



CENTRE FOR INTERNATIONAL CRISIS
MANAGEMENT & CONFLICT RESOLUTION

Devolution in the United Kingdom A Model for Moldova?

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Overview

- Theories and practice of conflict resolution
- The UK model of devolution
- The broader relevance of the UK model
- Is the UK devolution model applicable to Moldova?

Theories and practice of conflict resolution

- Delimitations: focus on territorially compact groups making self-determination claims vis-à-vis the state in which they live
- Propositions from the existing literature:
Territorial self-governance
 - + **Central power sharing** (dependent on significance of territorial entity)
 - + **Local power sharing** (dependent on political salience of local divisions)
 - + **Cross-border institutions and paradiplomacy** (depending on transnational links)

The UK model of devolution

- Three Acts in 1998 create devolved administrations for approximately 20% of UK territory and population
 - **Scotland**: addressing persistent self-determination claims of a significant minority
 - **Wales**: addressing claims to cultural distinctiveness
 - **Northern Ireland**: addressing a local conflict

The UK model of devolution

- Three 'degrees' of devolution
 - **Scotland**: wide range of competences devolved, only few, specifically enumerated powers retained by Westminster
 - **Wales**: initially few, executive powers devolved; 2006 Act devolves secondary legislative powers and possibility of future referendum on devolution of primary legislative powers
 - **Northern Ireland**: devolved—reserved—excepted matters; local power sharing; North-South cooperation; Council of the Isles
- Framed by a Memorandum of Agreement between Westminster and devolved administrations

The broader relevance of the UK model

- Flexible:
 - Accommodates **devolution and non-devolution**
 - Enables specific **local solutions**
 - Allows for **future change**
- Genuinely democratic:
 - Approved by local **referenda**
 - Increased **subsidiarity**
- Problematic:
 - Murky **separation of powers** in Wales until 2006 Act
 - Local **conflict** overshadowed devolution in NI
 - **Influence of MPs** from devolution areas at the centre
 - Lack of constitutional **entrenchment, sovereignty** of Westminster

Is the UK model applicable to Moldova?

- As a straightforward transfer: NO
- As a menu of options: YES
 - Different **degrees** of devolution: Transnistria vis-à-vis Gagauzia
 - Retention of **unitary state** and creation of **federacy arrangements**
 - External **guarantees**
 - **Cross-border institutions**, including regional bodies and participation of devolved administrations in external affairs

Is the UK model applicable to Moldova?

- Also important are lessons to be learned:
 - Constitutional **entrenchment**
 - Devolution of **substantive powers**
 - Institutions that reflect **local concerns**
 - Effective **dispute resolution** mechanisms
 - Arrangements for **representation and participation** of devolved administrations at the centre



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