

# THE GAGAUZ ISSUE: FROM CONFRONTATION TO DIALOGUE

- The competences of the Gagauz autonomy and the economic issues in the region have been two important issues that have created disagreements between the central and regional authorities. Moldova's rapprochement with the European Union has amplified the controversy between the parties.
- The organization of February 2014 referenda in UTA Gagauzia and other actions undertaken by the authorities in the region have increased the attention of Moldovan politicians and development partners to the Gagauz issue. This involved identification of institutionalized solutions to discuss existing problems and fund development projects in the autonomous region.
- The resumption of the activity of the Working Group consisting of MPs of the Parliament of the Republic of Moldova and representatives of the People's Assembly is necessary to resolve the existing disagreements between the central and regional authorities. The hesitation of the Moldovan Parliament to adopt several decisions passed by this Working Group casts doubt on its effectiveness. In the absence of concrete results, it is not possible to strengthen confidence between central and regional authorities.
- It is necessary to create an expert working group to delimitate the UTAG attributions in accordance with the Constitution of the Republic of Moldova. This includes the amendment of the 1994 Law on the Special Legal Status of the Gagauz Autonomy.

## TABLE OF CONTENTS:

Executive summary	2
Political situation in the Gagauz autonomy	3
The activity of the Working Group on ensurance of the UTAG functionality and compliance with the legislative provisions of the Republic of Moldova in relation to the special status of UTA Gagauzia under the constitutional norms	7
Economic and financial situaion of UTAG	10
Conclusions and Recommendations	13

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## Executive summary

The referendums in the Gagauz autonomy from February 2, 2014 have showed the Moldovan society and the development partners of the Republic of Moldova that there are disagreements between central and regional authorities. The "Gagauz issue" has several causes, but it has reappeared at a time when the Republic of Moldova was going through two paradoxically opposite experiences. On the one hand, it was getting closer to the European Union together with the negotiation and the initialling of the Association Agreement and on the other hand, the Moldovan society was facing the problem of the weakening of state institutions, which manifested through the increase in the level of corruption of the institutions and the politicization of the bodies in charge with maintenance of public order.

Announcement of the European integration as the main foreign policy direction of the Republic of Moldova served as reason for the decision makers of the Gagauz autonomy to accuse the central authorities of non-compliance with the Gagauz autonomy legislation and to advance certain claims. The latter included the expansion of the budget categories of the Autonomous Region, the enlargement of the Territorial-Administrative Unit of Gagauzia (UTAG) Development Region and the transfer of more funds to the region for capital investment.

The problems continued to manifest after the events of February 14, even though the political scene in the Gagauzian autonomy had undergone important changes with the election of Irina Vlah as Governor. The actions to celebrate the February 2014 referendum results or to challenge the EU rapprochement policy of the central authorities are just a few elements of contradiction between the UTAG authorities and the central ones. However, the current state of relations between the central and regional authorities is better than in the 2013-2014 period.

It should be noted that the central authorities are also responsible for the complicated situation between the two sides. An example in this sense is the signing by the Government of the Republic of Moldova and the "Frontera Resources International" American Company of the concession contract on geological exploration works on the territory of the Republic of Moldova. According to this contract, about 40% of the territory of the Republic of Moldova is licensed for a period of 50 years. Exploration works also include the territory of the Autonomous Region. One of the main concerns related to this contract is a potential exploration of shale gas, including in the UTA Gagauzia. The central authorities did not consult the public opinion before signing this agreement, causing great concerns in the society.

The complicated situation that was created required the rethinking by the central authorities of their attitude towards the Gagauz autonomy. Thus, besides the fact that the budget categories of the Territorial-Administrative Unit of Gagauzia were extended, the amount of the transfers from the state budget to the budget of the region has also increased and conditions were created for the functioning of the UTAG Development Region. Also, in order to establish and improve the dialogue between central and autonomous authorities, as well as to delimitate the UTAG competences within the constitutional norms of the Republic of Moldova, a working group was created consisting of MPs of the Parliament of the Republic of Moldova and of the Gagauzia's People's Assembly.



# Political situation in the Gagauz autonomy

The events of the 2012-2013 period, when the Gagauz politicians put pressure on the central authorities because of the pro-European policy of the Republic of Moldova, registering on November 30, 2012 an initiative regarding the organization in the autonomous region of the consultative referendum on the foreign policy orientation, culminated in the organization by the authorities of the Territorial-Administrative Unit of Gagauzia (UTAG) of the referendums from February 2014, thus bringing the “Gagauz issue” back to the public opinion. The politicians in the autonomous region said that the central authorities did not respect the attributions of the autonomy, did not provide enough funds for the social-economic development of the region, and did not take into account the opinion of the citizens of Gagauz autonomy regarding Moldova’s foreign policy orientation.

Although the political class has been and remains divided along interest groups, political affiliation, open conflict between MPs and the Executive Committee, the Russian factor was decisive in the decision from 27 November 2013 (a few days after the Vilnius European Council Summit when Moldova initialled the Association Agreement with the European Union) and that of 31 January 2014 on the organization of two referendums on the territory of the UTAG on 2 February 2014 - one consultative, the second being “legislative”. In the first case, the residents of the Gagauzian autonomy were called to the polls to decide on the Moldovan foreign policy orientation, namely to say whether they are for the country’s accession to the European Union or to the Russia-Belarus-Kazakhstan Customs Union. In the case of the second referendum, the citizens of UTAG had to answer whether they agree that the Gagauz autonomy exercises its right to external self-determination if the Republic of Moldova loses its independence.

With few exceptions, the most important exponents of the Gagauz region, including the Bashkan Mihail Formuzal, actively advocated for the referenda to be held on February 2, 2014. The representatives of the Democratic Party of Moldova failed to persuade the Gagauz democrats from the People’s Assembly not to participate in the voting process for the adoption of a new decision on the holding of the referenda after the decision of the Comrat Court to declare illegal the decision of the People’s Assembly from November 27, 2013. The “re-voting” was a gimmick that aimed to give the decision of 31 January the appearance of compliance with the legal procedures. In other words,

following the decision of the Comrat Court of 3 January to declare illegal the People’s Assembly decision on the organization of referenda from November 27, 2013, the Gagauz MPs adopted a new decision on the organization of the referenda, which failed to be challenged before the court.

