



Resource Center for Human Rights (CReDO)

ANNUAL ACTIVITY REPORT

January – December 2015

Resource Center for Human Rights (CReDO)
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1. SUMMARY

This is the 15th annual executive report of the organization. CReDO was in its last years of implementation of the 4th organizational development cycle based on 2015-18 CReDO Strategic Plan. The report is covering partly 2016, as the implementation of some governmental strategic actions were delayed, as November 2014 parliamentary elections have on one side created political previsibility and on the other side political instability given the financial crisis and banking fraud emergence.

The cyclic nature of the political instability of the current governing majority aiming at the European integration with 5 governments changed since 2009 and 3 governments changed only in 2015 with decreasing popularity triggered mass protests as a response to the bank fraud. The upcoming president elections in October 2016 represents a point where to be elected president will either continue or confront the current pro-European Government. The strategic choices depend thus entirely on the outcome of the elections. In the former case, CReDO strategy will be European value based constructive engagement, while with the last election come, the strategy might be reconsidered.

CReDO is among the most influential policy analysis and advocacy organization, lately gaining its strong position in influencing wide range of policies from institutional reforms and democratization to human rights policies, especially in holding the 2nd consecutive chairmanship in 2015 of the Anticorruption Alliance (www.alianta.md). CReDO has continued in 2015 to hold the chairmanship of the CNP - national participation Council - the key advocacy body with the Government (www.CNP.md). CReDO remained the leading actor in enforcing a most liberal and democratic law on public assemblies in the region. CReDO Our representatives are relied heavily on international level (OSCE/ODIHR, CoE and EU) for the assembly, policing and fair trial reforms.

The activity report is built in several chapters. The introductory chapters are followed by the description of activities in the field of policy analysis and of advocacy and lobby. Further follows the chapter describing the results of implementation of policies promoting human rights and democracy and empowerment of vulnerable groups. The chapter on capacity building describes training provided for the government and civil society. The final chapter contains financial information and the audit report.

A key challenge in 2016 are for the macroeconomic indicators, bank fraud investigation and prosecution with the asset recovery and the adoption and implementation of the key reforms and the Association Agreement between EU and the Republic of Moldova. The relationships with the Government remained unchanged, as the mandate of the CNP was not extended for 2016, while for 2016 the re-establishment of CNP is expected. The main challenge constitutes unfinished reforms in the justice, anti-corruption, building the public integrity system as preventive anticorruption measures and assuring the independence/efficiency of public institutions. Another challenge is the building of the influence of the civil society sector on the policy-process in the Parliament and the increase of the decisional transparency.

In February 2016, the Government and the European Commission have agreed on the priority reforms in the implementation of the Association Agreement as there have been a number of delays in the course of 2015. The priority reforms have been coined Road Map. Based on the successful realization of the Road Map and the signing of the staff level agreement with the IMF, The European Commission agreed to resume the direct budget support totaling around 160 mln euro, the suspension decision taken in June 2015. The Government and the European Commission has agreed that the new Action Plan on the implementation of the Association Agreement for the next 2 years and possible the new Road Map II focusing on the short term priorities (up to 6 months) will be elaborated

and agreed in the course of the months of September-October 2016.

CReDO will stay focused on the end-policy-process influence with specific policy opinions, legal amendments and solutions as proven to

be the effective policy influence process. It is proven to be the most efficient way of influencing the policy process and provide direct policy advice in a format of several pages that are both legally sound and economically, socially and politically implementable.

2. ORGANIZATION'S OVERVIEW

2.1. 2018 Strategy

❖ *Mission:*

CReDO promotes human rights and functioning of democratic institutions. CReDO provides public and decision-makers with evidence for the best policy choice and advocates its effective accomplishment.

❖ *Vision:*

Moldova's democratic institutions stable and human rights compliance closer to European tradition.

❖ *Values:*

Our actions based on:

- Our values,
- Active engagement with real challenges,
- Creation added value for society.

We endorse:

- ✓ Diversity and pluralism,
- ✓ Impartiality and trust,
- ✓ Transparency and accountability.

Strategic Objectives

➤ **Objective 1:**

Society aware of and critically informed about the state and progress of democracy and human rights compliance in Moldova.

Results:

Relevant and key decision-makers from international institutions and diplomatic actors are provided with evidence-based submissions/reports.

Moldovan politicians and actors are informed and provided evidence-based submissions/reports on specific policy challenges, relevant choices and solutions.

Public through media and internet have access to core arguments and consequences of the problems and solutions.

Objective 2: Decision-makers provided with policy solutions on key human rights

challenges on the way of European integration of Moldova.

Results:

Moldovan politicians and decision-actors approached and explained the specific policy challenges, relevant choices, solutions, consequences of actions and non-actions.

Upon failure of decision-makers to act, public advocacy targeted actions carried out and relevant pressure exercised through national and international channels and leverages.

Issues and concerns addressed provide sign and evidence of improvement.

Objective 3: Broad-based organizational and opinions makers support for the human rights and democratization in Moldova.

Results:

Actions of civil society organizations are concern and challenge driven and not project oriented.

Greater circle of civil society groups and organizations are involved into the public standings and actions.

Relevant civil society and human rights groups actively participate in common advocacy campaigns and actions.

2.2. Organizational Development

In 2015 the Council of Directors held 2 meetings/at least 1 meeting and there took place several non-formal consultations and discussions.

In the course of 2014-2015 CReDO established itself as the prominent influential organization in direct lobby and advocacy actor for the anticorruption and justice policies and reforms. CReDO held the chairmanship of the Anticorruption Alliance since 2014, with a consecutive mandate. ACA is a network of organizations active in the area of preventing and combating corruption composed of 22 NGOs, The alliance takes public positions on cases and asks NIC and NAC and other law enforcement bodies to look into the cases of corruption.

Anticorruption Alliance (www.alianta.md) had turned the civil society platform into a reactivated, consolidated, functional and recognizable platform of organizations active in the anticorruption field. ACA aims to strengthen civil society capacity to prevent, reduce and eradicate corruption, corruption related acts and facts of corruptive behavior, abuse of office, incompatibility of office and lack of integrity of public servants and ensuring transparency activities of public institutions. ACA also provides strong and recognizable input and advocacy regarding anticorruption and justice policies.

Several achievements of AAC:

In 2015 this platform of NGOs had over 300 media appearances, 19 public calls in the address of public authorities, 30 intimations, at least 22 policy proposals and legal expertises, a range of press conferences, studies, etc. Alliance was one of the most active promoters of the so-called anti-corruption public integrity package which finally was approved. All this is thanks to Alliance members who were revived in recent years and most often have considerable voluntary efforts and the leadership which managed and maintained the internal and external communication.

CReDO will continue to select several areas of the strategic involvement. The areas of the strategic involvement mean that we will work on the begging of the policy-circle (problem research and problem awareness and building policy embracement coalition and framework for the adoption). That will require some several years to get through to the policy itself being directly influenced.

CReDO strategic communication approach rests on 2 pillars: 1) responding on the critical issues discussed on the public agenda or on decision-making agendas that prompt our programmatic position heard, known and used, 2) promotion of the policy messages the most responsive policy-oriented media, some of the messages are being launched or circulated by Moldova 1, National radio, Realitatea TV etc. and various internet and

written press. Participation on the key subjects is on a weekly basis.

2.3. Funding sources

Funding for the activity has been provided by:

- MATRA Rule of law program,
- East European Foundation,
- UNDP,
- NED,
- UNICEF and
- private sources from consulting sales.

The detailed financial reporting is provided in the final section of the report.

Objectives:

- Analysing of the Cabinet policy decisions
- Advocating for greater decisional transparency

Core results and lessons:

In the course of 2015 CReDO has particularly worked with the issues of: 1) autonomy and independence of the law-enforcements, 2) democratic institutions, and 3) civil society sustainability mechanisms of directing taxes.

In the course of the year we produced 15 policy briefs on the agenda of the Cabinet that contained on average 3-4 subjects totaling more than 35 legal policy opinions on the subjects discussed by the Cabinet. On 10 occasions we produced complementary press conferences in order to inform the cabinet and advocate our opinion with the Government. The project produced the annual transparency report of the Government for the course of 2016 covering the period of January - September 2016. The report proposes a series of recommendations that have been discussed at the plenary session of the Parliament.

The causes, depending on the case, either or combination of: a) intrinsic or smaller problems with the policy and policy implementation mechanisms, b) inadequate skills, mentality and political willingness, c) strong opposition in the implementation from inside or outside. This phase is essential for the monitoring of the implementation, capacity-building and continues changes in fine-tuning. The challenge is multifold, as collateral policies or other core/general institutional changes take process that might affect negatively the precious specific policy issue.

Another opportunity is to follow closely the institutional police-making processes and provide direct input to influence the policy process to deepen and extending the positive implementation of the policy. This opportunity should not be underestimated and watched closely for the decisions and institutional decisions of periodic and other nature in the pipe-line. Periodic

processes as Annual Budget, Fiscal and Monetary Policies but also key strategic policies of Regionalization, Decentralization, etc provide tunnel opportunities for a number of the specific issues policies. CReDO has used these processes to input specific contributions on a number of the policies and used the opportunity to strengthen the standing of the civil society contributions, included through the Anticorruption Alliance where CReDO held the leadership position.

3.1 Cabinet of Ministers meetings advocacy and transparency monitoring

3.1.1 Weekly opinion on the Cabinet meetings

The weekly opinions were presented to the Cabinet of Ministers and also lobbied to get the opinion into consideration. They usually were composed of the following 3 sections (see example below): 1) How decisions comply with the Program of the Government, 2) Opinion on the major issues on the agenda (usually 3-4 issues), 3) Degree of compliance of the Government on the transparency requirements. Each section has the conclusions and recommendations.

