DECISION of Parliament of Republic of Moldova for approval the 2011-2015 National Anti-Corruption Strategy

The Parliament adopts the present organic law.

Art. 1. – To approve the 2011-2015 National Anti-Corruption Strategy enclosed in the annex which is an integral part of the current law.

Art. 2. – Within 3 months of the date when the present law comes into effect the Government shall elaborate and submit to the Parliament for consideration the Action Plan for implementing the 2011-2013 National Anti-Corruption Strategy.


Chairman of the Parliament Marian Lupu

Annex

NATIONAL ANTI-CORRUPTION STRATEGY (2011-2015)
Chapter I. GENERAL SITUATION
Corruption has always been of permanent national concern, with the state authorities and various active social groups promoting processes and mechanisms of preventing and combating the phenomenon, starting from statements formulated generally through public speeches and interventions of top level officials, continuing through civic education campaigns and promoting intolerance towards this phenomenon and resulting in initiation of legal proceedings and bringing them to court.

The anti-corruption issue has been permanently on the agenda of the foreign relations of the Republic of Moldova, being tackled separately within the framework of processes of promoting and evaluating of the reforms.

The importance attributed to this area was highlighted through extensive mentioning in the bilateral agreements with the European Union as well as in documents of cooperation with the Council of Europe, UN, NATO and other international bodies, the majority of foreign evaluations (reports) concerning implementation of democratic reforms in the Republic of Moldova, containing recommendations regarding the need to enhance and streamline the anti-corruption efforts.

All government programs included compartments dedicated to prevention and combating corruption, previously established priorities realized in the National Strategy for Preventing and Combating Corruption, endorsed by Parliament Decision No 421-XV from 16.12.2004 (hereinafter NSPCC).

NSPCC was implemented by means of four consecutive action plans for years 2005, 2006, 2007-2009 and 2010. Throughout the period of implementation of NSPCC, the Government had benefited from considerable foreign assistance for the implementation of anti-corruption programs.

Within the framework of the Preliminary Country Plan (hereinafter PCP)¹, the U.S. Government granted USD 24.7 mln for promoting reforms to reduce corruption in the following areas: justice, healthcare system, fiscal administration, customs and internal affairs authorities, as well as optimizing the activity of the Center for Combating Economic Crimes and Corruption (CCECC).

¹Decision No.32 of 11.01.2007 for approval of the Action Programme on Implementation of the Preliminary Country Plan of the Republic of Moldova within the Millennium Challenges USA Programme.
Another important anti-corruption project was the Joint Project of the European Commission and the Council of Europe against corruption, money laundering and financing of terrorism in the Republic of Moldova (MOLICO) totaling € 3.5 mln, a component of which was meant to support the implementation of NSPCC.

Success of the implementation of NSPCC has resulted in: elaboration and update of the anti-corruption legal framework; launching the process of conducting the anti-corruption examination of draft regulatory acts; launching the process of evaluation of corruption risks in the majority of public institutions; strengthening the partnership between the state institutions and civil society, expanding international co-operation in the area.

Despite all this, the respective progress did not lead to proper achievement of the goal and objectives of NSPCC. Thereby, a new policy document in this area based on objective identification of institutional risks and needs is needed.

However, conclusions of some research activity and reports on corruption in the Republic of Moldova reveal that this phenomenon keeps undermining the political stability in the country, confidence of the society in the political and judicial systems, the rule of law, economic development, promotion of foreign investment and European integration.

The Corruption Perception Index calculated annually by the Transparency International (TI) shows that the country population and the international community perceive the Republic of Moldova as a country where corruption is highly spread out. In the last 12 years, the value of this index for the Republic of Moldova, on a scale from 0 to 10, where lower values indicate a wider spread of corruption, registered a level between 2.1 and 3.3, compared to 2.9 points in 2010.

The 2010 Global Corruption Barometer elaborated annually by TI reveals that 37% from the Moldovan respondents admitted that within the previous 12 months they gave bribes (the average for CIS being 32%, and for EU states – 5%). According to the same poll, on a scale from 1 to 5, the most corrupt are believed to be: internal affairs authorities – 4.1; followed by justice – 3.9, political parties and public officials – 3.8, and Parliament, education and private sector – 3.7.

The Public Opinion Barometer elaborated quarterly by the Institute for Public Policy (IPP) shows that in the last ten years corruption remains among the top concerns of the population, being fifth after the problems of prices, poverty, future of children and unemployment. Basically, corruption is the first social problem identified by the population in the list of its concerns, which follows immediately the issues related to the survival of the individual and his family. In the last ten years the percentage of citizens’ content with measures undertaken by the government to combat corruption varied from 6% to 17%, constituting approximately 10% in 2010. The Public Opinion Barometer reveals that society considers fight against corruption as one of the most important tasks which the Republic of Moldova is facing, along with the economic development, improvement of living conditions and enforcement of the order in the country.

According to the survey conducted by the Institute of Marketing and Polls (IMAS-Inc Chisinau) in 2009, 75% of the citizens considered that all or the majority of officials are corrupt, the most corrupt being considered: police officers, customs officers, prosecutors, judges, ministers and members of parliament. Thus, people perceive corruption circulating especially amongst high level officials. A peculiarity of the corruption phenomenon in the Republic of Moldova is its occurrence within the social levels, the most significant pressure being practiced by the academic staff (26-40%) and doctors (35%). For the sake of comparison, a higher pressure is exercised by customs (45%) and police (44%) officers, whereas a lower one by judges (33%) and prosecutors (27%). Diffusion of corruption in social areas feeds the perception about the level of corruption in the country as well as the level of dissatisfaction of the population. Tolerance towards acts of corruption is also high, 37% of the respondents declaring they would have engaged in corrupt activities had they occupied public positions and between 36%-44% of the respondents would offer public officials illegal rewards. The population appears to be relatively optimistic about the perspectives to reduce corruption: 66% of the respondents consider this is possible, although confidence in the state authorities engaged in combating corruption is rather modest: Ministry of Internal Affairs (MoIA) – 8%, the Prosecutor’s Office – 6%, courts - 5%, and CCECC – 15%.
Global Governance Indicators calculated annually through the World Bank Project estimate the “control over corruption” indicator. The value of this indicator for the Republic of Moldova was decreasing constantly during 1996-2004, from 55% down to 16%. Since 2005 and until 2007 there was an increase from 31% up to 35%, followed by a decline throughout the following years. Thus, in 2009, the “control over corruption” indicator reached 26%.

During 2005-2007, the Global Index of Economic Freedom calculated annually by Heritage Foundation (HF) registered a slight improvement of the freedom level from 57.4 to 58.7, after which followed a decline, reaching in 2011 the level of 55.7, placing the Republic of Moldova in the list of states with economy with prevailing lack of freedom. The outspread of corruption and poor capacities of the state to suppress it efficiently are among the causes of impoverishment of the population and economic stagnation.

Conclusions of national and international reports and studies reveal that the implemented anti-corruption measures did not give results expected by the citizens, outlining the following problems and sectors vulnerable to corruption: lack of a stable anti-corruption legal framework, coherent and adjusted to international standards; lack of efficient mechanisms of law enforcement; reduced use of administrative instruments of preventing and combating corruption; low level of confidence of the population in the performance of the law enforcement agencies; activity of the state and political institutions which is not sufficiently transparent; lack of transparency in public procurement; insufficient budgetary resources for proper activity of authorities entitled to protect the legal norms and the judicial system; insufficient anti-corruption education and training of public officials and population; absence of sector studies which would reveal the magnitude of the corruption phenomenon.

The 2008-2011 National Development Strategy (hereinafter NDS), endorsed by Law No 295-XVI from 21.12.2007, declares the need of certain regulatory, organizational and practical measures in order to reduce the level of corruption and to generate a higher level of trust of the population in sectors perceived to be most affected by this phenomenon. Reiterating the direct social-economic consequences and stagnation in the development of the country, NDS qualifies as primary area the prevention and combating of corruption and related phenomena, such as excessive bureaucracy, protectionism, abuse of power, excessive state regulations and controls, non-loyal competition, etc.

The Plan „Relansam Moldova“ [“Rehabilitating Moldova”] is one of the main documents, which contains mid-term development priorities and based on which considerable foreign assistance indispensable to promoting reforms and ensuring the development of the country was negotiated. The Plan foresees approval and implementation of a new anti-corruption strategy.

The anti-corruption objective is included in the 2009-2011 Program for Stabilization and Economic Rehabilitation of the Republic of Moldova, approved by Government Decision No 790 from 01.12.2009, which allowed the unblocking of foreign funding and expanding of cooperation with foreign donors.

The 2011-2014 Activity Program of the Government of the Republic of Moldova “European Integration: Liberty, Democracy, and Welfare” maps out as a priority strengthening of the national system of integrity and fight against corruption, establishing the following governance objectives:

- setting up an efficient legal and institutional framework for preventing and combating corruption in the public system;
- optimizing the public procurement system;
- creating cooperation mechanisms between public authorities, civil society and development partners to reduce the corruption phenomenon.

