



National Integrity Commission

ANNUAL ACTIVITY REPORT 2013



Responsible for edition: Cristina Dumbravan

Layout and design: Corneliu Comendant

National Integrity Commission

1 Alecu Russo street
Chișinău, MD-2068, Republic of Moldova

telefon: +373 22 820 601



“ Igor Corman

„NIC is a special institution, a pioneer at the beginning of its way. A series of adjustments to the laws is necessary for this institution to meet the expectations of citizens. We must bring order to this domain and the public officials must declare their property in a transparent manner”

Source: trm.md

“ Mariana Kalughin

expert, Center for the Analysis and Prevention of Corruption

„The need to establish this authority was notorious. The idea of public entity that would exercise control both over declarations of personal interests and declarations of incomes and property has incomparable advantages.”

Source: moldovacurata.md

“ Arcadie Barbăroșie

„I can not yet express an opinion as to the work done by this Commission, I await for at least one year to see what and how many dossiers have been examined specifically.”

Source : noi.md

The countries with young democracies but with obviously European aspirations, such as the Republic of Moldova, have to face numerous problems of various kinds, being placed in a severe battlefield where the main enemy is the corruption that is also manifested by the non-declaration of incomes, property and personal interests. It is well known that the prevention is a much more efficient tactic in this sense compared to combating, although both elements of anticorruption process must go in parallel.

Therefore, in addition to the anticorruption authorities of general level these countries have created specialized institutional structures for the prevention of this phenomenon by the verification and monitoring of conflicts of interests, cases of incompatibility and unjustified incomes.

In our country the system for the declaration and verification of property and personal interests instituted by the law no. 1264-XV of 19.07.2002 *on the declaration and control of incomes and property of public officials, judges, prosecutors, public officers and certain managerial officers, as well as the Law no. 16-XVI of 15.02.2008 on the conflict of interests contained a great gap: **lack of a mechanism for the implementation and application of relevant legislation, including the lack of transparency in public consultation of declarations on incomes , property and conflicts of interests.***

Creation of legal and institutional framework for the National Integrity Commission in the year 2011 marked the effective start of this special public authority since 01st January 2013 it determined the domain of verification of property and personal interests of state officials and resulted in substantial change in the concept of integrity in the Republic of Moldova.

So, the foundation of **National Integrity Commission** is an important step towards the integration of the Republic of Moldova with European Union. The Commission by its mission and domain of exclusive competence is an institution actively involved in the application of integrity standards and good practices at the level of public administration and discouraging the behaviors capable of generating corruption in the administrative domain by active collaboration with the civil society, with the national and international institutions and authorities.

In this context the proper attainment of institutional objectives in the prevention of corruption and consolidation of institutional capacities became cornerstones in the activity of National Integrity Commission in its first year of activity.

By sticking to these general principles at the incipient stage of activity the Commission has concentrated its efforts on monitoring the observation of the provisions of Law no.1264-XV of 19.07.2002 on the declaration and control of incomes and property of public officials, judges, prosecutors, public officers and certain persons holding managerial functions, as well of the Law no.16-XVI of 15.02.2008 on the conflict of interests by the public authorities and other entities provided by the laws where operate the subjects of declaration of incomes, property and personal interests.

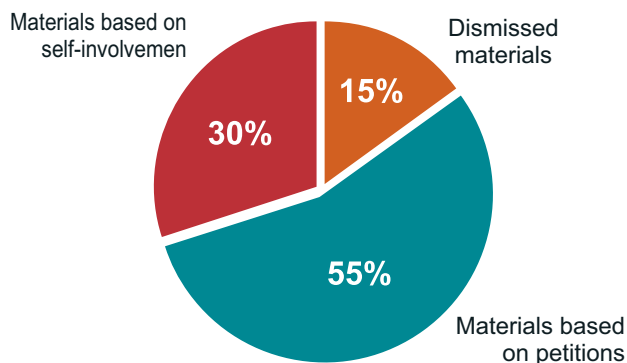


I. MAIN ACTIVITY

In the year 2013 the National Integrity Commission received 110 000 declarations of incomes, property and personal interests. Following the processing of these declarations and creation of respective databases, since 01.09.2013 the employees of Commission Apparatus have checked around 3 000 declarations. However, during the reference period the National Integrity Commission has registered **225 materials**, including based on the applications received – **146 materials** and following self-involvement ex officio – **79 materials**.

At the stage of preliminary control of received applications 39 materials have been rejected, in most of the case due to the non-retroactive effect of legislation regulating the activity of NIC or lack of competence in the problems raised in the respective applications.

