



## Resource Center for Human Rights (CReDO)

# ANNUAL ACTIVITY REPORT

January – December 2016

**Resource Center for Human Rights (CReDO)**  
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## 1. SUMMARY

This is the 16<sup>th</sup> annual executive report of the organization. CReDO was in its last years of implementation of the 4<sup>th</sup> organizational development cycle based on 2015-18 CReDO Strategic Plan. The implementation of some governmental strategic actions were delayed from 2015 to 2016, 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 president elections in October 2016 represented a point where the elected president Ig.Dodon with the slight margin of just 4%. It will either continue or confront the current pro-European Government. 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 2<sup>nd</sup> consecutive chairmanship 2015-partly 2016 of the Anticorruption Alliance ([www.alianta.md](http://www.alianta.md)). CReDO remained the leading actor in enforcing a most liberal and democratic law on public assemblies in the region. CReDO representatives are relied heavily on international level (OSCE/ODIHR, CoE and EU) for the assembly, policing and fair trial reforms.

Key challenges in 2016 were for the macroeconomic indicators, bank fraud investigation and prosecution with the asset recovery, 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 2017 the re-establishment of CNP is expected. The main challenge constitutes some 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), the 1st one was approved by the Government on the 28th December.

CReDO 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 and provide direct policy advice in a format of several pages that are both legally sound and economically, socially and politically implementable.

**Political developments are the most critical aspect.<sup>1</sup>**

### Conclusions for 2018/19

Under current assumptions, the most likely way is **Realistic Path (internal development – “REAL” or some sort of “REAL +”)**. **Realistic path under either peaceful or pragmatic global scenarios** yield overall

<sup>1</sup> CReDO. Analysis of Political Developments in Moldova: 2017-19

probability of **60-85%**.<sup>2</sup> This still could, in some circumstances, develop into Ideal Path of political development with less than 20% probability.

The gradual-reform way forward (“IDEAL – “ or “REAL”), the country needs at least continuation of the existing western support, e.g. the 4-factor model of *E(I)rA*. The political configuration that supports this very model is similar to the one above.

The current electoral system (party list), the change for forming a political majority is 60-40% in favor of the left political forces (Option 2A-PSRM+PCRM) or left-center (Option. 2A-PSRM+PCRM+PDM).

Chances for this options grow if the global scenario moves from peaceful scenario to pragmatic and especially to confrontational scenario. This is given the increasing Russian influences in Moldova and agreement with EU and US on spheres of influences and even greater vote of the labor migrants from Russia and from TN.

Option 2A will be dominated by PSRM and Russians in proportion of 75 - 25% and therefore promotion of the European option will be difficult.

The probability for Option 1A is substantially less, perhaps 25-75% (with the current electoral system), given: a) electoral pattern (above) and b) confrontational personal relations between PAS-PDM and PL (or successor party).

Chances for Option 1B are higher since the perception of the external threat will push PAS+PD+PL to overcome internal confrontations at the expense of the national security considerations. However, in case of 1B none of the substantial reforms could be carried out given the increased influence of Russia and the spheres of influence and turfing role of President Dodon.

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<sup>2</sup> The more rigorous calculation could come from: Combined probability of Event 1 (global scenario) X Event 2 (internal path).

## 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 the course of 2014-2016 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 until 2016. 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](http://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 2016 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 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, UNDP, UNDEF, NED, UNICEF, Human Rights House, consultancy services and private sources from sales.

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

### 3. CABINET OF MINISTERS POLICY ADVOCACY

#### Objectives:

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

#### Core results and lessons:

In the course of 2016 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),<sup>3</sup>
2. CReDO Opinion on the Cabinet Agenda on 17.02.2016 (3 issues)<sup>4</sup>
3. CReDO Opinion on the Cabinet Agenda on 24.02.2016 (3 issues).<sup>5</sup>

Centrul de Resurse pentru Drepturile Omului (CReDO), [www.credo.md](http://www.credo.md), Analiza comparată transparență decizională a executivului 2012-14 vs. 2016

06.2016

## ANALIZA COMPARATĂ:

### TRANSPARENȚA DECIZIONALĂ A

### EXECUTIVULUI: 2012-14 vs. 2016

#### extrase reprezentative din raport:

"... Nu există îmbunătățiri substanțiale calitative în perioada 2016 în comparație cu perioada 2012-14 la capitolul transparență decizională ..."

"... Guvernul și Parlamentul neglijează propunerile de rezolvare a carențelor transparenței decizionale propuse încă în 2014..."

"...Efortul și costurile de conformare la exigențele transparenței sunt gestionabile și pot fi operate în 3-6 luni, reprezentând ajustări regulatorii, dezvoltare capacități..."

"...Toate problemele și carențele din perioada 2014 au persistat și în perioada 2016..."

"...Dreptul la un remediu eficient în raport cu nerespectarea transparenței este iluzoriu..."

"...Numărul total de subiecte care nu au respectat pe deplin (elaborare și adoptare) procedura de transparență decizională rămâne înalt, cel puțin 40%..."

"...Transparența în procesul de privatizare ... și în procesul licitațiilor publice continuă a fi foarte profund defectuoasă..."

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### 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.<sup>6</sup>

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](http://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*

<sup>3</sup> <http://www.credo.md/pageview?id=563>

[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)

<sup>4</sup> <http://www.credo.md/pageview?id=565>

[http://www.credo.md/site-doc/2016.02.17\\_CReDO\\_final.pdf](http://www.credo.md/site-doc/2016.02.17_CReDO_final.pdf)

<sup>5</sup> <http://www.credo.md/pageview?id=570>

[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)

<sup>6</sup> <http://www.credo.md/pageview?id=587>

[http://www.credo.md/site-doc/CReDO\\_Transp\\_2016\\_v6\(2\).pdf](http://www.credo.md/site-doc/CReDO_Transp_2016_v6(2).pdf)



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.<sup>7</sup>



Image: Realitatea.md

<sup>7</sup> <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>

<sup>8</sup> <http://www.credo.md/pageview?id=582>  
[http://www.credo.md/site-doc/SocietateaCivilaOptiuniCooperare\\_v3.pdf](http://www.credo.md/site-doc/SocietateaCivilaOptiuniCooperare_v3.pdf)

### 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.<sup>8</sup>



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.

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

Parliament- civil society cooperation 04.07.2015,<sup>9</sup> 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<sup>10</sup> min 45 presentation of Sergiu Ostaf and later discussion of the report on the transparency of the Government.

<sup>9</sup> [http://realitatealive.md/live-are-loc-a-vii-a-editie-a-conferintei-anuale-cooperarea-dintre-parlament-si-societatea-civila\\_41756.html](http://realitatealive.md/live-are-loc-a-vii-a-editie-a-conferintei-anuale-cooperarea-dintre-parlament-si-societatea-civila_41756.html)

<sup>10</sup> [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](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)

## 3.2 Advocacy for changes in justice, integrity 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 in 2015 and included 5 independent experts and representatives of the National Anticorruption Center. This process makes part of the National Action Plan to combat and prevent corruption<sup>11</sup>.

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 in the person of Olga Bitca. 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

PILONUL I. JUSTIȚIA.....	2
PILONUL II. INSTITUȚIILE ANTICORUPȚIE ȘI DE APLICARE A LEGII.....	3
PILONUL III. GUVERNUL.....	3
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PILONUL X. SECTORUL PRIVAT.....	15

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 Centre 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.