In such conditions, when the political will to combat the corruption phenomenon remains firmly stated, the anti-corruption efforts should acquire a new dimension, based on accumulated experience and continuity of institutional reforms.

Chapter II. CAUSES AND CONSEQUENCES OF CORRUPTION
In order to efficiently prevent and combat corruption it is important to accurately define the phenomenon, identify causes and analyze its consequences.
Under corruption in the present Strategy one understands the use of position, responsibilities or tasks assigned personally or to another person, in the public or private sector, with the purpose to obtain goods, advantage or other improper benefits, for private use or for the benefit of a different person.

In any society corruption is determined by a complex number of economic, institutional, legal, political, social and ethical factors and the efficient fight against corruption requires proper understanding of each separate factor and of modalities in which their influence may be diminished.

The best international practices of combating corruption have used the economic theory of understanding the phenomenon, of its causes and consequences. According to this theory, the main motivation of persons who commit corruption acts is the desire to enrich them, to obtain benefits or advantage. Thus, from the perspective of the economic theory, corruption means “business” and persons engaged in corruption activities pro-and-con on the one hand, the advantage they will obtain and, on the other hand, the risks they are exposed to.

In the Republic of Moldova, corruption will be “convenient business” as long as it continues to buy considerable benefits to corrupt individuals, without high risks involved in case their actions are detected. If illegal profits obtained from corruption cannot be estimated, then its risks can be clearly calculated:
- the group of subjects that can be charged is limited;
- the mechanism of lifting immunity, which certain groups of people benefit from, is disproportionate in relation to the interests of the criminal investigation, including in case of corruption acts;
- sanctions applied do not turn off the phenomenon; the sanctions are mostly limited to fines, the value of which does not exceed the “profit” gained from the corruption activity, while the measure of confiscating illegal goods and properties obtained is not applied due to protection granted by the constitutional presumption of the legality of obtaining property;
- the risk to lose the job is low due to the fact that the criminal law limits the possibility to hold certain positions for a certain period of time, but does not however fully exclude the possibility for the person charged with corruption crime to stay in the public service.

The direct consequences of corruption in the Republic of Moldova are felt more likely by the society, rather than by corrupt individuals, and practicing corruption offers immediate benefits to those corrupt and jeopardizes on a long-term basis the welfare of the population, undermining the trust of society in public authorities and efficiency of democratic functioning of a state of law.

A severe consequence of corruption is poverty, which in its turn enhances the attractiveness of corruption. In order to break the vicious circle “corruption-poverty-corruption”, the approach of anti-corruption activities needs to be guided by intolerance towards corruption and transforming it from low-risk and highly beneficial activity into high-risk activity with little benefits, only in such a way the elimination (control) of the phenomenon being possible.

Chapter III. PRINCIPLES OF STRATEGY IMPLEMENTATION

Implementation of the Strategy relies on the following system of principles.


Principle of strengthening the national integrity system – implementation of the Strategy and elaboration of action plans shall strengthen the pillars the process of prevention and combating of corruption in the Republic of Moldova is based on, in particular:

Pillar 1. Parliament;
Pillar 2. President of RM, Government, central and local public authorities;
Pillar 3. Law enforcement and control authorities;
Pillar 4. Judicial authority;
Pillar 5. Civil society: social organizations, political parties, mass-media, (trade/labor) unions;
Pillar 6. Private sector.

**Principle of priority of corruption preventing measures** – prevention actions are aimed at removing or neutralizing causes and conditions which generate or encourage the corruption phenomenon. The priority of prevention measures is justified by their effects, and namely: increasing profits, improving public services, stimulating confidence and involvement of the society in the anti-corruption activity. Moreover, the prevention measures lack deficiencies of “fighting methods”, such as social repulsion.

**Principle of cooperation with the civil society and international bodies** – within the implementation of the Strategy, the public authorities shall openly, accurately and most efficiently cooperate with the civil society and international agencies. Cooperation is necessary due to the fact that the direct consequences of corruption expand globally on communities and individuals, on the public and private sectors, both nationally and internationally.

**Sustainability and reality principle** – reducing corruption is efficient only in the case of some sustainable measures focused on needs. Actions against corruption are efficient only in the manner in which priorities and deadlines for their execution were set realistically.

**Transparency principle** – The strategy is implemented in the interest and for the benefit of all citizens and institutions, therefore its execution shall be transparent at all stages.

**Principle of consistency and coordination of efforts** – preventing, detecting, combating and punishing corruption shall take place by means of coordinating all these activities, the negligence and inaction in this sense contributing to enhancing the phenomenon. Based on the Strategy, complex activities shall be planned and coordinated with all interested parties, which shall be conducted fully and consistently from the initial stage up until the final stages of implementation. Anti-corruption measures shall be correlated to sector policies and risk factors in vulnerable areas.

### Chapter IV. KEY ELEMENTS OF THE STRATEGY

The key elements of the present Strategy are the goal, general and specific objectives, expected results and action priorities.

For the goal and general objectives performance indicators (which show the change produced) are specified; whereas for the specific objectives, the expected results and action priorities – progress indicators (which show quantitative and qualitative efforts invested in producing change).

Implementation of action priorities produces expected results, thus contributing to reaching specific objectives, which, in their turn, determine the progress to reach the general objectives, and finally – the goal of the Strategy.

Performance and progress indicators facilitate monitoring of the implementation of the Strategy.

The goal, general and specific objectives, expected results and action priorities for their implementation are indispensable elements of the Strategy and have been correlated within a logical framework (see Annex no. 1 of the Strategy).

#### 4.1 General goal and objectives

**The goal** of the Strategy is to reduce the level of corruption in public and private sectors of the Republic of Moldova.

**General objectives** of the Strategy are as follows:
1) transforming corruption from a low-risk activity with benefits into inconvenient and high-risk activity;
2) contributing to creation of “zero tolerance” environment towards corruption in the Republic of Moldova.

Performance indicators are presented in the table below.
<table>
<thead>
<tr>
<th>Level of expectations</th>
<th>Expectations</th>
<th>Performance indicator (organization)</th>
<th>Indicator before strategy implementation</th>
<th>Indicator after strategy implementation</th>
<th>Performance</th>
<th>Possible variations of the indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>%</td>
</tr>
<tr>
<td>Goal (final expectations)</td>
<td>Reduction of corruption level in the private and public sectors of the Republic of Moldova</td>
<td>Corruption perception index 2.9/ (2010)</td>
<td>4.0/ (2015)</td>
<td>1.1</td>
<td>11.0%</td>
<td>0÷10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Global index of economic freedom 55.7/ (2011)</td>
<td>62.0/ (2015)</td>
<td>6.3</td>
<td>6.3%</td>
<td>0÷100</td>
</tr>
<tr>
<td></td>
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<td>Estimated volume of bribes paid by households and businesses (TI-Moldova) MDL 894 mln (2008-2009)</td>
<td>MDL 570 mln (2015)</td>
<td>MDL 324 mln</td>
<td>36.2%</td>
<td>-</td>
</tr>
<tr>
<td>General objectives (mid-term expectations)</td>
<td>Changing the corruption from advantageous and low-risk activity into a disadvantageous and high-risk one</td>
<td>“Control over corruption” indicator (IMG) -0.74/ (2009)</td>
<td>-0.24/ (2015)</td>
<td>0.5</td>
<td>10.0%</td>
<td>-2.5÷2.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“Regulatory property” indicator (IMG) -0.15/ (2009)</td>
<td>0.15/ (2015)</td>
<td>0.3</td>
<td>6.0%</td>
<td>-2.5÷2.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contribute to the creation of “zero tolerance” climate for the corruption in the Republic of Moldova The share of people who admitted they offered bribes in the last 12 months (BGC-IT) 28% (2009)</td>
<td>18% (2015)</td>
<td>10</td>
<td>10.0%</td>
<td>0÷100</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The share of people in households and businesses willing to offer bribes (TI-Moldova) 64.3% - GC 76.5% - OA (2008-2009)</td>
<td>50% - GC 45% - OA (2015)</td>
<td>14.3</td>
<td>31.5%</td>
<td>14.3% 31.5%</td>
</tr>
</tbody>
</table>

4.2. Specific objectives
The specific objectives of the strategy are as follows:

1) Permanent adjustment of anti-corruption efforts to the new tendencies and realities of corruption occurrences.

2) Imposing sanctions on the persons involved in corruption cases, including those with legal immunity. Enforcement of the punishment on holding a certain position or on exercising certain activity aggregated with the main punishment, and assuring, by confiscation, the prejudice caused by the corruption act and consequences thereof.

3) Increasing the probity and credibility of central and local public authorities, law enforcement and judicial authorities involved in combating corruption, especially CCECC, prosecution, judicial instances. Existence of a favorable environment for honest business.

4) Better information of the population about the phenomena of corruption, its illicit character, public disapproval and denunciation of the corruption cases to the competent bodies.