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Example of the content of the opinion for the Cabinet of Ministers:

CReDO opinions on the Cabinet of Ministers Agenda related to justice sector and transparency issues with links to the Opinion itself and extensive media coverage of each opinion:

1. CReDO Opinion on the Cabinet Agenda on 10.02.2016 (3 issues), <http://www.credo.md/pageview?id=563> and [http://www.credo.md/site-doc/2016.02.10_CReDO_final_V.2\(2\).pdf](http://www.credo.md/site-doc/2016.02.10_CReDO_final_V.2(2).pdf),
2. CReDO Opinion on the Cabinet Agenda on 17.02.2016 (3 issues) <http://www.credo.md/pageview?id=565> and http://www.credo.md/site-doc/2016.02.17_CReDO_final.pdf,
3. CReDO Opinion on the Cabinet Agenda on 24.02.2016 (3 issues) <http://www.credo.md/pageview?id=570> and [http://www.credo.md/site-doc/2016.02.24_CReDO_final\(1\).pdf](http://www.credo.md/site-doc/2016.02.24_CReDO_final(1).pdf)



Presentation of the report and proposals on the decisional transparency Gov.md

3.1.2 Government decisions transparency monitoring

On the basis of the weekly opinions that contain a section on the transparency of the Government. The annual report on Transparency has been discussed during the Annual Conference of the civil society on one side and the Government and Parliament on the other side. The project presented also a key position on the future role of the civil society and the way to participate in the consultation process and platform with the Government and Parliament.

Research and Presentation of the Comparative Analysis of the Transparency of the Government 2016 vs 2012-14 . <http://www.credo.md/pageview?id=587>, and [http://www.credo.md/site-doc/CReDO_Transp_2016_v6\(2\).pdf](http://www.credo.md/site-doc/CReDO_Transp_2016_v6(2).pdf).

The research is the only of this kind elaborated and presented in public that also contains the comparative analysis of the situation with the past 2 years.

The core conclusions of the Transparency of the Government report are:

Failure to observe the consultation requirement at the decision drafting stage. No improvement as compared to 2014 of the transparency. 32.4% of the subjects put on the agendas of Government meetings did not fully observe the consultation procedure, i.e. were not identified on the website of the responsible institution and the portal www.particip.gov.md or were not posted for a 15 day term as provided by the Law on Transparency in Decision Making. ***2. Transparency requirement avoided via the procedure of endorsing legal acts initiated by MPs.*** For this category of decisions, there is currently no single decision-making transparency mechanism in place. Hence, the central public authorities avoid subjecting such endorsements to the transparency procedure, thus promoting onto the agenda of the Cabinet of Ministers important draft laws unsubjected to the transparency procedure. ***4. Systematic practice of failing to subject acts to the anticorruption expertise*** is attested by the fact that over 9% of the drafts liable to this procedure ***had not been sent***

for expert examination by the authors and were included in the meeting for examination by the Cabinet of Ministers without having conducted the mandatory anticorruption expertise.

5. Possible causes that explain the lack of full transparency that persist in decision drafting and making: Implicit interpreting of exceptions from the decision making transparency procedure; Ambiguity and declarative character of the requirements for transparency in decision-making; Inefficiency and unclearness of the mechanisms for invalidating decisions in the conditions of non-observance of transparency requirements (by establishing the superior body and at the stakeholder's request); Inefficiency of the mechanisms of individual accountability for failure to observe the transparency requirements; Inadequate capacities for observing the transparency requirements (skills, technologies); High costs for conforming to the transparency requirements.

The report and the discussions have been widely reflected in the press:

- <http://www.prime.md/rom/news/social/item37635/>
- <http://www.moldpres.md/news/2016/07/05/16005442>,
- <http://deschide.md/ro/news/social/29233/Filip-Autorit%C4%83%C8%9Bile-%C8%99i-societatea-trebuie-s%C4%83-mearg%C4%83-%C3%AEntr-o-direc%C8%9Bie.htm>,
- <http://www.moldpres.md/news/2016/07/06/16005482>



Image: Realitatea.md

3.1.3 Options for civil society involvement

The research on the role of the civil society organizations and the platform for the communication and participation with the Government and Parliament. <http://www.credo.md/pageview?id=582>, and http://www.credo.md/site-doc/SocietateaCivilaOptiuniCooperare_v3.pdf

This research examines the 3 possible alternatives to improve the participation of the civil society in the decision-making process. The most recommendable solution is to have a National Participation Council as the platform for the discussion with the Government. And a similar body of the cooperation with the Parliament is to be created.



Image: Gov.md

Media coverage of the Conference and of the Transparency and Justice reform compliance by the Government:

Parliament- civil society cooperation (04.07.2015) <http://realitatealive.md/live-are-loc-a-vii-a-editie-a-conferintei-anuale-cooperarea-dintre-parlament-si-societatea-civila-41756.html> (min 50 and later presentation of Sergiu Ostaf on the participation of civil society and improvement of the participatory mechanisms),

Parliament- civil society cooperation (05.07.2015) <http://realitatealive.md/live-are-loc-a-vii-a-editie-a-conferin-ei-anuale-cooperarea-dintre-parlament-si-societatea-civila-participa-pavel-filip-i-andrian-candu-41813.html> (min 45 presentation of Sergiu Ostaf and later discussion of the report on the transparency of the Government).

3.2 Advocacy for changes in justice and anticorruption areas

3.2.1 Anticorruption strategy evaluation

A working group to elaborate the new draft of the Anticorruption Strategy has been set up that included 5 independent experts and representatives of the National Anticorruption Center. This process makes part of the National Action Plan to combat and prevent corruption¹.

The elaboration of the strategy has been supported in part of the consultations with the civil society organizations and members of the Anticorruption Alliance by the project carried out by CReDO. CReDO held for the 2 consecutive years the presidency of the Alliance on Anticorruption. The expert team included also CReDO representative - Serghei Ostaf. CReDO has been exclusively responsible for the content of the chapters VI, VII and VIII and made the contribution for rest of the chapters.

Proiect
Versiune 29.02.2016

STRATEGIA NAȚIONALĂ ANTICORUPȚIE

PILONII SNA 2016-2018

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During the work of the expert groups there were organized 3 meetings with the civil society including the members of the Anticorruption Alliance (30 members) headed by Olga Bitca – representative of the project in the consultations meetings. 3 meetings have been held in the office of National Anticorruption office and in CReDO office with average participation of up to 12 persons in each. As a result of the consultations more than 30 proposals have been proposed to improve the content of the draft Strategy.

The draft strategy is being considered now by the Ministry of Justice and National Anticorruption Center. The current Anticorruption Strategy term expires this year.

3.2.2 Contribution and advocacy for the law on public and private integrity

A working group to develop new law on the public and private integrity has been set up as per Association Agreement provisions. The group hosted CReDO representative – Serghei Ostaf. The working groups worked additionally on the draft law of amendments to provide heavier sanctions for the acts of corruption. The project provided for the active involvement and participation of the civil society organizations in the elaboration of the draft law. Organizations that are members of the National Participation Council (CNP) and the Anticorruption Alliance – headed by CReDO staff – Olga Bitca – have been involved in the elaboration of the draft law.

The draft law² has been approved by the Government and is approved by the 1st reading of the parliament³. The draft law has stayed in the pipe line of the Parliament for as long as for several months. The draft laws aimed at the replacing of the old law on the prevention and combating of the corruption⁴. As part of the actions to promote the draft law a public discussion has been organized with the support of the project together with UNDP and CNA.⁵ As

¹ http://www.gov.md/sites/default/files/document/attachment/s/intr03_3_0.pdf

² http://cna.md/sites/default/files/proiecte_decizii%20pr.legeintegritatii_consultare_04.2016.pdf

³ <http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/3288/language/en-US/Default.aspx>

⁴ <http://www.credo.md/pageview?id=590> and

http://www.credo.md/site-doc/Legea_Integritatii_Press_final_3.pdf

⁵ <https://www.privesc.eu/Arhiva/67989/Dezbaterea-publica-a-proiectului-Legii-integritatii>

part of the promotion of the draft law, a representative group of NGOs (20) have signed a petition addressing the Parliament to adopt the law. The draft law is expected to be voted in the course of the coming legislative session.

3.2.3 Contribution and advocacy for the National Anticorruption Center and national Integrity Commission delimitation of competences

This aspect has found atop of the many other issues regarding the reform of the Anticorruption agencies as part of the National Anticorruption Strategy.⁶ The research elaborated by CReDO shows that the localizing all the functions within the National Anticorruption Center (NAC) is the most recommended model when only one corruption prevention and combating institution is kept.⁷ If both of the institutions are kept, the NAC and the National Integrity Commission (NIC), the latter one is to remain only with the duty of ascertaining and examining situations of incompatibility and conflicts of interests, suggested the Resource Center for Human Rights (CReDO).

11 IULIE 2016
PARLAMENTUL REPUBLICII MOLDOVA

SOLICITĂRI PARLAMENTULUI REPUBLICII MOLDOVA ADOPTATE
PROIECTUL LEGII INTEGRITĂȚII ȘI LEGII „DESCURĂRII ACTELOR DE CORUPȚIE”

Cătreseza integrității publice și creșterea climatului zero toleranță la corupție impun consolidarea eficientă a sistemului de prevenire și combatere a corupției. Cătreseza fenomenului corupției sunt de vară origine, respectiv, prelucrare cel mai bun practici anticorupție prezente prezente în practică și mai instrumente complete și moderne care să răspundă oportunităților provocatoare. Proiectul legii integrității (nr. 207) și proiectul de lege privind „descurajarea săvârșirii actelor de corupție” (nr. 208) modernizează instrumentarul anticorupție al Republicii Moldova.

Eforturile din ultimii 2 ani ai societății civile pentru promovarea celor 7 priorități ale societății civile² au cucerit consolidarea regiunii de integritate. Sferțim adoptarea inițiativelor legislative care au ca scop lupta mai eficientă cu fenomenul corupției în sectorul public, public și privat. Promovarea măsurilor de integritate face parte din Planul de Acțiune pentru implementarea Acordului de Asocieră între RM și UE.

În cadrul marelui dezbateri publice din 6 iulie 2016 pe imaginea proiectului Legii integrității, care a fost elaborat de către un grup de lucru inter-instituțional cu implicarea societății civile, a fost necesitări importanță promovării și adoptării Legii-cadre a integrității. Necesitatea acestei exerciții a fost susținută de reprezentanții Parlamentului, autorităților guvernamentale, exponenții societății civile și ai partenerilor de dezvoltare. Aceleași mesaj expus de PNLD Moldova în cadrul Conferinței anuale a Parlamentului cu Societatea Civilă din 4-5 iulie 2016.

