



## Building Inclusive Governance: Challenges and Opportunities for Gagauzia within Moldova's EU Accession Framework

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## ABSTRACT

*This policy paper analyses the evolution, challenges, and future prospects of the Gagauz autonomy within Moldova, with a focus on the implications of Moldova's EU accession process. Established in 1994 as a model of peaceful conflict resolution, Gagauzia's autonomy has faced persistent legal and institutional obstacles, including an ambiguous constitutional status, unclear division of competencies, and limited legislative capacity. Recent years have seen a deterioration in centre-autonomy relations, exacerbated by regional instability, contested elections, and the exclusion of Gagauz representatives from certain national processes. The EU accession process, however, offers a strategic opportunity to address these challenges through*

*comprehensive constitutional and legislative reforms, improved mechanisms for legislative harmonization, and strengthened participatory and conflict resolution structures. The paper recommends clarifying and entrenching Gagauzia's legal status, explicitly clarifying competencies, building institutional capacity, and revitalizing structured dialogue between Chişinău and Comrat. Without such reforms, Gagauzia's autonomy risks further erosion, potentially threatening Moldova's political stability. Leveraging the Council of Europe and EU-driven reforms can foster a more stable, inclusive, and effective autonomy arrangement, supporting both regional development and Moldova's integration into Europe.*

## ARGUMENTATION

### ***The establishment of the Gagauz autonomy in 1994 as a critical step and a success story in addressing ethnic tensions within Moldova***

The Autonomous Territorial Unit of Gagauzia is a self-governing region within the Republic of Moldova, predominantly inhabited by the Gagauz people, a Christian, Turkic-speaking ethnic group. Amid the dissolution of the Soviet Union, concerns over marginalization in an independent Moldova led the Gagauz people to declare their own republic in 1990, intensifying regional tensions and illustrating the complex interplay of national, ethnic, and linguistic identities in the post-Soviet space. The subsequent years involved tense negotiations marked by political challenges. Ultimately, in December 1994, following extensive dialogue and international mediation by Türkiye, Moldova's Parliament adopted the Law on the Special Legal Status of Gagauzia, granting the region autonomy while preserving Moldova's territorial integrity.

This legislative milestone exemplifies the power of negotiation and third-party mediation in peacefully resolving ethnic conflicts. The law not only prevented violent escalation but also established a comprehensive framework for local governance, linguistic rights, and cultural preservation. The autonomy's legal foundation was further strengthened in 2003 with the constitutional incorporation of Article 111, formally embedding Gagauzia's autonomous status within Moldova's Constitution. This case stands as a significant precedent for managing ethnic disputes through peaceful, legal, and political means in post-Soviet states.

### ***Tensions between Chisinau and Comrat amid regional tensions in 2014***

The onset of the conflict in Ukraine in 2014 marked a critical turning point for Moldova's internal stability, with Gagauzia emerging as a focal point of geopolitical tension. Amid Moldova's increasing alignment with the European Union, Gagauzia's predominantly pro-Russian oriented population expressed strong opposition to Chisinau's Western orientation. The 2014 referendum in Gagauzia, which overwhelmingly favoured closer integration with Russia and even included provisions for potential secession should Moldova's independence be threatened, underscored the deepening divide within the country. In light of these developments, the initiation of a political dialogue between the central government in Chişinău and the autonomous authorities in Comrat became a vital instrument for mitigating tensions and fostering constructive engagement.

### ***Facilitated Dialogue between Chisinau and Comrat***

In November 2015, the Moldovan Parliament established the Parliamentary Working Group on Gagauzia with the primary aim of preventing further escalation of tensions and fostering a shared agenda to strengthen the entrenchment of Gagauzia's autonomy within the Republic of Moldova. The group's mandate included clarifying the division of competencies and enhancing mechanisms for effective cooperation between national authorities and Gagauz institutions across various branches of government, including legislative and executive levels.