4.3. Expected results
The expected results of Strategy implementation are as follows:

1) The tendencies of the corruption forms development – are discovered by means of integral analysis of the data on the perception of corruption by population, areas which are vulnerable to corruption and official anti-corruption statistics;

2) National regulatory framework- is adjusted to the international anticorruption standards;
3) National legislation on anticorruption – is functional and is applicable for prevention and efficient fight against corruption;
4) The activity of institutions and organizations from public and private sectors – is transparent and ethic-wise, staff/members of the organizations – are recruited and promoted on competition basis, the administration – is aware about the corruption risks in the institution and organization, being involved in its prevention and cease;
5) CCECC representatives, prosecutors and judges are independent of political influence, properly trained, financially insured in order to act professionally, with dignity and integrity;
6) The capacity of the Accounts Chamber as the supreme audit institution – is consolidated; the audit activity impact – is increased, along with the responsibility for management of the public finance; the functions of control over the use of public resources, economic and financial activities are strictly limited; National Integrity Commission functional
7) The population perception about the need to offer illicit remuneration – is reduced;
8) Citizens’ fear to address directly to the law enforcement bodies – is overcome;
9) Investigation journalism – is encouraged, law enforcement authorities act upon information as a result of journalistic investigation, joint anticorruption activities of the authorities and civil society – are implemented.

4.4. Action priorities
Settlement of cases of corruption behavior and related cases involves the state on the one hand and the citizen on the other hand. In order to prevent corruption acts, the state needs to ensure adequate legislative and institutional framework and the citizen should not tolerate the corruption phenomena but to show civic responsibility by denouncing it. On the other hand, the corruption phenomenon shall be assessed systematically in order to permanently adapt the control tactics and the processes of corruption to the phenomenon evolution.

The action priorities for the implementation of the Strategy are divided into four components: research, legislative, institutional and educational and public communication components.

A. Research component
The in-depth knowledge of the background of emergence, forms, circumstances which determine preservation, transformation, extension or reduction of various forms of corruption- this is one of the most important prerequisites of prevention and efficient control of the [corruption] phenomenon. On that ground, the research component comprises the first measures necessary to be undertaken in order to ensure the Strategy’s success.

1) The elaboration, presentation and publication of the polls for studying the perception and spreading of the corruption phenomena.
Periodically, local and international organizations carry out various sociological research activities in order to establish the level of perception and experience of the population and business circles in terms of corruption. The practice of applying of the same research methodology over long period of time, offers the possibility to analyze in dynamics the evolution of the perception related to corruption. The state authorities shall get involved in such research activity and to contribute their own valuable experience in tackling the corruption phenomenon and development of new research methodologies.

2) Analysis, research and topical study activities on corruption and the related fields.
Topical study, analysis and other research activity on corruption phenomenon and of the related fields are still necessary. Mostly, the studies in the field are produced by the civil society environment, international organizations and certain state authorities. In order to increase their competency, the specialized public authorities can organize debates and internal discussions on this topic or, if needed, can exchange opinions with the authors and the persons involved into the activities of prevention or fight against the researched negative processes. It is important and useful for the state authorities to collaborate in the process of carrying out the studies and to consequently use the findings, suggestions and recommendations of the experts in their further activity.

3) The elaboration and publication of the anti-corruption reports of the law enforcement, prosecution and justice authorities, as well the reports prepared by the public authorities on the implementation of the anticorruption measures envisaged for by the policy documents.
The results of anti-corruption activity must be generalized, thoroughly analyzed and published, so that the society could have a correct and balanced impression about the efficiency of these actions. In the absence of such public data, its presentation in a manner which may mislead or which may contain contradictory data from different authorities intensifies social distrust and makes it difficult to carry out independent studies on the corruption phenomena. In order to change the situation, the law enforcement authorities involved in the fight against corruption must apply unified terminology and methodology and decide over a set of efficiency indicators applicable to the anti-corruption activity in order to reflect this information. Taking into account the urgent character of the corruption phenomena and legal public interest for the information concerning its fighting, not only the penal prosecution authorities, but also the judicial authorities must regularly provide the society with more information about the persons found guilty or not guilty in corruption cases, as well the punishment applied. Further on, separate statistics must be provided on these categories of offences.

**B. Legislative component**

Since the corruption acts and related ones as well the facts of corruption behavior are committed by means of abuse of power, authority, duties the regime of which is stipulated by the legislation, and the penal prosecution authorities can act exclusively within the legislation framework, the second component comprises the core means of legislative order which must be undertaken for the implementation of the Strategy.

4) **Compliance of the national legislation with the standards and the requirements of the international anti-corruption activity.**

The failure to adjust the legislative framework to the international anticorruption standards equals to the liability of the public authorities towards Moldovan citizens and the international community in front of which certain commitments are undertaken. In order to change the situation for the better, the assessment of the inconsistency in the legislation as well the elaboration of the corresponding projects and normative acts is needed. An efficient filter for avoiding new inconsistency in the legislation is deemed to be the anti-corruption expertise carried out by CCECC [Center for Fighting against Economic Crimes and Corruption] and the civil society, which due to its important role, shall be further sustained and promoted.

5) **Improvement of the legislative framework in the field of anti-corruption and improvement of the mechanisms of legislation functioning, including by means of parliamentary control.**

Lately, the Moldovan legislative framework in the field of anticorruption has been considerably extended and important laws have been adopted, e.g.: Law No 25-XVI from 22.02.2008 on Conflict of Interests, Law No 25-XVI from 22.02.2008 on the Code of Conduct of the Public Servant, Law No 90-XVI from 25.04.2008 on Prevention and Fight Against Corruption, Law No 239-XVI from 13.11.2008 on Transparency in the Decision Making Process, Law No 271-XVI from 18.12.2008 on Verification of Holders and Candidates to Public Functions, etc. Although these laws were much anticipated, they showed no effect in the first years after adoption, mainly due to the lack of a clear application mechanism. Taking into account existence of certain old ineffective regulations, it is necessary to elaborate and adopt the mechanisms of anti-corruption legislation which would be effective in the following fields: income and property declaration, control over their origin; declaration of conflict of interests, transparency in the decision making process, gifts regime. In particular, the improvement of the legislative framework functioning mechanisms shall depend upon the parliamentary control over the anti-corruption legislation. In this respect, the Parliament and the parliamentary commissions shall periodically verify the efficiency of the laws in the field.

6) **Adjustment of the legislative framework to the justified necessity to increase the efficiency of the activity carried out by the law enforcement and control authorities.**

In order to increase the efficiency of the anti-corruption authorities, and to exercise control in the related fields, their justified needs must be necessary taken into account, considering public interest and human rights. Such needs include: examining the efficiency of the procedures of increasing the immunity of judges and deputies in case of corruption offences, the eventual amendment proposals in this regard, clarification of penal responsibility for the inadequate declaration of the income and property; extension of the possibility of applying operative measures of investigation in the investigation of corruption cases; applying punishment in the form of deprivation of the right to occupy certain positions or to carry out certain activity in aggregate with the main punishment; to ensure by means of confiscation, the prejudice caused through corruption offences; examination of the possibility to exclude the obligation to indicate the financial interest when committing certain offences in the corruption-related field; amendments to the legislation for bringing to
responsibility among the collective decision making authorities; the revision of imposing sanctions on those involved in corruption cases in order to ensure a discouraging effect.

C. Institutional component

Measures of consolidation of the anti-corruption capacity among the employees of the institutions and improvement of the efficiency of the law enforcement and control authorities, involved in prevention and combating corruption are organized in the institutional component.

7) Prevention and fight against corruption within institutions and organizations.

In order to improve the image and increase credibility of institutions and organizations, the following measures shall be implemented:
- Creation and functioning of the internal audit units, proper training of internal auditors, examination of the conclusions presented by internal auditors and further recommendations;
- Self-assessment of corruption risks, elaboration and application of the institutional integrity plans;
- The amendment of the Law on Professional Ethic Code of the Public Servant and the updating of the professional ethic codes in other fields in the light of the internationally recognized norms and principles; the obligation to report deviations from the Code and imposition of sanctions for failure to report, responsibility of the superiors for the failure to respect the Code; the regulatory activity of the independent authority responsible for supervision of the implementation, application and enforcement of the law.
- Ensuring the transparency in the process of elaboration and adoption of decisions, by means of posting announcements and drafting decisions on the official web sites, initiation of public consultations;
- Meeting the recruitment requirements and promoting the employees by means of public competition;
- Avoiding conflict of interest and management of the conflict of interest which appeared in the public institution, declaring personal interests;
- Compliance with the procedures of verifying the holders and candidates to public functions.

Within the local public authorities, apart from the above mentioned measures, there shall be carried out activities of awareness and training of the public servants regarding their responsibilities related to extension and update of the regulatory anti-corruption framework. Special attention shall be paid to the development and approval by the local councils of anti-corruption strategies and action plans at the local level, proceeding from the corruption forms existing in a particular local community. The Centre for Combating Economic Crimes and Corruption shall support this process by means of elaborating the guidelines and methodological norms of drafting anticorruption strategies at the local level or drafting model strategies. In order to prevent the corruption phenomena in the political sector, the following steps shall be undertaken:
- norms of professional ethics and of the conflict of interest management for the persons who hold public positions (MPs, ministers, leaders, etc.) – adopted;
- transparency of the activity and funding the political parties - promoted and ensured;
- control of funding the political parties and election campaigns - optimized;
- independent audit of the parties’ accounts, carried out by authorized experts - implemented;
- efficient, proportional and discouraging sanctions for all the infringements of the rules of general funding of political parties and election campaigns- clearly defined and applied.

