

**STABILITY PACT ANTI-CORRUPTION INITIATIVE**

**7<sup>th</sup> STEERING GROUP MEETING**

**MOLDOVA**

**PROJECT OF THE NATIONAL STRATEGY FOR CORRUPTION  
PREVENTION AND FIGHTING**

**REPUBLIC OF MONTENEGRO, 5-6, MAY 2004**

# **Project of the National Strategy for Corruption Prevention and Fighting**

## **INTRODUCTION**

One of the current priorities of the economic, political and social reforms in the Republic of Moldova is preventing and fighting corruption. Objectively observed, including observation through the perspective of corruption phenomenon, the political, social and economic transition in the past 10 years and more since the declaration of independence of the state has had a devastating impact on the quality of country governing and development, while the proportions and the importance of the fields affected by corruption imperatively request a strategic approach to this phenomenon – drafting and implementing the National Strategy for Corruption Prevention and Fighting (further on referred to as the Strategy).

The appropriateness of the Strategy is determined by the acknowledgement of the fact that corruption eradication is impossible through exclusive application of criminal-restrictive methods. In this context, a new approach to this phenomenon is necessary, including the correlation of corruption prevention actions with actions of discovery, equipment and sanctioning, promoting, at the same time, the mechanisms of market economy.

Creation of the Strategy is also justified by the necessity of an efficient cooperation between the public sector with the private sector and the civil society.

In the creation of the Strategy, the national experience in the field, as well as the practice of some other countries and recommendations from international institutions have been taken into consideration.

The purpose of the Strategy is to strengthen the state policy in the field of corruption prevention and fighting.

The objectives of the Strategy are the following:

- guaranteeing the supremacy of law (identifying the affected fields, the conditions which favor corruption, its prevention and strengthening the system of discovery and counteraction methods );
- guaranteeing the independence of the three branches of power in the state and preventing corruption within each of them; improving the legal frame according to the requirements of international legislation;
- guaranteeing the transparency of activity of public institutions, the access to information, promoting ethical standards;
- rendering active the civil society and the private sector in corruption prevention activities, creating an atmosphere of intolerance towards the phenomenon of corruption.

The basic principles in corruption prevention and fighting are:

- supremacy of law;
- presumption of innocence;
- equality of all citizens in front of the law and guarantee of free access to justice;
- respect of the basic rights and freedoms of human;
- guaranteeing separation of the three branches of state power.

## **I. CORUPTION IN THE REPUBLIC OF MOLDOVA**

### **1.1. The term of corruption and its essence**

On international levels, corruption is defined, in the Law on corruption fighting and protectionism, as an antisocial phenomenon which represents an unequal understanding between two parts, one of them proposing or promising illegal privileges or benefits, the other one, involved in the public service, approving or receiving them in change of execution or non-execution of certain functional actions, which contain elements of crime as stipulated in the Criminal Code.

The multidisciplinary group of the European Council on problems of corruption defined corruption as any behavior of the persons whose duty is to execute certain obligations in the public or private sector, which conditions infringement of these as a governmental official holding a leadership function, private coworker, independent agent, with the purpose of obtaining an illegal profit for himself and other persons. In this way, the circle of subjects of corruption acts is enlarged, the above mentioned being as well officials in the public sector as in the private sector.

According to the Convention regarding corruption (Strasbourg, November 4, 1999), corruption is viewed as: “the act of requesting, offering, giving or accepting, directly or indirectly, an illicit commission or some other inappropriate benefit, or the promise of such inappropriate benefit, which affects the normal exercise of a function or the behavior of the beneficiary of the illicit commission or inappropriate benefit, or the promise of such inappropriate benefit.”

The Criminal Convention of the European Council regarding corruption (Strasbourg, January 27, 1999) defines corruption according to the two methods of its operation – active and passive. Active corruption is “the promise, offering, or giving, intentionally, by any person, directly or indirectly, of any inappropriate benefit, to a public official, for himself or for somebody else, with the purpose of execution or abstaining from execution of an act in the exercise of his functions.”

Passive corruption is “the request or receiving, with intention, by a public official, directly or indirectly, of some inappropriate benefit, for himself or for somebody else, or the acceptance of an offer or promise of such a benefit, with the purpose of execution or abstaining from execution of an act in the exercise of his functions.”

According to the Convention, these acts are considered corruption if they are committed by national or foreign public officials, national or foreign deputies, and international parliamentary assemblies, international officials, as well as persons who represent international organizations. Also, corruption deals both with the public sector and the private sector.

In this context, the legislation of the Republic of Moldova ought to be conformed to the requirements of European conventions regarding corruption.

### **1.2. Causes of corruption occurrence**

Corruption is a complex, multi-structural and multidimensional phenomenon, an economic, social and political phenomenon, the complexity of which is determined by diverse causes, which can be classified in economic, institutional, legal, political, social and ethical causes.