Supplementary several rounds of consultations were organized by IPRE and Anticorruption Alliance and its members took an active part in order to generate more proposals and to establish several priorities for justice and anticorruption reform.

In December 2016 a public appeal was co-drafted by several members of the Anticorruption Alliance, debated and presented as a suite of the previous public debates on the strategic priorities in justice and anticorruption, whistleblower protection included.<sup>12</sup>

At the prefinal stage of the public consultations, a new chapter on the integrity of the civil society and mass-media was proposed by CReDO for the draft of the National Integrity and Anticorruption Strategy, as it was refused during elaboration of the draft of the Strategy of the Development of the Civil Society. After big debates on the meaning of the depolitization of the civil society, the limits of the participation of the individuals and organizations in the political life etc. the proposal was refused by a group of the specialized civil society organizations and subsequently by NAC, even if the proposed chapter included only voluntary future actions decided by the civil society and mass-media as free independent sectors.<sup>13</sup>

These several sets of proposals from the part of the civil society were promoted during public sectorial consultations organised in December by the National Anticorruption Centre and the

<sup>11</sup>[http://www.gov.md/sites/default/files/document/attachments/intr03\\_3\\_0.pdf](http://www.gov.md/sites/default/files/document/attachments/intr03_3_0.pdf)

<sup>12</sup> <http://ipre.md/new/index.php/2016/12/13/apelul-public-al-societatii-civile-privind-prioritatile-strategice-in-domeniul-anticoruptiei/>  
<http://ipre.md/new/index.php/2016/12/13/a-fost-prezentat-apelul-public-al-societatii-civile-privind-prioritatile-strategice-in-domeniul-anticoruptiei/?lang=en>

<http://realitatealive.md/live-institutul-pentru-politici-i-reforme-europene-prezinta-apelului-public-al-societati-civile-privind-prioritatile-strategice-in-domeniul-anticoruptiei-49706.html>

<http://www.alianta.md/?go=news&n=412>

<sup>13</sup> RO <http://www.credo.md/pageview?id=605>  
ENG <http://www.credo.md/pageview?id=608>

prefinal draft<sup>14</sup> was considerably revised, especially considering formulations of indicators and some of the actions. For instant, some actions considering political parties were revised in line with GRECO recommendations and the terms of the prevention and combating of the political corruption were debated with the representans of the Central Electoral Commission and specialized organisations.

The previous Anticorruption Strategy term expired in 2016.

The draft strategy was submitted to the Parliament and approved on 30 mars 2017.<sup>15</sup>

Sectorial anticorruption strategies are at the finalization stage of elaboration with the input for near all of 10 sectors from CReDO and other CSOs.



Image: <http://charlesstone.com>

### 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, especially as ACA was demanding since 2014 for an overall ethical code for the public agents.<sup>16</sup>

Some of the valuable contributions to the drafting of the law were included, such as insisting on the inclusion of the private sector for the requirements of integrity, especially the provisions on the disclosure of the final beneficiaries of the offshore companies.<sup>17</sup>

The draft law<sup>18</sup> has been approved by the Government and was approved by the 1<sup>st</sup> reading of the parliament on 28<sup>th</sup> July 2016 <sup>19</sup>. The draft law has stayed in the pipe line of the Parliament for as long as for 10 months. The draft laws aimed at the replacing of the old law on the prevention and combating of the corruption<sup>20</sup>. As part of the actions to promote the draftlaw a public discussion has been organized with the support of the project together with UNDP and CNA.<sup>21</sup> As part of the promotion of the draftlaw, a representative group of NGOs has signed dozen of petitions addressing the Parliament to adopt

<sup>14</sup><http://cna.md/pageview.php?l=ro&idc=44&t=/Transparenta-decizionala/Proiecte-elaborate>

<sup>15</sup> <http://www.legis.md/cautare/rezultate/99502>

<sup>16</sup><http://deschide.md/ro/news/social/26125/Legea-Integrit%C4%83%C8%9Bii-discutat%C4%83-de-reprezentan%C5%A3ii-autorit%C4%83%C5%A3ilor-publice-%C5%9Fi-ai-societ%C4%83%C5%A3ii-civile.htm>

<sup>17</sup> <http://www.bizlaw.md/2017/07/11/sectorul-privat-sub-lupa-legii-integritatii/>

[http://www.alianta.md/other\\_dox/Studiul\\_Evaluarea%20proiectului%20SNA%20si%20propunerile%20membrilor%20AAC\\_0.pdf](http://www.alianta.md/other_dox/Studiul_Evaluarea%20proiectului%20SNA%20si%20propunerile%20membrilor%20AAC_0.pdf)

<sup>18</sup>[http://cna.md/sites/default/files/proiecte\\_decizii%20/p.r.legeintegritatii\\_consultare\\_04.2016.pdf](http://cna.md/sites/default/files/proiecte_decizii%20/p.r.legeintegritatii_consultare_04.2016.pdf)

<sup>19</sup><http://www.parlament.md/ProcesulLegislativ/Proiectedecalegislative/tabid/61/LegislativId/3288/language/en-US/Default.aspx>

<sup>20</sup> <http://www.credo.md/pageview?id=590> and [http://www.credo.md/site-doc/Legea\\_Integritatii\\_Press\\_final\\_3.pdf](http://www.credo.md/site-doc/Legea_Integritatii_Press_final_3.pdf)

<sup>21</sup> <https://www.privesc.eu/Arhiva/67989/Dezbaterea-publica-a-proiectului-Legii-integritatii>

the law.<sup>22</sup> The draft law was voted on 25<sup>th</sup> May 2017 in the 2<sup>nd</sup> and final reading.<sup>23</sup>

### 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.<sup>24</sup> 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.<sup>25</sup> 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).

institution will put this body in a more favorable institutional resistance light. The regular assessment of the NAC's independence will 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

Centrul de Resurse pentru Drepturile Omului (CReDO). Localizarea instituțională eficientă a funcțiilor de prevenire și de combatere a corupției

**11.2015 (proiect final pentru dezbateri publice)**

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

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(373 22) 212 816, fax (373 22) 225 257  
CReDO@CReDO.md, www.CReDO.md

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

<sup>22</sup> <http://www.credo.md/pageview?id=604>  
<http://www.credo.md/pageview?id=590>  
<http://www.credo.md/pageview?id=586>

<sup>23</sup> <http://agora.md/stiri/30197/legea-integritatii-votata-in-a-doua-lectura-in-parlament>

<sup>24</sup> <http://lex.justice.md/md/340429/>

<sup>25</sup> <http://www.credo.md/pageview?id=511>, and  
[http://www.credo.md/site-doc/LocalEficFuncPrevCombCorup\\_11.12.2015\\_site.pdf](http://www.credo.md/site-doc/LocalEficFuncPrevCombCorup_11.12.2015_site.pdf),



prevention) towards achieving preventive functions.

The research has been presented publicly and discussed publicly at tv networks of national coverage.<sup>26</sup> The research has been taken into consideration for the finalization of the law on the National Integrity Authority /Commission that has been adopted in the 2<sup>nd</sup> reading in 2016 by the parliament. The research is 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.