Materials examined in 2013



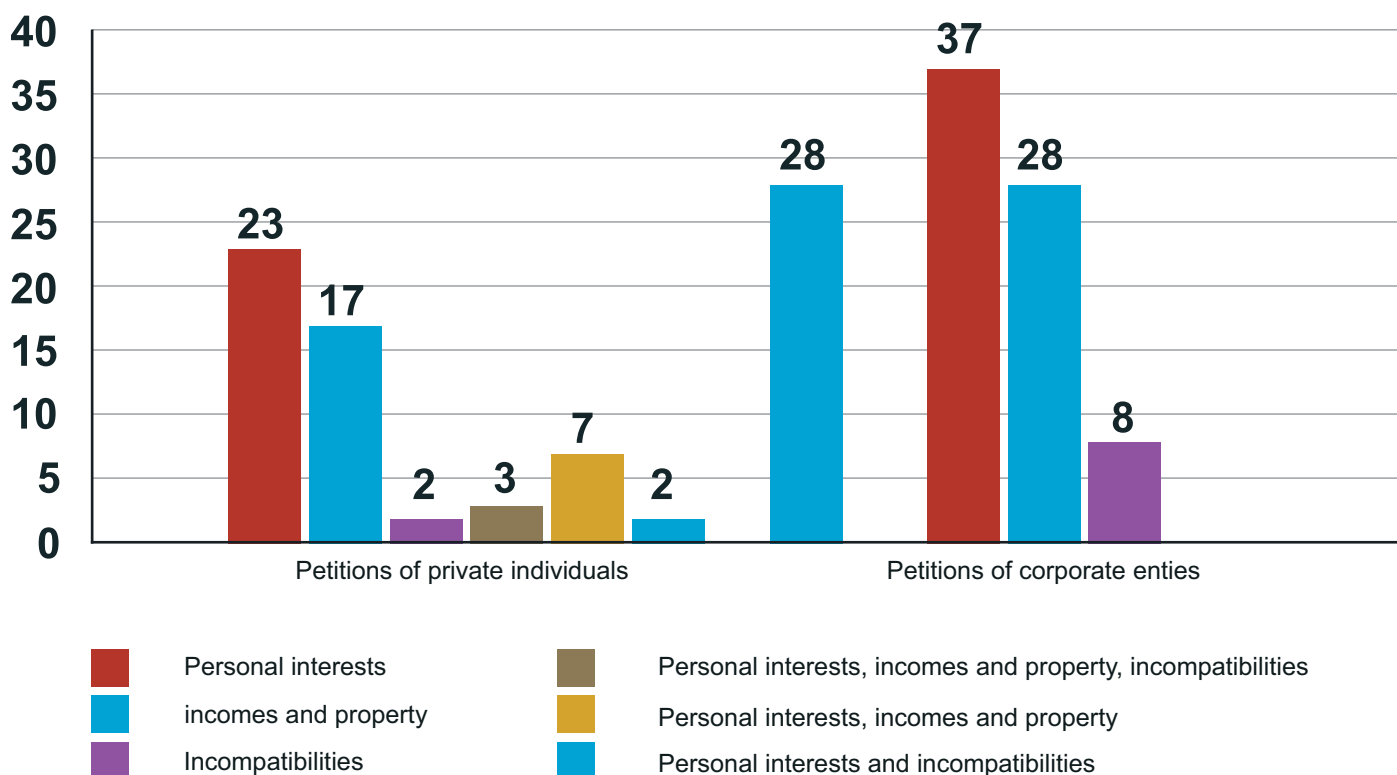
1.1. Examination of petitions

During the year 2013 the National Integrity Commission registered **146** de applications, including **60** petitions from **private individuals** and **86** from corporate entities, of these:

- 60 petitions referred to violations in declaration of personal interests;
- 45 petitions referred to violations in declaration of incomes and property;
- 10 petitions referred to the regime of incompatibility;
- 3 petitions referred to violations in declaration of personal interests, incomes and property, as well to the regime of incompatibility;

The rest of the petitions, **28 in total**, were of different nature, pertaining to the interpretation of applicable laws.

The diagram in this activity chapter attests the existence of disorders in the personal interests of declarers in the most of the applications received by NIC .





1.2. CONTROL DOSSIERS

During the reference period **120 control dossiers have been instituted**, including **66** – ex officio and **54** based on the received applications.

From the total number of instituted dossiers:

49 - referred to the alleged violations of the legal regime of incomes and property;

41 - referred to the potential conflicts of interests;

10 - referred to the alleged cases of incompatibility;