This dialogue process, facilitated by CMI-Martti Ahtisaari

Peace Foundation (CMI) that provided *good offices* to the dialogue platform, brought together legislators from both the Moldovan Parliament and the People's Assembly of Gagauzia who pursued a targeted agenda focused on addressing key socio-economic challenges, resolving legislative inconsistencies, and clarifying legislative ambiguities related to Gagauzia's autonomous status. The agenda was collectively developed based on priorities identified during the dialogue, aiming to confront shared challenges and explore joint solutions. Over years, this dialogue process has facilitated constructive cooperation and trust-building, resulting in more than sixty joint decisions and thirty laws drafted addressing the functioning of the autonomy, remaining a unique institutionalized dialogue platform between the legislators from Chişinău and Comrat.

For example, the Parliament and Gagauz People's Assembly adopted some modifications in national and regional laws, to create a mechanism for mutual consultations (asymmetric consultations) to ensure that the opinion of the People's Assembly are requested while draft of the national legislation modifications are being analysed, if they are related to Gagauzia. Similar changes were proposed for the improvement of the ATU Gagauzia legal framework so that the official authorities from Chisinau could be consulted during the adoption of local legislation. This result was reflected in the Report of the European Commission on the progress of Moldova towards accession negotiations to the European Union (published on November 8, 2023).

#### ***Further Deterioration of Chisinau-Comrat relations amid regional challenges***

The political relationship between Gagauzia and the Moldovan central government has significantly deteriorated in recent years, shaped by both regional geopolitical upheavals and internal political crises. The outbreak of the war in Ukraine in 2022 exacerbated regional instability, casting a long shadow over Moldova and its autonomous region of Gagauzia. This conflict heightened security concerns and intensified debates over Moldova's geopolitical orientation, especially amid an energy crisis and soaring inflation that deeply affected economic and social conditions within Moldova including Gagauzia.

Tensions escalated further following the 2023 Governor's elections in Gagauzia, where the victory of a candidate affiliated with the banned Shor Party was widely contested and labelled fraudulent by Moldovan authorities. This outcome severely strained relations between Chişinău and Comrat. The Chairperson of the People's Assembly of Gagauzia, previously a key interlocutor with national authorities, became embroiled in controversy due to publicly reported ties with the same sanctioned political faction, effectively severing the last formal communication channels between the authorities.

In response, the Moldovan central government implemented a series of contentious measures aimed at isolating politicians linked to the Shor Party. These included excluding the Governor and the People's Assembly Chairperson from the working group on EU accession, withholding the presidential decree

formalizing the Governor's membership in the Cabinet of Ministers, changes to the Tax Code that shifted VAT reimbursements to be borne by the autonomy's budget directly impacting local economic actors and social programs. Moreover, the exclusion of Gagauz Chief Prosecutor from the Superior Council of Prosecutors, accompanied by changes to the judicial map, including the liquidation of the Comrat Court of Appeal, the Constitutional Court's decision declaring certain provisions of the Law on the Special Legal Status of Gagauzia unconstitutional—particularly those related to the appointment of the Chief Prosecutor—intensified tensions, as Gagauz authorities viewed these as a direct infringement on their self-governance rights. Reflecting on these developments, members of the People's Assembly of Gagauzia suspended their participation in the formal dialogue platform with the Moldova Parliament in December 2023, criticizing the platform as a mere façade that failed to address pressing issues or prevent adverse consequences stemming from recent political decisions.

The arrest of the Governor of Gagauzia in spring 2025 on charges related to corruption and abuse of office further deepened the crisis, underscoring the volatility of the political environment and raising concerns about governance, rule of law, and the future of autonomy arrangements. This development has intensified debates over the balance between Moldovan sovereignty and regional self-governance, with implications for Moldova's broader political stability.

