz, the other four have a Bulgarian or Ukrainian majority with a strong Gagauz minority. In total, Gagauz represent 78 per cent of the 175,000 strong population, Bulgarians 5.5 per cent, Moldovans 5.4 per cent, Russians 5 per cent and Ukrainians 4 per cent. The territory of Gagauzia is not contiguous. Four Gagauz islands lie between Bulgarian and Moldovan villages in southern Moldova, the biggest one around Comrat and Ceadâr-Lunga and three smaller ones further south. The administration of this dispersed territory remains difficult in practice. The whole infrastructure used to be concentrated in and maintained by the district centres. This structure has now been partly destroyed. For example, in Vulcănești the district centre joined Gagauzia but most of the surrounding villages did not. On the other hand, villages which originally belonged to the Bulgarian-dominated Taraclia or some other district, whose centre was not incorporated into Gagauzia, had to be served from another town. Although the administration on both sides acted quite pragmatically and flexibly and, for instance, allowed people from nearby villages still to use ‘their’ hospital, some tension arose especially in Vulcănești. There remained a Moldovan and Gagauz district administration in this town and it was not always clear who had to finance and control what. However, the socio-economic problems of the region were higher on the agenda than these questions.¹⁹ After the whole territorial administrative structure of Moldova had been reformed in February 1999, the Moldovan villages in the region were incorporated in the Cahul county, whereas the Bulgarian ones now form the quite small Taraclia county. On the other hand, the territorial-administrative structure of Gagauzia was brought in line with the new Moldovan one in late 1999 by dissolving the districts. A solution of the administrative nightmare seems now to have been reached, as the administrative subordination is clear today and the structures do not differ between 1995 and 1999.

Fulfilling the idea of subsidiarity, Gagauzia is entitled within the limits of its competence to resolve questions of political, economic and cultural development in the interests of all its population (Article 1 II). In Article 12, the local parliament was granted the right to adopt local laws in the areas of

- science, culture and education;

¹⁸ E.g. Eugen Patras, *Minoritale nationale in Ucraina si Republica Moldova*, 2nd ed. (Statutul juridic, Cernauti, 1999), Glasul Natiunii, 21 October 1998.

¹⁹ Interviews with the heads of both sides, Constantin Ion Caraghiaur and Gheorghe Ivan Ivanoglo, September 1997.

- public utilities and services and urban planning;
- health services, physical culture and sports;
- local budget, financial and taxation matters;
- economy and ecology
- labour relations and social security.

Moreover, the People's Assembly of Gagauzia was also vested with questions dealing with the internal territorial and administrative organization, local elections and referenda, and the state of emergency can be declared on Gagauz territory only on the initiative of the Gagauz legislative.

The Assembly is not restricted in its competence by ordinary Moldovan laws; however, enactments of Gagauzia that conflict with the Moldovan Constitution can be declared null and void. This is also true for stipulations of the statute itself: On 6 May 1999 the Moldovan Constitutional Court annulled Article 20 of the Autonomy Statute which it judged to be in contradiction to the Constitution. The article enacts the Gagauz People's Assembly to recommend to the President, with the concurrence of the Supreme Magistracy Council, the judges of the judicial bodies of Gagauzia. According to the Constitution, however, they are to be appointed by Moldovan presidential decrees upon proposals by the Supreme Magistracy Council.

The political system of Gagauz-Yeri resembles the mixed parliamentary-presidential system laid down in the Moldovan constitution. The Gagauz People's Assembly (*Halk Toplushu*) and the Governor (*Bashkan*) are both elected for a four-year term. The legislative powers are vested in the *Gagauz People's Assembly*. It consists of 35 deputies which are elected directly in two rounds in single-mandate constituencies for a four-years term. The respective rules are laid down in the Autonomy Statute, the Code of Gagauzia and the local election laws. Being in most respects similar to the national system, one of the particularities of the Gagauz election system is that every single locality, irrespective of its size, elects at least one deputy for the People's Assembly. While this ensures that every village is represented in the regional parliament, it produces some problems in regard to the equality of the vote. Whereas in the smallest circumscription only 383 voters are registered, 5,100 are entitled to vote in the largest.

Moreover, the Gagauz election system favours independent candidates and thus parties didn't play a major role in the last elections - neither for the Bashkan, nor for the People's Assembly. This is true even for the Communist party, which received 70 per cent of the votes in Gagauzia in the 1998 Moldovan Parliamentary Elections. Currently, out of the 35 deputies 25 are independent and only four belong to the Communist Party, the six remaining representing various centrist parties. The fact that there exists no special Gagauz Party is nevertheless striking. This was not always the case and is mainly due to changes in the Moldovan Law on Parties and Socio-Political Organizations. In its revised version the law effectively bans regional parties as it stipulates as a prerequisite for registering a party that a minimum of 5,000 of its members come from half of the Moldovan counties. In addition, the Autonomy Statute does not authorize the Gagauz to adopt their own law on parties. However, at least the Gagauz Vatan Party seems to have its structures still in place. About half of the 25 formally independent deputies actually belong to this party, which has won ten seats in the 1995 elections. Although the Moldovan Law on Parties and Socio-Political Organizations does not violate the Autonomy Statute, it nevertheless fails to take the particular situation of

the Gagauz region into account. Exceptions, allowing smaller non-nation-wide parties to run in local or regional elections, would certainly be an improvement.