After the February 2014 referenda, elections were held for election of both the Bashkan of the region (March 2015) and the People’s Assembly (November-December 2016) which have brought about important changes on the political scene of the region. It is interesting to note that most candidates for the Bashkan had a pro-Russian message. Irina Vlah, the winner of these elections, used on the electoral advertising materials the image of Russian politicians, such as Sergei Naryshkin, the President of the State Duma of the Russian Federation in 2015, or Valentina Matvienko, President of the Russian Federation Council. The development of relations with the Russian Federation was the main idea of Irina Vlah’s electoral platform. All five priorities of the political programme contain direct references to Moscow’s role in assuring the social-economic welfare of the Gagauz autonomy.

On November 20, 2016 the elections in the People’s Assembly of the Gagauz Autonomy of the 6<sup>th</sup> legislature took place, which decisively influenced the political situation in the region. Apart from the fact that a new composition of the People’s Assembly was elected, the composition of the Executive Committee of the autonomy was approved. According to the first paragraph of the art.16 of the Law no. 344 from 23.12.1994 on the special legal status of Gagauzia (Gagauz-Yeri), the Executive Committee is formed by the People’s Assembly at the first session for the duration of the mandate<sup>1</sup>. The procedure for approving the composition of the Executive Committee has caused internal political dissensions among the most important factions in the People’s Assembly.

This procedure stipulated by the law is contrary to the principle of the formation of the Executive Committee by the Bashkan, who is also the head of the Executive Committee, and of the functioning of this body. In this respect, the Executive Committee must be approved for the mandate of the Bashkan, and its mandate should not be corroborated with the People’s Assembly mandate, but with the Bashkan’s mandate, because the Executive Committee resigns together with the Governor’s resignation and not at the end of the mandate of the People’s Assembly. In the case of UTAG, there is a double approval: once after the elec-

<sup>1</sup> Law of the Parliament of the Republic of Moldova no. 344 of 23.12.1994 on the Special Legal Status of Gagauzia (Gagauz-Yeri). Published: 14.01.1995 in Official Monitor Nr. 3-4

tion of the Bashkan and the formation of the Executive Committee team and the second time, after the People's Assembly election. This example demonstrates once again the existence of several contradictions in the Law no. 344 of 23.12.1994 on the special legal status of Gagauzia (Gagauz-Yeri). It is important to note that this procedure was used for the first time in 2012, against Mihail Formuzal, in order to weaken his position. This procedure was also used against Irina Vlah. In both cases, this instrument was used by the Democratic Party of Moldova (PDM), given its influence over the majority of the deputies in the legislative body of the region. Local experts say that Chisinau uses this tool in order to intervene in the UTAG's internal political process.

The legal norms establish that the numerical composition of the regional legislature is based on the creation of uninominal constituencies of maximum 5 thousand voters per deputy provided that each locality has at least one representative in the People's Assembly. The 35 MPs are elected on the basis of the majority system for a four-year term.

In total, 126 candidates ran for the post of deputy in the People's Assembly, 85 of whom being independent candidates and 41 from political parties<sup>2</sup>. Thus, the number of independent candidates was twice as high as that of political party representatives. This explains the crisis of legitimacy of political parties among the population of the Gagauz region, although it is important to mention that the UTAG citizens do not oppose the political parties. According to a public opinion poll in the autonomous region, about 52.9% of respondents consider it necessary to have regional political parties<sup>3</sup>. Most UTAG candidates do not want to be associated with national parties, which is also explained by the still existent between the Gagauz autonomy and the central authorities. The appearance of an independent deputy is maintained also after the elections in the People's Assembly. Thus, for the first time since the existence of this institution, no political fractions were created<sup>4</sup>.

The Democratic Party of Moldova (PDM) was the only party from the parliamentary majority that had candidates for the People's Assembly, but only one deputy entered the Assembly- Vladimir Cissa – who was elected president of the regional legislature after the

elections in the People's Assembly in 2016. Most MPs elected on party lists, 5 in total, represent the Socialist Party of the Republic of Moldova, all the others having been elected as independent candidates<sup>5</sup>.

Only 4 of the People's Assembly deputies are women, which represents a minor increase<sup>6</sup> compared to the previous regional legislature, which included only one woman. Following the 2016 vote, 14 of the deputies were re-elected to the People's Assembly.

Regarding the elections in the regional legislature, it should be noted that after the two election rounds from 20 November and 4 December, 2 of the 35 deputies were not elected.

In the constituency no.1 in Comrat, repeated elections were organized as a result of the contestation by an electoral candidate of the results of the second elections round on 4 December, the reason being the violations that affected the good conduct of the elections and influenced their results<sup>7</sup>. Thus, by the decision of the Comrat Court of Appeal from 22 December 2016, the contestation of the election results from 4 December<sup>8</sup> was partially accepted, and by its irrevocable decision from January 6, 2017, the Supreme Court of Justice of the Republic of Moldova admitted the same candidate's appeal against the UTAG Central Electoral Commission no. 150/30 of 06 December 2016 regarding the exclusion of the electoral contestant from the pre-election race and the replacement of the electoral council and of the electoral bureaus within the electoral district Comrat no. 1<sup>9</sup>. Repeated elections were held on 5 March 2017 in which only one candidate - Vitalie Dragoi - supported by PDM participated. The Supreme Court of Justice of the Republic of Moldova maintained the decision of the Comrat Appeal Court on the recognition of the mandate of Vitalie Dragoi as National Assembly deputy at the court hearing from 10 April.

In the constituency no. 10 of the city of Vulcanesti the elections were also declared invalid because in the elections of 20 November 2016 and 4 December 2016 less than 1/3 of voters cast their votes. Thus, the People's Assembly operates with 34 MPs.