#### ***Challenges to effectively exercise autonomous powers***

Despite the formal recognition of Gagauzia's autonomy within Moldova's legal system, the effective exercise of its autonomous powers remains hampered by several persistent challenges. One of the most significant issues is the ambiguous legal status of the Law on the Special Legal Status of Gagauzia. Lacking the clarity of the constitutional supremacy or guarantees, this law can be overridden or undermined by ordinary organic laws, exposing the autonomy to erosion through subsequent legislative amendments.

The absence of a clear and precise delimitation of competencies between the central authorities and Gagauzia adds additional challenges. Both the Constitution and the Law on Special Status offer only broad definitions of the region's legislative powers, failing to specify which competences are exclusive, shared, or administrative. This vagueness leads to frequent legislative conflicts, as both central and regional authorities enact contradictory laws.

A further institutional challenge is the lack of a professionalized legislative body within Gagauzia. The People's Assembly of Gagauzia, while vested with legislative authority, often lacks the technical expertise, resources, and professionals necessary to draft, analyse, and implement complex legislation. This deficiency limits the Assembly's capacity to engage effectively with national legislative processes and ensure that Gagauzia's interests are adequately represented and protected.

In the longer term, the lack of professionalization within

the People's Assembly may also erode public trust in local governance and limit Gagauzia's ability to function as a meaningful actor within Moldova's broader decentralization processes. Addressing these institutional gaps would require targeted investments in human capital, administrative modernization, and the creation of mechanisms for sustained dialogue between Gagauz authorities and national institutions.

Institutional and procedural shortcomings further impede the realization of Gagauzia's autonomy. Although mechanisms theoretically exist for Gagauzia's participation in national policy making—such as legislative initiatives and representation in the government — these are inconsistently applied and often ineffective in practice. The absence of dedicated liaison structures, such as a secretariat for the Governor or professional representation within the Moldovan Parliament, limits the region's ability to influence policy development. Additionally, the special appeal mechanism to the Constitutional Court, intended to resolve legal disputes between the autonomy and the state, is rarely used due to unclear boundaries of competence and the political sensitivity of such cases, leaving many conflicts unresolved.

#### ***Moldova's EU accession process - a strategic opportunity for Gagauzia***

In the context of Moldova's EU accession, addressing existing challenges is not only a legal and administrative necessity but also a strategic opportunity. The EU-driven reform process provides a framework for clarifying and entrenching Gagauzia's competencies, ensuring that its special status is protected from being undermined by

ordinary legislation and administrative decisions. Strengthening the institutional capacities of Gagauzia's executive and legislative bodies is essential for the region to assume and implement its competencies effectively, as well as to participate meaningfully in the national reform agenda.

Moreover, the EU accession process can serve as a catalyst for establishing regular, structured coordination and cooperation mechanisms between national and regional authorities. Revitalizing platforms such as the Parliamentary Working Group on Gagauzia and developing operational processes for efficient participation of the autonomy in the policy making process at the national level will help to prevent legal conflicts and foster a culture of cooperative governance between Chisinau and Comrat. Ensuring Gagauzia's effective participation in national decision-making, both at the executive and legislative levels, will be crucial for embedding the principles of subsidiarity and local autonomy in Moldova's evolving public administration reform.

Ultimately, the EU accession process offers a unique window for Gagauzia to address its longstanding legal and institutional challenges, to enhance its role within Moldova, and to contribute constructively to the country's European integration. Success in this endeavour will depend on the political will of both central and regional authorities to engage in genuine dialogue, pursue necessary reforms, and build a more inclusive and functional framework for the autonomy within the Moldovan state.

## RECOMMENDATIONS

To ensure that Gagauzia's autonomy functions efficiently and constructively supports Moldova's EU accession efforts, both the central government and the autonomy should prioritize a renewed, principled approach to dialogue, legal clarity, and institutional development.