A. Solicităm adoptarea proiectului Legii integrității care este legea cadru pentru întreg instrumentarul anticorupție în Republica Moldova și oferă raportul fundamentale pentru angajarea cetățenilor și funcționarilor integri în lupta pentru climatul de integritate public și privat pe:

1. Impunerea etichetelor politice a obligații pozitive de integritate, detașatorilor funcțiilor electivă a obligații de gestionarea resurselor financiare, conducătorilor entităților publice adoptarea măsurilor active de integritate, aplicarea activă a planurilor instituționale de integritate.

²Legea cadru actuală 90/2008 cu privire la prevenirea și combaterea corupției a fost adoptată în anul 2008 și este deja depășită. Vezi secțiunea 5.2.1.1.



Image: ELLO

2. Conștientizarea dreptul de a veghea respectarea obligațiilor pozitive pentru recunoașterea angajaților în baza meritocrației și născămintărilor, asigurarea verificării riscurilor corporative.
 3. Activiza cetățenii în procesul de responsabilizare a sectorului public și politic într-o respectarea obligațiilor pozitive în declararea averilor și intereselor, a conflictelor de interese și a cadourilor.
 4. Interzicerea favoritismului, influențele neechitabile, a coterii intoleranță față de incidente de integritate, față de nedemonstrarea manifestărilor de corupție și eticii profesionale.
 5. Capacitatea corupțivă funcționarului integri de a demonta incidentele corporative și a avertiza neașteptabile, a se asigura transparența completă și informată a calității deciziei.
 6. Interzicerea intersecției patrimoniului public cu comole off-shore, a obliga gestionarea responsabilă a acestuia, a impune sigiliile de transparență maximă în procesul de transfer al activelor publice în sectorul privat.
 7. Impunerea adoptarea sistemului de control al integrității în sectorul privat și respectarea eticii profesionale.
- B. Solicităm adoptarea proiectului Legii „descurajării actelor de corupție” care reduce discreția decizională și ridică costul acțiunii coruptive prin:
8. precizia noțiunii „prejudiciului considerabil sau în proporții mari a interesului public”, dar și noțiunea de „interes public”;
 9. încriminarea faptelor corporative de delegare a patrimoniului public, conflictelor de interese, tănușii averii și a intereselor;
 10. extinderea termenului de prescripție a faptelor de corupție până la 10 ani și pentru actele de spălare a banilor și finanțării terorismului;
 11. aplica sancțiuni în proporții mai mari a amenință în raport cu valoarea mitului până la 10 ori; introduce sancțiunile administrative de neintegritate (favoritism, conflictul de interese, neobținerea averilor).
- C. Recomandăm în procesul de dezbateri legii introducerea următoarelor:
- a. Cătreseza a cetățenilor dreptul în un recurs pentru nerecunoașterea procedurii de adoptare a deciziei dacă organul superior sau a resedat căreșă dată (la art. 22);
 - b. Interzicerea a participării deținătorilor funcțiilor de demnitate publică (incluzând membrii cabinetului acestuia), persoanelor cu funcții electivă în consiliile de administrație ale întreprinderilor cu capital de stat sau privat (la art. 41);
 - c. Transferarea a activelor publice în sectorul privat doar în condițiile entităților recursorilor de monopolizare oligopolizator sau favoritismului și instanțele acordării ajutorului de stat în condițiile constatării acțiunilor de favoritism sau conflict de interese (la art. 42);
 - d. Definirea a noțiunii de rapoartă ireproșabilă – pentru candidații la funcții publice.

LOCALIZAREA INSTITUȚIONALĂ EFICIENTĂ A FUNCȚIILOR DE PREVENIRE ȘI DE COMBATERE A CORUPȚIEI ÎN CADRUL CNA - CNI

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Within the project, CReDO organized [news conference and a public debate at IPN](#) on December 11, to discuss the localization and strengthening of these functions within one institution will put this body in a more favorable institutional resistance light. The regular assessment of the NAC's independence will

⁶ <http://lex.justice.md/md/340429/>

⁷ <http://www.credo.md/pageview?id=511>, and http://www.credo.md/site-doc/LocalEficFuncPrevCombCorup_11.12.2015_site.pdf,

ensure higher institutional independence than at the NIC. Research answering two questions: 1) what is the most effective institutional location of the current functions of preventing and combating corruption, 2) the arguments for maintaining the functions of prevention within NAC and NIC. The study provides an overview of anticorruption rational analysis functions; it discussed the existence and the value of anticorruption functions as definition composing a public institution.

The major conclusions were:
- based on a number of assessment criteria, referring to the optimization of the use of financial resources and ensuring of institutions' greater independence and as regards the fight against corruption.

- localization of all the functions within the NAC does not imply the exact reproduction of the model of the National Anticorruption Directorate of Romania, as it has been rumored.

- corruption fighting function must be reproduced through the NAC, which has the duty of investigating and identifying major risks and corruption-related phenomena, but by a model adjusted to the situation in Moldova. And also another perspective is that:
- If both of the institutions are kept, the modality of strengthening the prevention functions must be set by the National Anticorruption Center, while the National Integrity Commission should remain only with the duties of ascertaining and examining situations of incompatibility and conflicts of interests, including of imposing penalties, and of examining income and property statements.

The recommended solution aggregates all the strengths and benefits of the proposed options. There are two possible competing solutions: Solution 1. Option A (status quo +) and Solution 2. Option A (status quo +) functions to combat corruption and Option B (strengthening prevention) towards achieving preventive functions.

The research has been presented publicly and discussed publicly at tv networks of national coverage:

<https://www.youtube.com/watch?v=TVbsclCd2Pw> and <http://realitatealive.md/live-credo-conferinta-de-presa-cu-tema-solutia-pentru-functiile-de-prevenire-si-de-combatere-a->

[coruptiei-in-cadrul-cna-cni_31211.html](#), and http://www.realitatea.md/analiza-credo-despre-independen-a-cna-i-cni-cea-mai-buna-solu-ie-este-localizarea-functiilor-din-cadrul-unei-institu-ii-video_31248.html.

The research has been taken into consideration for the finalization of the law on the National Integrity Commission that has been adopted in the 2nd reading by the parliament.

Research answering two questions: 1) what is the most effective institutional location of the current functions of preventing and combating corruption, 2) the arguments for maintaining the functions of prevention within NAC and NIC. The study provides an overview of anticorruption rational analysis functions; it discussed the existence and the value of anticorruption functions as definition composing a public institution.

Anticorruption functions initially must be recognized as forming units of public institutions. Subsequently it is necessary to understand the exact value added (the produced change) of the function, ie what is the purpose of its existence. Finally, based on objective assessment criteria can be formulated institutional localization of functions. This approach is a model of analysis of the questions discussed. The study generates a set of rational arguments for and against institutional functions localization and options are discussed, this forms the basis for an educated debate on proposed questions. The study is not exhaustive, it recognizes the existence of other arguments in favor or against the recommended solutions - proposed methodology, however, it generates this set of arguments.

The recommended solution aggregates all the strengths and benefits of the proposed options. There are two possible competing solutions: Solution 1. Option A (status quo +) and Solution 2. Option A (status quo +) functions to combat corruption and Option B (strengthening prevention) towards achieving preventive functions.

3.2.4 Contribution and advocacy for the Establishment of the institutional mechanism for the recovery of stolen assets

Identification of the assets that have been stolen from the banking sector has been among the major public issues of concern. Within the project, we performed a research on the options of the effective investigation⁸. The contracting of the USA company Kroll for performing further the investigation by the National Bank of Moldova is not the only foreign assistance solution for recovering the money stolen from the banking sector. We found that ascertained that the cooperation between the national law enforcement bodies and the international subdivisions of BIG/StARR, which, besides recovering the stolen assets, can also track down the persons to blame, is an alternative to the contract with Kroll.

The research has been presented at a [news conference at IPN](#)⁹ and the key findings are:

- Kroll firm can cannot accountable the persons responsible for the bank frauds;
- proposed alternative is highly superior because the chances of holding accountable those to blame in the country and of freezing the stolen assets abroad are much greater
- Kroll is not able to freeze these assets for the purpose of recovering them and returning them to the country; the involvement of the national law enforcement bodies is vital,
- recovery of the stolen assets is a complex process consisting of several stages, while the contract with Kroll does not ensure that this company will be able to go through all these stages.

Olga Bitca, CReDO project coordinator and head of the Anticorruption Alliance, said the contracting of Kroll reminds of a similar case – the concession of the Chisinau International Airport, when there was no transparency. Furthermore, the recovery of the stolen assets is a complex

⁸ <http://www.credo.md/pageview?id=494>, and http://www.credo.md/site-doc/AnalizaComparativa_prefinal_pdf.pdf,

Opinia privind recuperarea

activelor bancare fraudate și opțiuni de sprijin internațional

... participarea BIG sau StARR este aparent superioară participării Kroll (agenția privată) la capitolele: gradul și calitatea de cooperare necesare în desfășurarea activităților (este esența acestei configurației), spectrul strategiilor penale și civile în funcție de caz, prețul serviciilor și transferul de capacități...

Cuprins:

1. Analiza comparată a opțiunilor	4
2. Etapele de recuperare	6
3. Strategile de recuperare a activelor care se afla pe teritoriul străin	7
4. Criteriile de evaluare pentru selectarea asistenței internaționale	9
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6. Regimul legal de recuperare cu țările gazdă	13

Resource Center for Human Rights
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process consisting of several stages, while the contract with Kroll does not ensure that this company will be able to go through all these stages.

We recommended the authorities to examine the possibility of accepting the identified alternative, which could be used in parallel with the investigation performed by Kroll.



Image: <http://charlesstone.com>

⁹ <http://www.ustream.tv/recorded/75112783>,

4. DEMOCRACY AND HUMAN RIGHTS ADVOCACY & CAMPAIGNS

Objectives:

- Campaigning for critical democratic issues
- Exercising public pressure on the justice and human rights changes

Core results and lessons:

In the course of 2015 CReDO has been involved along with the other partners in a dozen of democratization and human rights campaigns.