**Economic causes** lie in the increased cost of life, with a continuous growth tendency, degradation of economy, and, as effects, the pauperization of the population, the low and delayed salaries or public officials, unstable state budget

**Institutional causes** encompass the deficient human resources policy, which generates search of methods of obtaining illicit revenue, promoting; promoting incompetent persons to leadership positions; lack of transparency in the central and local public administration activity; excessive freedom granted to the decision elements; reduced possibility of revealing of corrupt persons; insufficient equipment with technical means of the law bodies; lack of human resources, logistics, and efficient strategies

**Legal causes** include some deficiencies in the legislation, as well as the lack of efficient mechanisms of legislation implementation.

**Social and ethical causes** tie to traditions, mentality, culture and incorporate disintegration and demoralization of the society; erosion of ethical values; insufficient informing of the civil society; civic apathy and passivity; public tolerance; social polarization; dependent mass-media.

**Political causes** rest in the lack of political will and responsibility, the existence of some internal and external factors which induce group interests in decision taking; unsolved problems of the eastern districts; errors in the process of accomplishing economic and social reforms; dishonest political competition; influence traffic over the mass-media means.

The numerous causes of corruption determine the diversity of the affected fields and the complexity of the necessary actions for prevention and fighting of this phenomenon.

### **1.3. Consequences of corruption**

Summing up the official statistics, scientific research, data presented by nongovernmental organizations, mass-media reports, information received from bodies of law, we draw the conclusion that the phenomenon of corruption has affected the economic, social-politic, institutional and international fields, undermining the state-ship of the republic of Moldova itself.

**The economic impact** of the corruption is revealed in different ways. Bureaucratic tergiversation upon document preparation, the inability of the state to guarantee the security of the producers, the protectionism, the influence traffic, the dishonest competition, excessive state regulations and controls, which affect the mechanisms of market economy and open competition, discouraging potential investors and entrepreneurial initiative, generate increase of public projects cost, diminishing of the economic efficiency, augmentation of fiscal evasion, reduction of budget payment and development of underground economy.

**Social-political effects** of corruptions are revealed by the pauperization of the population, increase of social tension, decrease of political competition, expansion of political corruption. The inability of the state to remunerate the employees on a decent level, due to the deficiency of financial resources, alters the quality of public services offered, distorting the image of public bodies, which conditions loss of support from civil society. The lack of trust hinders the reforms and innovations.

**In the activity of the executive**, corruption has as effect diminished quality of public administration; a system of unofficial decisions; tight connections between organized crime, public officials and corrupt politicians etc.

The effects of corruptions shift into international relations, undermining the reputation of the country.

## **II. MEASURES OF CORRUPTION PREVENTION AND FIGHTING**

Corruption counteraction is a long-term process. This phenomenon cannot be thoroughly eradicated, but it can and must be diminished through strict control, both by applying precautionary measures, which will regard criminal elements and removal of vulnerable parts of corruption, and by unbiased detection of corruption acts, with obligation of the guilty to take legal-criminal, civil, or other kind of responsibility, based on the legislation.

The measures which are pertinent to the purpose of corruption prevention and fighting are the following:

- improving the legislative frame;
- guaranteeing transparency and responsibility in political activity;
- upgrading the institutional system;
- diminishing the effects of corruption on the private sector;
- strengthening the cooperation between public institutions and the civil society;
- expanding international collaboration.

### **2.1. Improving the legislative frame**

The legislative reform in the Republic of Moldova must contribute to the strengthening of the state of law, the stability and security of social life, the development of a viable market economy, the eradication of elements of risk for corruption through simplification and normative correlation, elimination of double interpretation, codification, adoption of normative acts that would regulate the legal frame of the activities of corruption prevention and fighting

In the legislative field, normative acts that include efficient anticorruption regulations will be created, according to international norms, recommendations and standards.

Concurrently, amending the anticorruption legislation, according to the provisions of international acts; improving the legislative system; removing the contradictions and ambiguities which contribute to double interpretation of the legislation is crucial.

### **2.2. Guarantee of transparency and responsibility in political activity**

in the political field, a number of actions must be carried out in order to prevent and combat corruption. For this purpose, in order to guarantee transparency and to determine responsibility in political activity and adjusting the national legislation to international requirements, international practice and legislation must be studied. Establishing criminal responsibility for bribing the electors during electoral campaigns, as well as parliamentary responsibility in front of the population is of vital importance.

### **2.3. Upgrading the institutional system**

The expected effect of the institutional reform is the creation of an efficient institutional system for corruption prevention and fighting. For this purpose, the structure of public authorities and other state bodies will be optimized by reducing the number of ministries, departments and other bodies, as well as the number of employees, the structure and competence of the state institutions granted with functions of corruption prevention and fighting will be optimized, programs of

professional preparation for their coworkers will be created and completed, the procedures of state control will be strengthened, internal administrative control mechanisms within the public authorities will be created and implemented. Mechanisms of interaction between the public official and the beneficiary of public services are to be improved. In order to involve the society in corruption prevention and fighting, anticorruption bureaus will be created within the public institutions, state enterprises and organizations. The Principal Committee for Ethics will play an important role in this field, set up under the tutelage of the Government.