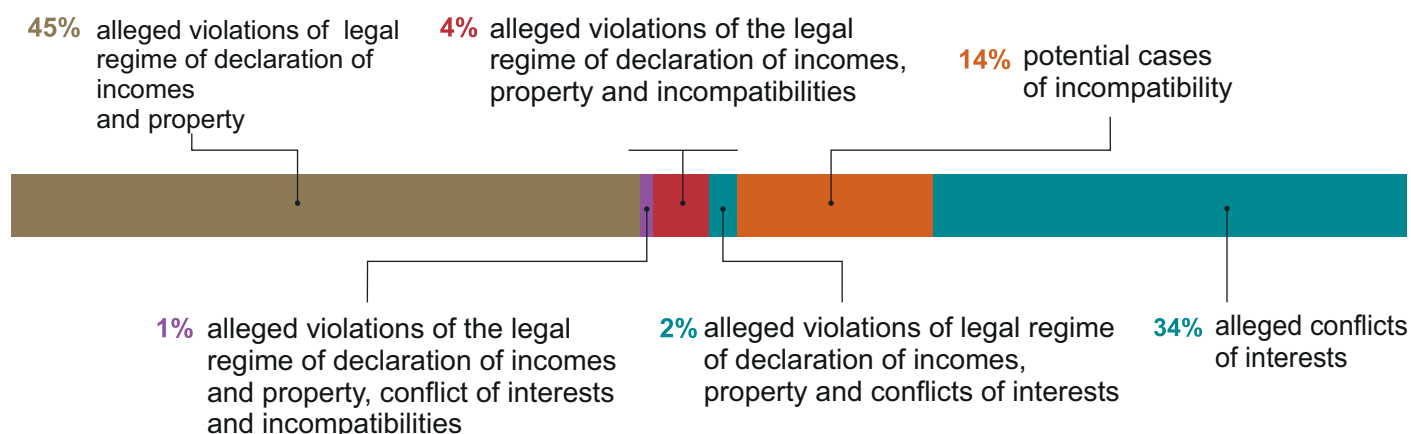
9 - referred to the alleged violations of the legal regime of declaration of incomes and property and conflict of interests;

7 – referred to the alleged violations of legal regime of declaration of incomes and property and incompatibilities;

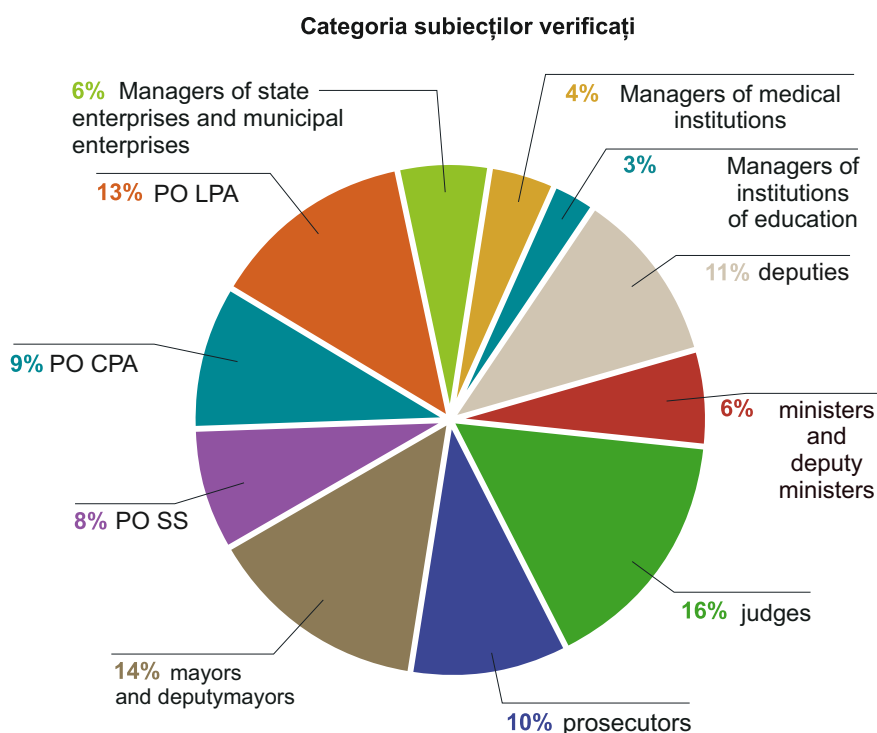
1 - referred to the alleged violations of the legal regime of conflict of interests and incompatibilities;

3 - referred to the alleged violations of legal regime of declaration of incomes and property, conflict of interests and incompatibilities.

Share of controls initiated by CNI



The control dossiers referred to: **19** judges, **13** deputies, **12** prosecutors, **7** ministers and deputy ministers, **17** mayors and deputy mayors, **10** public officers of special status, **11** public officers with various functions in the public institutions of central public authorities, **16** public officers of local public authorities, **7** managers of municipal enterprises and enterprises with majority state capital, **5** managers of medical institutions and **3** managers of institutions of education.





During the year 2013, National Integrity Commission has finalized **74 control dossiers**, including:

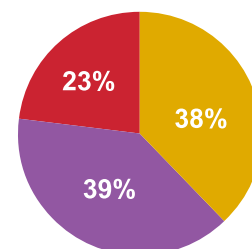
▣ **28 – by issuance of statements of violation** of legal regime of declaration of incomes and property, of conflict of interests and incompatibilities and establishment of signs of criminal offences;

▣ **46 – by dismissal** due to the non-confirmation of alleged violations, due to the lack of legal grounds and elements of violations provided and punished by the applicable laws.

As of 01.01.2014 the officers of the Commission

Apparatus had 47 control dossiers pending examination.