4.1 Advocacy for democratic changes and human rights

4.1.1 Accountability of the government in assuming responsibility before the parliament

The practice of assumption of responsibility by the Government before Parliament runs counter to the fundamental principles of a state with the rule of law. Within the project, we performed the research¹⁰ on the procedure and how it has been abused given that the Government assumed responsibility for 22 laws in the recent past, the principle of separation of powers in the state being thus violated. In [a news conference at IPN](#), we presented our findings that show that such a practice is used in only four of the 90 democratic states, namely Moldova, Romania, France, and Italy. Except for Moldova, the legislation of the other three states lays down very clear rules as to when responsibility can be assumed by the executive. In France, for example, only two laws can be adopted this way during the term of a legislature. In Romania, they should initially adopt the law by normal procedure. If the bill is not passed, but it is important, they can resort to

such a practice. In Italy, Parliament should give its consent for the executive to assume responsibility for particular bills.

Centrul de Resurse pentru Drepturile Omului (CReDO)
Practica angajării răspunderii Guvernului în fața Parlamentului consecvența principiului separării puterilor din stat și submințarea controlului de drept.



Centrul de Resurse pentru Drepturile Omului

Proiect în discuție (26.04.2015)

PRACTICA ANGAJĂRII RĂSPUNDERII GUVERNULUI ÎN FAȚA PARLAMENTULUI CONTRAVINE PRINCIPIULUI SEPARĂȚIEI PUTERILOR ÎN STAT ȘI SUBMINEAZĂ STATUL DE DREPT

Practica franceză ar invalida angajarea răspunderii a 20 din cele 22 legi ... Practica actuală a României ar invalida mai mult de jumătate din cele 22 de legi. ... în condițiile modificărilor propuse de Curtea constituțională a României ar fi neconstituțională 18 din cele 22 de legi. Practica italiană ar invalida toate 22 legi.

Cuprins

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Tab. Analiza comparativă a procedurilor de legiferare (situația actuală)

	1. Legiferarea urgentă	2. Legiferarea urgentă	3. Delegarea legislativă (Ordonanțe (autorizare prealabilă) și Ordonanțe de urgență (confirmare în termen))	4. Legiferarea prin angajarea răspunderii
A. Cine exercită funcția legislativă	Parlamentul și Biroul Legislativ al Guvernului	Parlamentul în sesiunile ordinare și extraordinare	Guvernul prin Ordonanțe (statut de lege ordinare) și Ordonanțe de urgență (cu statut de lege organică)	Guvernul cu votul de lege organică
B. Termenii de legiferare și de intrare în vigoare a proiectului și de lege	Depinde de urgența și de importanța proiectului în Parlament	În Franța: Guvernul cere Camerelor în termenii restrânși. În Italia: Guvernul cere Camerelor în termenii restrânși. În România: Guvernul cere Camerelor în termenii restrânși. În Moldova: Guvernul poate adopta Ordonanțe de urgență în termen de până la 10 zile raportul și imediat înscris pe agenda plenară ca prioritar	În Franța: Ordonanțele intră în vigoare imediat după publicare însă pot deveni invalide dacă un statut ulterior aprobat de către Parlament în termenii stipulați în Ordonanță. În Italia: Prin lege specială a Parlamentului se prevede termenul și domeniul. În România: Guvernul poate adopta Ordonanțe într-o zi. Ordonanțele de urgență sunt propuse de Guvern, camerele se convocă în 5 zile, dacă nu se pronunță în 30 zile devine lege. Se aprobă prin procedura de urgență. În Moldova: Guvernul poate adopta Ordonanțe chiar și într-o zi.	În Franța: 24 ore din momentul prezentării angajamentelor în fața Parlamentului și publicării în Monitorul Oficial. În Italia: Legea adoptată de Guvern își pierde validitatea dacă nu este validată în 5 zile de la introducerea de către Parlament. În România, Moldova: 72 ore din momentul prezentării angajamentelor în fața Parlamentului și publicării în Monitorul Oficial
C. Procedura de legiferare, rolul Guvernului și al Parlamentului	Guvernul propune Parlamentului, Parlamentul examinează și adoptă sau respinge proiectul	În Franța: Guvernul cere camerelor în termenii restrânși. În Italia: Guvernul cere camerelor în termenii restrânși. În România: Guvernul cere camerelor în termenii restrânși. În Moldova: Guvernul poate adopta Ordonanțe de urgență și aprobă un termen de până la 10 zile raportul asupra legii și o înscris ca prioritar pe agenda plenară	În Franța: Ordonanțele intră în vigoare imediat după publicare însă pot deveni invalide dacă un statut ulterior aprobat de către Parlament în termenii stipulați în Ordonanță. În Italia: Prin lege specială a Parlamentului se prevede termenul și domeniul. În România: Parlamentul adoptă legea de abilitare a Guvernului în anumite domenii și termenii cu excepția legilor organice prin Ordonanțe ale Guvernului cu sau fără confirmare din partea Parlamentului și intră în vigoare după publicarea în Monitorul Oficial fără promulgare. În Moldova: Parlamentul se convocă la max. 5 zile pentru a examina Ordonanțele de urgență și acestea devin lege dacă nu se adoptă în termen de 20 zile și intră în vigoare după publicarea în Monitorul Oficial fără promulgare. În Moldova: Parlamentul adoptă legea de abilitare a Guvernului în anumite domenii și termenii cu excepția legilor	În Franța: Proiectarea prin-susținutului a legii în Parlament și se consideră adoptată dacă Guvernul nu pică votul de sancționare semnat de 10% din membrii Asambleii. În Italia: Legea delegată se adoptă de Guvern și este trimisă Parlamentului spre validare. În România: Angajamentul se prezintă în fața Parlamentului și intră în vigoare după publicarea în Monitorul Oficial fără promulgare. În Moldova: Angajamentul se prezintă în fața Parlamentului și intră în vigoare după publicarea în Monitorul Oficial fără promulgare

¹⁰ <http://www.credo.md/pageview?id=493> and [http://www.credo.md/site-doc/CReDO_AngRaspGuv_draft_29.04.2015\(2\).pdf](http://www.credo.md/site-doc/CReDO_AngRaspGuv_draft_29.04.2015(2).pdf),

CReDO recommends the legislature to amend the Constitution as regards the assumption of responsibility for particular laws by the executive. We have made extensive public advocacy activities via national television networks¹¹. The research has been presented to the parliament of Moldova, Constitutional Court. The research has been considered part of the Constitutional Court examination of the constitutional petition. The Constitutional Court, which examined a challenge concerning this practice in relation to the budget-related laws, is recommended to study the European practice in such cases.

4.1.2 Accountability, effectiveness and independence of law-enforcement institutions and the separation of the powers in the state

The scope of the research was to answer the questions how to make law-enforcement institutions effective and that they deliver for the society. Why in the last two decades, these institutions have not been enjoyed the credibility and trust on one side and effectiveness on the other side.¹²

The effectiveness is understood as the change produced in the society – the combating of the corruption, criminality, keeping better the public order, reducing criminal behavior, etc. In this research we limited to only 2 aspects of the effectiveness of the 4 recognized namely are: **1) institutional independence, and 2) institutional accountability of the institutions.**

Institutional independence

On institutional leadership. Leadership of the institution is at the core of the independence guarantees. Criteria, duration of mandate, destitution have been manipulated to undermine the institutions.

On operational autonomy. Operational autonomy at the level of the institution and at the individual level are key to pursue the priorities established and defend the institution from the undue external influence that is still the reality including through the interference with the budget aspects.

On media transparency. Openness on the individual cases, provision of the adequate information about the institutional performance are at the core of the building the trust and also cultivate the responsiveness towards the societal needs and not the individual circles of influence.

Institutional accountability

On setting priorities. The practice for the setting priorities is generally not in place, there are some elements that are not coherently used. The evaluation shows that the indicators and below the basic requirements. Given the fact that priority setting is not an inclusive, rational and participatory process frequently they are blamed as politically motivated.

On monitoring performances. The absence of the evaluation of the institutional performance framework makes the institutions unresponsive and not bound to the evaluation from the society. The current state is below even the basic one when information is not disclosed and not collected with integrity.

On institutional accountability mechanisms. Holding the law-enforcement institutions accountable requires both procedures, information based on the priorities already set and the comprehensive information collected as well as the active use of the existing mechanisms. These mechanisms are the review of the external entities as Parliament and Government. The practice is effectively absent.

The report is composed of the five chapters. After the 1st chapter of the introduction, chapter 2 is

¹¹ <http://trm.md/ro/social/credo-guvernul-trebuie-limitat-in-asumarea-raspunderii/>, and http://www.realitatea.md/cc--guvernul-isi-poate-asuma-raspunderea-pentru-mai-multe-pachete-de-legi--iar-presedintele-este-obligat-sa-le-promulge_35467.html, and <http://www.jurnal.md/ro/politic/2015/4/28/credo-guvernul-a-abuzat-de-practica-asumarii-raspunderii-inactiunea-opozitiei-parlamentare-tradeaza-interese/>,

¹² <http://www.credo.md/pageview?id=483?&lang=en>

composed of the Conclusions and Recommendations. Chapter 3 contains the analysis of the situation on the institutional independence of the law-enforcements and institutional accountability of the law-enforcements as well as the interplay of these factors. Chapter 4 refers to the separate analysis of 3 institutions, namely Prosecutor, CNA and Police, in the separate sections. Chapter 5 contains comprehensive information on the pathway of the codification of the indicators to evaluate both independence and accountability indicators.