#### **2.4. Diminishing the effects of corruption on the private sector**

Creation of a competitive private sector constitutes a priority of the economic policy of the Republic of Moldova, and in this context the amendment of fiscal and customs legislation in order to reduce the fiscal burden and to enhance the responsibility in case of tax evasion. The mechanism of fighting the phenomenon of fictitious economy and reintegration of its means in the legal economy will be created. A number of measures with the purpose of facilitating the activity of economic agents (registration, licensing, calculating and paying the taxes, compiling the financial, statistic and fiscal reports) will be implemented. At the same time, the mechanism of state regulation of external economic activity and the one of efficient state control of the strategic branches of the economy will be improved.

#### **2.5. Strengthening the cooperation between public institutions and civil society**

A major objective of the corruption prevention policy is involving the civil society in the actions of corruption prevention and informing the public opinion on the costs, causes and consequences of corruption. Development of inter-institutional cooperation and relations with civil society will be based on:

- facilitating the cooperation between the institutions granted with duties in the field of corruption prevention, as well as between these and the civil society;
- coordinating the efforts of these institutions through facilitating the exchange of information, encouraging the joint execution of some actions, obtaining human or technical resources necessary to substantial actions, identifying and solving the main obstructions which appear
- offering a complete and coherent image of the efforts of authorities in this field.

##### **a. The role of nongovernmental organizations**

The role of nongovernmental organizations in corruption prevention and fighting will be extended to their involvement in the expression, promotion and implementation of distinct anticorruption activities; completing specific organizational and practical measures in order to facilitate the cooperation with governmental bodies; periodic organization of joint meetings of the bodies of law, other bodies granted with functions of corruption prevention and fighting and the representatives of nongovernmental organizations with the purpose of examining the results of the joint corruption fighting activity.

##### **b. The role of mass-media**

The role of mass-media in corruption prevention and fighting rests in rendering sensitive the public opinion regarding the phenomenon of corruption and the activity of authorities in the field of its prevention and social control, the systematic organization of press conferences and TV and Radio briefings with the purpose of assuring that the population become acquainted with the accomplishments in this field.

### **c. Civic education**

Promoting civic education, especially among the youth, is an important part of corruption prevention, and it includes carrying out specific programs in educational institutions, especially in lyceums and universities.

The purpose of educational anticorruption actions is to inform the citizens of the Republic of Moldova about the danger of corruption, to spread intolerance towards corruption and to encourage corruption fighting activities. The citizens of Moldova are insufficiently informed about human rights and their possibilities to actively fight against corruption. The population can contribute to corruption prevention and fighting, but it does not acknowledge its potential role in this process. In this way, a public anticorruption campaign that would emphasize moral, social and financial damages caused by this phenomenon and suggest the methods for fighting it would be favorable.

### **2.6. Extending international collaboration**

Corruption prevention is a constant concern of international bodies, and for this purpose a number of international documents which regulate the process of the anticorruption fight have been drafted and adopted.

Ratifying civil and criminal conventions regarding corruption oblige the conformation of the normative frame from the Republic of Moldova to the requirements of community legislation and will guarantee the conditions for corruption prevention and control according international standards.

In the field of international cooperation, the Republic of Moldova will continue to participate in the actions, initiatives and projects carried out under the tutelage of the Stability Pact, with regards to corruption prevention and fighting (S.P.A.I., GRECO etc.), to cooperate with the European Union within the Partnership and Cooperation Agreement (P.C.A.), to join other international acts in the field, to conclude bi- and multi-lateral regarding corruption prevention and fighting.

In order to optimize anticorruption activity, external financial sources, in the form of technical assistance, grants or donations will be engaged.

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**ACTION PLAN**  
for accomplishing the National Strategy for corruption prevention and fighting

**I. Improvement of the legislative field**

No.d/ o	Name of the action	Responsible Institutions	Terms of accomplishment
1	2	3	4
	<i>Drafting the normative acts which would include efficient anticorruption regulations, according to the international norms, recommendations and standards</i>		
1.	Formation of a temporary group under the Government, which will include lawyers, economists, bankers and other specialists in the field, representatives of civil society, and will revise the normative aspect, will carry out opinion polls regarding the regulation of corruption fighting activity, or creation of a qualified and operative body (an office of the vice prime-minister), which would perform this work, including the coordination of the activity of all control and law bodies	Government	2004, tr. IV
2.	Performing of an expertise of the current legislation and bills, related to the anticorruption aspect (if necessary, with involvement of European experts, non-governmental organizations)	<b>Legislative Creation Center</b>	permanent
3.	Drafting and submitting for approval the bill on corruption fighting, according to the criminal and civil conventions on corruption	Legislative Creation Center	2004, tr. IV
4.	Drafting and submitting for approval the bill on conflicts of interests, ethical codes of public officials for each category of public officials (police, customs, prosecution, justice etc.)	Legislative Creation Center	2004, tr. III
1	2	3	4
5.	Drafting and submitting for approval the bill on lobbying	Legislative Creation Center, Ministry of Justice	2004, tr. IV
6.	Drafting and submitting for approval the bill on the legal status of the criminal investigation officer	Legislative Creation Center, General Prosecutor's Office, Ministry of Internal Affairs, Ministry of Justice, Information and Security Service, Center for Fighting Economic Crimes and Corruption, Customs Department	2004, tr. III
7.	Drafting and submitting for approval the bill on the status of the prosecutor	General Prosecutor's Office, Legislative Creation Center	2004, tr. III
8.	Formation of the mechanism of implementation of the Law on state protection of the prejudiced part, witnesses and other people who offer their help in solving criminal cases	Legislative Creation Center	2004, tr. III
9.	<b>Formation of the legislative framework which would establish the economic branches of national strategic importance and would institute state monopoly over the production and sale of the products from these branches</b>	Legislative Creation Center, Ministry of Economy	2004, tr. III