### *3.2.3 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 investigation<sup>27</sup>. 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<sup>28</sup>](#) and the key findings are:

- Kroll firm cannot find 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

<sup>26</sup><https://www.youtube.com/watch?v=TVbsclCd2Pw>  
[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](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)  
<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](#)

<sup>27</sup> <http://www.credo.md/pageview?id=494>  
[http://www.credo.md/site-doc/AnalizaComparativa\\_prefinal.pdf.pdf](http://www.credo.md/site-doc/AnalizaComparativa_prefinal.pdf.pdf)

<sup>28</sup> <http://www.ustream.tv/recorded/75112783>

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.

Further, the both options were considered and enhanced by the moldavian authorities, but as for the national criminal procedures, the lack of adequate legal provision, as well as a solid experience in the return of the stolen assets, were obstacles in procedures, especially of the elucidation of the billion bank fraud affair.

In order to remediate this, in the 2<sup>nd</sup> semester of 2016, a working group was established, among the members were included the representant of CReDO-Olga Bitca and several members of the Anticorruption Alliance.

The representant of CReDO took an active part in the draftlaw elaboration and the final draft was discussed during the parliament hearings on justice, anticorruption and the system of integrity, in the presence of the international experts of asset recovery from Basel Institute.<sup>29</sup>

In December 2016 the draftlaw was voted in the 1<sup>st</sup> lecture and in the 2<sup>nd</sup> and final lecture on 30 Marh 2017.<sup>30</sup>

At the start of July 2017 CReDO assisted the representant of the Anticorruption Alliance in the preparation of the public contest on the selection of the head of the National Asset Recouperement Office – ARBI.



Image: IPN

### ***3.2.4 Contribution and advocacy for the establishment of the institutional mechanism for the protection of whistleblowers, including as a recipient of a NED project***

Since 2015 with the use of the appellation of the protection of whistleblowers a series of activities have been deployed by the representants of CReDO and the Anticorruption Alliance.

Several public appeals and public positions in 2015 from the Anticorruption Alliance reminding the case of Guja v. Moldova in relation with the billion dollar bank fraud affair and several whistleblower cases until 2016 and especially in 2016, prepared the ground.<sup>31</sup>

In 2015 interviews based on the public appeals and draftlaws on whistleblower were commented.<sup>32</sup>

In February 2016 an in-depth article on the necessity of the whistleblowing policy was written, the international expert in whistleblowing-Mark Worth was interviewed and the article published in the independent press.<sup>33</sup>

In March 2016 a chapter of the alternative report of the UPR submission of CReDO is on whistleblowers also: the 1<sup>st</sup> chapter is on Activists,

<sup>29</sup> <http://www.ipn.md/ro/societate/79614>  
[http://realitatealive.md/live-au-loc-audieri-parlamentare-la-subiectul-reforma-justi-iei-i-implementarea-legilor-in-domeniu\\_46645.html](http://realitatealive.md/live-au-loc-audieri-parlamentare-la-subiectul-reforma-justi-iei-i-implementarea-legilor-in-domeniu_46645.html)  
<http://moldnova.eu/ro/averile-ilicite-vor-fi-confiscate-imediat-lupta-cu-coruptii-va-continua-prin-crearea-unei-noi-structuri-7767.html/>  
<http://independent.md/cna-propune-crearea-unui-serviciu-de-recuperare-bunurilor-infracionale/>  
<http://deschide.md/ro/stiri/social/1825/CNA-propune-crearea-unui-serviciu-de-recuperare-a-bunurilor-infrac%C5%A3ionale.htm>

<sup>30</sup> <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=370165&lang=1>

<sup>31</sup> <http://www.aliana.md/?go=news&n=283>

<sup>32</sup> <http://www.aliana.md/?go=news&n=372>  
<http://www.europalibera.org/a/27052640.html>  
<http://www.europalibera.org/a/27269131.html>

<sup>33</sup> <http://www.api.md/news/view/ro-avertizorii-de-integritate-au-nevoie-de-protectie-din-partea-statului-1192>



Whistleblowers, Freedom of Expression, Assembly and 1.1 Whistleblowers and retaliation from government, parties and group of interests.<sup>34</sup> In 2016 several interventions were made during meetings of the Board of the PNUD project «Consolidation of functions of prevention and analyse of NAC» on the timeline of the drafting of the law on whistleblowing.

In July-December 2016 several public positions and debates realised during several round-tables organised by the organized civil society and is perceived as an effective instrument for the countering of the petty corruption. Moreover, the subject of the protection of whistleblowers was raised each time during the debates by the participants, especially by the student representatives, as the educational sector is still facing a huge volume of endemic systemic corruption and students do not know how and to whom to report and because there is no protection for reporting.

In September a public intervention at the Multi-stakeholder Workshop on UNCAC and its Review Mechanism 19-22 September 2016 in Austria, on the subject of the importance of public policies on whistleblowing and their bidimensionnal expression as human rights and anticorruption in the line of the presentation of the activity deployed by the South-East Europe Coalition on the whistleblower protection by the representant of the RAI secretariat.

In October in an open letter on the court decision in the case of rape at psycho-neurological clinic at Balti, a specific law on whistleblowing and internal mechanism of reporting were asked.<sup>35</sup>

In November the 2nd Meeting of South-East Europe Coalition on the whistleblower protection took place in Zagreb, Croatia.



Image: RAI secretariat

In November, 2 working sessions with the expert Mark Worth were organized, the 1<sup>st</sup> on the 23<sup>rd</sup> November, in a narrow cercle of civil society reresentatives, i.e. several members of the Anticorruption Alliance and on 26<sup>th</sup> November the 2<sup>nd</sup>, in a large cercle of the civil society representatives in order to debate the concept and the main provisions of the last draft on whistleblowing and was decided the establishment of a working group in order to finalize the drafting of the law.

In December 2016 at the National Anticorruption Conference the representant of CReDO had a public intervention during the National Anticorruption Conference and stressed to the Members of Parliament and the audience the importance of the adoption of the law projects on the integrity and asset recovery, including the future one on the protection of whistleblowers.<sup>36</sup>

In December 2016 a public appeal was co-drafted by several members of the Anticorruption Alliance and other profile organisations, debated and presented as a suite of the previous public debates on the strategic priorities in justice and anticorruption, whistleblower protection included.<sup>37</sup>

In December 2016 an academic article on whistleblowing was written by the consultant of

<sup>34</sup> UPR submission CReDO, a chapter is on WB <http://www.credo.md/pageview?id=577>  
[http://www.credo.md/site-doc/UPR-Moldova\\_CReDO\\_CNR\\_24.03.2016\\_final\(1\).pdf](http://www.credo.md/site-doc/UPR-Moldova_CReDO_CNR_24.03.2016_final(1).pdf)

<sup>35</sup> <http://www.credo.md/pageview?id=596?&lang=en>  
<http://www.credo.md/pageview?id=596?&lang=en?&lang=ro>

<sup>36</sup> [http://realitatealive.md/live-are-loc-cea-de-a-xii-a-editie-a-conferintei-nationale-anticoruptie\\_49633.html](http://realitatealive.md/live-are-loc-cea-de-a-xii-a-editie-a-conferintei-nationale-anticoruptie_49633.html)