The first major disagreement between the two poles of power - the faction of Irina Vlah, the governor of

<sup>2</sup> Interim report: June 21 - October 31, 2016./ [http://pilgrim-demo.org.md/wp-content/uploads/2016/11/Pilgrim-Demo\\_PAG-Elections\\_Intermediary-report\\_rus.pdf](http://pilgrim-demo.org.md/wp-content/uploads/2016/11/Pilgrim-Demo_PAG-Elections_Intermediary-report_rus.pdf)

<sup>3</sup> The functioning of social, economic and political institutions in Gagauzia./ [http://pilgrim-demo.org.md/wp-content/uploads/2017/03/Opinion-poll-Gagauzia\\_2017.pdf](http://pilgrim-demo.org.md/wp-content/uploads/2017/03/Opinion-poll-Gagauzia_2017.pdf)

<sup>4</sup> Expert commented on the unwillingness of the PA deputies to unite in factions. / <http://gagauzinfo.md/index.php?newsid=32442>

<sup>5</sup> <http://pilgrim-demo.org.md/noutati/pat-elections-2016-candidates/>

<sup>6</sup> List of deputies of the 6th People's Assembly of Gagauzia, <http://halktoplushu.md/index.php/rukovodstvo/spisok-deputatov-vi-sozyva>

<sup>7</sup> Decision from January 6, 2017 of the Supreme Court of Justice of the Republic of Moldova, [http://jurisprudenta.csj.md/search\\_col\\_civil.php?id=33902](http://jurisprudenta.csj.md/search_col_civil.php?id=33902)

<sup>8</sup> Decision of the Comrat Court of Appeal, [https://cacm.instante.justice.md/apps/pdf\\_generator/base64/create\\_pdf.php](https://cacm.instante.justice.md/apps/pdf_generator/base64/create_pdf.php)

<sup>9</sup> Decision from January 6, 2017 of the Supreme Court of Justice of the Republic of Moldova, [http://jurisprudenta.csj.md/search\\_col\\_civil.php?id=33902](http://jurisprudenta.csj.md/search_col_civil.php?id=33902)

the autonomous region, and the one close to the PDM - occurred with the approval of the composition of the Executive Committee by the People's Assembly.

According to the local experts, the faction supporting Irina Vlah and that of the Democratic MPs include 10 and 12 deputies respectively (the figure is approximate). This means that none of these political forces has the majority and thus have to co-work in the People's Assembly. However, according to the same experts, deputies close to the PDM benefit from the vote of another 6 deputies, depending on the situation. On February 17, 2017, the composition of the Executive Committee was approved, all members being practically from among Irina Vlah's supporters. An exception is Alexandr Diulgher, supporter of the "New Gagauzia" Movement. Democrats have tried to promote more of their candidates in the Executive Committee and therefore insisted on confirming the composition of the executive by roll-call vote. When Vlah insisted on voting on the entire list, PDM supporters refused to vote for this procedure, while Alexandr Tarnavschi, the then chairman of the regional legislature, supported Irina Vlah's proposal. Of the 30 deputies present, 16 voted to approve the composition of the Executive Committee and the heads of district administrations in a single list.

Because of his vote to support the governor's proposal, Alexandr Tarnavschi found himself under big pressure from the Democrats. As a result, he resigned as chairman of the People's Assembly, explaining it with the lack of knowledge of the Gagauz language, the latter being a condition of being elected in this position. The explanation is inconclusive because on the day of his election as chairman, this problem was invoked by some members of the People's Assembly, which did not influence his intention to run as chairman of the People's Assembly<sup>10</sup>.

The internal struggle between the political groups in the region is projected also in relation to the central authorities. The local politicians adopted, for political and economic reasons, a behaviour affirming the political identity of the Gagauz autonomy and emphasizing the freedom of their actions in relation to central authorities. The accents and forms of this behaviour have evolved over time, especially during the term of the UTAG' Governor Mihail Formuzal. This practice is continued by Irina Vlah, Formuzal's successor as Bashkan of the Gagauz autonomy since 2015. A similar attitude was demonstrated by the members of the People's Assembly, especially

those from the previous mandate who adopted the decision to organize the referenda from February 2014.

These actions of the Gagauz politicians, including in the field of foreign policy, have several explanations. The Law No. 344-XIII of 23.12.94<sup>11</sup>, stipulating the powers of the People's Assembly, provides in Article 12, paragraph 3 (b), the right to participate in the promotion of the domestic and foreign policy of the Republic of Moldova in matters concerning the interests of Gagauzia. This vague formulation of the law, as well as many other confusing provisions, have caused much tensions between central and regional authorities. Subsequently, the People's Assembly adopted the UTAG Regulation<sup>12</sup>, which stipulates in Article 60 that the governor of the region represents the Gagauz autonomy on the territory of the Republic of Moldova and in the international relations. This provision provides more foreign policy competences than those established by the Law on the special legal status of the Gagauzian autonomy.

The political relations of the regional elite with the governing party/ parliamentary majority, the domestic political context in the Gagauz region as well as the external factor are other explanations of the disagreements and of the manifestation of the exclusivist approach in relation with the central authorities. These factors became especially evident after 2006, when Mihail Formuzal was elected Governor of UTAG, who had a very critical attitude towards the Party of Communists of the Republic of Moldova which was dominating in an authoritarian way the Moldovan political scene.

Another element of political disloyalty is the large-scale celebration of the anniversary of the February 2014 referendum on the country's external orientation and self-determination in the case the Republic of Moldova losses its statehood.

The above do not tend to induce the idea that the UTAG leaders are to be blamed exclusively for the periodic tensions between the central and regional authorities. On the contrary, as we will show below, the central authorities are equally responsible for the tensed relations with the Gagauz autonomy.

The regional politicians have contested the policy of central authorities through various statements or actions. For example, the Gagauz leaders have condemned the decision by central authorities to ban entry into Moldova of journalists from a Rus-

<sup>10</sup> The language failed. Why did the speaker of the Parliament of Gagauzia resign. / <http://newsmaker.md/rus/novosti/yazyk-podvel-poche-mu-ushel-v-otstavku-spiker-parlamenta-gagauzii-29885>

<sup>11</sup> Law of the Parliament of the Republic of Moldova no. 344 of 23.12.1994 on the Special Legal Status of Gagauzia (Gagauz-Yeri). Published: 14.01.1995 in Official Monitor Nr. 3-4

<sup>12</sup> Regulations of UTAG n0. 28-XXX/1 from 1998

sian television channel<sup>13</sup>. The authorities in Chisinau were dissatisfied with the propaganda material filmed in Chisinau and the Gagauz autonomy, but also with the work of the “Rossia” channel team in the Transnistrian region, which led to the above-mentioned decision.