1	2	3	4
10.	Drafting of the legislation on the amnesty of the capital	Legislative Creation Center, Ministry of Economy, Ministry of Finance, Center for Fighting Economic Crimes and Corruption	2004, tr. III-IV
11.	Improvement of the mechanism of declaration of revenues by public officials and people holding management jobs	Legislative Creation Center, Ministry of Finance, Ministry of Justice	2004, tr. III-IV
12.	Formation of a mechanism for an efficient control of the veracity of information included in the declarations regarding revenues and property of people holding management jobs and public officials	Legislative Creation Center, General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs	2004, tr. III-IV
13.	Formation of an efficient mechanism for implementation of the Law on acquisition of assets, works and services for the necessities of the state, and for control of its application according to the international requirements, towards enhancing public acquisitions transparency, including organization of electronic auctions	Legislative Creation Center, Ministry of Justice, Ministry of Internal Affairs, General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Ministry of Finance, Ministry of Economy, Public Acquisition National Agency, Informational Technologies Department	2004, tr. III-IV

1	2	3	4
14.	Creation of an informational system regarding public acquisitions, accessible to the bodies holding control functions	Legislative Creation Center, Ministry of Economy, Ministry of Justice, Ministry of Internal Affairs, General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Informational Technologies Department	2004, tr. III-IV
15.	Creating a system for facilitation and acceleration of sequestration and repatriation of assets subjected to sequestration, associated with corruption acts on an international level	Legislative Creation Center, Ministry of Economy, Ministry of External Affairs, Customs Department, Ministry of Justice, Ministry of Internal Affairs, General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption,	2005, tr. I

1	2	3	4
16.	Generalizing the practice and improving the application mechanism of the <b>Law No. 633 of November 15 2001 on prevention and fighting money frauds</b> , updating the legislation in this field and its adjusting to international requirements	Center for Fighting Economic Crimes and Corruption, Legislative Creation Center, General Prosecutor's Office, Ministry of Finance, Ministry of Economy, Ministry of Internal Affairs, National Bank of Moldova, Information and Security Service, Ministry of Justice, Customs Department, Informational Technologies Department	Permanent
17.	Drafting normative acts which would stipulate the right to perform journalistic investigations	Legislative Creation Center	2004, tr. III-IV
18.	Developing the legislative frame regarding the establishment of the responsibilities of control bodies and the compensation for material damages caused to economic agents through groundless, illegitimate, inadequate intervention of control bodies	Legislative Creation Center, Ministry of Economy, Ministry of Finance,	2004, tr. III-IV
19.	Drafting other legislative acts which would facilitate corruption prevention and fighting	Legislative Creation Center, Center for Fighting Economic Crimes and Corruption	Permanent

1	2	3	4
	<i>Amending anticorruption legislation, according to the international norms, recommendations and standards; improving the legislative system; removing contradictions and ambiguities which generate double interpretation of the legislation</i>		
20.	Introducing changes and additions to the Law on state security, with the purpose of corruption acknowledgement as an extremely dangerous phenomenon for the security of the state	Legislative Creation Center, Information and Security Service, Center for Fighting Economic Crimes and Corruption Ministry of Internal Affairs, Ministry of Justice, Frontier Guards Department	2004, tr. III-IV
21.	Operating the changes to Article 70 from the Constitution, as well as in the Law on the status of the deputy of the Parliament, in the Law on the status of the judge, which would stipulate the removal of deputy and judge immunity in case of criminal investigation	Legislative Creation Center, Ministry of Justice, Superior Council of the Magistracy	2004, tr. IV
22.	Researching the possibilities of introducing additions to Article 70 from the Constitution, as well as to the Law on the Superior Council of Magistracy, regarding granting to the Superior Council of Magistracy the right to legislative initiative	Legislative Creation Center, Superior Council of the Magistracy, Ministry of Justice	2004, tr. IV
23.	Introducing additions to Article 121 from the Constitution, which would stipulate that law courts have their own budget	Legislative Creation Center, Superior Council of the Magistracy, Ministry of Justice	2004, tr. IV