<sup>37</sup> <http://ipre.md/new/index.php/2016/12/13/apelul-public-al-societatii-civile-privind-prioritatile-strategice-in-domeniul-anticoruptiei/>  
<http://ipre.md/new/index.php/2016/12/13/a-fost-prezentat-apelul-public-al-societatii-civile-privind-prioritatile-strategice-in-domeniul-anticoruptiei/?lang=en>  
[http://realitatealive.md/live-institutul-pentru-politici-i-reforme-europene-prezinta-apelului-public-al-societati-civile-privind-prioritatile-strategice-in-domeniul-anticoruptiei\\_49706.html](http://realitatealive.md/live-institutul-pentru-politici-i-reforme-europene-prezinta-apelului-public-al-societati-civile-privind-prioritatile-strategice-in-domeniul-anticoruptiei_49706.html)  
<http://www.alianta.md/?go=news&n=412>

this project, presented in public and will be published in February in an academical review.<sup>38</sup> The drafting of an indepth article on at least 4 big cases of whistleblowers and a short documentary film are in production. The range of 5 whistleblowers cases until 2016 were correctly selected according to the following criteria of cases:

- ✓ Good faith of disclosure: intention, time, no political affiliation

- ✓ The most proeminent cases in justice, anticorruption, social, medical, ecology sectors/spheres until 2016
- ✓ An important impact of the whistleblowing act on the judicial sector or the day-to-day lives of the people concerned.<sup>39</sup>

The documentary film was promoted in the local mass-media and social networks in 2017 and gained over 52 000 vues.<sup>40</sup>

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<sup>38</sup> <http://www.alianta.md/index.php?go=news&n=414>

<sup>39</sup> The 5 cases are: I. Guja-Prosecutor Office and justice sector , V. Ionita-Billion Bank fraud-Financial and banking sector, Bad treatment, torture and up to 20 victims of rape from Balti boarding clinic for mental illness-Medical sector and Ill treatment, torture, Alimentary insecurity of Orhei boarding

internat for mental disabled boys and an Ecology case from Edinet.

<sup>40</sup> <http://www.credo.md/pageview?id=612>  
<https://www.youtube.com/watch?v=bo0XTdpmHko>

## 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 2016 CReDO has been involved along with the other partners in one prominent pro-European campaign and other of democratization, anticorruption and human rights campaigns.

### 4.1 Advocacy for democratic changes and human rights

#### 4.1.1 The importance of strengthening the parliamentary system in Moldova<sup>41</sup>



Image: IPN agency

The parliamentary system as a system of a government offers the best chances for ensuring democratic accomplishments in the Republic of Moldova. It also ensures best of all constitutional

and political stability. These are some of the conclusions of the study Importance of strengthening the parliamentary system in the Republic of Moldova. Lessons from the bankruptcy of the semi-presidential systems that was carried out by the Resource Center for Human Rights (CReDO) and presented in a news conference at IPN.<sup>42</sup>

According to the CReDO director Sergiu Ostaf, on the one hand, the parliamentary system avoids and prevents important clashes between the branches of power. On the other hand, it excludes the possibility of exploiting differences in the functioning of public institutions. The parliamentary system offers the best chances of ensuring not only political stability, but also the Government's long life and of creating appropriate conditions for promoting reforms, Sergiu Ostaf stated.



Proiect în discuție (06.01.2016)

### IMPORTANȚA DE CONSOLIDARE A SISTEMULUI PARLAMENTAR ÎN REPUBLICA MOLDOVA:

#### LECȚII DIN FĂLIMENTUL SISTEMELOR SEMIPREZIDENȚIALE

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<sup>41</sup> [http://www.credo.md/site-doc/SistemParlamMD\\_CReDO\\_final0.pdf](http://www.credo.md/site-doc/SistemParlamMD_CReDO_final0.pdf)

<sup>42</sup> Mass-media:

<https://www.youtube.com/watch?v=Wme8GHwCuHg>  
<https://www.privesc.eu/Arhiva/65126/Conferinta-de-presacu-tema--Consolidarea-sistemului-parlamentar-in-Moldova-nu-are-alternativa--Performanta-democratica--stabilitatea-constitucionala>  
<http://www.ipn.md/en/politica/74068>

[http://adevarul.ro/moldova/actualitate/studiu-republica-moldova-trebuie-ramana-sistem-parlamentar-1\\_56952f1c37115986c66b0dec/index.html](http://adevarul.ro/moldova/actualitate/studiu-republica-moldova-trebuie-ramana-sistem-parlamentar-1_56952f1c37115986c66b0dec/index.html)  
<http://www.ziaruldeiasi.ro/stiri/studiu-republica-moldova-trebuie-sa-ramana-cu-un-sistem-parlamentar--1189018.html>  
<http://tribuna.md/2016/01/12/analiza-sistemul-parlamentar-ca-sistem-de-guvernament-are-cele-mai-bune-sanse-in-rm/>

According to him, studies reveal a clear connection between the executive's stability and the economic growth. Over the last three years, we had an unstable Government. In the period, the economic growth was lower than in the periods when we had a stable Cabinet, he said. The study says that to ensure the proper functioning of the parliamentary system of government, it is important to ensure the presence and functioning of united, equitable, responsible and integral parties. The study authors said a neutral President does not have the same powers as the Prime Minister. The head of state has the important tasks of facilitating and moderating the communication between the public institutions and of removing the obstacles hindering it.

The last important conclusion is that the executive and political posts must be held by the leaders of the parties. The experience of the countries in transition shows that only if the persons who obtained the political mandate hold the key executive and political posts can the parties fulfill their promises and be penalized for lack of responsible behaviour, said CReDO director. According to the CReDO projects coordinator Olga Bitca, the role of the Prime Minister is that of a leader in ensuring economic reforms. This can be a reformist when there is a correct balance between the three powers even if the regime remains a parliamentary one. We should lay emphasis on the Premier's figure, she stated.

The authors of the study formulated a series of recommendations based on the obtained results. According to them, the parliamentary system of government in Moldova should be strengthened and the powers of the President should be reduced by constitution regulations. The political parties should be consolidated, while the candidate for the post of President should be an apolitical person. The party leaders

should be promoted to premiership, while the formation of stable parliamentary alliances should be facilitated.

The study was conducted with the support of the Rule of Law Program of the Ministry of Foreign Affairs of the Netherlands.

#### 4.1.2 Universal Periodic Review - Republic of Moldova, 26<sup>th</sup> session<sup>43</sup>

This alternative report was deposited by **Resource Center for Human Rights (CReDO)** and **Roma National Center (CNR)**.



ciccglobajustice.files.wordpress.com

#### 1. Activists, Whistleblowers, Freedom of Expression, Assembly.

1.1 Whistleblowers and retaliation from government, parties and group of interests  
Some participants in peaceful demonstrations expressing disturbing opinions toward some actions of the government or political decisions, public exposure, social networks and Internet, critical opinions are discouraged by unjustified coercive measures from representatives of the prosecuting authorities and judicial institutions. A range of examples were given.<sup>44</sup>

<sup>43</sup> <http://www.upr-info.org/en/review/Moldova-%28Republic-of%29>, [uprsubmissions@ohchr.org](mailto:uprsubmissions@ohchr.org)

<sup>44</sup> 2 Cases A. Matasaru:

