

Peer review

The interdisciplinary study “Implementation of Competences of Gagauz Yeri: Challenges and Perspectives” is aimed at uncovering the strengths and weaknesses of Gagauzia’s autonomy and thus serving as a basis for reform efforts towards its improvement.

The Approach

The study does so from diverse scientific perspectives with a focus on the most relevant aspects of autonomy. This comprehensive and, at the same time, targeted approach adds significantly to its practical usefulness.

First, the authors represent **different academic disciplines**, with each of them making a specific contribution, while still complementing each other. Even though the study is firmly rooted in a thorough analysis of the autonomy’s legal framework and points out the difficulties of effective implementation, it goes clearly beyond a purely legal examination. It also explores, including an economic perspective, crucial issues such as financial and economic resources, which are a necessary corollaries of any meaningful exercise of own legislative and executive powers.

The study’s interdisciplinary nature is closely related to its second main characteristic, that is, a decidedly **non-legalistic approach**: it does not only concentrate on the “law in the books”, but also on “law in action”. More precisely, it does so, by placing much emphasis on the extra-legal preconditions for the proper functioning of the autonomy’s legal framework. This is most obvious in the chapter dealing with the institutional capacities of Gagauzia’s public authorities, which are limited and thus form a main impediment to the effective exercise of self-government.

A third characteristic of the study concerns its focus which is not only the “regional” level, i.e. the Autonomous Territorial Unit of Gagauzia, but also includes **local government** demonstrating the problem of lacking municipal autonomy *within* Gagauzia as decentralization has failed to include the local level. However, this is not a unique situation, but rather typical of many other autonomous regions in Europe, too.

The fourth valuable feature of the study are references, where relevant, to **international experiences** and documents adopted by international organisations, such as the 1985 European Charter of Local Self-Government and the 2009 Reference Framework for Regional Democracy, which enable the reader to view Gagauzia’s autonomy in a broader context.

The Contents

While Chapters 1 and 2 of Part 1 have improved much compared to the first draft and are now convincing (with only few comments and suggestions on details to be made), the improvements in Chapter 3 of Part I appear more limited (in some parts, there are neither changes according to the comments or suggestions made nor is there a comment on why those are not to be considered). Part II and III mostly concentrate on the economic and financial situation.

More attention has to be paid to a uniform use of terminology, in particular: «local», «regional», «first/second level authorities» etc. A graph with the structure and relations of the regional and local (self-)government bodies may be considered as well as a brief introductory part (1-2 pages) for a clarifying overview on terminology and institutional relations.

Additional clarification on concepts, such as «non-devolved and implemented» competencies or similar would help, too, starting from well-known concepts in comparative law. The question whether there are (some) exclusive legislative powers should be specifically addressed and clarified; also «local legislative acts» needs some more explanation (Chapter 2).

With a view to its purpose of providing a basis for bilateral talks, the study draws from all analysis and evidence gathered **conclusions and recommendations** for practical use. Grouping these recommendations according to addressees, priority and their time-dimension (short-, medium- and long-term recommendations) would add to their practical usefulness as a basis for bilateral talks. However, already in their current form the recommendations are relevant and linked to the conclusions.

Overall, the study clearly achieves this main purpose and may provide a solid basis for discussing reform efforts directed at improving the autonomy arrangement and its functioning in practice. Providing a useful matrix for the analysis of shortcomings (and potential strengths) of the Gagauz autonomy, the study also has the potential to be expanded and adjusted to further developments in the autonomy regime and in the relations with the Moldovan government.

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