

“Action against Corruption in the Republic of Moldova – Phase 2”

PROJECT SUMMARY

Project title	“Action against Corruption in the Republic of Moldova – Phase 2”
Project area	Moldova
Budget	\$400,000
Funding	Bureau of International Narcotics and Law Enforcement Affairs (INL), US Department of State
Implementation	Economic Crime and Cooperation Division, Action against Crime Department, Directorate General Human Rights and Rule of Law, Council of Europe
Duration	24 months (starting from 01 September 2022)

BACKGROUND

The “Action against Corruption in the Republic of Moldova – Phase 2” is a country specific intervention funded by the Bureau of International Narcotics and Law Enforcement Affairs (INL) of the US Department of State. The Action focuses on addressing pressing needs in the country which are closely interlinked with the reform process initiated by the Government of the Republic of Moldova and their obligations towards implementing international standards against corruption.

More specifically, the second phase of the Action is tailored to deliver legislative, policy and institutional impact by addressing pending recommendations from the [Fourth Evaluation Round](#) of the Council of Europe’s anti-corruption monitoring body, the Group of States against Corruption (GRECO), by providing related support to the authorities to ensure that any new measures do not create a situation of regress on previous reforms implemented to address GRECO recommendations, and ahead of the 5th round of evaluations.

In this respect, the Action will carry out a comprehensive set of interventions, including reviews, capacity building and training, to facilitate the understanding, adoption and application of procedures, practices and tools that strengthen the prevention of corruption. The intervention areas represent a follow-up of the assistance provided to the Moldovan authorities by the Council of Europe from June 2020 to November 2021 through the “Action against Corruption in the

Republic of Moldova”, funded by Bureau of International Narcotics and Law Enforcement Affairs, United States Department of State.

NEEDS, OBJECTIVES, EXPECTED OUTCOMES AND ACTIVITIES

The Action’s **purpose** is to support national authorities to effectively address corruption and perform integrity controls. The activities will support the authorities to address the shortcomings identified in the GRECO 4th round evaluation in regard to the Republic of Moldova and align the measures of the Moldovan authorities with the international standards and good practices for prevention and fight against corruption. An added focus will be put on supporting the authorities to address corruption prevention in top executive functions and law enforcement agencies. This is expected to be achieved through the following outcomes:

Intermediate Outcome 1: Judges and prosecutors improve independence through reinforced structural safeguards

- 1.1. Criteria for selection, performance evaluation and transfer of judges reviewed and proposals for updated criteria to assess the integrity and impeccable reputation of candidate and sitting judges provided (including tools to verify the psychological profile of candidates);
- 1.2. Capacity building for the Superior Council of Magistrates (SCM) and Superior Council of Prosecutors (SCP) to consolidate the existing confidential counselling systems for judges and prosecutors on ethical problems and make the systems operational provided;
- 1.3. Procedure/criteria for Judicial and Prosecutorial Inspections to initiate ex-officio disciplinary investigations provided (including when notified from the press/journalistic investigations);
- 1.4. Good practices shared with the SCM, SCP and their professional boards on improving the reporting on the handling of disciplinary proceedings and communication with the public on cases with major importance to the society (improved statistical and narrative reporting).

Intermediate Outcome 2: National Integrity Authority (NIA) improves effectiveness to perform integrity controls with respect to persons entrusted with top executive functions

- 2.1. Guidelines and capacity building for the NIA to assess in practice the assets based on their market value and guidelines for public officials on reporting their assets based on market value;
- 2.2. Capacity building for NIA management and integrity inspectors on a common internal method for calculating unjustified wealth provided (common financial logic);
- 2.3. NIA’s internal Methodology on the control of assets, personal interests, compliance with the legal regime of conflicts of interest, incompatibilities, restrictions and limitations reviewed, in view of establishing a financial method for calculating unjustified wealth based on a common financial logic.

Intermediate Outcome 3: Increased capacities and strengthened measures for corruption prevention in top executive functions and law enforcement agencies

3.1.1. Guidance to NIA on the establishment of an independent review mechanism for the declarations of assets and personal interests for persons entrusted with top executive functions provided;

3.1.2. Good practice guides (or updated codes of ethics) for the General Police Inspectorate, Border Police and Customs Service in view of including, where needed, provisions and appropriate examples regarding rules on the acceptance and declaration of gifts, rules on post-employment restrictions, lobbying, relations with other parties, establishment of ethical counsellors/ethic commissions and managers' supervisory duties in relation to ethical matters provided;

3.1.3 Guidance and capacity building on clear process for the disclosure of misconducts and disciplinary violations within the Police and Customs Service, with appropriate protection measures against retaliation (safe reporting of irregularities), measures to raise awareness of the importance of whistleblowing and the protection of whistleblowers provided;

3.1.4. Existing legislative framework, enforcement mechanism and practical application of the rules on post-employment restrictions (cooling off period) and restrictions on carrying out additional activity in respect to persons entrusted with top executive functions (PTEFs) reviewed and improvements suggested (post-employment restrictions be broadened in scope in respect of PTEFs);

3.1.5. Comprehensive handbook for persons exercising top executive functions (PTEFs) and high officials, covering all relevant integrity rules and principles provided;

3.2.1. Guidance and capacity building for relevant law enforcement agencies for risk management measures in corruption prone areas, and advise on the development of targeted measures for priority areas to address corruption risks and develop integrity plans provided;

3.2.2. Capacity building and awareness for the General Police Inspectorate (GPI) and Border Police on integrity tools and systematic corruption risk assessment taking into account GPI's specificity, variety of duties and vulnerabilities provided.

Intermediate Outcome 4: Ministry of Justice provided guidance and advice on the development of anti-corruption legislative and institutional measures to address specific recommendations of the Independent Anticorruption Advisory Committee, which are in line with the Council of Europe standards and with GRECO's recommendations

4.1. Advice on draft legislative and institutional reform initiatives provided;

4.2. Capacity development on anti-corruption and integrity measures provided.

Assistance activities in each field include assessments, provision of expert advice, workshops, trainings, and roundtables. The activity results are documented in technical papers, handbooks, or other written output which are available on the Action's website.

COUNTERPARTS/BENEFICIARIES

- Ministry of Justice of the Republic of Moldova;
- National Integrity Authority;
- Superior Council of Prosecutors;
- Superior Council of Magistracy;
- Judicial and Prosecutorial Inspections;
- Law enforcement agencies.

IMPLEMENTATION ARRANGEMENTS

As the key actor in this thematic area and the Eastern Partnership region, the Council of Europe, and more specifically the Department of Action against Crime, through its Economic Crime and Cooperation Division (ECCD) is in-charge of implementing activities under this Action. For the purpose of implementation of certain activities where specific subject matter expertise is required it engages international long and short-term experts with proven experience in the field of fighting corruption and local experts so as to ensure high quality and relevance of the assistance delivered to the beneficiary institutions.

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