<https://www.opendemocracy.net/od-russia/claudia-ciobanu/meet-anatol-matasaru-moldova-s-pussy-riot>  
<http://unimedia.info/stiri/video-anatol-matasaru-a-fost-condamnat-la-doi-ani-de-inchisoare-89663.html>  
<http://www.moldova.org/tot-ce-trebuie-sa-stii-despre-retinerea-lui-anatol-matasaru/>

<http://politik.md/articles/social/cazul-matasaru-are-ecou-societatea-civila-cere-incetarea-retinerilor-abuzive-doc/35924/> <http://www.rferl.org/media/video/toilet-protest-by-moldovan-activist/27528222.html>  
Voloc Case: <http://tribuna.md/ru/2016/01/27/exclusiv-actorul-sergiu-voloc-a-fost-achitat/>  
[http://www.realitatea.md/actorul-sergiu-voloc-a-fost-achitat-de-curtea-suprema-de-justi-ie\\_33570.html](http://www.realitatea.md/actorul-sergiu-voloc-a-fost-achitat-de-curtea-suprema-de-justi-ie_33570.html)



1.2 Withdrawals of media broadcasting licenses.  
CCA decision of 10.05.2012 of the withdrawal of the channel NIT broadcasting licence, although apparently legal form contrary to the principles of freedom of speech in that it is not necessary in a democratic society and is proportional to protect legitimate interests.<sup>45</sup>



Universal Periodic Review - Republic of Moldova, 26<sup>th</sup> session  
[http://www.upr-info.org/en/review/Moldova-%28Republic-of%29\\_uprsubmissions@ohchr.org](http://www.upr-info.org/en/review/Moldova-%28Republic-of%29_uprsubmissions@ohchr.org)  
Resource Center for Human Rights (CReDO)<sup>1</sup> and  
Roma National Center (CNR)<sup>2</sup>

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Chisinau, 24<sup>th</sup> March 2016, 5 630 words

## 1.3 Undemocratic and inappropriate inactments of press regulation.

The activity of the independent press on an already overconcentrated and problematic sector: the law on the limitation of the broadcasting licences and the Law on the Post and distribution of the periodics.

Modification of the regional audio-visual regulation in UTA Gagauzia which is denounced as a limitation of liberty of expression by the local and national civic organisations.

<sup>45</sup><http://www.credo.md/pageview?id=490?&lang=en?&lang=ru?&lang=ro?&lang=en>

<sup>46</sup> CReDO: How lack of institutional independence and absence of the institutional accountability faults law-enforcement institutions of Moldova: Prosecutor Office, Police Agency and National Anticorruption Center  
<http://www.credo.md/pageview?id=483>,  
[http://www.credo.md/site-doc/IndepAccountResearch\\_prefinal\\_20.01.2015\(1\).pdf](http://www.credo.md/site-doc/IndepAccountResearch_prefinal_20.01.2015(1).pdf), CReDO: Assessing the level of independence of public institutions and

## 2. Decision-making Transparency, Institutional Independency.

### 2.1 Decision-making Transparency.

Failures to respect the decision-making transparency by the responsible institutions are proved at all stages.

### 2.2 Institutional Independency and Accountability of Law-enforcements.

The research goes for: Prosecutor's Office, National AntiCorruption Center (CNA), General Police Inspectorate (GPI-Police). Research effort has covered 3 more institutions, including Intelligence Service, Ombudsman Institute, National Integrity Commission and Border Police. Why these institutions have not enjoyed the credibility and trust on one side and effectiveness on the other side? The effectiveness is understood as the change produced in the society – the combating of the corruption, criminality, keeping better 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.<sup>46</sup>

### 2.3 Justice in Transnistria region.

The study provided a wide range of recommendations on the improving the level of the independence of the justice system on the left bank of the river Dniestr.<sup>47</sup>

## 3. Rights of National Minorities.

### 3.1 Roma minority rights

The presentation is axed on the Pro-active measures to address Roma inclusion, on the lack of representation of Roma in decision-making processes and public life, on the education of Romani children as an unresolved problem,

authorities responsible for policy implementation in the justice field in the Republic of Moldova,  
<http://www.credo.md/pageview?id=226>,  
[http://www.credo.md/site-doc/ExecutSummaryInstIndep10\(1\).pdf](http://www.credo.md/site-doc/ExecutSummaryInstIndep10(1).pdf)

<sup>47</sup> CReDO: Analysis of Justice system functioning in Transnistria region of Moldova,  
<http://www.credo.md/pageview?id=506>,  
[http://www.credo.md/site-doc/JudIndependTransnistria\\_RU\\_v\\_170\(7\).pdf](http://www.credo.md/site-doc/JudIndependTransnistria_RU_v_170(7).pdf)

pointed out the increasing phenomenon of anti-Gypsyism, discrimination and xenophobia and provided a range of recommendations.

### 3.2 Education in mother tongue

Based on the collected evidence and available information, the paper constructs several realistic policy options. The policy options are constructed along several independent axes: a) negligent to strong role of the minority language as the medium of instruction (additive against subtractive bilingualism), b) negligent to strong role of the state language as the medium of instruction (additive against subtractive bilingualism) c) top-down against bottom-up approach in the implementation.

#### 4.1.3 Analysis of the state of human rights in Ukraine, Crimea

**On Friday, February 24, at the Ukrinform press center, the press conference “The case of February 26: fabrication technology and political persecution. The reconstruction of events and the view of international experts” was held.**

During the press conference, the experts report on these events, prepared by Ukrainian Helsinki Human Rights Union and other well-known human rights organizations, was presented.<sup>48</sup>



Image: Helsinki.org.ua

After Euromaidan, pro-Russian sentiments increased in Crimea. The authorities of the peninsula publicly stated about the possibility of

considering the exit of Crimea from Ukraine, but these days the active unauthorized movement of Russian troops on the territory of Crimea was recorded.



On February 26, 2014, in front of the parliament in AR Crimea in Simferopol, two rallies were organized. One – by the party “Russian Unity” and the other – by the Mejlis. The objectives of the rallies reflected the different views on the status of Crimea. During the meeting, two people were killed, and some protesters were injured. In this regard, Ukrainian police had opened some criminal proceedings concerning the facts of injuries and deaths on February 26, 2014, during the rally. After the occupation of the Crimea, the Russian Federation began the prosecution of some members of the pro-Ukrainian meeting on February 26 among Crimean Tatars. In total, nine persons were accused, two of them are already convicted, and one is wanted in the case of February 26.

In December 2015, civil society organizations made a decision on the formation of the International Expert Group on the preparation of Part 1 of the Report “Reconstruction and legal analysis of the events of February 26, 2014, in front of the Autonomous Republic of Crimea in Simferopol.” It includes representatives of six

<sup>48</sup> [http://www.credo.md/site-doc/sprava\\_ukr\\_260220141\(1\).pdf](http://www.credo.md/site-doc/sprava_ukr_260220141(1).pdf)



organizations from Ukraine, Moldova, Russia and Poland.

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‘The reconstruction of events and detailed legal analysis suggest that the rallies at the square in front of the Crimean Parliament did not contain signs of riots,’ said **Sergey Ostaf**, an expert of OSCE and the Resource Center for Human Rights CReDO (Moldova).

Another conclusion of the experts is that the actions of police during the events were rather passive and were largely limited to monitoring the events.

‘The main task of the police to ensure the safety of peaceful assembly and to protect the right to life and health of participants of the meeting and

others was not fulfilled,’ said **Olga Salomatova**, an expert of the Helsinki Foundation for Human Rights (Poland).