- a. Executive Summary of the Comparative report Why key law-enforcements institutions do not deliver?¹³
- b. Institutionnal Responsibility of the National Anticorruption Center¹⁴
- c. Institutionnal accountability of the Prosecutor office¹⁵
- d. Institutional accountability of the Police¹⁶

4.1.3 Analysis of the state of human rights in Azerbaijan from Human Rights House Foundation and Resource Center for Human Rights, CREDO¹⁷

Azerbaijan at UN CAT Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, 56 Session (09 Nov 2015 - 09 Dec 2015)

Serious concerns related to the respect of the international fair trial guarantees in Azerbaijan related to the prosecution of the human rights and civic activists (Intigam Aliyev, Rasul Jafarov, Anar Mammadli, and others) The trials against the civil society activists, accusing them of economic and financial crimes (illegal business, evasion from payment taxes, abusing official powers, service forgery and restriction of competition by monopolistic actions) fall substantially short of the fair hearing (specifically the “equality of arms”), requirements of publicity and the right to defense (preparation of defense, choice of lawyer).



Image: azadliq

The fair trial guarantees with respect of the equality of arms principle has not been respected fully as the defense has not been given a reasonable opportunity to present their case and evidence relevant to the case without a substantial disadvantage. a) Essential motions to present additional factual and other evidence are not taken the decision (effectively suspended) during the trial by the presiding judges. b) Neutrality of the court in many instances was broken leading to taking side against the defense, by closing the questions, intervening with the questions of the defense, quashing the question and the answer entirely.

Examples:

- 1. Not accepted substantial motions (financial docs, new witness, authenticated signatures): 1) 3 February 2015 (6 motions), 2) 3 March 2015 (2 motions), 3) 10 March 2015 (3 motions), 4) 17 March 2015 (1 motion), 5) 7 April 2015 (1 motion), 6) 14 April 2015 (1motion).
2. The judge taking sides

The right to counsel and defense being at the core of the notion of the due process has not been provided to the defendant as: a) confidential and privileged communication has not been respected, b) effective and adequate time for the legal representation was not satisfied, c) exclusion of some defense lawyers under the speculated grounds has weakened the exercise of right to council. The defense was not given the full and adequate access and to the protocols of the sessions and of the files of the case. The defense was given little time in the court itself, during the breaks, and in the presence of the some police and security persons and is very likely under the audio-video registration in the court room to communicate with the defendant.

¹³<http://www.credo.md/pageview?id=483?&lang=en>

¹⁴ <http://www.credo.md/pageview?id=480>

¹⁵<http://www.credo.md/pageview?id=468?&lang=en>

¹⁶<http://www.credo.md/pageview?id=470?&lang=en>

¹⁷http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/AZE/INT_CAT_NGO_AZE_22209_E.pdf

Examples:

1. Pre-trial investigation,
2. Withdrawn license of 2 lawyers,

The right to a public hearing is a vital safeguard for the interest of the defendant and of the society as a whole has not been sufficiently ensured. a) Small court room size, b) inadequate visibility of the actors in the court room, c) restrictions on entering and re-entering, d) inconsistent application of rules on excluding the public and the media have violated the public's right to record hearings under the international law.

4.1.4 Gender equality Platform

The Equality Gender Platform was launched in 2015 by more than 10 nongovernmental organizations and civic activists created a platform designed to strengthen the efforts of all the players promoting gender equality.¹⁸ One of the objectives of the Platform for Gender Equality, which was presented on July 14, is to promote proposals for the government program in the area of gender equality for 2014-2018, which were included in the Gender Equality Agenda.



Image: IPN

In a [news conference at IPN](#), Victoria Apostol, of the Resource Center for Human Rights (CReDO), said the members of the platform aim to promote the participation and balanced representation of women and to contribute to preventing and combating violence against women and domestic violence and to also build a favorable environment for ensuring gender equality at work, promoting women's entrepreneurship and an appropriate institutional framework for

ensuring gender equality.

Victoria Apostol stated that given the country's commitments, the major goal of the platform in 2015 is to obtain the adoption and implementation of the bill to amend and complement legal acts concerning gender equality of 2014 by lobbying and advocacy, awareness-raising campaigns and meetings with the parliamentary commissions and competent ministries.

The platform's secretary Nina Lozinschi said that by October the platform's members will stage meetings with the Speaker and Deputy Speaker of Parliament and with the head of the parliamentary commission on human rights and interethnic relations so as to discuss the form in which the bill on gender quotas will be approved. Consultations will be held with the Standing Bureau and the parliamentary groups concerning the two bills on gender equality.

There will also be held public debates on the human rights in the EU, with emphasis on the equality between women and men. The Ministry of Labor, Social Protection and Family will be asked to compile a report on the implementation of the provisions on gender equality of the Association Agreement between the EU and Moldova.

Andrei Brighidin, of the East Europe Foundation, said the current situation concerning gender equality in politics and the electoral process is due to the inaction in fulfilling the obligations undertaken by Moldova, including by ratifying international agreements and by adopting relevant national policy documents. "As the obligations and commitments are not fulfilled, we, the representatives of civil society, can only join efforts and promote this principle," he stated.

Among the members of the platform are the Women Entrepreneurs' Association, the Public Association "Promo-LEX", the Public Association "Gender-Centru", CReDO, the Women's Political Club 50/50, deputy head of the National Participation Council Antonita Fonari, and gender trainer Olga Nicolenko.

¹⁸ <http://www.credo.md/pageview?id=496>

CReDO- Victoria Apostol CReDO representative, was involved very actively in founding Platform for Gender Equality and as deputy of the Platform. Victoria Apostol had an active involvement in finalizing the regulation of the Platform, platform various products and documents, participated in events organized by platform etc.

Civil society called in 2015 on women MPs to make common cause to ensure gender equality. The adoption of a clear and common attitude and position by the women MPs concerning the need to institute a gender quota will have as effect the diminution of stereotypes about women in politics and will help strengthen the positive image of the female members of Moldova's Parliament. "We urge you to ask your male colleagues to immediately adopt the law on the institution of a minimum 40% representation quota for both of the genders,"

One of the the results of the Platform active lobby and advocacy was the 2nd final vote of the Parliament in the spring of 2016 on the draft law No. 180 and is a result of its activities of CReDO in the equality gender policies through the pas years. Law 180 on the quota of 40% women was adopted in the final reading on April 14, 2016 by 86 votes and merged with another project, the sexist advertising ban and introducing parental leave which are important steps for ensuring human rights and non-discrimination, protection of children's rights.¹⁹

¹⁹ A fost votat proiectul de lege 180 cu 86 de voturi! De azi avem concediu paternal de 14 zile achitat din fondul social,interzicerea publicității și a limbajului sexist, de azi oficial este introdusă cota minimă de reprezentare de 40 %, sancțiuni în caz de nerespectare, DAR fără prevederi de plasament, ceea ce înseamnă că introducerea cotei nu va avea rezultatul scontat. E un pas mic, dar important pentru asigurarea Egalității de Șanse dintre femei și bărbați, participarea femeilor la luarea

4.2 Targeted campaigns

4.2.1 Campaign of forming and ensuring the integrity of members of Government and other institutions

Actions: 1 public call that will generate other complaints and inquiries ACA and ACA members.²⁰

Lack of integrity of judges, investigation facilitated by ACA.²¹

Results: Some results are as regards the exclusion of the most dishonest and controversial people for the Prime Minister, Ministers, which hovers over corruption allegations. ACA and civil society actions were tempered by the lack of transparency and access to information in some cases of forming of the government.



Image: Ziarul de garda

4.2.2 Campaign on the situation in the banking system and the ongoing investigations

Actions: monitoring, multiple public calls, interviews, press releases

Results: Kroll report was made public informations about BEM investigations partially made public regularly. Kroll investigation, then law firm Kroll and an American law firm and ongoing investigations of Moldovan law enforcement institutions and have taken more

deciziilor <http://protv.md/stiri/actualitate/femeile-vor-fi-reprezentate-in-proportie-de-40-in-guvern-si-pe-1421271.html> situația în 2014 <http://ipn.md/ro/comunicate/5712>

²⁰ <http://ipn.md/ro/integrare-europeana/63456>

²⁰ <http://alianta.md/index.php?go=news&n=362>

<http://www.credo.md/pageview?id=537>

²¹ <http://anticoruptie.md/ro/investigatii/justitie/judecatorii-cu-noua-vieti>

vigorous tempos being catalyzed inclusively by mass protests with a participation of ACA members.²²

4.2.3 Campaign on publishing data on founders of companies

Actions: An analysis for publishing, based on legal arguments and legislative technique, participation in programs, taking stands in public, including debates on social network, participation in debates organized by the Investigative Centre of Journalism at the Centre for the Protection of Personal Data.
Results: Data are public, Moldova has achieved a very good position in Doing Business in Moldova. But alongside another database more user friendly data companies anyway is selling them. This can be treated as a triggering action and minimizing the effect of free open access to data.

4.2.4 Campaign The countdown of the unrealized commitments of the Government: 7 days- 7 priorities, among them CNI reform and professional integrity testing in the public sector²³

Actions: numerous and regular protests from 2014 until 2016. Participation at the forming and work of the Gender Equality Platform, lobby, meetings, press conferences, press releases.