In the private sector, acts of corruption and corrupt behavior shall be prevented by means of applying the following measures:
- Determination of the processes for facilitation of the regulation of the activity of economic operators;
- De-bureaucratization of the procedures of providing public services to the business circles, ensuring online services and continuous promotion of the single window principle;
- Improvement of the public acquisition procedures (excluding the influence by the interested economic agents upon the conditions for tender offers, increasing the transparency of organizing and carrying out public auctions, prevention of the conflict of interests and their appropriate management in the process of selecting the winner of the auction, avoiding the growth of price and expenditures by the economic operators with whom the public contracts have been signed during their execution, on-line service, etc.)

Education and medicine are the social fields in which cases of corruption feed the population’s perception about the spreading of this phenomenon. A priority measure to repress corruption in educational institutions is to clarify the status of parents’ associations, so that these shall not be perceived as an umbrella for forced
collection of funds from the parents. The membership in such associations must be ensured to be voluntarily and the information about the association’s status and the financial reports on using the funds accumulated within the association should be transparent. In addition, measures shall be undertaken in order to exclude the corrupt practice in cases of thesis, annual and graduation examinations in schools and universities. Measures shall be undertaken measures in medicine field against any kind of inappropriate remuneration the patients may be charged with upon the insistence of medical staff, measures to exclude abuse in the system of the obligatory medical insurance and public acquisitions for the needs of the medical institutions.

8) Consolidation of the capacities of the law enforcement authorities and justice to combat corruption.
The priority actions to consolidate the capacities of the law enforcement authorities include also increase of the credibility of CCECC, the prosecutor’s office and justice before the society. The following measures are needed for that:
- Distribution of the competence of the law enforcement authorities in the processing and criminal prosecution of the corruption cases and those related to it;
- Strengthening of the coordination and information exchange among the anti-corruption authorities;
- Reformation of the prosecution authorities by means of ensuring functional and transparent activity;
- Re-evaluation of granting immunity to the judges and deputies in order to allow the investigation and processing of the corruption cases (in compliance with the provisions of Art 30 of UN Convention Against Corruption (New York, 31 October 2003), ratified by the Law No 158-XVI from 06.07.2007);
- Optimization of the CCECC activity in particular by means of: ensuring the institutional independency, consolidation of the function of corruption prevention as a part of the CCECC mandate inclusively by ensuring it with human and financial resources and additional means;
- The promotion of an integral judicial system in particular by means of: revision of the current normative acts for the purpose of establishing clear selection procedures and criteria, promotion and evaluation of performance of the judges; strengthening of the institutional capacities of judicial courts, Supreme Court of Justice and the Superior Council of Magistracy for the purpose of minimizing the corruption risks; development of specific mechanisms which would ensure the penal liability of the prosecutors and the judges without affecting their independency and impartiality; professional training of all the prosecutors and judges on anti-corruption problems and related crimes; the efficiency of the mechanism of random distribution of the cases in judicial instances.
- Setting up salaries which are proportional to the responsibilities of the CCECC representatives, Anticorruption Prosecutor’s Office and judges. In order to reduce the vulnerability of the employees to corruption, namely those involved in fight against the phenomenon, their salary and insurance must be higher compared to the other categories of representatives in order to prevent any possible temptation²;
- Supplying the appropriate equipment and advanced techniques to the CCECC and Anticorruption Prosecutor’s Office.

9) Increasing the efficiency of the control authorities’ activity
The control authorities play an important role in the anti-corruption field and their effective activity regulates the channeling of payments to the National Public Budget (Accounts Chamber, State Main Fiscal Inspectorate and Customs Service) and the authorities empowered to control the declarations of income and property, as well the personal interest declarations. Another important specialized agency meant to contribute to the implementation of the policy on the conflict of interests is the Principal Commission on Ethics.
The important measures undertaken for consolidation of the capacities of the control authorities are as follows:
- To ensure the mechanism of evaluating the results of the audit carried out by the Accounts Chamber, making efficient the public finance management by means of assessing the internal audit systems and internal audit in the public institutions audited by the Accounts Chamber which ensures accumulation and the use of public means in the National Public Budget, as well the entities which manage the public assets;

²In compliance with the provisions of the Art 20 of the Criminal Law Convention on Corruption (Strasbourg, 27 January 1999), ratified by the Law No 428-XV from 30.10.2003.
- To amend the legislation on administrative and penal sanctioning for the managerial irresponsibility in accumulating and using the public means, in exercising the functional responsibilities by officials as well for the non-execution of the requirements/recommendations of the Accounts Chamber;
- To optimize the activity of the control authorities through the strict distribution of their functions in controlling the use of public resources, economic, financial and fiscal activities;
- To strengthen the capacities of the departments of internal security within the control authorities in order to transform them into proactive structures with qualified and integral personnel;
- To increase the efficiency of the system of the owned property return and interest declaration for the public employees and their control, processing and insurance of the efficient functioning of the Principal Commission on Ethics.

D. Educational and public communication component

The change of mentality of the individuals and the entire society from tolerating and concealing corruption towards the mentality of denial of corruption and ensuring the disclosure thereof is crucial for successful reduction of the corruption phenomenon. This change can occur only when applying measures for processing and information, being a part of the educational and public communication component.

10) Development of intolerance towards corruption.
Anti-corruption education of the Moldovan citizens requires the civil society and the state authorities to join their efforts and to carry out an anticorruption awareness campaign, to organize activities of civic education of youth in the educational institutions, considering the fact that surveys show higher level of corruption tolerance in social. This can be achieved by introducing anti-corruption courses into the school curricula in the framework of the civic education course. Besides, public servants must constantly benefit from trainings in terms of respecting the norms of professional ethics and the code of conduct for public servants. Another way to develop intolerance towards corruption is the organization of anticorruption seminars and conferences.

11) Encouragement of the corruption disclosure.
Besides the tolerance towards the corruption phenomenon, Moldovan citizens feel lack of trust and they fear to directly address the law enforcements authorities by using hotlines and in most cases prefer to write petitions to higher officials instead. In order to increase the hotline efficiency, it is necessary to adopt a regulation on clear responsibilities of the employees regarding the hotline activity. It is also necessary to create a mechanism for not disclosing the identity of the persons who report about corruption acts in order to help them overcome the fear for revenge. In this respect, there should be undertaken measures for protecting the persons who report to the competent authorities regarding the potential acts of corruption as well as related cases; it is also necessary to regulate the obligation of examining anonymous petitions which contain information about the alleged corruption acts, etc.

12) The cooperation of the state authorities with civil society and mass-media.
For the improvement of the cooperation with mass media and civil society, the public authorities must adopt rules of public communication, encourage investigation journalism, but mass media and civil society must assume a more active role of correct and balanced information of the society about the corruption phenomenon, thus contributing to formation of public opinion of perceiving the corruption as a negative and shameful social phenomenon.

Chapter V. IMPLEMENTATION OF THE STRATEGY

The Strategy will be successful if certain conditions (prerequisites) are implemented and if the stages of implementation, established by the action plans, will be complied with.

5.1. The prerequisites of efficient implementation
The following prerequisites should be respected for the possible and effective implementation of the key-elements of the Strategy:

Political will- corruption endangers the political stability, affects the confidence of the society in the government, justice, legislative supremacy, market economy and economic development, minimizes the attractiveness for foreign investments and postpones the perspectives for the European integration. The
scale of the corruption phenomenon must be clearly understood and expression of clear political will is necessary and its practical proven for prevention, detection and successful suppression of corruption.

**Efficient implementation**- for the anti-corruption activities to have certain impact, it is necessary that all the involved public authorities undertake actions for which they will be responsible in line with the policy documents and to avoid light or careless attitude.

**Implementation monitoring**- the successful implementation of the Strategy requires a coherent system of specific actions and measures and a clear distribution of the responsibilities in the view of their implementation. However, distribution of responsibilities related to preparation and implementation of the specific actions from the Strategy and the action plans for a large spectrum of subjects, shall be preceded by establishment of the bodies responsible for controlling the implementation. An essential condition is deemed to be practical and continuous monitoring of the Strategy implementation and of the action plan monitoring, within CCECC and the central public authorities. The authorities responsible for supervising the Strategy implementation must collaborate in this process with public, civil society and independent institutions and to ensure the transparency of the reports on the ongoing implementation and the periodic assessments carried out in this sense by the CCECC.

**Flexibility in approach**- since the corruption phenomenon is diverse, undertaking continuously new forms of manifestation, it is necessary to apply some methodology of research and observation of the conditions under these emerge and develop. The research and observation methodology will follow scientific percepts and will ensure the adjustment of the measures and specific actions provided for in the Strategy and action plans to the progressive tendencies of corruption manifestations. By means of undertaking the necessary correction measures the efficiency of the implemented measures will be enhanced.