1	2	3	4
24.	Operating the changes and additions to the Law on judicial organization and to other organic laws, for the purpose of formation of the Judicial Administration Department	Legislative Creation Center, Superior Council of the Magistracy, Ministry of Justice	2004, tr. IV
25.	Operating the additions to the Law on judicial organization and the Law on prosecution, which <b>will stipulate the manner of presenting information (reports) by judicial courts and prosecutor's offices about the activity of public authorities and other non-governmental organizations, in the limits specified by law, as well as the responsibility in case of not presenting it</b>	Legislative Creation Center, General Prosecutor's Office, Superior Council of the Magistracy, Ministry of Justice	2004, tr. IV
26.	Improving the policy regarding the structure, terms and mechanism of punishment application, according to international principles in the corresponding field and the new stipulations of the Criminal Code	Supreme Court of Justice	Permanent
27.	Excluding the words "in material interests or other personal interests" from Articles 327 and 332 of the Criminal Code	Legislative Creation Center, Center for Fighting Economic Crimes and Corruption Ministry of Internal Affairs, General Prosecutor's Office, Ministry of Justice	2004, tr. IV
28.	Excluding the words "especially serious and exceptionally serious" from paragraph (1) Article 135 of the Criminal Procedures, paragraph (1) and (2) Article 8 of the Law on operative and investigative activity and clause 34 Article 13 of the Law on police; addition of the collocation "except for the cases dealing with exercise of work duties by bodies of criminal investigation" in the last sentence from paragraph (3) Article 186 of the Customs Code	Legislative Creation Center,	2004, tr. IV
1	2	3	4
29.	Operating the changes to the Code regarding administrative contraventions which would stipulate efficient anticorruption methods; stipulating in the draft of the contravention Code some efficient anticorruption provisions; introduction of responsibility for interfering in the carrying out of justice	Legislative Creation Center, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, General Prosecutor's Office, Ministry of Justice	2004, tr. IV
30.	<b>Insightful and multilateral analysis (with the involvement of European and international experts) of the legislation on the banking, financial system and the National Bank, with the purpose of improving the competence, function, rights, methods and the responsibilities of the National Bank and of commercial banks</b>	Legislative Creation Center, National Bank, Ministry of Economy, Center for Fighting Economic Crimes and Corruption	2004, tr. IV
31.	<b>Improving the legislation on investment funds and its adjustment to international legislation requirements, as well as checking the legality of their formation and activity</b>	Ministry of Economy, Legislative Creation Center	2004, tr. IV

32.	<b>Improving the legislation on hardening civil, administrative, economic and criminal sanctions for counterfeiting medicines, alcoholic beverages and other products; as well as for violating circulation rules and for ecologic offence</b>	Legislative Creation Center	2004, tr. IV
33.	Adopting the provisions of the Law on petitioning and objective realities	Legislative Creation Center	2004, tr. IV
34.	Implementing ethical codes in the activity of lawyers for regulating conflicts of interests, as well as for ensuring observance of the legal provisions by the lawyers	Legislative Creation Center	2004, tr. IV, permanent control

## II. Guaranteeing transparency and responsibility in political activity

35.	Studying European legislation and experience with the purpose of implementing the practice of parliamentary responsibility in front of the population in the Republic of Moldova	Legislative Creation Center	Permanent
36.	Drafting and adopting the legislation on financing political parties and organizing electoral campaigns, which will exclude corruption acts, as well as on the mechanism of governmental control over the legality of the activity of parties and social-political movements, of the community and non-governmental organizations, of funds and foundations, according to international and European norms	Ministry of Justice, Legislative Creation Center	2005, tr. I-II
37.	Mandatory publication of the revenue sources of political parties	Ministry of Justice,	Permanent
38.	Introducing criminal liability for bribing the electors during electoral campaigns	Legislative Creation Center, General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption	2005, tr. I-II

## III. Upgrading the institutional system

39.	Optimizing the structure of public authorities and other state bodies by reducing the number of ministries, departments, other bodies and their officeholders	Government	2004, tr. III-IV
40.	<b>Examination of the opportunity to create one single department of criminal investigation, taking into consideration the international experience</b>	General Prosecutor's Office, Legislative Creation Center, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, Information and Security Service, Customs Department	2005
41.	Creating anticorruption offices within public institutions, state enterprises and organizations	Government	2005, tr. I-II
42.	Upgrading the procedures of state control of the activities of the entrepreneurship subjects through optimizing the number of control bodies, executed controls, through enhancing the transparency of the control system, through specific regulations regarding the manner of performing a control	Ministry of Economy, Ministry of Finance, Court of Accounts, Center for Fighting Economic Crimes and Corruption, Informational Technologies Department	2005, tr. I-II

1	2	3	4
43.	Guaranteeing the use of appropriate audit procedures in all the activities in the field of public administration and in the public sector	Ministry of Finance	Permanent
44.	Establishing the Main Committee for Ethics with control functions over the compliance of people from the public service to the provisions of the legislation	Political Directorate of Human Resources of the State Chancellor Office, Ministry of Justice	2005, tr. I-II, control permanent
45.	Creating an internal administrative control mechanism within the public authorities	Legislative Creation Center,	2004, tr. IV
46.	Creating and implementing interaction mechanisms between the public officials and the beneficiary of the services through application of methods besides personal visit for solving the problems (for instance, through mail, including electronic mail), with the purpose of excluding contact between the above mentioned	State Chancellor Office, Legislative Creation Center, Ministry of Economy, Ministry of Finance, Ministry of Transportation and Communication Informational Technologies Department	2005, tr. II
47.	Upgrading the mechanism of assigning degrees to public officials, optimizing the evaluation procedures of these, introducing a valid professional promotion system based on performance and competition	Political Directorate of Human Resources of the State Chancellor Office, Ministry of Justice, Legislative Creation Center	2005, tr. I-II