Control dossiers



38% Dismissed controls
39% Established violations
23% Pending controls

Of the mentioned **28 cases of violations** detected in the result of performed verifications

14 are cases of violation of legal regime of declaration of incomes and property,

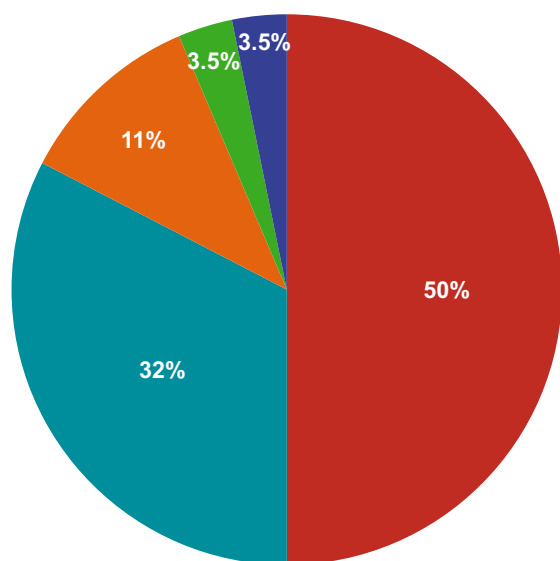
9 - are cases of violation of legal regime of conflict of interests;

3 - are cases of violation of legal regime of incompatibilities;

1 - case of violation of legal regime of declaration of incomes and property and incompatibilities;

1 - case of violation of legal regime of conflict of interests and incompatibilities.

Types of established cases



50% violation of legal regime of declaration of incomes and property

32% violation of legal regime of conflict of interest

11% violation of legal regime of incompatibilities

3,5% violation of legal regime of conflict of interests and incompatibilities

3,5% violation of legal regime of declaration of incomes, property and incompatibility

As for the cases of violation of legal provisions on the declaration of incomes, property, personal interests and incompatibility situations, they have been referred to the competent authorities, as listed below:

- National Anticorruption Center – **8** (art.313² Of the Administrative Offence Code);
- General Prosecutor's Office – **16** (art.352¹ Of Criminal Code);
- Main State Fiscal Inspection – **4** cases.

The competent authorities have been involved for the examination and deciding on:

- false in declarations (art.352¹ Of Criminal Code) – **16**;
- non-declaration of conflict of interests (art.313² of the Administrative Code) – **8**;
- failure to submit the declaration of incomes, property or personal interests in the timely manner (art. 330² of the Administrative Code) – **1**;
- failure to execute the requests of NIC (art.319¹ of the Administrative Code) - **1**.



Also it was decided to apply to the hierarchically superior authorities:

- ▣ Parliament and/or Permanent Bureau of Parliament – **1 case**;
- ▣ People's Assembly of ATU Gagauzia – **1**;
- ▣ Government and/or State Chancellery – **5**;
- ▣ Territorial offices of State Chancellery – **2**;
- ▣ Supreme Council of Magistrates – **1**;
- ▣ Ministry of Internal Affairs – **1**;
- ▣ District Councils – **1**

The closed control dossiers, totaling **46**, referred to:

21 - alleged cases of violation of legal regime of declaration of incomes and property;

13 – alleged cases of violation of legal regime of conflict of interests;

5 – alleged cases of violation of legal regime of incompatibilities;

3 - alleged cases of violation of legal regime of declaration of incomes and property and incompatibilities;

2 - alleged cases of violation of legal regime of declaration of incomes and property and conflict of interests;

1 - alleged cases of violation of legal regime of conflict of interests and incompatibilities;

1 case has been closed due to the death of the controlled person.

1.4. PARTICIPATION IN COURT HEARINGS

During the year 2013 around 95% of the statements adopted by the Commission have been contested in the administrative offence instance. By the end of reference period the judiciary instances had 15 civil cases pending, including the Court of Appeal of Chisinau.

Here one must mention the contestations filed by Valeriu Zubco, Octavian Grama, Andrei Ustaîi, Ion Balan, Iurie Ciocan, Ion Beglet and others.

In these cases the final decision is to be adopted by the criminal pursuit authorities or judiciary instances.

At the same time, in some cases the statements of the Commission became final, while in other cases the primary instances have already issued their opinion and upheld the Commission's decision.

So, in the case of ex-director of "Moldsilva" Agency Ion Lupu the statement by which he was punished by a fine based on the art.313² of the Administrative Offence Code for the non-declaration of the conflict of interests in connection with the hunting in "Pădurea Domnească" became final as it was not contested by the declaration subject.

Also in the case of mayor Ion Balan the instance of Rezina district decided to remove him from office due to incompatibility asserted in the Commission's statement. The said decision may be contested in the Court of Appeal.

2.5. ADMINISTRATIVE OFFENCE PROCEDURE FOR FAILURE TO SUBMIT DECLARATIONS

During the reference period the NIC agents have produced **362 administrative offence minutes based on the art. 330²** Of the Administrative Offence Code for the failure to submit the declarations within the terms established by the law, subsequently these materials were sent to judiciary instances for examination. In these cases the respective records referred to certain mayors, judges, ministers and other declarers.

So, in the year 2013 the judiciary instance examined **273 administrative offence minutes**, of them in **208 cases** the infringers that violated the terms of filing the declarations of incomes and property and personal interests were sanctioned. The fines applied amounted from 75 to 150 conventional units.