Results:

- 60% of priorities approved by the Government and passed by Parliament within a year of the

launching of the campaign. - Law 180 on the quota of 40% women was adopted in the final reading on April 14, 2016 by 86 votes and merged with another project, the sexist advertising ban and introducing parental leave which are important steps for ensuring human rights and non-discrimination, protection of children's rights.²⁴

- Data on TV and radio stations holders entered into force on 10 November and were made public by the vast majority - more than 80 of the over 100 TV and radio stations targeted.²⁵
- Between autumn 2015 ACA members participated as Expert Working Group (WG) for reforming and relaunching the anti-corruption system. WG consisted of members and experts ACA included and present at the first meeting, WG constituting 1/3 of members of the civil society, 5 sessions were held. WG consensus existed on reforming institutions to combat corruption, but not one on institutions of preventing corruption. This review and some reform options were presented in mass-media.²⁶
- ACA decided by decision of the meeting of 1 July 2014 to promote the implementation and adoption of the related law on Professional Integrity Testing, which was carried out by numerous protests and debates organized by ACA, participation in programs and positions taken publicly, drafting of proposals to revise the project.²⁷ National Action Plan of the Association Agreement contains several provisions regarding the implementation of

²² <http://www.ipn.md/ro/politica/76404>

²³ Evoluția Tabelului celor 7 priorități legislative promovate de către AAC în colaborare cu alte platforme: CNP, Consiliul ONG, Alianța Anticorupție, Inițiativa Civică pentru Integritatea în Serviciul Public, Coaliția civică pentru alegeri libere și corecte Tabelul din 2014 și 2015 e aici :

<http://www.alianta.md/?go=news&n=309>

<http://www.alianta.md/?go=news&n=207>

²⁴ A fost votat proiectul de lege 180 cu 86 de voturi! De azi avem concediu paternal de 14 zile achitat din fondul social,interzicerea publicității și a limbajului sexist, de azi oficial este introdusă cota minimă de reprezentare de 40 %, sancțiuni în caz de nerespectare, DAR fără prevederi de plasament, ceea ce înseamnă că introducerea cotei nu va avea rezultatul scontat. E un pas mic, dar important pentru asigurarea Egalității de Șanse dintre femei și bărbați,

participarea femeilor la luarea deciziilor <http://protv.md/stiri/actualitate/femeile-vor-fi-reprezentate-in-proportie-de-40-in-guvern-si-pe---1421271.html>

<http://ipn.md/ro/comunicate/5712> situația în 2014 <http://ipn.md/ro/integrare-europeana/63456>

²⁵ <http://www.anticoruptie.md/ro/stiri/oficial-vlad-plahotniuc-proprietar-a-patru-televiziuni-si-trei-posturi-de-radio>

²⁶ <http://trm.md/ro/loc-de-dialog/loc-de-dialog-din-27-octombrie-2015-partea-i-a/>
[Și 2 intervenții la Loc de Dialog, TRM, în privința reformei CNI și PG.](#)

²⁷ Dezbateri organizată de AAC în septembrie 2014

http://www.realitatea.md/urmari-i-live-dezbateri-publique-pe-marginea-legii-privind-testarea-integritatii-profesionale_8589.html

professional integrity testing as prevention tool for the moldavian endemic systemic corruption widely supported by the EU, UN, OECD, OSCE and other organisations and institutions. Along the way, the building of a system of public integrity made necessary the drafting of a separate law of Public Integrity with a related project with high effectiveness, effective and proportionate sanctions, the latter p. 13, art. 16 Title III of the National Action Plan of the Association Agreement and ACA requirement to include it in the Plan during public consultations of 2014. Plan of ACA member delegated for th WG for the Public Integrity Law drafting and the related project attended the meetings, made provisions and improved the quality of a set of provisions, especially in April and May 2016.

- Drafting of the Code of Ethics and Conduct for MPs, 5th draft in number for the last years, developed in collaboration with several ACA members support in the frame of an UNDP project was voted in May 2016.²⁸
- Contribution to the drafting of Code of ethics in education, development of which was attended by AAC, in the amount of 80% the proposals were accepted and the cod approved in 2016.²⁹

4.2.5 Lobby and advocacy for the investigation of BEM affair, 2nd stage of Kroll investigation

The situation in the banking and financial sphere has been the high priority of 2015. Kroll investigation stage 2 was questionable and a certain pressure was needed to continue - ACA insisted on the meeting of the civil society with the IMF on the fact that the Moldovan authorities are reserved to subscription of the 2nd stage of the private investigation and asset recovery. Finally under the pressure of multiple actors, civil society and external partners, including the contract for

the second stage of the agreement has been concluded with a consortium which includes Kroll as an international institution specialized in asset recovery.³⁰

4.2.6 Participation to the consultations of several candidates for Prime-Minister with the civil society

Contribution to the drafting of the Government Programme.³¹



Image: gov.md

4.3 Public statements

The campaign 7 days-7 priorities and advocacy for the integrity provisions and compliance in the public sector

Continued the implementation of the campaign lauched in 2014 on the 7 unrealized commitments of the Government:

1. The consolidation of the financial responsibility of political parties in the election campaign,
2. The promotion of gender equality in political parties and political activity,
3. The consolidation of the financial sustainability of the civil society - adoption of the 2% law,
4. The consolidation of the public integrity regime - the package of law,
5. The promoting of the tobacco control policy - the adoption of the law to control tobacco products,

²⁸<http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/3158/language/ro-RO/Default.aspx>

²⁹ <http://diez.md/2016/03/29/doc-noi-premise-pentru-elevi-parinti-si-profesori-fost-publicat-codul-de-etica-al-cadrului-didactic/http://www.europalibera.org/content/article/27642626.html>

³⁰ <http://www.realitatea.md/kroll-a-prezentat-autoritatilor-un-raport-de-progres----candu--se-vor-recupera-30-35prc--din-exterior-si-2-mlrd--lei-din-interior--video- 36628.html>

³¹ See more ACA Annual Activity Report <http://www.alianta.md/?go=news&n=404>

6. The promoting of the transparency of media shareholder - the adoption of legislative changes,
7. The promotion of the transparency of public tenders and privatization of public assets – the application of the information platforms.³²

Thus, in supporting and promoting the draft laws and bills were carried out several activities involving several civic platforms, including: Anticorruption Alliance, National Council for Participation, National Council of NGOs, Human Rights Resource Center, the Civic Coalition for Free and Fair Elections, Public Policy Institute, the Independent Press Association, the Civic Initiative for Integrity in Public Service.

For 2015 the state of the adoption and implementation of the priorities is here:
<http://www.alianta.md/?go=news&n=309>

Public appeals regarding the public integrity system

Promoting integrity in the public sector as a national priority to combat the corruption-compromising integrity testing regime?³³



Image: portstrategy.com

We expressed our deep concern for the lack of progress on the adoption of the package of law: Non-endorsement by the Government of the package law on public integrity and non-adjustment of the legislative framework adopted 12 years ago for preventing corruption and ensuring the integrity, given, for example, the

possibility of representatives and even entire categories of people providing public services, to dodge the professional integrity testing, declaring gifts and arising conflicts of interest.

The Constitutional Court challenging certain provisions of Law nr.325 of 12.23.2013 on professional integrity testing system through the cancellation of the integrity system in the public service (law does not apply to judges).

We required:

1. Adoption of the package of regulation at the first meeting of the Cabinet of Ministers and subsequently in emergency by the Moldovan Parliament.
2. Declare the contested provisions of the law does not apply to the Constitutional Court judges referring to Law nr.325 of 11.23.2013 on professional integrity testing and confirming this interpretation as specified in the law.
3. Inviting experts from the Venice Commission, Council of Europe experts in the field to facilitate the proper implementation and capacity building in the public and judicial practice in the interpretation of the law in question.
4. International organizations (EU, CoE) to provide support and technical assistance that aims to help public institutions in Moldova to implement comprehensive and adequate testing regime integrity in the public service.

Public call on the integrity of the candidate to the Prime-minister post³⁴

For the first time, civil society bluntly cited the lack of integrity and professional skills, as well as of any adherence to such values as human rights of a candidate for Prime Minister, it was raised for the first time in public allegations on the absence of a due academic diploma.

³² <http://www.credo.md/pageview?id=446>

³³ <http://www.credo.md/pageview?id=484>

³⁴ <http://www.credo.md/pageview?id=489>
<http://www.credo.md/pageview?id=537>

<http://infoprut.ro/36572-gaburici-debuteaza-politica-pe-fondul-protestelor.html>

1. We observe the absence of prior verification of the integrity of the candidate by political parties and the President of the Republic, they are listen in the Annex to the public call,
2. We observe, in principle, with regret submission of an application for ministerial positions, but especially for prime minister position of political actors ignoring previous requests of the civil society, due to unmet criteria: a) public confidence in taking economic and democratic reforms b) the integrity of the full manifestation in previous professional activity in the public or corporate sector c) demonstrated professionalism and skills sufficient for the manifestation and the executive governmental management.
3. We regret how inappropriate and hasty was the appointment of the candidate for Prime Minister in terms already mentioned, which deprives the opportunity for the whole society and specialized groups to engage in necessary debates regarding the compliance of the application. Society and public opinion can not be sidelined by depriving it of the debate, at least during a reasonable period, compliance requirements and high standards of integrity, democracy and rule of law.
4. We see the consequence of lack of confidence of the public and society arising from the many loopholes of integrity as allegations of obtaining a false diploma, allegations of corruption cases, serious disregard of human rights, cooperation with authoritarian regimes and dictatorships etc. and left unexplained in the public space.
Or, doubts integrity itself is incompatible with the exercise of public function, since the mandate, and in particular the Prime Minister, is redevable the highest standards of integrity, meritocracy and professionalism, adherence to democratic practices and respect for human rights.

It is conceivable that promote people to management because they are in-laws, godparents, one of us and pretend to fight corruption, that an efficient government is

desired, a stable domestic political situation and that it would continue firmly the process of European Integration.



Thus,

1. Recommend policy makers by virtue of circumstances already created of the designation of Mr. Cyril Gaburici for prime minister enough time to research and to promote a substantial public debate on the fulfillment of basic requirements: 1) public trust for reforms, 2) high integrity, 3) demonstrated competent in achieving European integration and reforms. We require verification of the correctness and accuracy of the information disclosed in investigations below, and if the information raises suspicions of lack of integrity, incompatibilities or violation of human rights, Mr Gaburici candidacy be withdrawn from the office of Prime Minister.

We demand the withdrawal of candidature by finding unfit candidate for the above-mentioned criteria and withdrawal of filing the application by Moldovan President,

1. We request the designation and submitting an meritocratic, professional application and which would meet the demands and high standards of integrity, democracy and rule of law,
2. Urge, otherwise the persons empowered to urgently challenging the constitutionality of the decree advance CC candidature in light of the decision of 22 April 2013.



Image: Unimedia

Anticorruption Alliance ask for forming a parliamentary majority and the promotion in the government of people of integrity³⁵

Anticorruption Alliance require from the Parliament to form a parliamentary majority government promotion of human integrity. Anticorruption Alliance came up with an appeal to the Government, the president and the parliamentary parties to begin negotiations urgently, in order to create a stable pro-European majority in the legislature.

Alliance also require major state functions will not be shared on political grounds in preference to professional criteria and the process of negotiations on forming a parliamentary majority and the appointment of the government must be transparent, it also said.