First, it is essential to clarify and entrench the legal status of Gagauzia's autonomy within Moldova's constitutional and legislative framework. This should include a review and, where necessary, amendment of the Law on the Special Legal Status of Gagauzia to ensure its supremacy over ordinary legislation and to protect the autonomy from erosion through subsequent legal changes. Clear constitutional guarantees and mechanisms for safeguarding the autonomy's competencies are vital to building trust and stability.

Second, to ensure a functioning system of self-governance, the division of powers must be clearly defined. This can be achieved through two complementary mechanisms: (1) a binding interpretation by the Constitutional Court of Moldova clarifying the constitutional status and implications of Gagauzia's autonomy; and (2) legislative action by the Parliament to update and codify a more precise framework for competencies through amendments to existing laws or the adoption of a new organic law on regional autonomy.

Beyond interpretative clarification, a comprehensive mapping exercise is needed to catalogue and explicitly define the functional competences at each level of government. The result should be a detailed classification of *exclusive competences* reserved for Gagauzia (e.g., regulation of education in the Gagauz language, promotion of local culture, regional economic development, aspects of local budgeting and taxation); *shared competences*, where collaboration is essential (e.g. environmental protection, public health, agriculture, and regional infrastructure); and *exclusive central competences* (e.g. foreign affairs, national defence, customs, and monetary policy).

Such clarification would reduce legislative and institutional conflicts, prevent the arbitrary suspension

or duplication of legal norms, and create a transparent and stable foundation for institutional cooperation. It would also strengthen legal certainty for investors, civil servants, and citizens alike.

Importantly, this process should be guided by *European principles of subsidiarity, proportionality, and local self-government*, as outlined in the European Charter of Local Self-Government (CoE) and EU best practices for multi-level governance. According to these principles, public responsibilities should be exercised by the lowest level of government that is capable of performing them effectively. In this context, strengthening Gagauzia's institutional capacity and clearly defining its legal competences are not just internal governance issues, but also critical components of Moldova's broader EU integration process, which demands consistency with democratic norms, minority protection, and effective decentralization.

Third, strengthening the institutional capacity of Gagauzia's People's Assembly and executive bodies is crucial. This includes investing in professional development, legal drafting expertise, and administrative resources, as well as establishing a permanent secretariat or liaison office to facilitate communication with national authorities. Such steps will enable Gagauzia to participate more effectively in national policy making processes, ensuring its interests are represented and its obligations under the EU *acquis* are met.

Fourth, Chisinau and Comrat should revitalize and institutionalize mechanisms for structured and regular dialogue between Chişinău and Comrat. The Parliamentary Working Group on Gagauzia should be reactivated with a clear mandate, transparent procedures, and the inclusion of independent facilitation where needed, to manage shared competences and resolve disputes in a predictable, rule-based manner. Such a platform must be empowered to address both routine governance issues and emerging political or legal disputes, and its recommendations should be systematically considered by both parliaments.

## CONCLUSIONS

Addressing the complex challenges facing Gagauzia's autonomy necessitates comprehensive constitutional and legislative reforms that clearly define and firmly entrench the autonomy's competencies and legal status within Moldova's framework. Establishing effective mechanisms for legislative harmonization, strengthening participatory structures, and developing reliable dispute resolution tools are critical steps to enable meaningful legal integration and cooperative governance. Without these reforms, the autonomy arrangement risks remaining fragile, which could undermine both regional stability and Moldova's broader political balance.

Moldova's ongoing EU accession process offers a timely and strategic opportunity to tackle these longstanding legal, administrative, and political issues in centre-autonomy relations. By leveraging this process to clarify Gagauzia's legal standing, delineate competencies, enhance institutional capacities, revive constructive dialogue, ensure genuine participation in national decision-making, and reinforce conflict resolution frameworks, Chisinau and Comrat can build a more stable, inclusive, and effective autonomy. Such progress will not only strengthen internal cohesion but also align Moldova's governance with European standards, thereby supporting the country's aspirations for European integration and sustainable developme

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