The *Bashkan* is entitled to direct the activity of the public administrative authorities and is responsible for exercising the powers vested in him by law. He is directly elected for a one-time renewable four-year term according to the rules stipulated in the Autonomy Statute, the Code of Gagauzia and the local law on the Bashkan elections. He is also an *ex officio* member of the Moldovan government, adding an interesting inclusion element in a power-sharing system that is actually based on separation. The *Executive Council (Bakannik Kometeti)* as the permanent executive authority fulfils the functions of a government. It is approved by the People's Assembly on the proposal of the *Bashkan* and is led by him. The directors of the corresponding branch departments shall become members of the board of ministries and of the departments of the Republic of Moldova. This provision was meant to ensure the participation of Gagauzia in the internal policy of Moldova. In practice, however, it is reported not to be very efficient.²⁰ The Prosecutor of Gagauzia and the heads of the departments of Justice, National Security and Internal Affairs are appointed and dismissed by the respective central authorities on the recommendation of the People's Assembly, respectively the *Bashkan*.

Apart from the broad autonomy powers Gagauzia has been granted for handling its own internal affairs and the right to participate in the internal policy of the Republic of Moldova, it has also been granted the right to participate in the external (foreign) policy of the country. This is generally done by including representatives from Gagauzia in Moldovan delegations. Besides, the Gagauz are also active themselves, especially in economic matters. Cooperation agreements touching mostly on cultural and economic issues were signed, for example, with Moscow and Tartastan, and representatives were dispatched to Ankara and Tiraspol (Transdnistria.) According to the interpretation of the Moldovan Ministry of Foreign Affairs, such representatives can tackle only questions of a cultural, scientific or economic nature.²¹ Thus, Gagauz-Yeri had to revoke its Representative to Transdnistria after he introduced himself as "the Gagauz ambassador".²² However, the fact that the person in question resumed his duties after several weeks proves that Gagauzia had reached a certain degree of de facto autonomy in the area of 'foreign affairs'.

On 14 May 1998 the Gagauz People's Assembly passed a kind of basic law for Gagauzia which had already been envisaged in the 1994 Autonomy Statute. This *Code of Gagauzia* or *regulament*, how it is officially called, was originally intended to specify the rules laid down more broadly in the Statute. Plans to conduct a referendum on the basic law parallel to the March 1998 Parliamentary Elections in Moldova were blocked by the Moldovan Supreme Court for formal reasons as well as for reasons of content. The document was finally approved by Moldovan and by international experts, but still seems to be in contradiction to the original statute as well as to the Moldovan Constitution and other republican laws.²³ This is especially true, for some stipulations regarding the question of the territory and the property of Gagauz-Yeri. Other stipulations, too, show some disregard for the Autonomy Statute and the Moldovan legislation and suggest, that the People's Assembly tried unilaterally to expand

²⁰ Randolph Oberschmidt, "Neue Satzung für Gagausien (Gagauz-Yeri) in der Republik Moldau", *WGO-Monatshefte für Osteuropäisches Recht* 41 (1999), 1, 13-21.

²¹ Infotag, 11 January 2000.

²² Infotag, 11 January 2000. RFE/RL Newline 12 January 2000.

²³ Randolph Oberschmidt, "Neue Satzung für Gagausien (Gagauz-Yeri) in der Republik Moldau", *op.cit.*

the powers of Gagauz-Yeri. Moreover, the Code adds only few specifications to the existing legislation and therefore plays more of a symbolic role (as the Gagauz “Constitution”) than a practical one. The Code of Gagauzia is certainly an important symbol for Gagauz identity. Given its character as a constitution, which - unlike the law on the special status - has been formulated/developed by the Gagauz themselves, it completes the list of the basic symbols of statehood which have been introduced before: Parliament, ‘President’, flag and anthem. To be sure, these symbols as such can be found in other autonomous regions in Europe as well, as, for instance, in the Federal States (‘Länder’) of Germany, but the fact that some provisions of the Code run counter to the Moldovan Constitution and to the Autonomy Statute is worrisome. The following discussion of the question of territory and administration as well as the one of property in the following section, will show, however, that also the Moldovan side has introduced legislative acts after 1995 which are not fully in accordance with the letters and the spirit of the Autonomy Statute.

Place Chart here

Contrary to the respective stipulation of the Autonomy Statute, Article 8 VI of the Code restricts the right to leave Gagauz-Yeri on the result of a corresponding referendum to localities where the Gagauz constitute less than 50 per cent of the population. Moreover, in Article 8, Gagauzia claims the right to decide in a local referendum not only the question of secession, but also that of inclusion, if the referendum is initiated by at least one third of the population. Although, the Code vests this right with the People’s Assembly, the Autonomy Statute does actually not suggest that the regional parliament should be entitled to do so. It is true that Article 12 of the Autonomy Statute empowers the People’s Assembly to organize local elections and referenda in Gagauzia, but definitely not in localities outside the unit. To summarize, the conflicting stipulations notwithstanding, the People’s Assembly might decide on a referendum to be held on the question of secession, which might be initiated in every locality of Gagauz-Yeri by at least one-third of the population. As to the question of late inclusion to Gagauz-Yeri, the new Moldovan Election Code added some confusion by ruling out in Article 178 (e) any local referendum regarding the modification of the territorial administrative subordination of any locality. Considering the special status of the Autonomy Statute in the Moldovan legal system (see chart), this stipulation cannot be considered to be valid in cases dealt with by Article 5 of the Autonomy Statute. As the changes and amendments to the Statute require a majority of three fifth of the elected deputies, it cannot be changed by the respective provision of the Election Code. Both the Electoral Code and the Code of Gagauzia should be applied only to the extent that they do not run counter to the Autonomy Statute.