These actions do not contribute to the development of confidence between central authorities and UTAG exponents. The existence of these practices shows that the tensions between the central and the regional authorities have not been overcome.

In April 2015, Irina Vlah, speaking at the meeting of the European Integration Committee, attended by European Council President Donald Tusk, said that UTAG residents do not accept the country's European integration project, talking about the risks of the European integration policy of the Republic of Moldova<sup>14</sup>. The Comrat leader said that Moldova should develop relations with Russia at the level of strategic partnership, without influencing the good neighbourly relations with the European states. It is paradoxical that Irina Vlah, an official member of the Moldovan Government, formally contests the state's approach to the European Union. More recently, the Bashkan of the autonomous region was part of the Moldovan delegation led by the pro-Russian President Igor Dodon, who met in January 2017 with the Russian Federation officials. During the meeting, Irina Vlah said the Gagauz are very loyal to the Russian Federation<sup>15</sup>. Also, the People's Assembly deputies declared at a meeting with a group of MEPs in July 2015 that the life of Moldovan citizens had not improved since the signing of the Association Agreement<sup>16</sup>.

Russia has no strategy towards the UTAG, but Moscow has the possibility to influence the political situation in the Gagauz region through the Russian media, which enjoys a very high level of confidence among the population in the region and which has an enormous impact on the public opinion in the region. Thus, the local politicians, being unable to form the public opinion of the residents of the region regarding the foreign policy orientation of

the Republic of Moldova, adapt to the mood of the Russian press<sup>17</sup>.

The Russian media dominance in the region and the failure of the pro-European authorities in Chisinau to explain to the Gagauz the advantages of the European integration have influenced the anti-European sentiment of the Gagauz people. The introduction of import tariffs and restrictions for 19 Moldovan products by the Russian Federation in 2014, after the signing of the EU-Moldova Association Agreement, has affected this sentiment even more, since Russia has been one of the most important export markets for the Gagauz products.

Against this background, it is interesting to analyse the geographical area of exports of the economic agents in the Gagauz region.

**TABLE 1.** Exports of the Gagauz enterprises, in mln MDL

	2011	2012	2013	2014	2015
<b>EU</b>	519.9	490.9	653.4	707.2	783.8
<b>CSI*</b>	457.7	292.3	597.3	350.3	561.7
<b>Other states</b>	295.8	230.1	348.4	270.2	306.7

**Source:** General Department for Economic Development, Trade, Services and External Relations of UTAG

In spite of the pro-Eastern strategic development orientation promoted by the autonomy, the European Union states are the main export market for the goods produced in UTAG. Since the entry into force of the Association Agreement, the share of goods exported to the EU market has steadily increased. As far as exports on the Russian market are concerned, there was a decline in exports in 2014, when the Russian Federation introduced restrictions on the Moldovan products. In 2015, there was an increase in exports to CIS due to the fact that the Russian Federation lifted the restrictions on fruit and vegetables for some Moldovan enterprises, mainly from the Transnistrian and Gagauz regions.

<sup>13</sup> The authorities of Gagauzia condemned the ban on entry to Moldova to Russian journalists, <http://gagauzinfo.md/index.php?newsid=18456>

<sup>14</sup> Irina Vlach informed the head of the European Council that Gagauzia does not accept the European integration project of the country, <http://gagauzinfo.md/index.php?newsid=17909>

<sup>15</sup> Dodon in Moscow: a turning point for Russian-Moldovan relations, <http://www.vesti.ru/doc.html?id=2844044>

<sup>16</sup> After the signing of the association agreement with the EU, the life of Moldovans has not improved, stated in the People's Assembly of Gagauzia, <http://gagauzinfo.md/index.php?newsid=19254>

\* Au fost incluse și exporturile în Georgia care, oficial, nu este membru al CSI din 2009 ??????

<sup>17</sup> Oazu Nantoi, Vasile Cantarji, Igor Boțan, Anatol Gremalschi, Mihail Sirkeli./ Moldova between East and West: visions of Gagauzia and Taraclia. IPP, 2016



# The activity of the Working Group on insurance of the UTAG functionality and compliance with the legislative provisions of the Republic of Moldova in relation to the special status of UTA Gagauzia under the constitutional norms

The events related to the referenda of 2 February 2014 prompted the central administration to pay more attention to this region. Through its actions, the Gagauz politicians managed to draw the attention of the central authorities and of the international community to the Gagauz issue.

It became obvious that the European integration processes cannot substitute the logic of the political dialogue between Chişinău and Comrat involving: harmonization of the legal basis, concretization and redistribution of competencies, clarification of the status of autonomy and larger involvement of the Gagauz in the political and economic life at national level. In order to achieve this, it was necessary to launch a confidence-building process between Chisinau and Comrat.

An important problem was the lack of communication with the members of the People's Assembly, which was to be solved by a working group composed of both representatives of the Gagauz and central authorities.

Such a framework of collaboration was meant to avoid, according to some officials from Chisinau, the personalization of the policy that generated conflicts and tensions. In other words, an institutionalized dialogue mechanism had to be proposed in order to avoid the situation of the Communist Party of the Republic of Moldova which applied hard methods to those who opposed the regime of Vladimir Voronin. Also, this institutionalized mechanism had to prevent conflict situations resulting from personalized political rivalry such as the struggle between Vlad Filat and Vlad Plahotniuc, on their Gagauz partners/ supporters in the Gagauz autonomy - Mihail Formuzal, the former UTAG Bashkan during December 2006 - March 2015, and Nicholai Dudoglo, former Mayor of Comrat, from July 2004 to January 2015.

The first step in establishing a dialogue between the central authorities and politicians in the autonomous region was the decision of the former speaker of Par-

liament, Igor Corman, from March 13, 2014, on the creation of a working group to examine issues related to the implementation of the constitutional provisions pertaining to the status of the Autonomous Territorial Unit of Gagauzia. This working group brought together representatives of all parliamentary factions as well as MPs from the UTAG People's Assembly.