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She stressed that both rallies were two rallies with conflicting objectives and requirements, some of which overlapped in time and place.

Experts stressed that the Russian criminal law has no retroactive effect for acts that occurred before the annexation of the Crimean peninsula. This contradicts one of the basic principles of criminal justice, which is recognized by international law, namely “punishment is carried out solely by law.” The report contains findings on the politically motivated persecution of protesters and demands from the Russian Federation to release prisoners Chyyhoz, Dehermendzhy, and Asanov.

**Experts recommend Ukraine to conduct an effective investigation into the events, which has not been conducted.**

‘During the rallies on February 26, two people were killed, and some participants were injured. Objective clarification of all the circumstances of what happened and establishing the degree of guilt of each party of the events, is only possible in the course of an official investigation by law enforcement agencies of Ukraine’, said Olga Salomatova.

In conclusion, the experts stressed that persecutions of Akhtem Chyyhoz and other accused persons in this case are political. They called on the Russian Federation to release Mr. Chyyhoz, Mustafa Dehermendzhi, and Ali Asanov. ‘Bringing only participants of the pro-Ukrainian rally among representatives of the Crimean Tatar people and the lack of jurisdiction and legal grounds of Russia to investigate the events of February 26 show unjustified politically motivated prosecution of Akhtem Chyyhoz and other defendants’, **summed up Sergey Ostaf.**

**Refat Chubarov**, Chairman of the Mejlis, said that the expert report, presenting the event on February 26 together with different aspects, showed them in a new way, but has not changed the understanding that the civil society of Crimea acted correctly in relation to officials of the Crimean parliament, who made allegations about the pro-Russian referendum.

Deputy Prosecutor of the Autonomous Republic Crimea **Oleh Horsunenکو** told about the investigation into the events of February 26, 2014, by the Ukrainian law enforcement.

‘When we began to study this issue in autumn 2016, we have seen that these events were, I am sorry for the word, “scattered” in various criminal proceedings and many people investigated them,’ he said.

The Deputy Prosecutor said that the events of February 26 were one of the priorities of the Prosecutor’s Office of Crimea. On this occasion, a special interagency working group was established. Oleh Horsunenکو also thanked human rights organizations; their work was an important material for further investigations.

#### 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.<sup>49</sup> 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

<sup>49</sup> <http://www.credo.md/pageview?id=496>

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.

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 2<sup>nd</sup> 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 past 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.<sup>50</sup>

## 4.2 Targeted campaigns

### 4.2.1 Pro-European campaign Adera Acum-Join Now

A new campaign was launched in 2016 on European integration benefits for Moldova and its citizens.

A group of civil society organizations, convinced that the future of Moldova is in the EU, launched a campaign to raise awareness of the benefits of European integration. They told at a press conference at IPN about their intention to reach out to all the categories of people, unite them around the idea of EU integration and reduce the Euro-skepticism fueled by the misdeeds of the government.<sup>51</sup>

Sergiu Ostaf, head of the Resource Center for Human Rights, said that the organizations involved in this campaign are very different,

<sup>50</sup> 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>

<sup>51</sup> <https://www.youtube.com/watch?v=farfwShhgow>



which should help them reach more people, with different views, to tell them about the results already achieved on the path of European integration, about the assistance and projects implemented by the EU.

Several information tents were installed in Chisinau and some district centers, in addition to some mobile information points. Volunteers will travel through towns and villages to talk to people about European integration, in order to fight the stereotypes and fears associated with this process. Activists will be dispatched to Chisinau, Balti, Floresti, Orhei, Cahul, Cantemir, Leova and some villages in these districts.

The initiative was launched by the Resource Center for Human Rights, the National Council of Student Organizations of Moldova, the "Honor, Dignity and Fatherland" Association, the Association of Ukrainians in Moldova, the National Center of Romas, the European Center for Civic Initiatives "Stalker" and the "A Step Together" Association.

The representatives of these organizations say that people must learn more about the quality of education in the EU, about how human rights and national minorities are respected there, and also about how European integration can be achieved by uniting with Romania, and this knowledge will help them build Europe at home.

A web page of the campaign was launched, with the tagline "Join now",<sup>52</sup> where people will be able to sign a petition to support the initiative. The plan so far is for the campaign to run until the end of the year. Organizers hope that during this time more associations will join and local groups will form in villages and towns to spread the idea of European integration further.

The first information tent was opened in the

Center sector of Chisinau, in the Europe square, on Wednesday, August 17, at 12 AM.<sup>53</sup>



Image: Adera Acum Facebook page

Over 40,000 Moldovans were informed about the benefits of the European integration, while about 10,000 people signed the petition on joining the European Union. These are the results of the first two weeks of the pro-European information campaign "European integration and concrete and individual benefits for each citizen" that was launched on August 16 by a number of civil society organizations. The data were presented in a news conference at IPN.

- **The project, along with other factors, contributed to the awareness and voting consolidation of the proEuropean choice, overall in 5 rayons (where we had mobile groups active) in 1<sup>st</sup> round to ~ 40 thous and combined in 2 rounds ~56 thous.**
- **The project has not measured the direct effect of the get-out to vote as the voluntary contribution of the persons who adhered to Adera Acum and whom we communicated over the project life (~ 4-5 thous per rayon in 5 rayons actively targeted),**

<sup>52</sup> <http://www.euacum.md/ro/aboutus/>

<sup>53</sup> <http://www.credo.md/pageview?id=591>

<http://trm.md/ro/social/o-noua-campanie-de-informare-privind-beneficiile-integrarii-europene/>

<http://www.moldova.org/mai-multe-ong-uri-au-initiat-o-campanie-de-informare-privind-integrarea-europeana/>

[http://zugo.md/article/o-ampla-campanie-de-informare-a-cetatenilor-despre-beneficiile-integrarii-europene-incepe-maine\\_13984.htm](http://zugo.md/article/o-ampla-campanie-de-informare-a-cetatenilor-despre-beneficiile-integrarii-europene-incepe-maine_13984.htm)

<https://point.md/ru/novosti/politika/npo-iniciirovali-informacionnuyu-kampaniyu-ob-integracii-v-es>

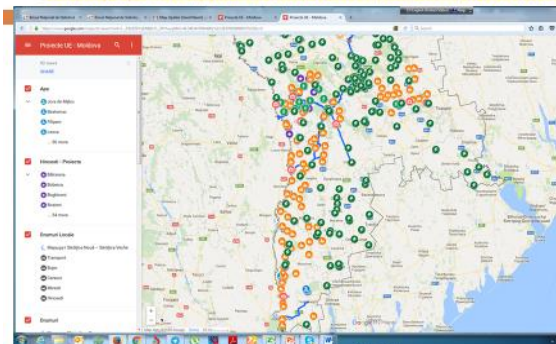
<http://www.timpul.md/articol/mai-multe-ong-uri-au-initiat-o-campanie-de-informare-privind-integrarea-in-ue--96513.html>

<https://www.youtube.com/watch?v=farfwShhgow>

<https://www.privesc.eu/Arhiva/68444/Conferinta-de-pres-a-cu-tema--Importanta-revigorarii-procesului-de-integrare-europeana-si-consolidarea-miscarii-proeuropene-->