These considerations are not purely academic. There are voices in Gagauzia which claim that some villages from the Cahul county would actually like to join the autonomy and demand a referendum to be held there. At the same time, most political forces in Chişinău would rather support the secession of any locality from Gagauz-Yeri than allowing a referendum on joining the autonomy in another. The fact that Moldova’s leading right-wing newspaper, *Flux*, published a map of Moldova, showing Gagauz-Yeri even smaller and more dispersed than it actually is, was an expression of this attitude.

Irritation among the Gagauz arose also in connection with the new Moldovan Law on Public Administration. This law foresees the nomination of a prefect not only for every county, but also for Gagauz-Yeri. The prefect should function as the representative of the central government and his duty would be to supervise whether the actions of the local authorities are

in compliance with the Moldovan legislation. He should also lead the public services of the ministries and central departments in the counties. These powers, however, are vested in Gagauzia with the *Bashkan* and the Executive Committee. Thus, virtually all political forces in Gagauzia regard the nomination of a prefect for Gagauzia as a violation of the Autonomy Statute and as an attempt to downgrade Gagauzia to a regular county. It is indeed hard to understand how a prefect should fit into the current Gagauz scheme of government and which functions he could carry out without infringing on the autonomy rights of Gagauz-Yeri. Strictly speaking, he would basically be confined to reporting to Chişinău or to initiating legal proceedings if he regards any action taken by Gagauz authorities as being against the Moldovan legislation. Although the prefect is not entitled to give orders to the regional administration, his function as supervisor does not fit into the autonomy concept, even more so as the Bashkan is an *ex officio* member of the central government to which the prefect is supposed to report. Some juridical problems which might occur because of the concurrence of different and unclear legal stipulations might have to be cleared by the Constitutional Court. However, to let such conflicts arise was not very wise, and it might be that this has already been recognized by the Moldovan Government: On 29 March 1999, prefects were appointed for all counties but Gagauzia.

b) The economic dimension

The economic stabilization of the autonomy is regarded as the main problem after a certain political stability has been achieved. Efforts to attract foreign investments to the region, especially from Turkey, have been made, but the pro-Russian and post-Soviet character of the former leadership sometimes hindered these. It took nearly five years before a Turkish financed water supply project was finally started in January 1999. Given the chronic lack of drinking water in the region, it can be considered as one of the most important projects currently carried out in Moldova. Another important issue is the land reform. Until 1999, only 4,000 out of 55,000 residents who were entitled to a land share received their plots. Under the new administration, however, the attitude towards land reform and privatization changed fundamentally. In November 1999, the administration announced plans for an agricultural reform which would reorganize the state and collective farms by privatizing the land and establishing holding companies to improve the cooperation between producers and the processing industry.²⁴

The control over local resources and the development of the region have been on the top of the Gagauz agenda from the beginning. The Autonomy Statute, however, did not elaborate in detail on the questions of finance and economics. Article 6 only states, that “the land, mineral resources, water, flora and fauna, other natural resources, movable and real property situated on the territory of Gagauzia shall be the property of the Republic of Moldova and at the same time shall represent the economic basis of Gagauzia”. Gagauzia was also granted the right to introduce its own taxes. As additional taxes would hardly have fostered the much needed investment in the region, this stipulation was not a major concession. Thus, the revenues of the autonomy come mostly from transfers from the national budget, including foreign aid, and a quota of the national tax revenues collected in Gagauzia: 30 per cent of the Value Added Tax, 70 per cent of the profit tax and 100 per cent of the land tax. Gagauzia retains a bigger part of the former two taxes than ordinary districts, but the transfers it receives from the state

²⁴ Basa Press, 19 November 1999.

budget and from international grants tend to be comparatively low.²⁵ Moreover, all excise taxes have to be transferred to the central budget. The current speaker of the People's Assembly, Mihai Kendighelan, and others maintain that Gagauzia could improve its social and economic situation if it received the right to draw its own budget on the basis of the taxes and duties collected on its territory.²⁶ In 1999, the budget of Gagauz-Yeri amounted to 42 million Lei (5 million US\$), 12,4 million coming from the central budget. On the other hand, all excise duties and 70 per cent of the VAT collected in Gagauzia had to be transferred to Chişinău. Given that tobacco and wine are the main products of the Gagauz economy, the local authorities consider that they would create a budget as high as 120-150 million Moldovan Lei, if they could keep all the taxes and duties they collect. With this kind of budget, they argue, Gagauzia would be able to fill the autonomy structures with life, and to spend more money on schools and culture in order to maintain and develop the Gagauz language and identity. Indeed, for 2000, the Gagauz budget was set at 81,7 million Lei (7 Mio US\$) and no transfer of taxes was envisaged.²⁷ The question is, however, if this system does provide the best solution for the financing of the autonomy. The central authorities have pointed out that the debt of Gagauzia already amounts to more than 143 million Lei and that after the implementation of the new budgetary law, Gagauzia would have to bear all expenses for education, health and cultural institutions which are now financed by the central budget, on its own.²⁸ An exact breakdown of the direct financing from the state budget and all kinds of transfers in both directions as well as an understanding on the quota Gagauz-Yeri should bear in regard to national expenses, such as diplomatic missions, defence or debt service does not seem to exist.