The working group had several meetings for a four-month period during which the issue of the functioning of the Gagauz autonomy was raised. The activity of this working group lacked notable achievements, because it failed to propose to the Parliament of the Republic of Moldova draft laws which would solve the issue of the delimitation of the autonomous region's competences, with one exception. Only one draft law proposed by the working group was finally adopted on 18 July 2014 in the first reading. The draft law which aimed to amend and complete several legislative acts on the functioning of the Gagauz autonomy, was not adopted in the second reading and did not become a law, respectively. The idea of establishing this group was rather of electoral importance, its purpose being more to calm down the spirits in the region before the November 2014 national parliamentary elections.

After the parliamentary elections in November 2014 and the Bashkan elections in March 2015, the idea of creating an institutionalized discussion platform between the representatives of the Parliament of the Republic of Moldova and those of the People's Assembly was resumed. Thus, with the support of the Conflict Management Initiative (CMI), which has performed the function of *good offices*, several information visits were organized for the representatives of the People's Assembly and the Parliament of the Republic of Moldova in states with autonomous regions. The CMI has established an informal platform that helps maintain a permanent dialogue between Chişinău and Comrat at the executive and legislative levels. This informal platform also supports the work of the official process by strengthening trust and jointly solving problems. As part of the project, the members of the group visited South Tyrol (Ita-



ly), Wales (Great Britain) and Åland (Finland). In all three locations, the group has studied successful decentralization models and, in each case, has been informed about the relationship between the autonomy and central authorities<sup>18</sup>.

As a result, another working group of representatives of the Moldovan Parliament and the People's Assembly was created. The Parliament's decision no. 206 of 20.11.2015<sup>19</sup> establishes the principle of parity in the activity of this working group consisting of an equal number of representatives of the Moldovan legislature and the People's Assembly and having co-chairpersons of the working group from both sides. One of the core goals of this group is to avoid politicizing of its activity and to base its work on examining legislative issues. Other objectives of the working group, according to the Legislative Decision, are to establish a dialogue between the Moldovan Parliament and the People's Assembly on the delimitation of the UTAG competences within the constitutional norms of the Republic of Moldova and to set up a consultation instrument between the central authorities and the Gagauz autonomy for the prevention and solving of possible dissensions.

By order of the Speaker of the Parliament of the Republic of Moldova from 28.01.2016 and of the Chairman of the People's Assembly of Gagauzia from 11.03.2014 (the Gagauz deputies that were appointed to the commission in 2014) the composition of the working group was established. Subsequently, on February 23, 2016, at the first meeting of the working group, the internal regulation was adopted. Mention should be made that art. 23 of this document establishes that the working group usually works in closed meetings<sup>20</sup>, stating also that the working group may decide to hold open sessions. The closed character of the meetings is an important element for the good functioning of the group, as it excludes the interference of other factors in the activity processes of the working group. The art. 31 establishes that the decisions of the working group shall be adopted by the majority vote of its members. This procedure ensures the democratic process of decision-making and excludes decision-making bottlenecks.

By decision of the working group, the sessions usually take place once a month but, at the request of the co-chairs of the working group, meetings could be convened more often<sup>20</sup>.

The CMI fulfils the function of *good offices*, which means it facilitates the discussions within the working group. Thus, the first step involves discussions between representatives of the IMC and MPs on the topics to be discussed. The next step is to communicate the requests of the representatives of the autonomy to the General Department of the Secretariat of the Parliament of the Republic of Moldova, which decides on the legality and importance of the proposed themes. After the decision of the General Legal Department, a discussion with the political parties in the Moldovan Parliament follows, which also have to take an attitude towards the topics that are proposed to be debated by the working group. Finally, the representatives of Parliament and of the Assembly have to agree on a working agenda for the meeting of this institution.

During the first semester of 2016, the representatives of the working group, the working group secretariat convened within the informal platform more than 20 times, 7 open working group meetings having been organized<sup>22</sup>. The discussions on the organization and activity of the working group have not been taken into account as they only set out the rules of operation and measures to strengthen the capacity of the working group.

In total, in the first semester of 2016, the Working Group adopted 24 decision-making recommendations and handed them over to the authorities responsible for adopting or implementing decisions. Mention should be made that the socio-economic issues and decisions related to national funds dominated the discussions within the Working Group, reflecting the content of the social-economic demands of the Autonomous Region towards the central authorities. As a result of the group's activity, in June 2016, the Regional Development Agency (RDA) of Gagauzia was established with its headquarters in Comrat. As a result, the Gagauz RDA

<sup>18</sup> Members of Moldovan Parliament and Gagauzia People's Assembly adopt first legislative initiatives./ cmi.fi

<sup>19</sup> Decision no. 206 of 20.11.2015 of the Parliament of the Republic of Moldova on the creation of a working group to ensure, within constitutional norms, the functionality of the autonomous territorial unit of Gagauzia and the legislative provisions of the Republic of Moldova in relation to the special status of UTA Gagauzia

<sup>20</sup> Decision no. 1 of 23.02.2016 regarding the approval of the Working Regulation of the working group for ensuring, within constitutional norms, of the functionality of UTA Gagauzia and the legislative provisions of the Republic of Moldova in relation to the special status of UTA Gagauzia. /parlament.md /http://parlament.md/LinkClick.aspx?fileticket=I0Ticx0asAg%3d&tabid=237&language=ro-RO

<sup>21</sup> Decision no. 2 of 23.02.2016 regarding the approval of the duration of working sessions of the Working Group for ensuring, within the framework of constitutional norms, the functionality of UTA Gagauzia and the legislative provisions of the Republic of Moldova in relation to the special status of UTA Gagauzia. /parlament.md

<sup>22</sup> Decision no. 30 of 28.06.2016 regarding the approval of the Report on the activity of the Working Group for ensuring, within the constitutional norms, the functionality of the autonomous territorial unit Gagauzia and the legislative provisions of the Republic of Moldova in relation to the special status of UTA Gagauzia for the first semester 2016. /parlament.md

\* Discuțiile pe tema organizării și activității grupului de lucru nu sunt luate în calcul din această perspectivă, fiindcă au stabilit regulile de funcționare, măsuri de consolidare a capacităților grupului de lucru ????