**Financial insurance**- the Strategy and the action plans implementation implies certain financial aspects. The success of the Strategy and the action plans implementation will depend to a great extent upon the provision of appropriate financial resources, which will be identified and approved as a component part of each institution’s budget, as well as from the external financial sources.

5.2. **Action plans**
The Strategy will be applied through the action plans. The action plans contain the description of the actions which must be carried out within the reporting period, persons responsible for its implementation, results, progress indicators and deadlines.

The actions are included in the plans in compliance with the action priorities for the Strategy implementation and their division by components. Depending upon the period of implementation, temporary and permanent actions can be distinguished.

Temporary actions are established in the short- or medium-term action plans, which are elaborated and approved by December 15 of the year preceding the year of the planned implementation. The actions which remained not executed must be thoroughly grounded and in case they keep their importance, they shall be included in the following action plan.

Permanent actions are established in the action plans for the entire period of the Strategy implementation, as follows:

**A. Research Component**
- elaboration, presentation and publication of surveys for determining the perception and spreading of the corruption phenomenon (Executors: CCECC in cooperation with Transparency International, Institute for Public Policy, NGOs; Progress indicators: published surveys; Expected Results: evolution of the perception of corruption spreading by the population);
- performance of analysis, research and topical studies about corruption and related fields (Executors: public institutions and NGOs; Progress indicators: number of publications; Expected Results: corruption manifestation in various fields and the authorities failure in the fight against it -displayed in details);
- elaboration and publication of reports by the law enforcement bodies, prosecutors and justice about the fight against corruption (Executors: CCECC, MoIA, GPO, SCJ; Progress indicators: published reports;
Expected Results: the official statistics on initiation, criminal prosecution, transmission to the court, sentences and the punishments applied – to be known in details for the past calendar year.

B. Legislative component
- elaboration of the anti-corruption examination reports along with the draft regulatory acts (Executors: CCECC, NGOs; Progress indicators; number of expertise drafts from the total number of drafts, number of examination reports, number of recommendations set forth in the reports and their efficiency. Expected Results: removal of the factors and corruption risks from the drafts of laws and governmental regulatory acts).
- Parliamentary control on the anti-corruption legislation implementation (Executors: Expert Parliamentary Commission; Progress indicators: reports of the public authorities and the civil society, conclusions of the specialized parliamentary commission; Expected Results: mechanisms of anti-corruption legislation functioning-improved).

C. Institutional component
- elaboration of the institutional integrity plans and their implementation within the public authorities (Executors: public authorities, Progress indicators; number of drafted and implemented plans in relation to the number of institutions; Expected result: corruption risks identified and mitigated through the systematic application of the integrity plans);
- ensuring the transparency in the decision making within the central and local authorities of level 1 and 2 (Executors: State Chancellery, ministries and other central administration authorities; Progress indicators: implemented recommendations of the monitoring report of the State Chancellery and NGOs; Expected result: multilateral informing regarding the decision making, the participation of the interested parties in the decision making – ensured, the degree of the responsibility of the public authorities – increased);
- implementing the actions of corruption prevention during recruitment, selection, employment and promotion of the staff in the public functions (Executors: ministries and other central administrative authorities, the Intelligence and Security Service, Progress indicators: the number of the published advertisements regarding the vacancies and the recruitment process. The number of the conducted processes; Expected result: the corruption level in the process of recruitment, selection, employment and promotion of the staff – decreased; the risk of filling a public function by a person posing a threat for the national security interests- excluded)
- trainings for judges, prosecutors and the employees of the law enforcement authorities in the field of legislation norms of the handling and trial of corruption and related cases (Executors: National Institute of Justice, CCECC, General Prosecutor’s Office, the Superior Council of Magistracy, the Ministry of Internal Affairs; Progress indicators: number of delivered trainings, number of trained personnel; Expected result: the knowledge and the practical skills of the judges, prosecutors, and employees of the law enforcement officials in the area of the legislation norms in this field - consolidated)

D. Public communication and educational component
- organizing the National Anti-Corruption Conference (Executors: CCECC, Monitoring Group; Progress indicators: held conference, distributed materials, the mediatized results of the event; Expected result: problems and deficiencies in the field are identified and discussed, priorities for the future are established);
- conducting public awareness raising campaigns regarding the corruption phenomenon (Executors: CCECC, NGOs; Progress Indicators: the anti-corruption messages of the awareness companies; duration, the media coverage and the scale of the campaigns. Expected result: the level of conveyance of the anti-corruption messages – improved, the population awareness regarding the costs and the negative impact of the corruption –enhanced, the availability to offer corruption remuneration - decreased);
- training of the employees of the public institutions on anticorruption issues (Executors: CCECC, NGOs; Progress Indicators: training topics, number of training sessions, number and categories of the participants. Expected result: the knowledge of the employees of the public institutions in the field of corruption - increased);
- ensuring the functioning of the governmental and nongovernmental anticorruption hotlines (Executors: ministries and other central administration authorities, local public administration, NGOs; Progress indicators: the number of people calling the hotline and the percentage of those reporting corruption; Expected result: corruption cases reported and examined by the competent authorities)
promoting the right to access the information by establishing and strengthening partnerships with the media and the civil society (Executors: ministries and other central administration authorities, NGOs; Progress indicators: drafted and implemented concepts of public communication, monitoring reports developed by the State Chancellery and the NGOs. Expected result: internal mechanism regarding the public communication and the provision of access to information - implemented).

The public authorities will present to the Secretariat of the Monitoring Group the informative notes regarding the results of the implementation of each action and the faced difficulties in the realization of the undertaken action for the implementation of plans as well as proposals to improve the current situation, quarterly, by the 15\textsuperscript{th} of the month following the reporting quarter.

**Chapter VI. INSTITUTIONAL FRAMEWORK**

The mechanism of the implementation of the Strategy is ensured by the appointment of responsible persons for the monitoring of the implementation that insures organization, coordination, monitoring, reporting and planning respectively.

Responsible for the observation of Strategy implementation are as follows:

- Heads of the institutions responsible for the realization of the action plans;
- Parliamentary commission;
- Monitoring group;
- Secretariat of the Monitoring Group.

**6.1. Parliamentary Commission**

The permanent parliamentary commission responsible for the national security, defense and rule of law, including the anticorruption field will coordinate at the general level the process of Strategy implementation as well as other policy documents in the field and will ensure the parliamentary control on the activities of the institutions for the realization of the actions in line with their competences.

**6.2 Monitoring Group**

The main responsibilities of the monitoring group are the examination and verification of the presented information by the public authorities, approval of the quarterly and annual reports of monitoring and elaboration of the annual evaluation reports regarding the implementation of the Strategy. The group will monitor the implementation of the anticorruption provisions of other documents of sectoral policies.

The members of the Monitoring Group shall meet upon necessity, at least once in a quarter, in order to review the progress of the institutions responsible for the implementation of the strategy and the action plans and in order to formulate proposals and recommendations to overcome the encountered difficulties.

The meetings of the monitoring groups are public.

The monitoring group consists of the representatives of the legislative and executive powers, justice, independent authorities, local public administration, the civil society and the private sector. The monitoring group comprises:

- a member of the Parliamentary Committee on national security, defense and public order
- Advisor to the President of the Republic of Moldova in defense and security;
- One representative from Accounts Chamber
- Secretary General of the Government of the Republic of Moldova;
- Deputy Director of CCECC;
- Deputy Minister of Justice;
- Deputy Minister of Finance;
- One representative from National Bank;
- One representative of the Superior Council of Magistracy;
- Prosecutor from the Anti-Corruption Prosecution
- Head of the GRECO delegation of the Republic of Moldova
- Deputy Director of the Intelligence and Security Service;
- 2 representatives of the Local authorities’ association;
- 5 representatives of the Anti-Corruption Alliance, including a representative of the Transparency International – Moldova;
- One representative from the Chamber of Commerce and Industry, and from the Businessmen Association from Moldova;
The heads of the involved institutions will announce to the Secretariat of the monitoring group the names of the appointed representatives;

The members of the monitoring group will adopt the internal normative framework and will elect the President.

6.3. Secretariat of the Monitoring Group
CCECC will act as the Secretariat of the Monitoring Group and will ensure the coordination of the daily implementation of the Action Plan.

The Secretariat of the Monitoring Group:
- will keep evidence of the list of members of the Monitoring Group;
- will organize the meetings of the Monitoring Group
- will draw up minutes of meetings, will inform the Parliamentary Commission and will publish the press release;
- will receive, store and generalize the information presented by the public authorities regarding the realization of the Action Plan and will draft the quarterly and annual monitoring reports;
- will assist the Monitoring Group in preparing the annual evaluation reports on the Strategy implementation
- will provide methodological advice and assistance on the reporting of the Action Plan implementation;
- will organize annually the National Anti-Corruption Conference.

The Secretariat is responsible for the elaboration of the Action Plans. The Secretary of the Monitoring Group is appointed by the CCECC Director.

Chapter VII. MONITORING AND EVALUATION PROCEDURES

The internal monitoring within the institution responsible for the implementation of the action plans is ensured by the deputy head of the public authority, or by another appointed person for the anti-corruption actions.