The latest row on economic matters escalated in early 2000 when the Moldovan authorities started to privatise several enterprises located on the territory of Gagauz-Yeri, including the southern electricity distribution enterprise and the tobacco factory of Ceadâr-Lunga, without the agreement of the local authorities.²⁹ Although the inclusion of the Bashkan and the heads of the branch departments in the central governmental structures should ensure, at least in theory, that the regional government is informed about the plans of Chişinău, the Gagauz side claimed that they were not consulted. In the same period, the Gagauz People's Assembly voted for its own property law and held a special session on the issue of privatization. According to the local law, following the respective stipulation of the Code of Gagauzia, the entire property in the region belongs solely to the region and the money earned in the privatization process should remain in the local budget.³⁰ This, however, neither reflected the reality, as no money earned in the privatization process has been transferred to Gagauzia so far, nor did it consider the position of the Ministry for Privatization of the Republic of Moldova. The central authorities uphold the position that the process of privatization has to be conducted by the respective ministry in Chişinău and that the local law contradicts the Moldovan Law on Privatization. Thus, in conformity with Article 12 VI of the Autonomy Statute, the Gagauz property law has to be considered null and void.³¹ The Gagauz authorities, on their part, stress that according to the Autonomy Statute, the property in the region forms the basis of the Gagauz economy (Article 6), and thus has to be managed by

²⁵ See Budget Law 1999 and Monitorul Oficial, 17 November 1999, nr. 128-129, 7.

²⁶ Infotag, 14 September 1999, Interview Mihai Kendighelan, 21 October 1999.

²⁷ Infotag, 24 January 2000.

²⁸ Basa Press, 19 November 1999.

²⁹ Basa Press, 19 January 2000, Infotag, 14 March 2000.

³⁰ Basa Press, 19 January 2000, see also Article 16 22 of the Local Law on Property, in *Vesti Gagauzii* No. 12-13, 21 March 2000.

³¹ Basa Press, 19 January 2000.

them.³² On its special session in March 2000, the Popular Assembly demanded from the Moldovan leadership to pass over to Gagauzia ownership of the state-held parcels in enterprises located in Gagauzia and to prohibit the sale of such enterprises without prior agreement with the local parliament.³³ According to Kendighelean, the property question touches on the basis of Gagauzia's existence and the future of the Gagauz people as a privatization process à la Chişinău would transform the region into a pure raw material producing appendix.³⁴ The socio-economic strategy for Gagauzia, however, foresees, exactly the opposite: integral production lines within Gagauzia in order to assure that the agricultural products are processed by the local industry. Thus, the question at stake here is not only "Who gets how much?", but indeed to which degree Gagauzia can conduct its own economic policy. A first look at the Local Law on Property, the 1995 development strategy and the 1999 government programme as well as interviews with local leaders, suggest indeed that there are some differences between the Gagauz and the Moldovan economic policy.

c) The Gagauz/non-Gagauz relationship on the national and regional level

Considering the above, the relationship between Comrat and Chişinău after 1995 might at best be characterized as mixed and complex. Both sides have interpreted the division of competencies quite differently in some regards and have also undertaken certain unilateral actions which are not in conformity with the spirit and the letter of the Autonomy Statute.

However, the relationship between the centre and the region has also differed over time, according to other intervening variables. The first Gagauz elections, held in spring 1995, yielded a clear victory for moderate left-wing forces which were more inclined to cooperate with the central authorities than the former secessionist leadership. The first *Bashkan*, the former Comrat party secretary Grigorii Tabunshik, and his team were neither much interested in a 'Gagauziation' of Gagauz-Yeri, nor were there major ideological differences with the central government under Andrei Sangheli. The new Gagauz leadership used its power primarily for the promotion of its very particular goals rather than for the development of Gagauz identity. There was a clear lack of reform in Gagauzia, even after the more reform oriented Ciubuc-government was installed in Chişinău in early 1997. This and the way the Gagauz leadership treated the opposition within Gagauzia could even give raise to concerns that an autonomy introduced in order to safeguard the rights of a national minority was used to hinder economic and democratic reform in the region. For instance, in 1997/98, the regional authorities prevented the rightfully elected mayor of Comrat, Konstantin Tavsanci, for several months from taking his office. Tavsanci has been politically active in Gagauzia since the late 1980s and is considered to be a moderate. He even supported the Moldovan president Mircea Snegur and his centre-right coalition during the 1996 and 1998 national elections. Thus, next to the regional/central cleavage, a cross-cutting ideological cleavage can be identified in the Gagauz-Moldovan relationship which might ease the solution of future conflicts. However, it can be noticed that in times in which both cleavages reinforce each other, relationships between Chişinău and Comrat might become even more strained. This was clearly noticeable in 1998/99 when a reform-minded central government had to deal with a pro-Communist regional government. The second Gagauz elections in summer 1999 brought mixed results in this regard. The People's Assembly is now dominated by the Gagauz

³² Infotag, 20 January 2000.

³³ Vesti Gauzii, 21 March 2000.

³⁴ Ibid.

nationalist forces of Mihai Kendighelean who was speaker of the “Gagauz Supreme Soviet” from 1990 to 1994. The new Bashkan, Dumitru Croitor, however, is a moderate centrist who used to be Vice-Minister of Foreign Affairs of the Republic of Moldova.