**TABLE 2.** *Decisions adopted by the working group by field*

<b>Category of adopted decisions</b>	<b>No of decisions adopted (in total - 24)</b>
<b>Organization and activity of the working group</b>	no 1, 2, 3, 4, 5, 6, 26, 30 (in total - 8)
<b>Social-economic</b>	no 9, 19, 23, 27, 28, 29 (in total - 6)
<b>National funds (road, environment, regional development)</b>	no 7, 8, 10, 20, 21, 22 (in total - 6)
<b>Legislative process</b>	no 24, 31, 32 (in total - 3)
<b>Justice</b>	nr. 25 (in total - 1)

Source: Relations of Parliament with UTAG, <http://parlament.md>

was eligible for financing projects from the Single Programme Document for the years 2017-2020.

Two draft laws were approved for amending and completing several legislative acts. First of all, we refer to the initiative to complete art. 27 of the Law no.344-XIII of 23.12.1994 on the Special Status of Gagauzia (GăgăuzYeri)<sup>23</sup>. This project aims to alleviate the fears of the Gagauz politicians regarding the initiatives of amending Law No.344-XIII of 23.12.1994 without the approval of the People's Assembly of the Autonomous Region. Thus, according to this draft law, the positive opinion is adopted by the decision of the People's Assembly with the vote of the majority.

The second draft law proposes several amendments and additions to the Law no.436-XVI of 28.12.2006 on Local Public Administration<sup>24</sup>. This draft law introduces the notion of the "local public administration authorities of special level" as a response to one of the main demands of the representatives of the Gagauz autonomy to distinguish between the level II public administration authorities and the autonomous region within the Moldovan legal framework.

We also highlight the importance of the thematic meetings of the working group, in which donors participate in order to avoid overlapping of support programmes for the Gagauz region, but also to get inform about the most important needs of the autonomy. These meetings are important because they provide access to information and can influence the decision-making process in order to balance the financial allocation.

With reference to the two above-mentioned recommendations, there exists a problem with the political support in Parliament, because the Liberal Party, which is part of the parliamentary majority, refused to give the necessary vote for the adoption

of these laws, claiming that the support given to this draft law would have negative repercussions on the party's image among its voters. However, it is important to adopt the proposed recommendations in order to demonstrate the functionality of this group.

We also highlight the issue of the mechanism of control over the implementation of the decisions adopted by this working group. In other words, even if many important decisions are made, there are still problems with their implementation. For instance, the situation related to the implementation of Decision no. 25 regarding the reservation of 10 places within the National Institute of Justice for the year 2016 for the purpose of training 5 judges and 5 prosecutors from ATU Gagauzia.

Several decisions adopted by this working group were about the reallocation of financial resources from state funds and international loans, establishment of a Regional Development Agency in the region and the promotion of a four-year socio-economic development programme for the Gagauz autonomy.

Another problem with regard to the working group mentioned by the Gagauz representatives in this group is the link between the parliamentary factions and their representatives in the inter-parliamentary group. These are the ideological aspects of the group's representatives which influence the work of this group. We refer both to the discussion process and the decision-making process within the group and later in the Parliament of the Republic of Moldova. For example, the two recommendations that have been adopted by the working group were not voted by the Parliament.

The success of the working group depends significantly on the professional training of its members. It would be appropriate to set up a Standing Committee consisting of experts instead of the Work-

<sup>23</sup> Decision no. 31 of 28.06.2016 regarding the approval of the draft law for the completion of Article 27 of the Law no.344-XIII of 23 December 1994 on the Special Status of Gagauzia (Gagauz-Yeri). /parlament.md

<sup>24</sup> The language failed. Why did the speaker of the Parliament of Gagauzia resign. / <http://newsmaker.md/rus/novosti/yazyk-podvel-poche-mu-ushel-v-otstavku-spiker-parlamenta-gagauzii-29885>

ing Group. Such an institution would exclude the ideological factor within the working group and would be an important element in achieving the objectives of the Working Group. It would have the potential to decompress all the complicated problems that may arise between regional and

national authorities in matters of interest to the region. According to a deputy of the People's Assembly, this commission would have the role of alleviating through discussion the consequences of sensitive decisions before being adopted at the national level.

## Economic and financial situation in UTA Gagauzia

The economic and financial factor is one of the sensitive issues in the relation between the Gagauz autonomy and the central authorities. Representatives of the Gagauz autonomy highlighted the idea of extending the categories of revenues of the central budget of the autonomous region, the institutionalization of the Development Region of Gagauzia and the transfer of more financial means for the capital investments. In this context, we will refer primarily to the relation of public finances in terms of legal provisions but also to transfers, grants, special means and special funds, as well as to the economic situation of the autonomous region in general.

The extension of the revenue categories of the autonomous territorial unit budget was one of the main requirements of the UTAG representatives towards the central authorities. The authorities of the autonomy refer to Article 18, paragraph 1 of the Law "On the Special Legal Status of Gagauzia (Gagauz-Yeri)" of 1994 which establishes that the autonomous budget consists of all types of payments established by the legislation of the Republic of Moldova and by the People's Assembly.

In this context, several representatives of the autonomy have requested to transfer 5% (which roughly

corresponds to the share of the population of the region in the total population of the Republic of Moldova) in the budget of Gagauzia from the total customs duties revenues. This cannot be accepted by the central authorities because, economically, this type of tax is not a source of local budgets. According to the international practice, this kind of tax is a source of the state budget.

According to the data of Table 1, the UTAG budget accounted for about 4.5% of the total budgets of the administrative-territorial units of the Republic of Moldova. Mention should be made that this indicator is largely proportional to the population living in the Gagauz autonomy, where, according to the 2014 census, 135 thousand inhabitants were registered.