The external monitoring and the evaluation of the realization of action plans are carried out by the Monitoring Group in line with the conditions of the Methodology of monitoring and evaluation of the implementation, according to the annex (Annex 2).

Chapter VIII. FINANCIAL RESOURCES

The financial resources necessary for the achievement of the Strategy are planned according to the law. The financial resources can be:

1) From the state budget and the budgets of the administrative-territorial units, in the limits of the assigned/approved expenses of the involved institutions.
2) Projects and technical assistance and external financial programs from the donors.
3) Sponsorships and other accepted sources in line with the terms of law.

Annex No 1 to the 2011-2015 National Anti-Corruption Strategy

Logical framework of the implementation of the National Anti-Corruption Strategy

<table>
<thead>
<tr>
<th>Action priorities</th>
<th>Expected results</th>
<th>Specific objectives</th>
<th>General objectives</th>
<th>Goal</th>
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<tbody>
<tr>
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<tr>
<td>A. Research component</td>
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<tr>
<td>1) Elaboration, presentation and publishing of surveys for researching perception and spread out of the corruption phenomenon</td>
<td>Trends of development of forms of corruption – discovered by means of integrated analysis of data regarding the perception of corruption by the</td>
<td>Permanently adapting anti-corruption efforts to the new trends and actualities of the corruption acts.</td>
<td>Transforming corruption from a convenient and low-risk activity into an inconvenient</td>
<td>Reducing the level of corruption in the public and private sectors of the Republic</td>
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<tr>
<td>Progress indicators:</td>
<td>number of surveys</td>
<td>population, vulnerable areas in corruption and of the official statistics of fighting corruption.</td>
<td>population, vulnerable areas in corruption and of the official statistics of fighting corruption.</td>
<td>number of reports published on official web pages, number of reports submitted to the Monitoring group.</td>
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<tr>
<td>2) Conducting analyses, researches and thematic studies about corruption and related areas of activity</td>
<td>CCECC analytical notes regarding the evolution of development trends of the corruption phenomenon elaborated and the number of implemented recommendations.</td>
<td>CCECC analytical notes regarding the evolution of development trends of the corruption phenomenon elaborated and the number of implemented recommendations.</td>
<td>CCECC analytical notes regarding the evolution of development trends of the corruption phenomenon elaborated and the number of implemented recommendations.</td>
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<tr>
<td>Progress indicators:</td>
<td>- number of analyses, studies - number of elaborated and implemented recommendations</td>
<td>Performance indicators: - official statistical data in the dynamics of fighting corruption.</td>
<td>Performance indicators: - “Control over corruption” indicator (IMG) - “Regulatory quality” indicator (IMG)</td>
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<tr>
<td>3) Drafting and publishing of reports by law enforcement agencies, prosecutor’s office and justice on countering corruption, as well as of reports by public authorities regarding implementation of anti-corruption measures set out in strategic planning documents</td>
<td>- “Control over corruption” indicator (IMG) - “Regulatory quality” indicator (IMG)</td>
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<td>- “Control over corruption” indicator (IMG) - “Regulatory quality” indicator (IMG)</td>
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<tr>
<td>Progress indicators:</td>
<td>- “Control over corruption” indicator (IMG) - “Regulatory quality” indicator (IMG) Estimation of the volume of the bribe paid by households and businessmen (TI-Moldova).</td>
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<tr>
<td>4) Conformity of the legislation to national and international standards and requirements</td>
<td>The national legal and regulatory framework – adjusted to international anti-corruption standards.</td>
<td>The national legal and regulatory framework – adjusted to international anti-corruption standards.</td>
<td>The national legal and regulatory framework – adjusted to international anti-corruption standards.</td>
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<tr>
<td>Progress indicators:</td>
<td>- number of anti-corruption examination reports, - number of formulated and approved recommendations - number of draft normative acts elaborated and approved in the sense of ensuring conformity to anti-corruption standards</td>
<td>Progress indicators: - the number of recommendations from Reports of conformity of the Republic of Moldova to GRECO and other national and international evaluations implemented;</td>
<td>Progress indicators: - the number of recommendations from Reports of conformity of the Republic of Moldova to GRECO and other national and international evaluations implemented;</td>
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<tr>
<td>5) Enhancing the anti-corruption legal framework and improving the operational mechanisms of the legislation, including by means of practicing parliamentary control</td>
<td>Sanctioning of persons involved in corruption, including of those who hold legal immunity. Applying criminal penalties, depriving charged officials of the right to hold positions in the public service, confiscation of goods and financial means obtained through corruption.</td>
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<tr>
<td>Progress indicators:</td>
<td>- the number of draft normative acts elaborated and approved for enhancing the anti-corruption legal framework and to improve the functioning mechanisms of the legislation</td>
<td>Progress indicators: - the number of recommendations from Reports of conformity of the Republic of Moldova to GRECO and other national and international evaluations implemented;</td>
<td>Progress indicators: - the number of recommendations from Reports of conformity of the Republic of Moldova to GRECO and other national and international evaluations implemented;</td>
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<tr>
<td>6) Enhancing the anti-corruption legal framework and improving the operational mechanisms of the legislation, including by means of practicing parliamentary control</td>
<td>- the number of draft normative acts elaborated and approved for enhancing the anti-corruption legal framework and to improve the functioning mechanisms of the legislation</td>
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<td>- the number of draft normative acts elaborated and approved for enhancing the anti-corruption legal framework and to improve the functioning mechanisms of the legislation</td>
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6) Adjusting the legal framework to needs justified by enhancing the efficiency of the activity carried out by law enforcement and control agencies.

**Progress indicators:**
- the number of draft laws elaborated and approved at the request or upon initiative of law enforcement or control agencies.

### C. Institutional component

7) Preventing and combating corruption in institutions and organizations

**Progress indicators:**
- the number of functional internal audit units,
- the number of authorities which implemented integrity plans,
- the number of the conclusions of the State Chancellery and of the civil society implemented in regards to the respect of decisional transparency,
- methodological norms of elaboration of strategies at the local level,
- 3rd round GRECO evaluation recommendations on financing of political parties implemented.

<table>
<thead>
<tr>
<th>The activity of institutions and organizations from the public and private sectors, including of political parties – transparency and ethics, staff/members – recruited and promoted on a competitive basis, management – conscious of the risks of corruption within the institution and organization, involving in preventing and ceasing them.</th>
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| **Progress indicators:**
- the number of reports and recommendations of the civil society regarding the monitoring of the transparency in the decisional process being observed;
- the number of reports regarding the implementation of the plans of institutional integrity;
- The number of monitoring reports of the elections;
- Decisions of the Central Election Commission |
| Enhancing the probity and credibility of central and local public authorities, of law enforcement and justice bodies engaged in combating corruption, in particular: CCECC, prosecutor’s office, courts. Enhancing trust of the society in political parties. Favorable environment for doing honest business. |
| Contribution to creating an environment of “zero tolerance” towards corruption in the Republic of Moldova |

**Performance indicators:**
- Dynamics of the number of persons who admit to have offered bribe within the previous 12 months (BGC-TI)
- Rate of persons from household environment and of businessmen open to offer bribe (TI-Moldova)

- Statistics on the establishing and liquidation of the companies;
<table>
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<tr>
<th>8) Strengthening of the capacity of the law enforcement authorities and justice to combat corruption</th>
<th>Progress indicators: - normative acts for the delimitation of the competence, ensuring the independence and real functionality of the CCECC, prosecutors and judges</th>
<th>CCECC employees, prosecutors, and judges – independent of political influence, trained accordingly, supplied financially in order to work with professionalism, dignity and integrity</th>
<th>Progress indicators: - number of mediatizing of high profile cases that were successfully investigated and taken to court; - number of training hours for the CCECC employees; - number of hours of initial and continuous training of the prosecutors and judges in the National Institute of Justice reflecting the anti-corruption topics; - the number of the implemented actions regarding the improvement of working conditions of the employees of the criminal prosecution authorities, prosecutors and judges.</th>
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<tr>
<td>9) Increasing the efficiency of the activity of the controlling authorities</td>
<td>Progress indicators: - normative acts referring to the sanctioning of the relevant person for the grave violations in the reports of the Court of Accounts, - the Principal Commission of Ethics is established - normative acts adopted for the modification of the Law no. 16-XVI from 15.02.2008 and the modifications to the Law no. 1264-XV from 19.07.2002</td>
<td>The capacity of the Court of Accounts of a supreme audit institution – is consolidated, the impact of the audit activity – increased, the responsibility for the management of the public finances established; the control functions of the use of the public resources, economic-financial and fiscal resources strictly delimited; Main Ethics Commission – established and functional.</td>
<td>Progress indicators: - number of persons held accountable for the violations detected by the Court of Accounts; - number of activity reports of the Main Ethics Commission.</td>
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<td>D. Educational and public communication component</td>
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<td>10) Developing intolerance towards corruption</td>
<td>Perception of the population on the necessity of offering illicit</td>
<td>Improved informing of the population on the corruption</td>
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<td>Progress indicators:</td>
<td>Progress indicators:</td>
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<td>number, type and scale of the awareness raising campaigns</td>
<td>Global Barometer –TI – the dynamics of the number of people who offered illicit remuneration last year.</td>
<td>Illicit character of its manifestations, public disapproval and reporting to the relevant authorities about the corruption cases</td>
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<td>number of held trainings on anti-corruption topics and the number of participants</td>
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<th>Progress indicators:</th>
<th>Progress indicators:</th>
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<tr>
<td>reduced remuneration</td>
<td>Global Barometer –TI – the dynamics of the number of people who offered illicit remuneration last year.</td>
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</table>

11) Encouraging corruption denouncing

**Progress indicators:**
- adopting of law regarding the protection of the informers,
- adoption of the regulation on the functioning of the anti-corruption hot-lines of the public authorities.