As complicated as the relationship between the regional and central authorities might be, the interethnic relations as such do not seem to be strained. As far as the majority of the titular nation on a nation-wide level is concerned, it is preoccupied with other, socio-economic questions and does not show much interest in the southern region. Given the state of development of Moldova and the low distribution of media, one might doubt if people living in other parts of Moldova are even fully aware of the potential conflict situation down south.

Although the Gagauz have a negative historical memory of Romanian rule in Bessarabia, there does not exist a historical enmity between Gagauz and local Moldovans. Relationships between Gagauz and Bulgarians, who partly live in the same villages, are also to be considered traditionally good and peaceful, although some strains occurred during the lawless period from 1990 to 1994.³⁵ Although most villages with Bulgarian majorities preferred to remain outside the Gagauz Autonomy in 1995, the Bulgarian population in some mixed villages, like Chirsova, voted in favour of their inclusion into Gagauzia. As Demirdirek noted, the borderline between being Gagauz or Bulgarian was often blurred in the past and it was common to ‘change’ ethnicity after marriage.³⁶

After 1995, no conflicts have been noted between the Gagauz and the minorities in the autonomous region. The provision of the Autonomy Statute that at least one of the deputy speakers of the National Assembly has to be a non-Gagauz also assured them a certain influence on the political level. Between 1995 and 1999 the two deputy speakers were Moldovan and Bulgarian, currently one of them is Russian. Besides, 17 per cent or six out of the 35 deputies elected in 1999 are non-Gagauz, representing all major minorities of the region. Thus, although political life in Gagauzia is dominated by the Gagauz, the remaining part of the population is not excluded from the political process. Moreover, Russian still functions as the *lingua franca* in Gagauzia. Thus, no Gagauziation threatens the non-Gagauz in the region. On the contrary, even Romanian language education has been introduced in 1999. This step will not only please the Moldovans in Gagauzia, it also safeguards the career chances of all children in Gagauzia, as a proper knowledge of the state language is required today on the national level.

d) Language, culture and identity in Gagauzia

Although in 1989 91 per cent of the Gagauz claimed that Gagauz is indeed their mother tongue, Russian has been the main language of communication in Gagauzia, especially in official affairs. Even studies elaborating on Gagauz issues have been published in Russian. Efforts to support the development of Gagauz language and culture started only in the late 1980s and were also supported by the central government. Although strictly opposing any forms of political and economic autonomy for the Gagauz, the Popular Front of Moldova was ready to provide them with the possibilities to develop their language and culture. The aim of

³⁵ Stefan Troebst, “Die bulgarische Minderheit Moldavas zwischen nationalstaatlichem Zentralismus, gagausischem Autonomismus und transnistrischem Separatismus (1991-1995)”, *Südosteuropa* 49 (1995), 1, 5862-584.

³⁶ Hülya Demirdirek, “Reclaiming Nationhood through Renativization of Language”, *op.cit.*

the afore-mentioned 1989 language law was indeed to achieve a Romanian/mother tongue (i.e. Gagauz) bilingualism among the national minorities and thereby to break the dominance of the Russian language in the Republic. A weekly Gagauz language newspaper, *Ana sözu* (mother tongue), was founded in 1988 but ceased to exist in 1995, due to financial reasons.³⁷ As a result, even today all media operating in Gagauz-Yeri are predominantly in Russian with few broadcasts in Gagauz. This is also true for the state-owned and private TV stations operating in Gagauz-Yeri. The national radio and television transmits programmes in Gagauz once a month and specialists of the State Department for National Relations tried to revive the traditional Gagauz festivals and folk culture. However, as King noted: “These efforts sometimes met with little interest on the part of Gagauz villagers whose distinctive music, dress and folk art in large disappeared under the Soviets.”³⁸

A sceptical attitude towards Gagauz language and culture could also be found among the leaders who were elected to power in the 1995 elections. They stressed the importance of Russia for Gagauzia and were worried about the Islamic influence which might spread to the region from Turkey. In the 1995 socio-economic programme for Gagauzia the development of language, culture and identity was not especially pronounced, the practice was accordingly. Although Article 3 of the Autonomy Statute foresees that Moldovan, Russian and Gagauz are the official languages of Gagauz-Yeri and the Code of Gagauzia and the Local Law on Languages repeat this stipulation, the only language used in official communications in Gagauz-Yeri is still Russian. All local laws are published in Russian only and the Code of Gagauzia was translated into Gagauz and Moldovan only after the intervention of the Moldovan Supreme Court. The 1999 election campaign was also conducted mainly in Russian – even by nationalist Gagauz parties, as otherwise people would not have understood them.³⁹

Although Gagauz as a language is today taught in the region, there is no single school teaching the whole curriculum in Gagauz. The language of education at Comrat university, which was founded in 1991, is also Russian. The former regional government did not show much interest in changing this situation and respective efforts by the Moldovan Ministry of Education, were met with a cool response.⁴⁰ Moreover, a Gagauz library, organized by the opposition, was not supported, but harassed for political reasons.

As a result, the development of Gagauz language, culture and probably also identity did not develop as one should have expected during the first years of the autonomy. This might change over the next years, as the new leadership has a fundamentally different attitude in this regard.

4. A case of successful conflict transformation? Conclusions and policy recommendations

³⁷ Sylvie Gangloff, “L’émancipation politique des Gagaouziens, turcophones chrétiens de Moldavie”, *Cahiers d’étude sur la Méditerranée orientale et le monde turco-iranien* 23 (1997), 256.