In **65 administrative offence processes** the court dismissed action due to various reasons, including expiry of limitation period, having, nevertheless, recognized the subjects of declaration guilty of administrative offence provided and punished in accordance with the art. 330² of the Administrative Offence Code.

In the result of examination of administrative offence cases the state budget received around **312 000 MDL**.

III. COMMUNICATION WITH DECLARERS



Declaration forms



Victor Strătilă

„One of the reasons why some persons did and others did not submit their declarations is that the district administration and the mayoralities did not work with the declarers and did not inform them.”

Source: publika.md

As a consequence of problems faced by the declarers in filling-in the declarations during the reference year the National Integrity Commission has conducted numerous trainings of collectors from central and local public authorities on „Filling-in the declarations of incomes, property and personal interests”.

So,

- ➔ On 06.03.2013, being invited by the State Chancellery, NIC has conducted a training session attended by over 90 persons.
- ➔ On 30.10.2013, at the request of Ministry of Labor and Social Protection was organized and held a training session for around 30 employees of the Ministry and its subordinated institutions.
- ➔ On 28 – 29.11. 2013 in collaboration with the Academy of Public Administration two training sessions were conducted for over 100 representatives of local public authorities and fiscal organs.
- ➔ On 03.12.13 in the premises of District Council of Orhei was conducted the on-field training session attended by around 60 persons (mayors and secretaries of local councils).
- ➔ On 11.12.13 at the invitation of National Institute of Justice was organized and held a training session for around 50 judiciary assistants.
- ➔ On 24.12.13 with the support of the chairman of Floresti district was organized and held the training session for around 50 secretaries of mayoralities.



Training session

The efficiency of trainings is confirmed by the following results:

- 100% of lagging mayoralities have submitted their declarations;
- Grew the number of applications on the operation of amendments and corrections into the declarations;
- in the number of telephone calls relating to clarifications in filling in the declarations increased substantially (around 7-8 per day);
- More applications have been received relating to the situations of conflict of interests and incompatibilities;
- More applications have been received relating to the interpretation of legal norms.

III. INSTITUTIONAL TRANSPARENCY



Igor Corman in visit to National Integrity Commission



„The mission of NIC is to provide transparency in the regime of declaration of incomes of public officers, public officials, administrative monitoring and facilitation of public control in society”

Source: timpul.md

During the previous year the National Integrity Commission provided real-time access to the interested persons and mass media to the materials relating to exercise of authority provided by the laws.

On 17th July 2013 a group of interested persons visited the NIC, including the Chairman of Parliament of the Republic of Moldova, Mr. Igor Corman.

Matters of institutional consolidation, management of income verification system, conflicts of interests and incompatibilities, as well as cooperation with national authorities were discussed.

The assurance of transparency included the permanent publication of public information on the web page, activity reports and decisions issued in result of performed controls, etc.

Also at the request of mass media the Commission provided official information on the cases of public interest. Relations of partnership were established with some mass media monitoring the activities of the Commission and the anticorruption measures at national level.

The Commission employees participated in various public debates, gave interviews both to printed and TV media. Here one must mention Publika TV, Prime TV, Tribuna.md, Omega.md, Ziarul de Gardă and, specifically, the Moldovacurată.md web portal.



Official web page of National Integrity Commission



Interview for Publika TV

The Day of Open Doors was a remarkable event for the National Integrity Commission held on 19th December 2013. Everyone curious to know the working atmosphere in the National Integrity Commission was allowed to see the offices of Chairman and Commission members, archives of declarations of property and personal interests and the verification procedure. The major scope of the event was providing transparency of Commission activity by letting the citizens establish the real image of the labor conditions of the employees and of the stages each dossier has to go through until finally resolved.

Entrance to
NIC premises

IV. EFFICIENT MANAGEMENT OF HUMAN RESOURCES



„Many anticorruption experts are skeptic as to the capacity of integrity authority composed of only five members and a team of only 21 employees to process over 50 thousand declarations of property and interests plus the applications of citizens and information appearing in press to which NIC promises to react.”

Source: flux.md



National Integrity Agency of Romania in visit to NIC

From the very beginning, upon integration into the reformation processes at national level, in the view of attaining its statutory scopes the National Integrity Commission undertook a series of measures for the creation of internal normative framework.

In accordance with the Law on the National Integrity Commission no.180 of 19.12.2011 the Commission's Staffing Scheme has been approved in line with the Staffing Methodology approved by the Decision of Government no.201 of 11.03.2009 on the execution of the Law no.158-XVI of 4th July 2008 on the public office and status of public officer. These documents served as basis for the elaboration and approval of Commission's staffing scheme for the year 2013 (order no.6 of 08.02.2013).

During the reference period organizing and functioning regulations of structural units of the National Integrity Commission have been elaborated of National Integrity Commission (7 regulations, order no.11 of 28.12.2012). Job instructions were elaborated, approved, signed-off and communicated to all staff (19 job instructions).