Similarly, Anticorruption Alliance believes must be submitted at least three candidates, the main functions of the state - as the Prime Minister - in accordance with the principles of democratic practices and respect for human rights.

"Alliance Anticorruption deemed inadmissible to accede to public positions to persons compromised for unprofessionalism, lack of performance, with alleged facts of corruption and related lack of integrity or persons under monitoring and investigations for fraud from national and international authorities" Anticorruption Alliance says in the call.

Moreover, Anticorruption Alliance believes that "investing a government must have clear mandate in fulfillemen of the started reforms,

³⁵ <http://www.credo.md/pageview?id=495>

their continuity and the respect and strict compliance of pre-established terms for each stage of reform in every field".Also, the Anticorruption Alliance comes with a number of priorities which should focus future government, and they are improving the situation in the banking system, implementation of the Association Agreement with the EU and sign a new loan agreement with the IMF, the emergency adoption of anticorruption package of laws and honoring honoring obligations assumed by external partners.

Civil society demands the publishing of the AEI agreement³⁶

A number of civil society platforms made a call, demanding publishing the agreement on the formation of the Alliance for European Integration (AEI) 3 that was signed by the PL, PLDM and PDM on July 23. In a news conference at IPN, representatives of civil society said this document is public in character.

Ghenadie Turcanu, deputy head of the NGO Council, presented the call, saying Moldova's European course is the only correct direction for developing the country and thus they demand making the accord and all its annexes public.



Image: IPN

The NGOs call on the newly formed alliance to undertake the priorities from the previous government program and other priorities needed to ensure the country's European course and its development. The alliance is asked to step up the efforts to efficiently implement all the initiated reforms, in accordance with the best European practices, especially in the justice sector, to fight

³⁶ <http://www.credo.md/pageview?id=497>

corruption and to ensure the functionality of the National Integrity Commission.

In another development, the signatories request that the public integrity and the criteria of equitable representation of women and men should be part of the algorithm used by the parties to designate candidates for posts that are political in character.

During the first 100 days of the formation of the Government, the AEI is asked to adopt the package of laws that introduce the minimum gender representation quota and amend the legislation on party funding by decreasing the cap on private donations. It is also requested to set the mechanism of implementing the 2% law in accordance with the good European practices and the package of laws on media ownership transparency and to adopt a new broadcasting code.

As to the government program, civil society asks to be consulted about it and also asks launching the process of constituting the National Participation Council and other forms through which the civil society organizations are consulted over the next few weeks. The NGOs said they will attentively monitor the negotiation process and the implementation of the government program and will react to any inconsistency or deviation in the reform implementation process.

The call was signed by the National NGO Council of Moldova, the Anticorruption Alliance, the Platform for Gender Equality, members of the National Participation Council 2012 – 2014, the Civic Coalition for Free and Fair Elections and the Legal Resources Center of Moldova.

Civil society seeks transparency in forming new government coalition³⁷

A number of civil society organizations signed a public call by which they ask for maximum transparency in the process of negotiating the formation of the new government coalition and that civil society should be consulted when naming the Prime Minister and the members of

the Cabinet, IPN reports.

The call addressed to the Government, Parliament, President, the Liberal Democratic Party, the Democratic Party, the Liberal Party, the Party of Communists and the unaffiliated MPs says that in the current conditions of unprecedented crisis, caused by the succession of six governments since 2009, civil society formulated a number of requests. Thus, besides maximum transparency, it demands that at least three candidates should be nominated for the key state posts such as that of Prime Minister, in accordance with the democratic practices and by observing the human rights.

The civil society organizations ask to name a person with professional integrity, with substantial confidence enjoyed in society and with proven competency in the areas of European integration and reformation as Prime Minister. The integrity and competence of the ministers should be confirmed beforehand by the Security and Intelligence Service. The agreement on the formation of the future alliance should not include the false principle of collegiality of members and this should be substituted by the principle of legality and rule of law.

The SCOs demand that the law enforcement bodies should be depoliticized and optimized, that selective justice should be removed and that the principles of legality and impartiality should be enforced, that the state institutions and regulatory agencies should not be distributed based on party criteria and spheres of interest and that the National Anticorruption Center and the National Integrity Commission should not be merged as the latter has inspection duties that necessitate independence.

The civil society also wanted the initiated reforms to be implemented, in particular in the justice and anticorruption sectors; the national legislation to be adjusted to the Community acquis in terms of money laundering, transparency, monitoring and financial reporting, based on clearly defined indicators; transparent, correct and equitable contests to be held to select candidates for the post of governor of the National Bank of Moldova.

³⁷ <http://www.credo.md/pageview?id=517>

The civil society organizations also asked the foreign partners and national authorities to identify a clear and transparent financial reporting mechanism that would be monthly used by all the public institutions managing public money.

Some public statements of the Anticorruption Alliance

A total of 19 public calls have been drafted, several public appeals, a part of them were linked to the BEM fraud in order to enhance the investigation and public communication of the informations, another part was regarding the integrity and criteria of nomination of the candidates to the post of the Prime-Minister, Ministries among the most representative:

1. Public call on the lack of integrity of V. Plahotniuc³⁸
2. Public call on the socio-political situation³⁹
3. Public appeal to the selection committee regarding the eligibility criteria for civil service of the NBM governor,⁴⁰
4. Another public appeal codrafted by ACA, addressed to the development partners, the IMF, in particular, drafted by Platzforma, which incorporated proposals made by AAC to fully reset EaP, particularly in terms of funding the judiciary and anti-corruption. The public call has been requested a number of actions to be taken by the Moldovan Government (with the support of other state institutions), until December 2015.⁴¹
5. Public appeal launched by the Anti-immeasurably after his resounding and its repercussions on society as a whole, is publishing the immediate, unconditional and full report Kroll and regular communication of information on the ongoing bank fraud investigation, ideas retrieved later in the

public meeting held in the Square of 05/03/2015. Thus, multiple pressures of civil society, the media, Anticorruption Alliance included, on 4 May 2015 Kroll report was published on the official blog of the President of the Moldovan Parliament, Andrian Candu, and NAC, Anticorruption Prosecutor's Office and Prosecutor General's Office began to regularly communicate information about BEM, Social Bank and Unibank cases that caused the crisis in the banking system.⁴²

6. Equally positive impact it has had on public tenders the public call dedicated to the procurement of medical devices.⁴³

Following their review was initiated most expensive and dubious auctions of medical devices.

Resolution and public statements of CREDO members on the energy sector⁴⁴

A group of energetic and economic experts have drafted a resolution that identified important issues in the energy sector. They proposed an action plan to overcome the crisis situation. The resolution was supported by several NGOs and analytical centers. Experts say that the main cause of the crisis in the energy sector is the depreciation of the national currency. The difficult situation is fueled by other factors, including the low income population and state dependence on a single supplier to import natural gas and electricity.

State institutions were responsible for promoting an energy policy that breach the law. The resolution notes that in 2014 Parliament approved an amendment to the Law on Natural Gas contrary to European norms. This led to increased spending for consumers with over 300 million MDL annually. Experts remark the problem of existence of intermediaries to import electricity and the need to attract the liability of persons who are guilty of causing prejudice to the consumers.

³⁸ <http://www.alianta.md/?go=news&n=377>

³⁹ <http://www.alianta.md/?go=news&n=368>

⁴⁰ <http://alianta.md/index.php?go=news&n=362>

⁴¹ <http://www.platzforma.md/adresare/>

http://www.realitatea.md/societatea-civila-solicita-o-negociere-transparenta-i-corecta-a-noului-acord-cu-fmi_27119.html
<http://www.europalibera.org/content/article/27267185.html>

<http://www.zdg.md/editia-print/politic/apel-ultimativ-catre-cetatenii-r-moldova-si-catre-structurile-de-stat>

⁴² <http://alianta.md/news/view/-93479/page:2>

⁴³ <http://alianta.md/news/view/-2801/page:1>

⁴⁴ <http://www.credo.md/pageview?id=499>
<http://www.ipn.md/ro/comunicate/5362>

It is also mentioned the lack of compensatory mechanisms for socially vulnerable. Experts say that the approval of new rates was conducted by transgressing the law on transparency in decision making and gas tariffs are published in the Official Gazette higher than the rates announced by the ANRE in the public meeting of 17 July.

The action plan proposed by the expert group, requires amending legislation to increase the ANRE independence and the creation of an Advisory Board, which will be composed also by independent experts. In the authors' opinion, should be amended bills of suspension of tariffs revised tariff increase with organizing of public consultation as required by law. Resolution signatories considered it necessary to organize a complex control of all operators in the energy sector with the participation of independent experts and specialists from some specialized state institutions.

Resolution signatories called on the publication of the following documents:

- agreement on establishment of JSC "Moldovagaz",
- privatization contract RED Chisinau, RED Centre and RED South,
- electricity purchase contracts and natural gas, as well as annexes to those contracts.

The resolution stipulated the proposed creation of an advisory group composed of representatives of civil society to monitor the interconnection to the power system of Romania.



4.4 Assembly and freedom of expression Monitoring

Public opinion CReDO on the intimidation of the freedom of expression⁴⁵

CReDO expresses particular concern for a series of cases of intimidation of various forms of freedom of expression in Moldova. These practices contravene international standards, European engagements and national legislation of reference.

In recent weeks of the beginning of 2015, a number of cases, we witness a series of cases attesting an undemocratic reaction of public authorities. For example, participation in a peaceful meeting to express an opinion disturbing against some actions of the executive, government or political decisions, exposure to public on social networks and the Internet, critical opinions are deterred by unjustified measures of constraint from representatives of the prosecution and judicial institutions.

We exhibit some worrying cases and recommend:

- 1) Quitting practices of intimidation of peaceful political and civic events for expressing public disagreement of opinion or a different opinion,
- 2) Reconfirmation of public and political exponentsof the unconditional adherence to democratic values of freedom of expression to invalidate speculations circulated by political pressure exerted on certain actions of public bodies referring to cases exposed,
- 3) Strict adherence in court practice activity to the fundamental and institutionalized principles of European jurisprudence on freedom of expression on peaceful public manifestations, freedom of speech in cyberspace.

We call on all actors of society to support the unconditional freedom of expression in a peaceful form and interest to promote democracy and political pluralism in Moldova.