³⁸ Charles King, *The Moldovans*, *op.cit.*, 214.

³⁹ Interview Mihai Kendighelean, August 1999.

⁴⁰ Interview with Tatiana Stoianov, August 1999.

This concluding chapter tries to summarize the findings of this study in a systematic way, and to develop practical recommendations to enhance the conflict resolution capacity and viability of the Gagauz Autonomy.

The Gagauz autonomy can clearly be put into the category of territorial autonomy arrangements. The most important factors which determined its specific make-up have to be seen in Moldova's political environment in the early 90s. The breakup of the Soviet Union not only opened the way for Moldovan independence, the turmoil of this period also gave leeway to local leaders within Moldova and enabled them to block attempts by the new Moldovan leadership to impose its notion of a unitary state. By creating a Gagauz Republic, these leaders established facts which, albeit their economic weakness, gave them a certain bargaining power with the central government in Chisinau, which itself was severely weakened after the de facto secession of the eastern Transdnistrian region. History influenced the autonomy regarding the territorial shape of Gagauzia – which, as a result of the 1995 referenda, followed the settlement structure created in the second half of the 19th century – and regarding the right of external self-determination in the case of Moldovas unification with Romania. The latter can mainly be seen as a result of the negative historical memories of Romanian rule in southern Bessarabia in former times. The involvement of the Council of Europe and the OSCE, as representatives of the international community, helped to streamline the final draft of the Autonomy Statute and assured the supervision of the referenda and elections in the region. However, this influence, like the economic assistance of Turkey, which could be described as a quasi-kin-state, while helpful was not decisive for the concrete layout of the Autonomy Statute.

Article 111 of the Moldovan Constitution can be seen as the legal basis of the autonomy; the concrete rights and structures of the autonomy, however, are laid down in an organic law which can be changed only by a majority of three-fifth of the elected deputies, but without the consent of the Gagauz People's Assembly, which, next to the Governor and the Executive Council of Gagauzia, represents the subject of the autonomy rights. This institutional framework of Gagauzia resembles the central parliamentary-presidential system as well as of the administrative structures of ordinary counties and, thus, fits quite well into the overall administrative structure of Moldova. At least theoretically, the integration of the autonomy into the state structure is also assured by the inclusion of the Bashkan and local heads of departments into the structures of the central government. Thus, a power-sharing system that is actually based on separation is balanced by an interesting element of inclusion in the Gagauz case. The representation of further minorities is also assured both in theory and in practice.

As has been mentioned at the beginning, the Gagauz conflict was transformed in the course of the years from a hot conflict, where the use of force and threat of violence prevailed, to a negotiation process based on a commonly accepted legal framework. Thus, the Gagauz Autonomy can indeed be regarded as a successful mechanism for the resolution of a concrete conflict. However, as we have seen, certain problems and conflicts remain. The main problem today seems to be that the existing legal framework, the Constitution of the Republic of Moldova and the Autonomy Statute, does not provide clear answers for every practical question arising during the implementation process. First, these documents provide just a broad framework which has to be filled by more concrete stipulations. Second, some questions have been left open apparently on purpose in order to reach an agreement at all in 1994. This is especially true for the delimitation of powers and duties, but also affects other areas. While the idea of an autonomy for the Gagauz is rejected only by certain right-wing

forces, representing not more than 15 per cent of the population, an extension of powers for the Gagauz authorities does not seem to be acceptable for the majority of the Moldovans. Conflicts remain in regard to the following issues:

1. Political and legal system:

- the extent to which ordinary Moldovan laws take the special status of Gagauzia into account (Law on Public Administration, Law on Parties and Socio-Political Organizations, Election Code etc.);
- the extent to which the local laws of Gagauzia respect the Autonomy Statute and the Moldovan Constitution (Local Law on Property, Article 8 and 12 of the Code of Gagauzia etc.);
- the extent to which the Gagauz can conduct their own 'foreign policy'.

2. Territory:

- Who can decide on future changes of the territory?

3. Economic Dimension:

- Who controls local resources, taxes and the privatization process?
- Does Gagauzia have the capacity to conduct its own economic policy?

4. Gagauz/Moldovan relationship:

- the use of Russian and Moldovan in official affairs and in the education sector.

The preservation and development of Gagauz culture and identity does not represent a dispute as such between Comrat and Chişinău. In fact, cleavages in this regard are deeper among the Gagauz themselves. Also ethnopolitical conflicts between Gagauz and non-Gagauz are not an issue. The single most important of the remaining conflicts is the one about the control over local resources. This issue is strongly related to the present socio-economic crisis Moldova in general and Gagauzia in particular is facing and thus, can be resolved only with an integrated strategy which should include:

1. a development programme for Gagauzia;
2. an effective conflict resolution system.

The need for a development program for Gagauzia is self-evident. The region is underdeveloped even for Moldovan standards. It lacks economic viability and is totally dependent on the agrarian sector, which has seen hardly any investments in the so far. But investments in the infrastructure as well as in the food-processing, wine and tobacco industry are strongly needed to give the autonomy the economic basis it needs in order to function. The lesson learned from the Gagauz case should be that the peaceful resolution of a conflict pays off also in economic terms. Unfortunately, people nowadays have the impression, that the international community forgot them after the conflict was resolved. At the same time, they notice that attention and money is channeled to other hot spots of south-eastern Europe. To help the Gagauz autonomy model function by fostering development and investments in the region would be an active, long-term conflict prevention policy.