Simultaneously with commencement of activity in secret authority mode was reviewed the Regulation of organization and functioning of the Documenting and archiving service and the job instruction of the senior inspector for execution of decisions.

Similarly, lists of individual objectives have been elaborated during the reference period for the year 2013 with relevant performance indicators (14 documents) that included the individual involvement rates of each employee into the exercise of authority of the structural units they belong to, as part of Strategic Development Program, as well as the productivity indicators used for the assessment of staff efforts in various activities.

Special attention was paid to the professional integration of new staff. Here one must mention the elaboration of electronic version of the New Employee's Guide containing important political documents regulating the Commission activity and the activity in public offices. It is accessible at all times for all employees and young specialists, being permanently updated.

At the same time the Manager's Guide was elaborated also in electronic version – a collection of legal and normative acts and methodological recommendations elaborated by the Public Service Policy Direction of the State Chancellery, diverse national and foreign academic media, being intended for the managers of National Integrity Commission at different levels, mostly referring to the management of human resources.



For the proper performance of activity and development of participation –based decision making system 9 permanent NIC commissions have been established: for tenders, for the protection of state secret, for the accounting and evaluation of gifts, disciplinary commission, collective performance evaluation commission, for the determination of work age, for the procurements of goods, works and services, on writing-off fixed assets, materials, objects of small value and short economic life and forms.

For the execution of the provisions of the Law on state secret no.245-XVI of 27.11.2008 was elaborated and approved by the Security and Information Service the List of officers of the National Integrity Commission requiring access to the state secret. This List was used as basis for granting access to the state secret for the respective officers.

As for the activities organized by NIC for filling-in the vacancies in the Commission Apparatus, 4 competitions were organized and held in 2013 attended by 47 candidates for the 8 offices of consultants and senior consultant.

However, due to non-attractive salaries the participation rate was very low and the said 4 competitions were extended for countless times.

On 01.01.2014 the NIC staffing rate was 65,4%, or 17 officers and 8 vacant offices, all in the Commission Apparatus, of them:

- 1 managerial public position,
- 7 executive public positions.

However, the current amount of work per employee is too big to generate the expected results instantly.

One must mention that by the end of 2013 there were only 12 officers in the apparatus of National Integrity Commission instead of 21 as provided in the staffing scheme and the 8 public officers authorized to verify the declarations had to deal with around **110 000 declarations** of incomes, property and personal interests.

Nevertheless, in its first year of activity the Commission launched the process of professional development, both internally and by studying the best international practices.

In this order of ideas,

-on 01.02.2013 2 NIC officers attended the Virtual E-Government University launching event under the auspices of the Center of Electronic Government and State Chancellery.

- on 05.02.2013 and on 02.04.2013 the experts of Transparency International Moldova have trained the officers of National Integrity Commission in the matters of treating the conflicts of interests in public institutions and have organized the training event entitled „Practical aspects of monitoring the policy of declaration of incomes and property”.

- on 22.02.2013 the representative of the National Center for the Protection of Data of Personal Character has trained the staff in the matters of managing data of personal character.

- in the period of 28.10.2013 – 01.11.2013 one NIC officer attended the training course in the implementation of automatic information system entitled „Register of public offices and public officers” organized in the Moldavian-Korean Center under the auspices of State Chancellery.

- On 18.11.2013 at the meeting with the representative of World Bank the NIC officers had the occasion to enrich their knowledge in „Property declaration systems and declaration forms”.

- On 28.11.2013 3 officers of the Commission Apparatus attended a training course for the integrity whistle-blowers organized and held under the auspices of the Academy of Public Administration and National Anticorruption Center.

- On 28th and 29th November 2013 one NIC officer attended the training course on the implementation of unique governmental portal of competitive public offices held the Moldavian-Korean Center under the auspices of State Chancellery.

- On 28.11.2013 3 Commission officers attended the Round Table entitled „Results of corruption dossiers. Analysis of sentences” organized with the financial support of the United Nations Development Program for Republic of Moldova by the National Anticorruption Center.

In the year 2013
NIC has registered,
processed (scanned
and shadowed data
of personal character)
and published on its
site **110 000**
declarations.

VI. NATIONAL AND INTERNATIONAL COOPERATION



NIC officers in visit to the Ethic Commission in Lithuania



Anatolie Donciu

„We analyzed the practice of other states and got convinced that our sanctions are practically identical with the ones applied in other countries. Recently five NIC officers visited Lithuania in a one week trip and came back convinced that there is no need to raise the sanctions.”

Source: moldovacurata.md

The studying of best practices of both EU member countries and other experienced states was the NIC's priority objective during the reference period.

In January and September 2013 the Commission's officers attended two events of exchange of experience at the National Integrity Agency (NIA) of Romania and Principal Ethics Commission (PEC) of Lithuania. The NIC officers got familiarized with the activities of NIA, with the procedure of verification of declarations of incomes, property and personal interests and with the advanced experience of the Principal Ethics Commission in identification and solution of conflicts of interests and incompatibilities.

On 11.03.2013, in order to evaluate the need for institutional capacity building, the National Integrity Commission was visited by the representatives of Romanian Center for European Policies, as part of a project financed by UNDP.