Fear of the citizens to directly address the law enforcement authorities – overcome

- increased number of calls at the anti-corruption hot-lines of the public authorities
- increased number of addressing the law enforcement authorities regarding cases of corruption

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<th>Progress indicators:</th>
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<td>increased number of cases of informing the law enforcement authorities based on the published in the media the investigation articles</td>
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</table>

12) Cooperation of the state authorities with the civil society and media

**Progress indicators:**
- adoption of the regulations on the public communication of the institutions

Investigative journalism – supported, law enforcement authorities informed as a result of the journalist investigation mediatizing, joint anti-corruption activities of the authorities and the civil society – performed

**Progress indicators:**
- number of cases of informing the law enforcement authorities based on the published in the media the investigation articles

<table>
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<th>Annex No 2</th>
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<tr>
<td>To the 2011-2015 National Anticorruption Strategy</td>
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</table>

**METHODOLOGY**


**Introduction**

The management of the National Anticorruption Strategy 2011-2015 (hereinafter in the text – the Strategy) is implemented through a consequence of stages, of which monitoring and evaluation of the implementation and results reporting are the component parts. Properly performed monitoring and evaluation will determine in most part, the success of the Strategy.
As per Chapter VI of the Strategy, the following persons are responsible for supervising implementation of this political document: heads of the institutions responsible for implementation of the Action Plans, Parliamentary Expert Commission, Monitoring Group and the Secretariat of the Monitoring Group. The Monitoring Group plays the basic role in monitoring and evaluation of the Strategy. The Centre for Combating Economic Crimes and Corruption plays the function of the Secretariat of the Monitoring Group. In order to increase the efficiency of the activity of the Monitoring Group and to render methodological support in the ongoing activities, the present document was drafted. The present Methodology consists of a series of instruments and methods, application of which provides information on implementation of the Strategy. This activity serves the basis for reporting the results, estimating the impact and identification of the priorities for the future, set forth in a new political document. The main accent in this methodology is paid to specific aspects of the monitoring and evaluation process: periodicity of collection of the information, and standardization of the reports, methods and sources for collection of the information, periodicity of monitoring and evaluation reports drafting, responsibilities of the parties involved in the monitoring and evaluation process. The monitoring and evaluation process will be implemented with compliance with the following principles:

- The principle of responsibility, which suggests responsibility of both the members of the monitoring group in their activity and the parties of the Strategy in presentation of high-quality information, in line with the requested reporting requirements;
- The principle of transparency, which obliges the Monitoring group and the Secretarial to ensure transparency of the activities by means of permanent update of the Monitoring group [MG] website (www.cccec.md website includes a separate module on MG);
- The principle of cooperation as per which the members of the Monitoring Group and the Secretariat are meant to cooperate by means of training representatives of the civil society and mass-media in monitoring and evaluation activities;
- The principle of efficiency, which implies the Monitoring Group and the Secretariat to use multiple sources of the information and methods of estimation, for the purpose of proper recording of positive and negative results and to ensure impartial evaluation of the impact.

I. Monitoring

Monitoring of the Strategy implementation is a continuous process of collection and analysis of information relevant to implementation of the anti-corruption policy for the purpose of giving fundamental nature to the decision making process by the relevant individuals, ensuring transparency and providing a basis for future evaluation actions. The Action Plan is the basic instrument for the implementation of the Strategy. In order to carry out monitoring of the implementation of the Strategy and the Action Plans, general and specific objectives, necessary measures for achievement thereof and specific actions of the Plan were provided with a “control system” which includes a number of measurable indicators. Progress indicators are quantitative and qualitative characteristics, which provide simple means for measuring the success of the implemented activities:

- Quantitative indicators are expressed in numbers or percentage;
- Qualitative indicators can measure perception, can describe certain compartments.

The monitoring of the Strategy implementation envisages:

- Adequate and timely implementation of the activities included in the Action Plan;
- Rendering support to the parties of the Strategy in implementation of positive practice and elimination of the risk factors;
- Information of the Parliament and the Government and large public regarding the results achieved, detected shortcomings and areas which need attention;
- Increase of credibility before the donors which implement a variety of projects in the Republic of Moldova in terms of supporting the anti-corruption activity.

Subjects to monitoring are as follows:

- Specialized central authorities of public administration;
- Local public administration authorities;
Other public institutions and organizations;
- Beneficiaries and the target group of various projects in the anti-corruption field.

**The monitoring mechanism** includes on job monitoring and in the field monitoring, as well as drafting monitoring reports.

*On-the-job monitoring* – consists in accumulation and examination of various information in the framework of the Group meetings, reporting to the Secretariat of the Monitoring Group, discussions with the actors involved in the implementation of the Strategy, and of various experts in the field.

*Field monitoring* – consists in accumulation and verification of the information in the framework of the visits paid to the institutions responsible for the Strategy implementation, in line with the decision of the Monitoring Group. This is executed following the on-the-job monitoring in case when the report submitted by the subjects under monitoring is superficial or lacks proper quality.

*Monitoring reports* – is a product of the activity of the Monitoring Group and will be of three types: field monitoring report (for each visit to public institutions), quarterly and annual report drafted based on the information accumulated from various sources.

**Information collection sources:**
- Quarterly reports, submitted by the responsible institutions.
- Information regarding the results of implementation of each action of the [Action] Plan and challenges faces in the implementation thereof shall be presented to the Secretariat of the Monitoring Group, prior to 5th day of the month immediately following the reporting quarter.
- Information accumulated from field visits;
- Sessions in the framework of the Monitoring Group meetings;
- Official web-pages of the public institutions, elaborated by the representatives of the civil society (civil councils);
- Mass-media sources;
- Polls, researches and progress reports, elaborated by both national and international experts.

Quarterly reports will be submitted in the obligatory way by the responsible institutions in the form of a table, in line with the following model:

<table>
<thead>
<tr>
<th>No and name of the action from the [Action] Plan</th>
<th>Progress indicators</th>
<th>Level of implementation</th>
<th>Measures undertaken</th>
<th>Challenges, problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

The table should be completed in line with the requirements as follows:

Column 1 – number and name of all the actions within the reporting period.

Column 2 – progress indicators included in the Plan and actually achieved, as per each action.

Column 3 - qualitative level of implementation, according to the following indicators: implemented, ongoing and not implemented.

Column 4 - measures undertaken for implementation of the respective actions with indication of the time period (month) in which they were implemented. The activities shall be stated clearly, consistently, estimated quantitative- and qualitative-wise in line with the foreseen indicators.

Column 5 – challenges faced (if any) in the process of implementation of the actions from the Plan, as well as the problems due to which the actions could not be implemented within the established in the Plan terms and with indicated ways for the settlement thereof.

The sessions in the framework of the meetings shall be carried out as per a timetable, approved by the Monitoring Group at the beginning of the calendar year. The reports regarding the activities implemented by various institutions for implementation of the Strategy will be presented by the vice ministers/vice directors responsible for the prevention of corruption in the institution. The reporters shall be informed about the topic and time given for presentation of the report, etc. within at least three days prior to the meetings.

The requirements to be complied with by the reported are as follows:
Reference to all the actions regarding the reporting period (with indication of the implementation deadline) and for which the respective institution is assigned to be the executor or co-executor as per the Action Plan;
- Determined level of the implementation of the actions by indicators: implemented, ongoing or not implemented;
- Specified measures undertaken by the institution for implementation of the respective actions with indication of the time period (month) in which they were implemented;
- Clarified challenges faced during the implementation of the actions, as well as the problems which have caused delayed deadlines and established ways for the settlement thereof;
- Additionally, measures which the institution has undertaken for implementation of the conflict of interests policy, results of self-assessment of the corruption risks and implementation of the internal integrity plans.

Monitoring report
Field monitoring report – presents the outcome of the activity of the councils, formed by the decisions of the Monitoring Group and which perform field audits of completeness of implementation of the Action Plan.
In these activities, the Monitoring Group may invite external experts including NGO representatives, specialized in the field.
The field audit commission shall act in line with the Plan, approved by the president (vice-president) of the Monitoring Group. Along with the specific tasks, assigned to the commissions, the audit plan will include in the obligatory way the following questions:
- Level of the implementation of the self-assessment on corruption risks / implementation of the Integrity Plan;
- Evaluation of the established systems and procedures for conflict of interests settlement;
- Evaluation of functioning of the mechanisms of informing about the corruption acts;
- Assessment of the level of knowledge of the personnel with regard to anti-corruption field (institutional integrity, public service ethics and conflict of interest's policy). A questionnaire will be completed for the implementation of these measures of the Plan.

