



**MINISTRY OF EDUCATION AND RESEARCH OF THE
REPUBLIC OF MOLDOVA
Technical University of Moldova
MBA Management in Agribusiness Microqualification Program**

CONFLICT MANAGEMENT IN AGRIBUSINESS: NEGOTIATION, MEDIATION, AND ARBITRATION IN COMMERCIAL DISPUTES

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**Admitted to the defense
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MBA in Agribusiness thesis

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Chișinău – 2026

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ABSTRACT
for the MBA in Agribusiness Management thesis “Conflict Management in
Agribusiness: Negotiation, Mediation, and Arbitration in Commercial Disputes”

Written by LEFTER Dumitru

The master's thesis is structured in accordance with the established methodological requirements and includes: an abstract in Romanian, an abstract in English, an introduction, three chapters, nine subchapters, general conclusions and recommendations, a bibliography, and appendices.

Keywords: agribusiness, commercial conflict management, negotiation, mediation, arbitration, contractual risk, SACMF.

Field of study: The thesis examines the strategic management of commercial conflicts in agribusiness, with particular emphasis on contractual and organisational risk and the integration of negotiation, mediation and arbitration into the management processes of agribusiness enterprises.

Purpose and objectives of the thesis: The purpose of the research is to establish the theoretical and empirical foundations for an integrated strategic approach to commercial conflict management in agribusiness and to develop the Strategic Agribusiness Conflict Management Framework (SACMF) for conflict prevention, early identification, assessment, escalation and resolution. The research analyses the theoretical and strategic foundations of conflict management, identifies the principal types, causes and managerial effects of commercial conflicts affecting agribusiness exporters in the Republic of Moldova, comparatively assesses negotiation, mediation and arbitration, examines the integration of conflict management into contractual and organisational processes, and develops the architecture and implementation logic of SACMF.

Scientific novelty and originality: The originality of the research lies in integrating contractual risk management, organisational governance and dispute-resolution mechanisms within a strategic approach adapted to the specific characteristics of agribusiness. Its principal contribution is the development of SACMF as a managerial framework connecting contractual prevention, early identification of conflict signals, structured assessment, controlled escalation, selection of an appropriate dispute-resolution mechanism, implementation of outcomes and organisational learning. The framework is informed by theoretical analysis and by a diagnostic survey of 100 export-oriented agribusiness companies in the Republic of Moldova.

Theoretical significance: The research integrates perspectives from strategic management, risk management, corporate governance, contractual relationship management and alternative dispute resolution. It approaches commercial conflict not solely as a legal event, but as a managerial risk capable of generating economic, operational and relational consequences throughout the agri-food value chain.

Practical value: The proposed SACMF provides agribusiness enterprises with a structured approach to preventing and managing commercial conflicts through early identification, conflict assessment, defined responsibilities and escalation levels, appropriate mechanism selection, outcome monitoring and organisational learning. It is particularly relevant to producers, exporters, processors, cooperatives and SMEs operating in the Republic of Moldova and in international agri-food markets.

NOTE
on the MBA thesis in Agribusiness Management
“Conflict Management in Agribusiness: Negotiation, Mediation, and Arbitration in Commercial Disputes”

prepared by LETER Dumitru

The master’s thesis is structured and includes: The master’s thesis is structured in accordance with established methodological guidelines and includes: an abstract in Romanian, an abstract in English, an introduction, three theoretical and applied chapters, nine administrative subchapters, conclusions and managerial recommendations, a specialized bibliography, and statistical appendices.

Keywords used in the thesis: Business, commercial conflict management, incomplete contracts, transaction costs, structured negotiation, assisted commercial mediation, specialized arbitration, SACMF.

Field of study of this thesis: the analysis of contractual, logistical, and operational risk management in the agri-food export sector and the design of private corporate governance mechanisms intended to resolve commercial disputes, with the aim of optimizing the financial performance of holding companies.

Purpose and Objectives of the Thesis:

The purpose of this work is to provide a theoretical foundation for and design an integrated strategic system for managing commercial conflicts, called the Strategic Agribusiness Conflict Management Framework (SACMF), intended to optimize transaction costs, reduce logistical bottlenecks, and secure companies’ cash flow amid the volatility of regional markets.