Also in March 2013 NIC was visited by the experts of the Evaluation Mission of European Commission that gave a series of recommendations to the institution, mainly in the Fourth Report on the Implementation of Action Plan for the Liberalization of Visa Regime.

In the period of 17-19.05.2013 one representative of NIC attended the International Seminar of Ankara (Turkey) organized by the World Bank in connection with the studying of good practices of verifying income and property declarations.

On 24.06.2013 at the Round Table attended by the representative of the Office of Ethics of US Government Don FOX, organized and held by the US Embassy in Chisinau, the Commission members and officers had the possibility to conduct an exchange of knowledge and experience.

In the summer of 2013 the National Integrity Commission was visited by the Ambassador of Sweden in the Republic of Moldova and by the representative of the Embassy of Finland in Romania and discussed the possibility of technical-material assistance and financial support to the newly created institution

In this order of ideas the NIC officers attended the workshop for the exchange of experience in corruption prevention (Yurmala, Latvia 26-27.06.2013) with the participation of similar anticorruption institutions of other states, under the auspices and with the invitation of OSCE.

Work meetings with representatives of international institutions, including World Bank, UNDP, OSCE, CoE were organized in connection with assistance in development and functional capacity building of NIC, etc.

NIC has attended the event organized by Transparency International Moldova as part of the project „Involvement of civil society in the monitoring of conflicts of interests (Kiev, Ukraine, 20-22.08.2013).

On 07-10 October 2013 one representative of Commission as part of the project financed by IDIS „Viitorul” has visited the Anticorruption Agency of Serbia for the exchange of methods, procedures and good practices in preventing conflicts of interests.

In addition to these good practices from other countries, for the assurance of proper activity of National Integrity Commission a more intense cooperation at national level is required. In this context, pursuant to the provisions of the Law on the National Integrity Commission no.180 of 19.12.2011 3 contracts with organizations responsible for the keeping state registers have been concluded for the on-line provision of information necessary for the Commission: State Enterprise CRIS „Registru”, State Enterprise „Cadastru” and State Fiscal Inspection. Also, legal and operational methods have been identified for the on-line access to the data of a series of public institutions, such as: National Commission for Financial Market, National Bank, etc.

One of the activity priorities of the National Integrity Commission is the collaboration and cooperation with mass-media, civil society and law enforcement authorities in prevention and fight against corruption, the most important objective being the exchange of experience.

In the process of elaboration of Instructions on filling-in the declarations on incomes and property and declarations of personal interests the civil society plays a very important role, contributing to qualitative improvements.

In the top of the collaboration list remains the National Center for the Protection of Data of Personal Character in the context of elaboration of Institutional Strategy of Personal Data Management and Protection and of an agreement on the processing of personal data.

Also the Commission proposed for signing the agreements of collaboration with the National Anticorruption Center, Security and Information Service, Ministry of Internal Affairs, Customs Service, General Prosecutor's Office, National Center for Personal Data Protection, Office of Prevention and Fight Against Money Laundering, Border Police and other institutions.



VI. BUDGET EXECUTION AND PUBLIC PROCUREMENTS



„Around four million MDL were allocated for the NIC, approximately 1,2 million MDL less than in the year 2013.”

Source: jurnal.md

„In June the NIC –recently founded institution, has made several procurements, including one automobile.”

Source: Zgd.md



Meetings hall after renovation

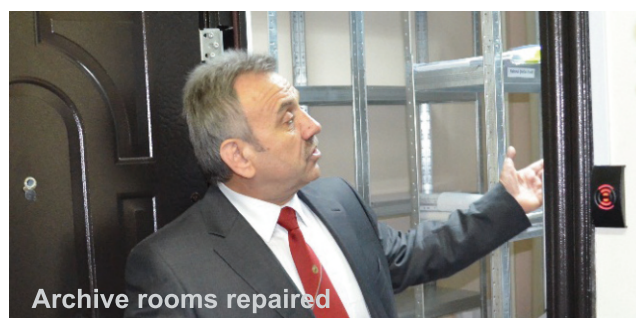
According to the Governmental Decree of the Republic of Moldova no.99 of 04th February 2013 for the activity of National Integrity Commission in the year 2013 were allocated 5252,0 thousand MDL. Additional funds in the amount of 26800 MDL were provided from the external fund for the reformation of justice. According to the budget classification and financing plan, the financial allocations were distributed and applied in the following manner:

Budget articles	Initially approved for the year, Thousand MDL	Executed, Thousand MDL	Effective costs, Thousand MDL
“Labor remuneration” - art.111	1724,7	1389,4	1427,0
“State social insurance contributions” - art.112	356,8	302,9	312,1
“Compulsory medical insurance contributions “- art.116	56,1	45,1	45,1
“Payments for goods and services “-art.113	1918,9	1416,4	1313,9
Business trips	177,5	124,6	124,6
Compensations for temporary work incapacity	18,0	14,6	18,1
Reform in justice	26,8	26,8	26,8
“Procurements of fixed assets” - art.242	1000,0	1957,0	1957,0
Total	5278,8	5276,8	5224,6

All allocations have been executed at the rate of **100%**.