1	2	3	4
48.	Identifying resources for revision of the salary system of public officials, judges and prosecutors, with the purpose of optimizing it	Ministry of Labor and Social Protection, Ministry of Finance, Syndicates	2004, tr. IV
49.	Ensuring public sector transparency through publishing of detailed budgets of all state institutions, to the extent that these will not affect the national security of the state	Ministry of Finance,	Permanent
50.	<b>Examination of the appropriateness or inappropriateness of establishing a mechanism of formation, record and use by public institutions of the extra-budgetary resources</b>	Ministry of Finance, Legislative Creation Center, Court of Accounts	2004, tr. IV
51.	Drafting and completing efficient programs in professional preparation in the field of corruption, protectionism, economic frauds and organized crime fighting	Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office, Ministry of Finance, Customs Department, Ministry of Internal Affairs, Information and Security Service, Frontier Guards Department	2005, tr. I-II, control permanent

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
52.	Foundation of the National Institute of Magistracy with the purpose of implementing programs for continuous improvement of judges, prosecutors, criminal investigation officers, lawyers and notaries, with adequate financing from the state budget	Superior Council of the Magistracy, General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, Customs Department, Information and Security Service, Frontier Guards Department	2005, tr. II
53.	Promoting, at each instruction level educational contents which would ensure the acknowledgement of corruption impact on the human dimension of society development and the formation of negative attitude towards the corruption phenomenon	Ministry of Education, General Prosecutor's Office, Ministry of Justice, Ministry of Internal Affairs, Center for Fighting Economic Crimes and Corruption, Information and Security Service, Superior Council of the Magistracy, Mass-media, Nongovernmental organizations	Permanent
54.	Examination of the opportunity of subordination to the Government of the Department of Academic Evaluation and Accreditation of Educational Institutions, currently subordinated to the Ministry of Education (with the purpose of avoiding that the Ministry of Education, having functions of organizing the activity of the educational system, be at the same time, responsible for its evaluation), under the current and potential circumstances	Government	2004, tr. IV
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
55.	Involvement of the representatives of specialized anticorruption institutions and the civil society in the process of academic evaluation and accreditation of educational institutions	Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, General Prosecutor's Office, NGOs	Permanent
56.	Ensuring transparency in the process of organizing and carrying out the graduation exams and the baccalaureate, in the pre-university education, and of the enrolment exams, in the higher education	Ministry of Education	Permanent
57.	Promoting anticorruption measures in the field of healthcare, upgrading the system of evaluation and accreditation of medical institutions, examination of the opportunity of subordinating the body granted with these functions, under current and potential circumstances, to the Government	Ministry of Health, Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office,	2004, tr. IV, control permanent
58.	Optimizing the structure and extending the competencies of the state institutions granted with corruption prevention and fighting functions	General Prosecutor's Office, Ministry of Internal Affairs, Center for Fighting Economic Crimes and Corruption,	2004, tr. IV

		Information and Security Service, Court of Accounts	
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1	2	3	4
59.	Financing, social protection and equipment of corruption prevention and fighting bodies with modern technical means, criminology equipment, means of transportation and telecommunication etc.	Ministry of Finance, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, General Prosecutor's Office, Customs Department, Information and Security Service, Frontier Guards Department	Permanent
60.	<b>Undertaking the political measures, including involving international organizations for establishing and de facto functioning of the public institutions from the territories on the left bank of Nistru river, based on the legislation of the Republic of Moldova</b>	Government	In case of emergency, to the extent of possibilities

#### IV. Diminishing the effects of corruption on the private sector

61.	Development of the mechanism of fighting the shade economy phenomenon and reintegration of its means in the legal economy; changing the tax and customs legislation with the purpose of tax burden reduction and augmentation of responsibility in the case of tax evasion	Ministry of Finance, Ministry of Economy, Center for Fighting Economic Crimes and Corruption, Customs Department, Ministry of Internal Affairs, General Prosecutor's Office	2005, tr. I
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1	2	3	4
62.	Improvement of the mechanism of licensing, numerical restriction of the types of licensed activities, according to the accepted standards	Ministry of Economy, Chamber of Licensing, Ministries with interest, Ministry of Economy, Ministry of Finance, Center for Fighting Economic Crimes and Corruption	2005, tr. I
63.	Creating and implementing an efficient control mechanism from the state in the strategic branches of the economy	Ministry of Economy, Ministry of Finance, Center for Fighting Economic Crimes and Corruption	2005, tr. II
64.	Organizing the interaction and the exchange of information between the law and control bodies, with the purpose of counteraction of the illicit activities of ghost-enterprises (fictitious)	Principal State Tax Inspectorate, Customs Department, Center for Fighting Economic Crimes and Corruption, Ministry of Economy, Informational Technologies Department, Ministry of Internal Affairs, Information and Security Service	Permanent