To achieve this objective, the following tasks are formulated:

- analyzing the practical aspects of risk management by exploring the possibility of implementing various alternative solutions within enterprises, while comparing their economic benefits;
- ensuring proper financial and contractual structuring when implementing export projects for the sustainable development of new businesses;
- analyzing strategic approaches to improving conflict management in agribusiness in the Republic of Moldova.

The scientific novelty and originality of the results obtained lie in: the analysis and substantiation of the theoretical and scientific aspects regarding the content and essence of contractual risk management; the practical selection of the most advantageous private governance option (the SACMF framework); and the comparison of gross economic results for the proposed options for ensuring the performance of forward contracts, as demonstrated by the field survey conducted among 100 exporting companies.

Theoretical significance of the study: The thesis’s conclusions and recommendations contribute to the theoretical foundation of financial and treasury management in the implementation of commercial contracts in the agri-food sector, focusing on optimizing economic efficiency indicators and safeguarding return on capital employed (ROCE) against exogenous market shocks.

Practical value: The scientific and practical approaches presented in the thesis are useful and practical for implementing control systems, particularly through the analysis and justification of proposed options for contractual safeguards (final at-loading rules and washout clauses) for the development of agro-industrial holding companies, with a focus on ensuring advantageous business engineering and a reduced period of logistical bottlenecks for floating goods.

INTRODUCTION:

Agribusiness is characterised by a high degree of interdependence among agricultural producers, processors, input suppliers, logistics operators, certification bodies, financial institutions and domestic and international buyers. These relationships are exposed to production, climatic, market, logistical, regulatory and geopolitical risks that influence contractual performance and business continuity. Production seasonality, price volatility, variations in the quantity and quality of agricultural output, certification and traceability requirements, and time-sensitive delivery obligations make contractual relationships in agribusiness particularly exposed to uncertainty.

In this context, commercial conflict extends beyond the legal relationship between contracting parties and may become a significant managerial risk. Delayed payments, disputed deliveries, quality claims or contractual non-performance may affect cash flow, working-capital requirements, logistics costs, interconnected contracts and relationships with commercial partners. Effective conflict management therefore requires not only an appropriate legal response, but also timely managerial decisions capable of limiting escalation, controlling business exposure and supporting continuity of operations.

Negotiation, mediation and arbitration can consequently be approached as complementary managerial instruments rather than merely as alternative legal procedures¹. Their strategic relevance does not derive from the general superiority of one mechanism over another, but from the organisation's ability to select the mechanism that best corresponds to the characteristics of the dispute. Relevant considerations include its economic significance, urgency, technical complexity, the quality of available evidence, the strategic value of the commercial relationship, confidentiality requirements and the need for a binding and enforceable outcome. This perspective places commercial conflict management within the broader fields of contractual governance, risk management and organisational decision-making.

The topic is particularly relevant to the Republic of Moldova, where agribusiness enterprises operate in an export-oriented environment affected by market volatility, regional logistics constraints and increasingly complex contractual, certification and compliance requirements. The entry into force of Law No. 9 of 12 February 2026 on Mediation and the Status of Mediators provides an updated national institutional framework for commercial mediation. In international agricultural commodity transactions, specialised mechanisms such as GAFTA and FOSFA arbitration are also relevant where sector-specific expertise and cross-border recognition and enforcement are required.

The existing literature provides substantial guidance on agricultural contracting, risk allocation, supply-chain management, negotiation, mediation, arbitration, risk management and

¹ Corneliu Crăciun, *Theory and Practice of Negotiations* (Chişinău: Prut Internațional, 2002), 45.

corporate governance. However, these areas are frequently examined as separate streams of research. Agricultural contract literature primarily addresses contractual obligations and risk allocation; ADR literature focuses largely on dispute-resolution processes; while risk-management and corporate-governance literature examines organisational exposure, decision-making and performance. Comparatively limited attention has been given to integrating these perspectives into an agribusiness-specific managerial framework addressing the full conflict cycle, from prevention and early identification to assessment, escalation, resolution and post-dispute organisational learning.