For the functional capacity building the Commission organized public tenders for the procurement of technical equipment, office furniture, automobiles, software, etc.

Funds have been allocated for the current repairs of archive rooms, secrecy regime office and sanitary rooms.



Archive rooms repaired



VII. DIFFICULTIES IN ACTIVITY

Adela Griciuc

„Adela Griciuc: The Commission started from scratch as refers to office, logistics, personnel and databases. Now the institution is facing two problems: lack of a well-defined legal and normative framework and lack of experience.”

Source: moldovacurata.md



Primary difficulty: imperfection of legislation

The National Integrity Commission is currently facing numerous difficulties, the most important ones are listed below:

❑ Imperfection of applicable laws manifested by inexactitudes, contradictory and equivocal legal norms that cause deficiencies in the correct and uniform application of legal provisions.

For these reasons in April 2013 the Commission proposed to eliminate the obstacles by:

- Provision of free and unconditional access to the databases of enterprises holding the registers necessary to NIC for the exercise of authorities provided by the law;
- Assurance of univocal interpretation and application of legal provisions;
- Application of discouraging sanctions in cases of violation of legal regime of declaration of incomes, property, personal interests and incompatibilities;

❑ Functional capacity building by recruitment, selection and employment of qualified and experienced staff is one of the priorities of the National Integrity Commission, but due to low wages this objective appears to be a hard one, this fact being confirmed by the extended competitions and small number of participants.

❑ Adequate and objective evaluation of NIC activity results is a quite delicate problem. As the authority to apply sanctions for the violations committed by the declarers is vested with other institutions, the efficiency of

National Integrity Commission is significantly reduced, de-facto it is deprived of the final result of its activity and of the possibility to promptly intervene in the solution of inadequate situations and to evaluate their activity as a whole.

❑ The lack of specialized subdivisions in the NIC, such as legal service, unit for analysis, monitoring and evaluation of public policies, e-Transformare subdivision, international relations service creates certain difficulties in the main activity of other structural units that have to assume additional workload in order to cover the mentioned sectors, this reduces the productivity and quality of labor and impairs the attainment of proper professional performance targets. This situation has become possible due to the small number of staff provided by the Law no.180 of 19.12.2011 that to a significant extent affects the efficiency and image of NIC.

❑ A specially relevant situation is that to the date NIC does not have complete on-line access to the database of State Enterprise „Cadastru”, this reduces significantly the efficiency of controls and practically impairs the activity of institution in this sphere.

❑ Another problem is the improper location. For the time being the National Integrity Commission and its staff are dispersed on two floors: IV and , VII of the building no.1 of Alecu Russo street of capital in a commercial agglomerated zone, causing internal communication and organization problems.



VIII. STRATEGIC PRIORITIES

●● Anatolie Donciu

"For the year 2014 our targets are: functional capacity building; orientation towards transparency in declarations by proper training and education; amendment of laws; intensification of corruption prevention activities; unification of declarations of incomes and property with the ones of personal interests in order to simplify the procedure, digitalization of declarations for on-line lodging functionality."

Source: diez.md

The National Integrity Commission has established a series of priorities for the future, the most relevant ones being listed below:

- Elaboration and implementation of National Integrity System;
- Elaboration, foundation and implementation of legal mechanisms for identifying unjustified property of state officials registered on the territories of other states.
- Elaboration and creation of legal mechanisms for the identification of unjustified property registered in the name of third parties;
- Elaboration and approval for use of a common form for the declaration of property and personal interests;
- Elaboration of an on-line platform for declarations in collaboration with the E-Governance Center with digital signatures;
- Procurement and implementation of information system for the identification of problematic declarations (containing inexactitudes);
- Elaboration and implementation of an Integrated Declaration

Management System (IDMS) with extended capacities of logical connections to other public databases and generation of custom evaluation reports;

- Implementation of the institute of extended confiscation of unjustified property;
- Continuous training of declarers and persons responsible for the collection of declarations, elaboration and dissemination of didactical materials for these purposes;
- Implementation of new communication mechanisms, including with civil society and mass-media for a higher credibility and image of the institution;
- Continuous professional development of the Commission staff;
- Creation and maintenance of durable relationships of collaboration and signing of cooperation agreements with national partners and similar institutions of international community;
- Attraction of external assistance and development of related projects and programs.

Finally, the results of the first year of activity have demonstrated the viability and the considerable potential of the National Integrity Commission in the exercise of authorities and competence in accordance with the applicable laws, as well as the efficiency of the corruption prevention mechanism in a jurat state.

Regardless of the deficiencies mentioned above, the National Integrity Commission in its first year of activity managed to consolidate its platform and the activity mechanism for a better performance in the forthcoming years on more stable grounds in a continuous process of improvement and progress.

On the new starting point the Commission is hoping for more successful efforts and that the results of the daily activity of its staff would depend only on tenacity, and the expectations from NIC will be commensurate with its possibilities.

National Integrity Commission