Speaking about the structure of the revenues of the central budget of the UTAG, it should be noted that the Gagauz autonomy enjoys special legislative treatment compare to the other administrative-territorial units of the Republic of Moldova. The income tax, the corporate tax, the value added tax on manufactured goods and services rendered on the territory of the autonomous region and the excise duty on excisable goods manufactured on the territory of the autonomous territorial unit with

**TABLE 3.** *Dynamics of local public expenditures*

Indicator	2011	2012	2013	2014	2015
Budgets of administrative-territorial units, total per country, mln. Lei	8150	8920	9537	11347	11518
including, UTAG budget	337	383	404	459	511
Share of UTAG budget in total expenditures of the budgets of administrative-territorial units, %	4,14	4,29	4,24	4,04	4,44
Share of UTAG population in the total population of the Republic of Moldova	4,5	4,5	4,5	4,5	4,5

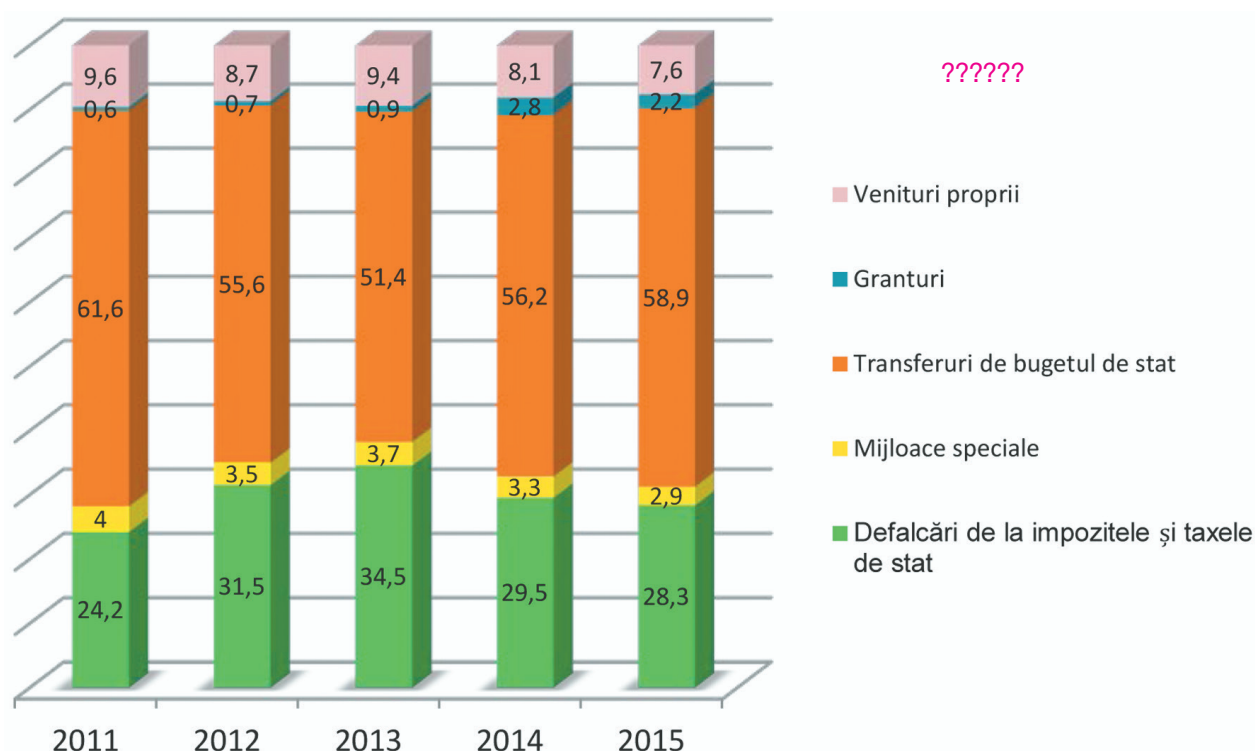
**Source:** General Department for Economic Development, Trade, Services and External Relations of UTAG



special legal status collected on the territory of the Gagauz region remain entirely in the central budget of UTAG compared to other territorial-administrative units where only revenues from the income tax are foreseen. This represents 75% of the total volume collected on the territory of the respective administrative-territorial unit for the budgets of the villages and municipalities (municipalities), except

for the district-based cities, 20% for the budgets of the raion-towns and 25% for the raion budgets. To these categories we also add 50% of the total volume collected on the territory of the autonomous territorial unit from the tax for the use of roads by motor vehicles registered in the Republic of Moldova. This amount of 50% is also provided in relation to raion (district) budgets.

**CHART 1. Structure of UTAG budget revenues**



**Source:** General Department for Economic Development, Trade, Services and External Relations of UTAG

According to the table above, the transfers from the state budget account for about 58.9% of the revenues of the Gagauz autonomy budget. This is despite the budgetary advantages enjoyed by autonomy (VAT, excise tax, income tax and corporate tax). At the same time, there is a decrease in the own revenues. According to the 2011-2015 State Budget Law, the amount of transfers from the state budget has increased from about 200 million lei in 2011 to about 300 million lei in 2015.

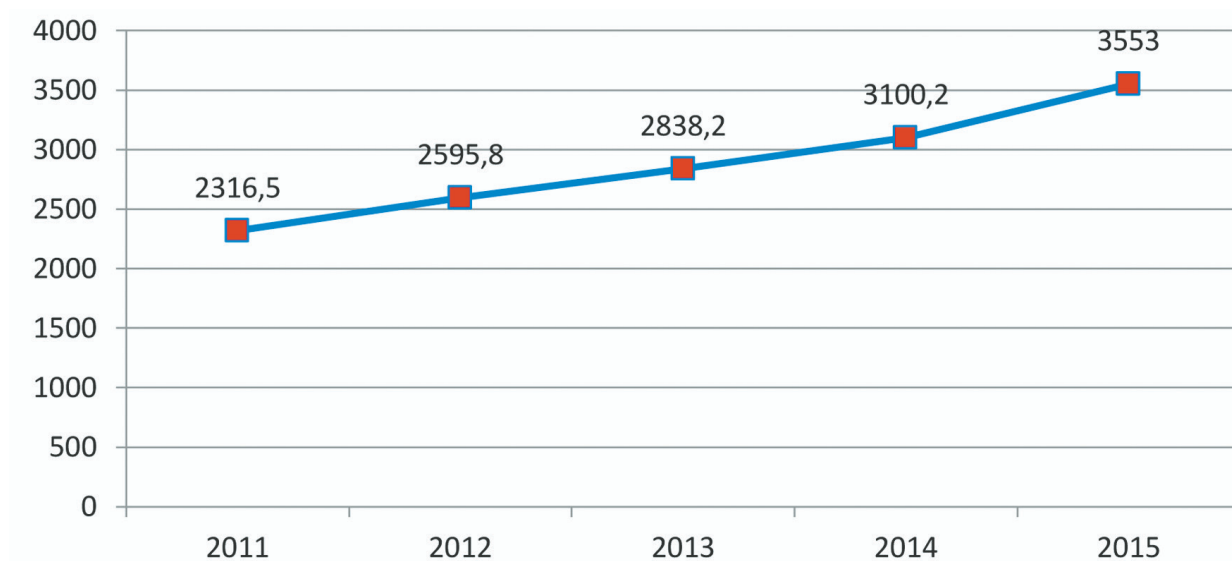
Mention should be made that the share of the own revenues of the region is only on the third place in the structure of the revenues of the UTAG budget, having a decreasing trend over the last two years of the reference period.