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
65.	Improvement of the mechanism of registration of entrepreneurship subjects, with the purpose of avoiding the creation of new enterprises when the founder evades tax payment, increase of the social capital, according to the amount of activity performed	Chamber of State Registration, Ministry of Justice, Ministry of Finance, Center for Fighting Economic Crimes and Corruption	2005, tr. I-II
66.	Revision and optimizing of the procedures related to financial, statistic and tax reports in the activity of the economic agents	Principal State Tax Inspectorate, Center for Fighting Economic Crimes and Corruption, Statistics and Sociology Department	2004, tr. IV
67.	Performing the inventory of all commercial structures, of their premises and their branches, with the purpose of verifying their real activities	Chamber of State Registration, Chamber of Licensing, Principal State Tax Inspectorate, Center for Fighting Economic Crimes and Corruption	2005, tr. I-II
68.	Formation of the mechanism for use of database of control bodies and other public authorities, by law bodies	Informational Technologies Department, General Prosecutor's Office, Ministry of Internal Affairs, Center for Fighting Economic Crimes and Corruption, Customs Department, Information and Security Service, Frontier Guards Department	2005, tr. I

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
69.	Upgrading state control over external economic activity of economic agents	Ministry of Economy, Customs Department, Center for Fighting Economic Crimes and Corruption, Ministry of Finance, Informational Technologies Department,	2004, tr. IV, control permanent

#### **V. Strengthening the cooperation between public institutions and civil society**

70.	Supervising the implementation of the Code of ethics of the public official	Government, NGOs, Mass-media	During the implementation process
71.	Supervising complex, operative and under all the aspects examination of the request of the citizens addressed to public authorities and services	Government, NGOs, Mass-media	Permanent
72.	Formation of organization and function regulations for public authorities and institutions, which would regulate the citizen-public official relation	Government	2004, tr. IV
73.	Ensuring access of the citizens, mass-media and NGOs to public information, and formation of an efficient program of informing the public opinion on the role and attributions of public institutions, as well as on procedures and formalities that have to be observed in order to benefit from a public service	Government, NGOs, Mass-media	2005, tr. III, permanent control

1	2	3	4
74.	Formation of a mechanism to encourage citizens to directly inform the competent authorities about corruption acts	Government, NGOs, Mass-media	2005, tr. I
75.	Ensuring transparency of the decisions and activity of public administration bodies, facilitating the access of civil society to the information about this field	Government, NGOs, Mass-media	Permanent
76.	Publishing periodic reports by law bodies on their activity, with the purpose of guaranteeing its transparency	General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, Customs Department, Information and Security Service, Mass-media	Permanent
77.	<b>Publishing all bills and normative acts, except for those inessential or those that are connected to national security, with the purpose of receiving feedback from the experts, citizens and civil society</b>	Government, Mass-media	Permanent
<i>a. The role of non-governmental organizations</i>			
78.	Encouraging the NGOs in the expression, promotion and implementation of some action plans against corruption	Government, NGOs,	Permanent

1	2	3	4
79.	Drafting and publishing informative materials on the legislative framework and the anticorruption actions which have been carried out	General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, Customs Department, Information and Security Service, Ministry of Justice, NGOs	Permanent
80.	Supervising by the NGOs of the actions and decisions of Government which are relevant in the field of corruption prevention and fighting	Government, NGOs	Permanent
81.	Undertaking specific organizational and practical measures in order to strengthen the NGOs and to facilitate their cooperation with governmental bodies	Government	Permanent
82.	Involving representatives of civil society in the process of supervision of international aid distribution	Government, NGOs	Permanent
83.	Periodical organization of meetings for leaders of law bodies and other bodies granted with functions of corruption fighting and NGO representatives, in order to examine the results of the joint activity in corruption fighting	Government, NGOs	Permanent
	<i>b. The role of mass-media</i>		
84.	Raising awareness of public opinion regarding the corruption phenomenon and the activity of authorities in the field of corruption prevention and social control, including through organization of seminars, conferences etc.	Mass-media	Permanent

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
85.	Systematic organizing press conferences and briefings with the purpose of informing the population about the accomplishments in this field	Government, Mass-media	Permanent
86.	Participation in press conferences, radio or TV informative broadcasts, or other actions of this type, of the representatives of institutions with attributions in corruption prevention and fighting	General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, Customs Department, Information and Security Service, Court of Accounts, Mass-media	Permanent
87.	Publishing the results of corruption prevention and fighting activities	General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, Customs Department, Information and Security Service, Court of Accounts, Mass-media	Permanent
88.	Improving the supervision system of humanitarian aid distribution, adopting a registration, distribution and use of aid system, through securing access of the press bodies to the information regarding transactions of such type	Government, Mass-media	2004, tr. IV, permanent control
89.	Guaranteeing access to information and mass-media freedom to broadcast relevant information on corruption cases, in the limits of the legislation	Government, Mass-media	Permanent
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
90.	Restriction of legal responsibility, especially criminal liability for the published materials	Legislative Creation Center	2005, tr. II
<b><i>c. Civil Education</i></b>			
91.	Organizing periodic reunions on different levels, seminars, radio and TV broadcasts, by governmental bodies and civil society, preparing publications, launching contests in order to raise awareness of public opinion and to promote a behavior according to the ethical norms and encourage intolerance towards corruption cases	Government, NGOs, Mass-media	Permanent
92.	Organizing and carrying out round tables, coordinated by representatives of corruption fighting bodies, conferences about anticorruption, which will facilitate the exchange of information between experts in various fields and implementation of methods of corruption eradication	General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, Customs Department, Information and Security Service, Frontier Guards Department,	Permanent