The research problem therefore arises from the gap between the strategic importance and managerial impact of commercial conflicts in agribusiness and the often fragmented and reactive manner in which such conflicts are managed at organisational level. The central challenge is not the absence of negotiation, mediation or arbitration as available mechanisms, but their insufficient integration into contractual governance, risk-management processes and internal decision-making structures.

The aim of the research is to establish the theoretical and empirical foundations for an integrated strategic approach to commercial conflict management in agribusiness and to develop the Strategic Agribusiness Conflict Management Framework (SACMF) as an organisational framework for conflict prevention, early identification, assessment, escalation and resolution..

To achieve this aim, the following research objectives are established:

To analyse the theoretical and strategic foundations of commercial conflict management and identify the specific risk characteristics of agribusiness.

To identify and empirically analyse the principal types, causes and managerial effects of commercial conflicts encountered by agribusiness exporters in the Republic of Moldova.

To comparatively assess negotiation, mediation and arbitration according to relevant managerial criteria, including time, cost, technical complexity, relationship value, confidentiality and enforceability.

To examine the extent to which conflict prevention and management are integrated into contractual practices, risk management and internal organisational procedures of agribusiness enterprises.

To develop the Strategic Agribusiness Conflict Management Framework (SACMF), including its decision logic, organisational responsibilities, implementation tools and performance indicators.

The central research question is:

How can commercial conflict management be integrated into the strategic processes of agribusiness enterprises in a manner that contributes to preventing dispute escalation, reducing its managerial impact and supporting business continuity?

The following subsidiary research questions guide the analysis:

Q1. What are the principal sources, types and effects of commercial conflicts encountered by agribusiness exporters in the Republic of Moldova?

Q2. Under what conditions are negotiation, mediation and arbitration appropriate mechanisms for managing different types of commercial conflict in agribusiness?

Q3. What contractual, organisational and managerial mechanisms can be integrated into a strategic conflict-management framework for agribusiness enterprises?

The general research hypothesis is that integrating conflict prevention, early identification, structured assessment and appropriate dispute-resolution mechanisms into the managerial processes of agribusiness enterprises can improve their capacity to control the economic, operational and relational effects of commercial conflicts.

The following working hypotheses operationalise the general hypothesis:

H1. Greater contractual clarity and the advance definition of dispute-escalation mechanisms are associated with lower levels of escalation in commercial conflicts.

H2. Structured internal conflict-management procedures are associated with shorter resolution times and a greater capacity to preserve commercial relationships.

H3. Selecting the dispute-resolution mechanism according to the specific profile of the conflict is associated with more favourable managerial outcomes than an ad hoc approach, particularly in terms of resolution time, costs, implementation of outcomes and continuity of the commercial relationship.

The object of the research comprises commercial conflicts arising within contractual relationships among participants in the agri-food value chain and their implications for agribusiness enterprises. The subject of the research comprises the managerial, contractual and legal mechanisms used to prevent, identify, assess, escalate and resolve such conflicts, with particular emphasis on negotiation, mediation and arbitration and their integration into organisational management.

The research adopts a mixed-method approach, with a predominantly qualitative orientation complemented by quantitative descriptive analysis. The qualitative component includes a review of the relevant academic literature and legal and institutional frameworks, structured analysis of commercial and contractual documents, and examination of anonymised practical cases. The quantitative component is based on a diagnostic survey of 100 agribusiness exporting companies in the Republic of Moldova and examines the frequency, types, causes, effects and management of commercial conflicts. Comparative analysis, cross-tabulation and cross-case analysis are used, where supported by the available data, to identify recurring patterns relevant to the development of SACMF. The empirical component is exploratory and diagnostic rather than statistically representative of the entire agribusiness sector; accordingly, its findings are interpreted in relation to

the investigated sample and triangulated with documentary analysis, practical cases and the relevant academic and institutional literature.

The research is informed by the author's professional experience in two complementary fields: commercial contract management within an agribusiness exporting company and commercial mediation within the institutional framework of the Chamber of Commerce and Industry of the Republic of Moldova. This practitioner perspective contributes to the identification of relevant research problems, recurring conflict patterns and practical organisational needs, while the analysis and conclusions remain grounded in academic literature, legal sources and empirical evidence. Practical situations are anonymised in order to preserve commercial confidentiality and professional obligations.