This long-term approach which would address the background factors of the conflict has to be complemented by short-term measures addressing the conflict resolution capacity in the region. As mentioned, successful conflict transformation requires the peaceful resolution of subsequent disputes, something that is currently not functioning very efficiently in Moldova. Although the legal framework set up in 1994 seems to be commonly accepted as far as its basic structure is concerned, the interpretations regarding certain stipulations differ in a

manner that is hardly acceptable in the long run. Both sides have introduced new legislation which is not always entirely in conformity with this framework and both used very liberal interpretations of the Autonomy Statute in their day-to-day policy. At the same time, no effective conflict resolution system seems to be in place which would handle such disputes. An effective conflict resolution system should settle conflicts mostly by recognizing the main interests of the parties concerned and should recur to legal and power positions only as substitutes.⁴¹

Thus, although a step forward in comparison to the way conflicts were dealt with between 1990 and 1994, the recourse to the Moldovan Constitutional Court in case of disputes can not be regarded as ideal either, especially, as the Court, from a Gagauz point of view, is a central institution, and thus might not be totally impartial. What is needed for Gagauzia today is a transparent, political structure allowing interest-oriented negotiations with the aim to find a mutually agreeable solutions. The current practice whereby case-by-case talks are conducted in different frameworks (within the Government or Ministries/between representatives of the local and regional Parliaments or Departments) does not seem to be effective. To tackle this issue, the following is recommended:

1. An Office of the Gagauz People's Assembly should be opened next to the Moldovan Parliament to ensure that both sides keep each other informed about legal projects and the other side's opinion.
2. A Gagauz-Moldovan roundtable, under the auspices of the OSCE Mission to Moldova, should be created in order to provide for an institutionalized conflict resolution system. It should consist of plenipotentiary representatives from the regional and the central government as well as from deputies of the two legislative bodies. Experts from the Ministries should be invited as necessary. The roundtable should be convoked on the request of either of the two parties and should tackle only issues which could not be solved in the framework of bilateral talks conducted before.
3. Moldova should become a full member of the *Stability Pact for South Eastern Europe*.
4. An international economic workshop under the auspices of the Stability Pact should be organized in the region. In a first round, representatives of Gagauz-Yeri and Moldova should discuss their main ideas and interests regarding the economic policy in southern Moldova. The main aim would be to determine responsibilities for finances what, as well as to stress common interests and to look for compromise solutions to address issues of conflicting interests. In a second round, concrete development and investment projects for the region should be discussed, taking the results of the first round into account. The workshop should be followed by a development programme for Gagauzia stressing the idea that peaceful conflict resolution pays off.

Regarding the concrete conflicts identified in this article, the following recommendations are made:

⁴¹ See William Ury, Jeanne M. Brett and Stephen B. Goldberg, *Konfliktmanagement* (Frankfurt: Heyne Verlag, 1998) and Roger Fisher, William Ury and Bruce Patton, *Das Harvard Konzept*, 17th ed. (Frankfurt on the Main: Campus Verlag, 1998).

1. The Moldovan Law on Political Parties and Socio-Political Organizations should allow for regional parties, which, however, should be banned from taking part in national elections.
2. The Moldovan Election Code and the Code for Gagauzia should be amended, stipulating clearly that a referendum on the questions whether a locality would like to leave or join Gagauz-Yeri will be held without further restrictions if it is lawfully initiated by one-third of the respective population and that it will be conducted by the respective local authorities.
3. Transparency should be created regarding the amount of transfers from the central budget to Gagauzia and regarding the transfer of taxes and earnings from the privatization process or other sources from Gagauzia to the central budget.

