



REPUBLIC OF MOLDOVA



CORRUPTION RISKS ASSESSMENT

NATIONAL ANTICORRUPTION CENTRE

LEGAL FRAMEWORK

- Law no. 90 of 25 April, 2008 on prevention and combating corruption
- Law no. 229 of September 23, 2010 on public internal financial control
- National standards for internal control in the public sector, approved by Order of Ministry of Finance no. 51 of 23 June, 2009
- Methodology for corruption risks assessment in public authorities and institutions, approved by Government Decision no. 609 of 28 July, 2008

ORGANISATIONAL ASPECTS

NATIONAL ANTICORRUPTION CENTRE'S EMPLOYEES COMPETENCES

- **SELECTS THE INSTITUTION**
- **TRAINS THE LEADING POSITIONS PERSONNEL**
- **MONITORS THE RISKS ASSESSMENT ACTIVITY**
- **PROVIDES RECOMMENDATIONS**
- **ATTENDS THE MEETINGS OF THE EVALUATION GROUP**
- **COORDINATES THE DEVELOPMENT AND EXECUTION OF THE INTEGRITY PLAN**

INITIATIVES (2014)

- Model INTEGRITY PLAN for the local public authorities (sent to 35 district and municipal councils)
- Model RISKS REGISTRY for the central public authorities

Objective “Strengthening institutional integrity”

Aspects: - Gifts regime;

- Undue influences;

- Conflict of interest;

- Confidential and work information;

- Usage of public resources.

METHODOLOGICAL ASPECTS

The phases of the corruption risks assessment

Phase 1. Preconditions assessment

1. Assessment of ethic rules;
2. Assessment of legal framework;
3. Assessment of the institutional structure.

1. Analysis of concrete corruption cases;
2. Relations of the institution with the public;
3. Filling the questionnaire;
4. Assessment of the institution's resistance to corruption risks;
5. Risks prioritization.

Phase 2. The assessment itself

Phase 3. Recommendations development

1. Report on risks assessment;
2. Integrity Plan;
3. Re-assessment of corruption risks.

INSTITUTIONAL RESISTENCE TO CORRUPTION RISKS

ASPECTS	PROBLEMS	RISKS
<p><i>Regulatory</i></p> <p><i>Good governance</i></p> <p><i>Operational process</i></p>	<ul style="list-style-type: none"> - Deficiencies in the regulatory framework, including departmental - Deficiencies of the organizational – legal structure; - Internal control / insufficient management; - Inadequate application of the regulatory framework; - Ignorance of the rules; - Communication problems; - Low awareness. 	<ul style="list-style-type: none"> - Irregular procedures; - Insufficient limits against abuses; - Low limits for embezzlement of funds; - Low limits for information leaks; - Insufficient vigilance; - Conflicts of interests; - Self initiative actions; - Reduced vigilance; - Reduces social control.

PUBLIC PROCUREMENT

ASPECTS	PROBLEMS	RISKS
<p>1. Organizational</p> <p>2. Pre-contracting phase / procurement planning</p> <p>3. Initiation of procurement / award of contracts</p> <p>4. Realization of contracts / supervision</p>	<p>1. Inadequate application of rules / Failure to file declarations of confidentiality and absence of conflict of interest</p> <p>2. Planning deficiencies / influence of external actors/ not publishing the procurement plans</p> <p>3. Dubious cancellation of procurement / offers submitted by agents with the same founder / failure to register offers / insufficient transparency/ low awareness</p> <p>4. Irregular administration of contracts / inadequate supervision/ non - punishment</p>	<p>1. Conflicts of interests / information leakages / decisional discretion / irregular internal procedures</p> <p>2. Justified needs after "personal" interest / artificial increase of the budget</p> <p>3. Manipulation of procurement documentation and offers / insufficient vigilance / understanding between tenderers (market sharing) / division of procurements</p> <p>4. Misuse and misappropriation of funds / reduced vigilance</p>

INTEGRITY PLANS

Established the following objectives:

- Improving the legal framework in that domain;
- Streamlining the organizational - legal system and internal control of that institution;
- Increasing vigilance and awareness related to integrity;
- Consolidation of the relations between the institutional and the public.

**Thank you
for your attention!**