The originality and contribution of the research lie in integrating contractual risk management, organisational governance and dispute-resolution mechanisms within an agribusiness-specific managerial framework. The principal original contribution is the development of SACMF, which connects conflict prevention and early-warning mechanisms with structured assessment, controlled escalation, selection of the appropriate resolution mechanism, implementation of outcomes and post-dispute organisational learning. Rather than introducing a new dispute-resolution mechanism, SACMF provides an organisational architecture through which existing mechanisms can be selected and applied according to the characteristics and managerial implications of individual conflicts.

The theoretical significance of the research derives from integrating perspectives that are frequently examined separately, including strategic management, risk management, contractual governance, negotiation, mediation and arbitration. Its practical value lies in translating these perspectives into operational tools applicable to agribusiness enterprises, including risk indicators, internal escalation procedures, mechanism-selection criteria, contractual mechanisms, allocation of organisational responsibilities and performance indicators.

The thesis is structured into three chapters following a logical progression from theoretical foundation to empirical diagnosis and managerial solution. Chapter I establishes the theoretical and strategic foundations of commercial conflict management in agribusiness and examines negotiation, mediation and arbitration within the broader context of risk management and corporate governance. Chapter II presents the research methodology and empirical diagnosis of commercial conflicts encountered by agribusiness exporters, analyses their principal causes and effects, and evaluates the mechanisms currently used to manage them. Chapter III develops and operationalises SACMF, including its organisational architecture, decision logic, implementation tools and managerial performance indicators.

Overall, the research seeks to bridge academic analysis and commercial practice. Its purpose is not to establish negotiation, mediation or arbitration as a universally superior mechanism, but to develop a structured managerial approach, through which agribusiness enterprises can prevent conflicts where possible, identify and assess them at an early stage, select an appropriate response when escalation occurs and use the resulting experience to improve future contractual and organisational practices.

3.2. Operational implementation of SACMF in agribusiness enterprises in the Republic of Moldova

The conceptual architecture developed in Section 3.1 requires an operational mechanism capable of translating SACMF into routine managerial practice within agribusiness enterprises. For this purpose, the framework is operationalised through an adaptable Standard Operating Procedure (SOP) that defines responsibilities, information requirements, decision points, escalation triggers and documentation requirements throughout the conflict-management process. The SOP does not replace managerial judgement, contractual arrangements or the applicable legal framework. Rather, it provides an internal governance mechanism through which material commercial risks and emerging conflicts can be identified, assessed, documented and escalated in a consistent and proportionate manner. This approach is consistent with established risk-management principles, which emphasise structured processes for risk identification, analysis, treatment, monitoring, communication and continuous improvement⁹³.

The need for such an implementation mechanism is particularly evident in the Republic of Moldova. The empirical findings presented in Chapter II show that only 14.4% of respondents reported having a clear internal procedure or designated person for managing commercial conflicts, while 35.1% handled disputes on a case-by-case basis and 44.3% had no formal procedure. At the same time, respondents identified contractual clause templates (72.9%), negotiation training (67.7%), early-warning systems or internal risk registers (62.5%), clear rules for documenting claims (56.2%) and designated internal responsibility (51.0%) among the useful elements of an integrated conflict-management system. These findings indicate that the principal implementation gap is not simply access to legal remedies or ADR mechanisms, but the organisational capacity to identify conflict risk early, coordinate internal decision-making and select an appropriate response before commercial consequences intensify.

This capacity is particularly important for Moldovan agribusiness enterprises engaged in domestic and cross-border trade. Contract performance may depend simultaneously on price and payment conditions, delivery schedules, transport arrangements, product quality and quantity, certification and traceability requirements, export documentation and the performance of multiple actors across the supply chain. The contractual allocation of such risks is especially important in agricultural transactions, where quantity, quality, delivery, price and payment, excuses for non-performance and remedies may become interconnected sources of commercial disagreement⁹⁴. SACMF therefore translates these risk categories into an internal implementation procedure adapted to the size, organisational structure, transaction profile and export exposure of the enterprise.

⁹³ International Organization for Standardization, *ISO 31000:2018 Risk Management—Guidelines*.

⁹⁴ UNIDROIT, FAO, and IFAD, *Legal Guide on Contract Farming*, particularly chaps. III–V.

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