Regarding the living standards of the residents of this region, the Gagauz autonomy remains one of

the regions with the lowest living standards compared to the national average.

From 2011 to 2015, there is a steady increase in the average salary of the autonomous region, growing from 2316.5 lei in 2011 to 3,553 lei in 2015. It is an average annual increase of about 300 lei. In 2015, the highest wage growth was recorded, which was not reflected in the increase in the household incomes as a result of the devaluation of the national currency at the end of 2014 and early 2015.

The average salary in UTAG is lower than the average salary in the Republic of Moldova, accounting for about 77% of the average national salary in 2015. Even if the difference between the average salary in the UTAG and the country average was reduced in percentage terms, from 72% in 2011 to 77% in 2015, this annual average increase of 1%,

**CHART 2.** Average salary in UTAG in 2011-2015 (MDL)

Source: BNS

if maintained, is not sufficient to cover the average salary gap in the short and medium term.

Concerning the socio-economic situation, two important ideas should be emphasized. First of all, the Gagauz autonomy needs to be supported by various government programmes or policies in order to overcome the situation of economic and social underdevelopment. Obviously, all regions of the Republic of Moldova are underdeveloped in relation to the European standards. However, the economic indicators of

UTAG show that this region is below the average of the country development level in several respects.

Secondly, we emphasize that the Gagauz autonomy is much more advantageous than other administrative territorial units in view of the above-mentioned payments from the state taxes and fees. The Regional Development Agency of Gagauzia was created as a result of which 5 projects will be implemented in the Gagauz autonomy under the Single Programme Document during the period 2016-2020.

# Conclusions and Recommendations

The relations between the central authorities and the autonomous region have gone through several stages of development. These ranged from periods when Chisinau paid little attention to the events in the region to periods of harsh involvement of the central authorities in the affairs of the region that caused the resignation in 2002 of the former UTAG Bashkan, Dumitru Croitor. Involvement of the Chisinau politicians in the internal struggles in the autonomous region in 2013 as well as the rapprochement of the Republic of Moldova to the European Union caused a new conflict between the central and Gagauz authorities culminating in the referenda from 2 February 2014. This situation required a new approach of Chisinau towards the Gagauz region. Although it is premature to say that the existing problems have been solved through policies, we can, however, conclude the following:

- An institutionalized discussion framework was formed with participation of MPs from the Parliament of the Republic of Moldova and deputies of the People's Assembly in order to delimitate the UTAG competences within the constitutional norms of the Republic of Moldova. This format of discussion is important for establishing a dialogue between the central and regional authorities. Such dialogue is important to discuss the most pressing issues in relations between the parties.
- The Working Group has succeeded in adopting a series of decisions of recommendation character, but also in stimulating processes important for the social-economic well-being of the autonomous region, such as the reallocation of financial resources from the state and international credits and the establishment of a Regional Development Agency in the autonomy. The latter ended up with the approval of 5 regional development projects in the Gagauz autonomy in the 2017-2020 period.
- Two draft laws were adopted for the amendment and completion of several legislative acts aimed at alleviating the fears of the Gagauz politicians regarding the initiatives to amend the Law no. 344-XIII of 23.12.1994 without the approval of the People's Assembly. Thus, according to one of these draft laws, the positive opinion is adopted by the decision of the People's Assembly with the vote of the majority. The second draft law introduces the notion of "special-level local public administration authorities" as a response to one of the main requests by representatives of the Gagauz autonomy to establish the distinction between the level II public administration authorities and the autonomous region within the Moldovan legal framework.
- The central authorities did not reduce revenues from VAT and excise duties for UTAG (they remained at 100%), as some representatives of the autonomy noted in 2014, but on the contrary, it determined that the corporate tax remains entirely in UTAG's central budget. To the indicated categories, there should be added 50% of the total volume of taxes collected on the territory of the autonomous territorial unit for the use of roads by motor vehicles registered in the Republic of Moldova.



Recognizing the importance of the Working Group's activity in establishing a discussion platform and its role in initiating socio-economic development projects, we highlight the existence of constraints that delay the process of resolving existing disagreements between the central and regional authorities. In this context, we come up with the following recommendations:

- Adoption by the Parliament of the Republic of Moldova of the two draft laws developed and adopted within the Working Group. In the absence of a finality of the Working Group's activity, its efficiency is questioned. Also, in the absence of concluding results, it is not possible to strengthen confidence between the central and regional authorities.
- Resumption of the activity of the Working Group that has not met since June 2016. The lack of meetings casts doubt on the usefulness of this structure. The resumption of discussions should take place on the basis of a range of subjects that can be easily agreed upon by both sides (e.g. culture). Such an approach should generate a spill-over effect on the Gagauz issue.
- It is opportune to create, in the medium term, a Working Group of experts to develop a list of laws to be amended, including the Law on the Special Legal Status of Gagauz Autonomy. The delimitation of UTAG attributions in accordance with the Constitution of the Republic of Moldova can be ensured by amending the 1994 Law on the Special Legal Status of the Gagauz Autonomy. The solution to this issue depends on how this dialogue platform will work, including in the light of the finality of the recommendations adopted by this group. Also, the formation of a permanent group of experts would avoid the 'ideologization' of its work.
- The central authorities should further develop and support various programmes of infrastructure and socio-economic development projects in the Gagauz region. This is important because of the social-economic problems faced by Gagauz autonomy which is one of the poorest regions in the Republic of Moldova.

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