The field monitoring report should in the obligatory order include conclusions and recommendations regarding the elimination of the detected deficiencies.
The field monitoring reports shall be placed on the web-site of the Monitoring Group and shall be subject to examination in the working sessions. Additionally, the institutions shall report regarding the deficiencies detected in the Report.
Quarterly and annual monitoring reports on the implementation of the Strategy shall be elaborated by the Secretariat of the Monitoring Group, examined and approved by the Monitoring Group.
The component elements of the reports are as follows:
- Priority of actions;
- Specific actions for implementation;
- Established deadline and level of implementation;
- Responsible persons for the implementation of the action plans;
- Indicators which describe the measurable characteristics of the actions from the Plan;
- Generalized and analyzed information as per the level of implementation, accumulated from the above mentioned sources.


II. Evaluation

Evaluation is the assessment of the activities or the outcome of the implementation of the Strategy, using the information obtained during the monitoring. The evaluation presents analysis of the implementation of the Strategy and efficiency thereof, being a tool which serves for improvement of the anticorruption policy in the country.
The evaluation gives answers to the following questions: what is the effect, impact of the implemented activities and achievement of the expected result.
The evaluation of the activities is carried out in certain stages as per the model shown below:

<table>
<thead>
<tr>
<th>Implementation of the Strategy</th>
<th>Final evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intermediary evaluation</td>
<td></td>
</tr>
<tr>
<td>Monitoring</td>
<td></td>
</tr>
</tbody>
</table>

*The intermediary evaluation* is the activity carried during the implementation of the Strategy.

The *Objectives* of the intermediary evaluation are:
- Offering support to the decision making regarding the activities carried out for implementation of the Strategy;
- Collection of the information from all the existing sources about what is going on well, what is not and why;
- Improvement of the quality of the activities implemented;
- Identification of the successful practices which could be extended;
- Elaboration of the recommendations for improvement of the Strategy and annual action plans.

The results of the intermediary evaluation are reflected in the *National Report “Corruption suppression: Progress and Perspectives”*. *The National Report* is elaborated on the annual basis by the Monitoring Group with assistance of the Secretariat, is excessively reported and is referred to the Parliament for information.

In order to avoid risk factors of the evaluation (a superficial and lacking proper quality report, with large speculations but far from reality, a victim of political manipulations), the draft *Evaluation Report* is consulted with various experts and players involved in implementation of the political document, with large public by placement of the draft on the website of the Monitoring Group.

The *Annual Evaluation Report* should in the obligatory order take into consideration the conclusions of the annual anti-corruption conference, be focused on the achieved progress and not simply enumerate the undertaken activities; the progress should be compared against the plan, with detailed explanation of the deviations from the Plan and identification of actions which have been undertaken or are to be undertaken.

The content of the *Report* shall include:
- Objectives;
- Activities carried out for achievement of the objectives;
- Evaluation of the process by means of review of the objectives which have been implemented;
- Evaluation of the situation through the perspective of the opinions of various national and international experts, polls and research;
- Recorded deficiencies and priorities for implementation.

The *final evaluation* shall be implemented at the end of 2015. The final evaluation will be done in 2015. The final evaluation will provide a clear picture regarding the level of implementation the objectives set forth in the Strategy. The findings set forth in the Evaluation report will serve for identification of the priorities and problems existing in the country in terms of 'corruption'. The findings shall determine the objectives and areas of activity necessary for implementation thereof in a new political document.

The Final evaluation report will be elaborated with involvement of some independent experts.

### III. National Conference on Anti-corruption

The National Anti-Corruption Conference represents a national forum, organized annually by the Secretariat of the Monitoring Group, with assistance of the involved players. The Conference is organized with support of the Government and foreign projects funding implementation of the documents on anticorruption policy (if any). The participants at the conference are:
- Responsible for surveillance of the Strategy implementation;
- Representatives of the parties, involved in the implementation of the Strategy;
Various official persons;
- Representatives of NGO, mass-media, international organizations;
- National and international experts.

The agenda of the Conference will be coordinated with the Monitoring Group and the Expert Parliamentary Commission. The topics of the working sessions shall correspond with the key elements set forth in the Strategy.
The main objective of the Conference is to evaluate the anti-corruption efforts undertaken by the authorities and the civil society during the reporting year,
consolidation of the anti-corruption monitoring practice and identification of the strategic priorities for the following year. In this sense, the Conference will finalize with adoption of a resolution, which will be read out and will be published. These findings will constitute the base for amendments in the political documents, planned for implementation in the following period.

IV. Responsibilities

The parties involved in the monitoring and evaluation process are as follows: the Expert Parliamentary Commission, the Monitoring Group, and the Secretariat of the Monitoring Group, institutions and organizations. The responsibilities of the latter in the process of monitoring and evaluation of the Strategy are represented in the table below:

<table>
<thead>
<tr>
<th>Instruments of monitoring and evaluation</th>
<th>Institutions and organizations</th>
<th>Secretariat of the Monitoring Group</th>
<th>Monitoring Group</th>
<th>Expert Parliamentary Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Plan of Actions for the Strategy Implementation</td>
<td>Participation in elaboration and coordination of the draft plan in line with the existing procedures. <strong>Deadline</strong>: October-November</td>
<td>Annual elaboration and placement for public debates, submitting the draft plan for coordination and approval. <strong>Deadline</strong>: by 15 December annually</td>
<td>Coordination/ completion of the Project. <strong>Deadline</strong>: by 10 December annually</td>
<td>Is informed. <strong>Deadline</strong>: by 10 December annually.</td>
</tr>
<tr>
<td>2. Document(s) of the policy in the field/ integrity plans</td>
<td>Elaboration/ annual update. <strong>Deadline</strong>: at the beginning of the year / at the end of the self-assessment of the corruption risks</td>
<td>Provision of methodological assistance <strong>Deadline</strong>: upon request</td>
<td>Is informed <strong>Deadline</strong>: quarterly</td>
<td>Is informed. <strong>Deadline</strong>: quarterly</td>
</tr>
<tr>
<td>3. The Field Monitoring report</td>
<td>To ensure proper performance of audits [controls-Tr.] and presentation of information. <strong>Deadline</strong>: during the audit. Elimination of the detected deficiencies and reporting. <strong>Deadline</strong>: in line with the deadline set by the Government Decree</td>
<td>Technical assistance in the audit. Control of elimination of the detected deficiencies. <strong>Deadline</strong>: in the quarter following the reporting period</td>
<td>Elaboration of the report. <strong>Deadline</strong>: at the end of each audit in line with the established deadline, examination of the report at the meeting and adoption of the decision in line with the established deadline</td>
<td>Is informed. <strong>Deadline</strong>: quarterly</td>
</tr>
<tr>
<td>4. Quarterly and annual monitoring reports</td>
<td>Presentation of the reports in line with the unified requirements, presentation of the solutions for elimination of the deficiencies detected. Within the period of 15 days from the termination of the reporting period</td>
<td>Receipt and storage of all the data, generalization of the information and elaboration of the monitoring reports. <strong>Deadline</strong>: quarterly, by the end of the month following the reporting period. To ensure coordination of the actions undertaken by the responsible institutions. <strong>Deadline</strong>: permanently</td>
<td>Examination/ completion of the reports. Evaluation of the level of execution of the Plans. Approval of the monitoring reports and publishing them. <strong>Deadline</strong>: at the end of the month following the reporting period</td>
<td>Is informed. <strong>Deadline</strong>: quarterly, annually</td>
</tr>
<tr>
<td>5. Ordinary working meetings.</td>
<td>Reports at the meeting. <strong>Deadline</strong>: as per the established schedule. Provides information to the Secretariat. <strong>Deadline</strong>: upon request</td>
<td>Organizes meetings and distributes materials. <strong>Deadline</strong>: at least 4 days before the meeting. Ensures transparency of the meeting by means of inviting the press, placement of the reports and approved decisions on the website. <strong>Deadline</strong>:</td>
<td>Analyzes success achieved and the problems identified. Adopts decisions in this regard. <strong>Deadline</strong>: in the framework of the meeting</td>
<td>Is informed. <strong>Deadline</strong>: quarterly</td>
</tr>
<tr>
<td>6. Annual evaluation report</td>
<td>Provides requested information. <em>Deadline</em>: upon request</td>
<td>Assist the Monitoring Group in the preparation of the Report. <em>Deadline</em>: January, the month following the reporting year</td>
<td>Approves the structure of the report. Elaborates the project of the report and places it on the website of the Monitoring Group before 15 January. Examines and completes the report with the remarks received as of 01 February. The report is reported in media and submitted to the Parliament for information before 10 February.</td>
<td>Report debates/identified the success and takes decisions regarding the anti-corruption policy. <em>Deadline</em>: before 25 February</td>
</tr>
</tbody>
</table>