⁴⁵ <http://www.credo.md/pageview?id=490>

Public opinion CReDO regarding modifications to the freedom of expression and press regulation⁴⁶

Some provisions of the bill create an unjustified protection regime of political and public figures that result in limiting undemocratically the freedom of the audiovisual expression. They must be removed from the bill. Protection of domestic space from propaganda and unfair competition from propagandistic broadcasters is a legitimate aim, but requires the use of democratic instruments. These provisions should be amended. Strengthening sanctions and the capacity of CCA to sanction the irresponsible behavior during the election is welcomed. Most eloquent reference in terms of positive practice is *Busuioc v. Moldova* and the European encoded practice. The draftlaw was stopped, then reconsidered and sent for legal expertises to national and international experts and organisations.

CReDO opinion on the public meeting of 4th october of the DA Platform⁴⁷

Conclusions:

1. The march toward GBC was discussed and coordinated between the organizers and the police, the latter having reasonable force to ensure the protection of the building.
2. The incident with "breaking" first police cordon in front of the square GBC resulted of several circumstances of (the facts available at the front):
a) incitement of the organizers, b) poor sound

communication of the organizers with protesters (loss of the effective control over the actions of the crowd) c) lack of communication between the police and protesters (lack of intent and equipment), nor organizers have been helped to have a more skilful equipment.
3. The situation was partly detressed by: a) partial support of protesters dressed in military uniforms, b) facilitating access to some representatives of the organizers to the GBC building further communication (voiced inefficiently and poor) with the protesters. Ineffective coordination and partial loss of control of the organizers on the participants is visible, statements of incitement exalted the aggressive behavior of some protesters, determined to aggressive physical actions. If the agreement between the police and the organizers of the protest was broken, the organizers can be held respinsible, considering that has not followed any negative consequences. The number of police force has been strengthened reasonably during the event.



Image:

deschide.md

⁴⁶ <http://www.credo.md/pageview?id=491>

⁴⁷ <http://www.credo.md/pageview?id=501>

5. CAPACITY-BUILDING & LEGAL POLICY DRAFTING

Objectives:

- Consolidate government capacity to promote reforms
- Actively contribute to the legal and policy solutions

Core results and lessons:

In the course of 2015 and 2016 CReDO has been requested and provided hundreds of the policy legal solutions.

5.1 Drafting and contribution to the anticorruption policies

In the reference period ACA and CReDO developed, its expertise, consulted and sent to the addressee over 22 sets of anti-corruption draft laws and proposals, formulated policies on other projects under development or revision:

1. Proposals Alliance to the bill on National Anticorruption Centre:

7% accepted, the Parliament adopted the first version of the project with virtually no changes proposed in the consultation period.⁴⁸

2. Alliance proposals in the package of laws on the reform of NIC:

In September the Ministry of Justice has requested the dispatch of proposals, when it was questioned about the progress of reform. Thus, 50% of proposals were accepted to the bill of income disclosure and of personal, interests and 10% of proposals were accepted on the law on NIC reform.⁴⁹

3. Proposals for the Government's Strelet Government Programme/Action Plan Acțiuni⁵⁰

4. Proposals to the draft law on mandatory reporting of corruption: adopted by the Government about -50% of proposals accepted, but the draftlaw was not in line with human rights standards.

5. Law proposals on revised professional integrity testing (assessment of Institutional Integrity Law)

6. Comments on the revised bill on funds - on financial proportionality of sanctions is currently conceptually accepted by NAC for other bills.

7. Preparing proposals on private sector development and political corruption for National Anticorruption Strategy and National Anti-Corruption Plan:

The proposals have already been used for drafting the study locating institutional functions effectively preventing and combating corruption and for debates with local experts-authors of the Strategy - ongoing for SNA preliminary proposals have already been sent.

These proposals were also used in debates of the working group for drafting the Law on Integrity.⁵¹

8. Proposals to the code of ethics and conduct of prosecutors - 19% accepted.⁵²

9. Code of ethics and conduct of the judge: 85% of proposals accepted.⁵³

10. Issuing the draft Code of Ethics in the education sector - 80 %

11. Reconsignment the ACA proposals final reading and vote in the Party Funding Law, at least 5% accepted.

12. The proposals for re-dispatch the Law on health care and informal taxes and combating corruption in medicine:

Two measures already undertaken, 40% achieved in terms of public appeal and document registration under the Law on healthcare.

13. ACA proposals to the Government Programme - 20% accepted.

14. Recommendations to the Eastern Partnership on the funding of anti-corruption policies and projects:

⁴⁸ <http://alianta.md/index.php?go=news&n=361>

⁴⁹ <http://alianta.md/index.php?go=news&n=358>

⁵⁰ <http://www.alianta.md/?go=news&n=367>

⁵¹ <http://www.alianta.md/?go=news&n=388>

<http://www.credo.md/pageview?id=511>

⁵² <http://www.alianta.md/?go=news&n=297>

⁵³ <http://www.alianta.md/?go=news&n=295>

5.2 Finalising of the drafting of the Action Plan of the National Strategy of the Child Protection

The purpose of the policy lines out in the continuity of the National Strategy of the Child Protection. The adoption of the Action Plan activities in practical terms means: 1) adoption of some implementation regulations and management/communication regulations (that does not represent financial costs implications and would need just extensive consultations), 2) provision of the financial resources for the establishment and carry out of the services (implies substantial financial resources) and 3) developing capacity for the delivery of services that mostly requires training and adoption of the procedures for the financing of social services. the possibility of its broad interpretation and, therefore, abuse.

Based on the larged direct consultation, CReDO developed the draft of the Action Plan that has been widely consulted with the relevant Actors, the draft Policy for 2014-2020 and which was approved in spring 2016.⁶¹

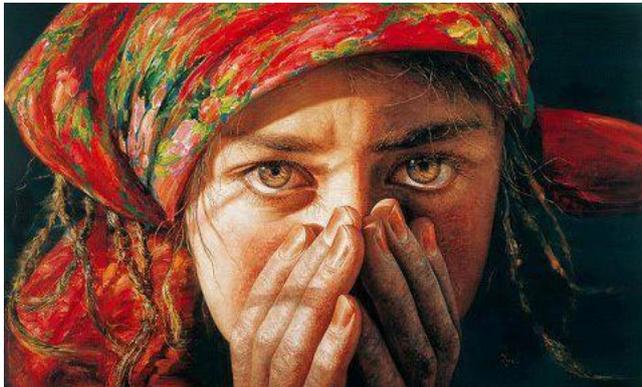


Image: Women in art, berussa, the symbol if the strategy page on Facebook, administrated by CReDO

⁶¹<http://www.mmps.gov.md/ro/content/proiectul-planului-de-actiuni-privind-implementarea-strategiei-pentru-protectia-copilului-pe>

6. FINANCIAL AND AUDIT REPORTS

Resource Centre of Moldovan Human Rights NGOs (CReDO) all reports are presented in Moldovan lei.

6.1. Report on Financial position

Balance sheet as at 01 January 2016

	Notes	1-Jan-16 MDL	1-Jan-15 MDL
ASSETS			
Property and equipment			
Building	1	1,748,245	1,876,529
Furniture	1	5,562	7,609
Computer equipment	1	48,671	75,842
Car	1	0	0
		1,802,478	1,959,980
Current assets			
Other receivables	2	26,226	17,964
Cash and cash equivalents	3	170,352	635,643
		196,578	653,607
Total assets		1,999,056	2,613,587
ACCUMULATED FUNDS AND LIABILITIES			
Accumulated surplus			
Accumulated surplus	4	(414,064)	112,393
Revaluation reserve	1	745,640	802,997
		331,576	915,390
Liabilities			
Deferred income	5	1,056,838	1,156,983
Deferred revenue from grants	5	25,702	0
		1,082,540	1,156,983
Current liabilities			
Payables and accruals	6	58,440	14,714
Loan		526,500	526,500
		584,940	541,214
Total liabilities		1,667,480	1,698,197
Total fund balance and liabilities		1,999,056	2,613,587

Director Serghei Ostaf

6.2. Report on activities

Income Statement for the year ended 31 December 2015

	Notes	2015 MDL	2014 MDL
Revenue			
Grant revenue	7	1,491,059	3,075,269
Other revenue	8	145,132	80,581
		<u>1,636,191</u>	<u>3,155,850</u>
Expenses			
Program and administrative expenses	7	(2,023,017)	(3,147,654)
Other expenses			
		<u>(2,023,017)</u>	<u>(3,147,654)</u>
Excess of expenses over revenue		(386,826)	8,196
Net foreign exchange loss		(27,238)	(8,196)
Surplus (deficit) before income tax expense		(414,064)	0
Income tax expense			
Gain (Deficit) for the year	4	<u>(414,064)</u>	<u>0</u>

Director Serghei Ostaf
Accountant Panico Vladislav

6.3. Report on circulation of funds

Statement of Cash Flows for the year ended 31 December 2015

	Notes	2015 MDL	2014 MDL
Cash flows from operating activity			
Surplus before income tax expense		(414,064)	0
Adjustments for:			
Grant revenue		(1,491,059)	(3,075,269)
Other non-cash revenue			
Exchange difference		102,263	94,605
Operating loss before changes in working capital		(1,802,860)	(2,980,664)
(Increase) / decrease in other receivables		(8,262)	77,087
Increase / (decrease) in payables and accruals		43,726	(3,050)
Cash generated from operations		(1,767,396)	(2,906,627)
Income tax			
Net cash from operations		(1,767,396)	(2,906,627)
Cash flows from investing activities			
Acquisition of property and equipment		0	(71,192)
Net cash utilised in investing activities		0	(71,192)
Cash flows from financing activity			
Net Loans Received			
Net Funds received		1,302,105	1,343,120
Net cash flows from financing activity		1,302,105	1,343,120
Net increase / (decrease) in cash and cash equivalents		(465,291)	(1,634,699)
Cash and cash equivalents at 1 January	3	635,643	2,270,342
Cash and cash equivalents at 31 December	3	170,352	635,643

Director Serghei Ostaf
Accountant Panico Vladislav