		NGOs, mass-media	
93.	Formation and implementation of programs on legal instruction of the citizens	Ministry of Education, General Prosecutor's Office, Center for Fighting Economic Crimes and Corruption, Ministry of Internal Affairs, Customs Department, Information and Security Service, NGOs, Mass-media	2005, tr. III-IV

**VI. Extension of international collaboration**

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
94.	Participation of the Republic of Moldova in the actions, initiatives and projects taking place under the tutelage of the Stability Pact regarding corruption prevention and fighting (S.P.A.I., GRECO etc.)	Ministry of External Affairs, Ministry of Internal Affairs, Information and Security Service, Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office	Permanent
95.	Continuation of the cooperation with the European Union within the Partnership and Cooperation Agreement (P.C.A); submitting to the European Union the request to include the of Republic Moldova in the programs and projects in this field, for which the Republic of Moldova is eligible	Ministry of External Affairs, Ministry of Internal Affairs, Information and Security Service, Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office	Permanent
96.	Joining the O.E.C.D. Convention regarding the fight against corruption among foreign officials involved in international trade transactions (November 21, 1997), The Agreement regarding governmental acquisitions, O.M.C., Marrakech (April 15, 1994)	Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office, Ministry of External Affairs, Ministry of Internal Affairs, Information and Security Service, Ministry of Economy	2005, tr. I

1	2	3	4
97.	Joining the UNO Convention for Fighting transnational organized criminality, adopted in Palermo (December 12-15, 2000)	Ministry of Internal Affairs, Ministry of External Affairs, Information and Security Service, Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office, Customs Department, Frontier Guards Department	2005, tr. I
98.	Joining the International Convention regarding simplifying and harmonization of customs procedure, signed at Kyoto (May 18, 1973) and the Protocol of amendments to the Convention, adopted in Bruxelles (June 26, 1999)	Customs Department, Ministry of External Affairs	2005, tr. I
99.	Recognition and implementation of the customs activity principles, stipulated in the Declaration of the Customs Cooperation Council regarding integrity of customs, signed in Arusha, Tanzania (July 7, 1993)	Customs Department, Ministry of External Affairs	2005, tr. I
100.	Negotiating and signing intergovernmental agreements regarding collaboration in the field of corruption fighting on international level, between the Republic of Moldova and the states of Central and Western Europe, as well as other states	Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office, Ministry of External Affairs, Ministry of Internal Affairs, Information and Security Service	Permanent

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
101.	Drafting and signing agreements with the corresponding bodies of the bordering countries regarding mutual exchange of information about merchandise export, import or transit, means of transportation of the economic agents of the Republic of Moldova, with the purpose of declaring all the merchandise and services imported into the country and integral collection of customs duties	Customs Department, Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office, Ministry of Economy, Ministry of External Affairs	2005, tr. III-IV
102.	Drafting and concluding interstate agreements with the CIS countries regarding the creation of a mechanism of establishment and functioning of criminal investigation groups for administering transnational crimes	Ministry of Internal Affairs, Ministry of External Affairs, Information and Security Service, Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office, Customs Department, Frontier Guards Department	2005, tr. III-IV
103.	Requesting assistance of international institutions in the filed for executing the expertise of legislative acts and undertaking measures of corruption fighting	Legislative Creation Center, Ministry of External Affairs, Ministry of Internal Affairs, Ministry of Justice, Center for Fighting Economic Crimes and Corruption	Permanent

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
104.	Attracting extreme financial sources in the form of technical assistance, grants or donations for making the anticorruption activity more efficient	Ministry of Economy, Ministry of Finance, Center for Fighting Economic Crimes and Corruption, General Prosecutor's Office, Ministry of Internal Affairs, Ministry of External Affairs	Permanent
105.	Drafting technical assistance projects in order to study the practice and experience of other states in the field of corruption. Organizing, under the tutelage of OECD, a work session with the participation of representatives of different international institutions (GRECO, SPAI etc.), where national strategies for corruption prevention and fighting, as well as the actions undertaken with this purpose will be discussed.	Center for Fighting Economic Crimes and Corruption, Ministry of External Affairs	2004, tr. III-IV

Note: In column 3 of the Plan structure "responsible institutions", it is mentioned that the body mentioned first in the list of executors is the responsible and the coordinator of accomplishing the measures.