## EU projects – interactive hyperlink map

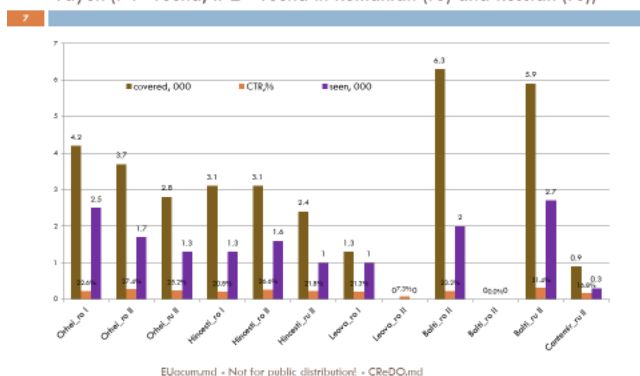
<https://www.google.com/maps/d/viewer?mid=1:DS1BZDYqM9BLZL3Ryfvyq0&ll=46.39634476944962%2C28.979830898437513&z=9>



The results of the August-November 2016 pro-European campaign are:

- ✓ 12 pro-European kiosks, 5 mobile groups of 10 persons reaching out 190 settlements and over 22 thousands persons
- ✓ ProEuropean Test critical review of 5 political platforms
- ✓ Universal survey via list of proEuropean followers to impact positively public opinion (~15 thous) with ~75% support for EU, major problems: corruption, poverty, prices, instability
- ✓ Data base with proEuropean followers with contacts (24 thous in total), 50% with mobile phone and 50% with land-line in 7 rayons with 90% concentration in 5 rayons Cahul, Cantemir, Leova, Hincesti, Anenii Noi - ~4 thous)
- ✓ [www.euacum.md/](http://www.euacum.md/), [www.facebook.com/AderaAcum/](https://www.facebook.com/AderaAcum/) (690 thous views), <https://ok.ru/group/58109211050025> with ~4 thous users, 6,5 unique visitors (58% ro, 26%-Ru, 15%-En, 95% from MD)
- ✓ European Hyperlink Map (7 rayons) and rayon-based projects brief (2 page) with detailed info on projects, and 7 rayon projects graphic motions and 2 call for vote graphic motions (with 12 thous views) disseminated targeting specific rayons via social networks FB and OK (more than 40 thous views),
- ✓ Individual communication module via sms/mms (mobile) and audio (land-line) to inform and call for vote. Overall around 40 thous individual communications (sms/voice, media-video, site viewers).

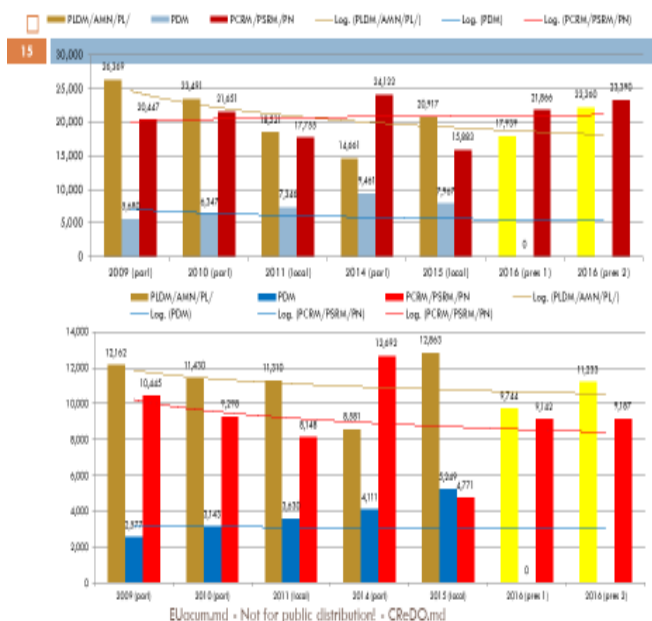
**Facebook** coverage (covered), visualization (seen) per rayon (I-1<sup>st</sup> round, II-2<sup>nd</sup> round in Romanian (ro) and Russian (ru))



The preliminary data of the campaign show that 76% of the persons who filled out questionnaires consider the EU contributes to the improvement of the situation in the country. 83% of those surveyed would take part in the presidential elections. Among the biggest problems mentioned by the respondents are corruption, poverty, unemployment and political instability.

The initiators of the campaign aimed to reach all the categories of people, to unite them around the European integration idea and to reduce the Euro-skepticism that appeared, according to them, owing to the imprudent actions of the authorities. The volunteers will continue to inform the people from the enumerated districts and will also extend the campaign to Orhei and Ialoveni districts. There will be staged public events to make the potential candidates in the presidential elections more responsible, including a test with ten questions about how they would act in different situations.

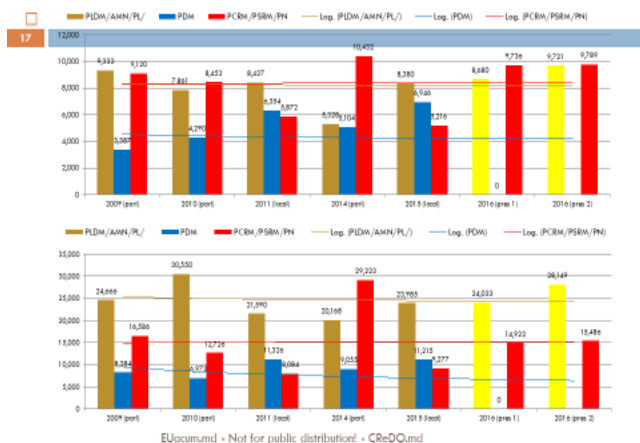
## Impact (swing rayons) -2a? Cahul (upper) and Cantemir (lower)



## Impact (swing rayons) -2b? Cahul and Cantemir

- 16 Cahul (1<sup>st</sup>) and Cantemir (2<sup>nd</sup>) are **swing rayons** as they switched preferences to proRussian parties in 2014 parliamentary elections with considerable margins (10 thous and 6 thous). We compare results of parliamentary elections in 2014 and presidential elections in 2016.
- In Cahul, project contributed (not alone as other factors exist) to **narrow the difference** of proRussian vote: in 1<sup>st</sup> round from 10 thous to 3,8 thous (**6,2 thous gain**) and after the in 2<sup>nd</sup> round farther to 0,9 thous (combined **9,1 thous gain**). ProEuropean vote increased in 1<sup>st</sup> round with 3,3 thous and combined with 7,7 thous and proRussian vote decreased combined with 1 thous.
  - In Cantemir, project contributed (not alone as other factors exist) to **turn the situation around**, from 6 thous in favour of proRussian vote in 1<sup>st</sup> round to 0,6 thous (**6,6 thous gain**) and combined 2,1 thous (**8,1 thous gain**) in favour of proEuropean choice. ProEuropean vote combined increase is 3,1 thous and proRussian vote decreased with 3,5 thous.
- EUocomund - Not for public distribution - CREDO.md