BIBLIOGRAPHY

- Anuarul Statistic al Republicii Moldova 1996, Chişinău 1997.
- Batt, Judy: "Federalism Versus Nationbuilding in Post-Communist State-Building: The Case of Moldova", in: *Regional and Federal Studies*, 7 (1997), 3, 25-48.
- Böev, Emil Peitshev: „The Scientific Problem Gagausians”, in: *South East European Monitor* 2 (1995), 5, 60-72. (what do the 2 and 5 indicate, respectively?)>> vol. 2, no. 5, pp.60-72
- Cantîr, Alexandru: “ ‘Modelul Gagauz’: între patetizare şi consecinţe”, in: *Arena Politicii* 1 (1996/97), 10, 19-20.
- Cavanaugh, Cassandra: “Conflict in Moldova: The Gagauz Factor”, in: *RFE/RL Research Report*, 1 (1992), 32, 11-7.
- Chinn, Jeff / Ropers, Steve: “Ethnic Mobilization and Reactive Nationalism: The Case of Moldova” in: *Nationalities Papers*, 23 (1995), 2, 291-325.
- Chinn, Jeff / Ropers, Steve: “Territorial Autonomy in Gagauzia”, in: *Nationalities Papers*, 26 (1998), 1, 87-101.
- Crowther, William: “The Politics of Ethno-National Mobilization”: Nationalism and Reform in Soviet Moldavia, in: *The Russian Review*, 50 (1991), 2, 183-202.
- Crowther, William: “Ethnic Politics and the Post-Communist Transition in Moldova”, in: *Nationalities Papers*, 26 (1998), 1, 147-64.
- Crowther, William: “Moldova: Caught between Nation and Empire”, in: Bremmer, Ian/Tarasm, Ray (eds): *New States, New Politics – Building the Post-Soviet Nations*, Cambridge 1997, 316-49.
- Crowther, William: “The Politics of Ethno-National Mobilization: Nationalism and Reform in Soviet Moldavia”, in: *The Russian Review*, 50 (1991), 2, 183-202.
- Demirdirek, Hülya: “Reclaiming nationhood through reativization of language: The Gagauz in Moldova”. Contribution to the research project “Die ‘zweite Nationale Wiedergeburt’, in Moldova. Contribution to the research project “Die ‘zweite Nationale Wiedergeburt’, Nationalismus, nationale Bewegungen und Nationalstaatsbildung in der spät- und postkommunistischen Gesellschaft”, Band 3: Nationalismus in den nationalen Gebietseinheiten der osteuropäischen Staaten [forthcoming], manuscript, Oslo 1998. publishing company missing, page number missing [manuscript], no company, no page numbers
- Fisher, Roger/Ury, William / Patton, Bruce : *Das Harvard Konzept*. 17. Auflage Frankfurt a.M. 1998. publishing company missing
- Gangloff, Sylvie: “L’ emancipation politique des Gagaouziens, turcophones chretiens de Moldavie”, in: *Cahiers d’études sur la Méditerranée orientale et le monde turco-iranien*, no23, janvier-juin 1997, 232-257.
- Jaguttis, Malte: “Territorialautonomie als innerstaatliches Regelungskonzept des Minderheitenschutzes: Das Beispiel Gagausiens (Republik Moldau)”. Seminararbeit zum Völkerrechtlichen Seminar: Rechtliche Probleme nationaler/ethnischer Minderheiten im Völkerrecht und im Staatsrecht unter besonderer Berücksichtigung des Ostrechts – Wintersemester 1998/99. Unpublished Paper, Hamburg 1999.
- King, Charles: “Gagauz-Yeri and the Dilemmas of Self-Determination”, in: *Transitions* 1 (1995), 19, 21-5.
- King, Charles: *The Moldovans. Romania, Russia and the Politics of Culture*. Stanford/Ca. 1999: Hoover Institution Press. publishing company missing

- Mark, Rudolf: "Das Gesetz über die besondere Rechtsstellung von Gagausien (Gagauz-Yeri)", in: *WGO-Monatshefte für Osteuropäisches Recht*, 37 (1995), 5, 291-7.
- Muller, Christopher A./Ryan, Atticus J (eds): *Unrepresented Nations and Peoples Organizations*. Yearbook 1996. Kluwer Law International: The Hague/London/Boston: 1997.
- Neukirch, Claus: *Die Republik Moldau – Nations- und Staatsbildung in Osteuropa*, Osteuropa: Geschichte, Wirtschaft, Politik, Band 9, Münster 1996: LIT-Verlag, publishing company missing
- Neukirch, Claus: "Moldawien – Zwischen den Stühlen?", in: *Ost-West Gegeninformationen*, 9 (1997), 3, 17-20.
- Neukirch, Claus: "Verfassungsreferendum in Gagausien gestoppt", in: *WGO-MfOR* 40 (1998), 2, S.82.
- Neukirch, Claus: "Die Rechtsstellung der nationalen Minderheiten in der Moldau-Republik", in: Brunner, Georg / Meissner, Bors (eds): *Das Recht der nationalen Minderheiten in Osteuropa*, Berlin 1999: publishing company missing
- Oberschmidt, Randolf: "Neue Satzung für Gagausien (Gagauz-Yeri) in der Republik Moldau". *WGO-Monatshefte für Osteuropäisches Recht* 41 (1999), 1, 13-21.
- Patras, Eugen: *Minoritatile nationale in Ucraina si Republica Moldova. Statutul juridic*, Cernauti,, 2. Aufl. 1999.
- Peck, Connie: *Sustainable Peace: the role of the UN and regional organizations in preventing conflict*, Lanham/Md. 1998. publishing company missing
- Socor, Vladimir: "Demirel Asserts Turkish Interests in Ukraine and Moldova", in: *RFE/RL Research Report* 3 (1994), 31, 18-23.
- Socor, Vladimir: "Five Countries Look at Ethnic Problems in Southern Moldova", in: *RFE/RL Research Report* 3 (1994), 32, 19-23.
- Socor, Vladimir: "Gagauz Autonomy in Moldova: A Precedent for Eastern Europe?", in: *RFE/RL Research Report* 3 (1994), 33, 20-28.
- Socor, Vladimir: "Gagauz in Moldavia Demand Seperate Republic", in: *Report on the USSR* 2 (1990), 36, 8-13.
- Thompson, Paula: "The Gagauz in Moldova and Their Road to Autonomy", in: Opalski, Magda [ed.]: *Managing Diversity in Plural Societies - Minorities, Migration and Nation-Building in Post-Communist Europe*, Ontario, 1998, 128-147. publishing company missing
- Troebst, Stefan: "Die bulgarische Minderheit Moldovas zwischen nationalstaatlichem Zentralismus, gagausischem Autonomismus und transnistrischem Separatismus (1991-1995)", in: *Südosteuropa*, 44 (1995), 9-10, 562-84.
- Troebst, Stefan: "Mähren-Schlesien, Subkarparten-Rus' und Gagausenland: Autonomiebewegungen im Osteuropa der Nach-'Wende'-Zeit", in: *Osteuropa* (49) 1999, 1, ###. Page number missing
- Ury, William/Brett, Jeanne M. / Goldberg, Stephen B. (eds): *Konfliktmanagement*. Frankfurt 1998. publishing company missing