## Impact (rayon-based) -3a? Leova(upper) and Hincesti (lower)



## Impact (swing rayons) -3b? Leova (upper) and Hincesti (lower)

- 18 Leova (1<sup>st</sup>) and Hincesti (2<sup>nd</sup>) are **swing rayons** as they switched preferences to proRussian parties in 2014 parliamentary elections with considerable margins (5 thous and 6 thous). We compare results of parliamentary elections in 2014 and presidential elections in 2016.
- In Leova, project contributed (not alone as other factors exist) to **narrow the difference** of proRussian vote: in 1<sup>st</sup> round from 5 thous to 1,1 thous (**4,9 thous gain**) and farther equalized the votes with combined effect of (**6 thous gain**). ProEuropean vote increased in 1<sup>st</sup> round with 3,4 thous and combined with 4,5 thous and proRussian vote decreased with 0,5 thous.
  - In Hincesti, project contributed (not alone as other factors exist) to **turn the situation around**, in 1<sup>st</sup> round from 9 thous in favour of proRussian vote to 10 thous (**19 thous gain**) and in 2<sup>nd</sup> round farther to 13 thous in favour of proEuropean choice. ProEuropean vote increased in 1<sup>st</sup> round with 4 thous and proRussian vote decreased with 15 thous and combined respectfully with 8 thous and 15 thous.
- EUocomund - Not for public distribution - CREDO.md

Overall conclusion is that the project has not received negative feedback from the targeted groups of citizens. **The project, along with other factors, contributed to the awareness and voting consolidation of the proEuropean choice, overall in 5 rayons (where we had mobile groups active) in 1<sup>st</sup> round to ~ 40 thous and combined in 2 rounds ~56 thous.**

The campaign continued in 2017 with reinforced power changing the strategy by going into village-by-village door-to-door activities.

### 4.2.2 Campaign of forming and ensuring the integrity of members of Government and other institutions

**Actions:** Several public public call that will generate other complaints and inquiries of ACA members.

For instant, for the 2<sup>nd</sup> time, civil society bluntly cited the lack of integrity of a candidate for the post of the Prime Minister.

Refusal of President N.Timofti designation by the, Mr V.Plahotniuc as candidate for Prime Minister of the Republic of Moldova on 13th January 2016<sup>54</sup>

The call on the appointment of the Governor if the National Banl of Moldova.<sup>55</sup>  
Lack of integrity of judges, investigation

<sup>54</sup> <http://www.alianta.md/index.php?go=news&n=377>

<sup>55</sup> <http://alianta.md/index.php?go=news&n=362>



facilitated by ACA.<sup>56</sup>  
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.

#### 4.2.3 Campaign on the situation in the banking system and the ongoing investigations *Lobby and advocacy for the investigation of BEM affair, 2nd stage of Kroll investigation*

**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 vigorous tempos being catalyzed inclusively by mass protests with a participation of ACA members.<sup>57</sup>

A research has been carried and presented in public about the options for the investigation of the banking fraud and possible cooperation of national and international authoeities.

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

<sup>56</sup><http://anticoruptie.md/ro/investigatii/justitie/judecatorii-cu-noua-vieti>

<sup>57</sup> <http://www.ipn.md/ro/politica/76404>

### 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. Strategiile de recuperare a activelor care se afla pe teritoriul străin .....	7
4. Criteriile de evaluare pentru selectarea asistenței internaționale .....	9
5. Sprijinul internațional pentru recuperarea activelor .....	10
6. Regimul legal de recuperare cu țările gazdă .....	13

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.<sup>58</sup>

#### 4.2.4 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.

<sup>58</sup> <http://www.realitatea.md/kroll-a-prezentat-autoritatilor-un-raport-de-progres-candu-se-vor-recupera-30-35pre-din-exterior-si-2-mlrd-lei-din-interior-video-36628.html>

This can be treated as a triggering action and minimizing the effect of free open access to data.

#### 4.2.5 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 sector<sup>59</sup>

**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.<sup>60</sup>
- 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.<sup>61</sup>
- 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.<sup>62</sup>

- 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.<sup>63</sup> National Action Plan of the Association Agreement contains several provisions regarding the implementation of 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

<sup>59</sup> 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>

<sup>60</sup> 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-proporie-de-40-in-guvern-si-pe---1421271.html>  
<http://ipn.md/ro/comunicate/5712> situația în 2014 <http://ipn.md/ro/integrare-europeana/63456>

<sup>61</sup> <http://www.anticoruptie.md/ro/stiri/oficial-vlad-plahotniuc-proprietar-a-patru-televiziuni-si-trei-posturi-de-radio>

<sup>62</sup> <http://trm.md/ro/loc-de-dialog/loc-de-dialog-din-27-octombrie-2015-partea-i-a/>  
[Si 2 interventii la Loc de Dialog, TRM, în privinta reformei CNI și PG.](http://www.realitatea.md/urmari-i-live-dezbateri-publice-pe-marginea-legii-privind-testarea-integritatii-profesionale_8589.html)

<sup>63</sup> Dezbateri organizată de AAC în septembrie 2014 [http://www.realitatea.md/urmari-i-live-dezbateri-publice-pe-marginea-legii-privind-testarea-integritatii-profesionale\\_8589.html](http://www.realitatea.md/urmari-i-live-dezbateri-publice-pe-marginea-legii-privind-testarea-integritatii-profesionale_8589.html)

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, 5<sup>th</sup> 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.<sup>64</sup>
- 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.<sup>65</sup>

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

Contribution to the drafting of the Government Programme.<sup>66</sup>



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 launched 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,
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.<sup>67</sup>

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>

<sup>64</sup> <http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/3158/language/ro-RO/Default.aspx>

<sup>65</sup> <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>

<sup>66</sup> See more ACA Annual Activity Report  
<http://www.alianta.md/?go=news&n=404>

<sup>67</sup> <http://www.credo.md/pageview?id=446>

## 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?<sup>68</sup>



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 post***

For the 2nd time, civil society bluntly cited the lack of integrity of a candidate for the post of the Prime Minister.

Refusal of President N.Timofti designation by the, Mr V.Plahotniuc as candidate for Prime Minister of the Republic of Moldova on 13th January 2016. Call for the submission of an application meritocrate, professional and which satisfies the requirements and high standards of integrity, democracy and the rule of law. See public appeal and in particular Annex.<sup>69</sup>

## ***The Strategic Priorities of the Civil Society in the Anticorruption Area Proposals for the new National Anticorruption Strategy***

### **RATIONALE**

1. Corruption represents a major problem in the Republic of Moldova affecting the public institutions at all levels. According to the most recent public opinion surveys, the systemic corruption represents by far the biggest problem that the Republic of Moldova is currently facing, representing a major impediment for the sustainable transformation, economic development and the rule of law consolidation. Combating the high-level corruption, depoliticising of the law enforcement agencies and increasing the efficiency of an

<sup>68</sup> <http://www.credo.md/pageview?id=484>

<sup>69</sup> <http://www.alianta.md/index.php?go=news&n=377>



independent judicial system represent the primary concerns of the civil society and of the development partners.

2. The justice sector and the anticorruption sector from the Republic of Moldova are currently undergoing a continuous reform process facing, however, a low level of trust on behalf of the citizens. The main reference national policy papers in these sectors are the Justice Sector Reform Strategy (2011-2016), which includes a series of anticorruption-related actions, and the National Anticorruption Strategy (2011-2015), extended for the year 2016. The RM authorities must provide a comprehensive evaluation of the results of these two

strategies' implementation till the end of this year.

3. Regarding the JSRS, according to the preliminary data provided by the Ministry of Justice,

around 82% of all the actions were reported as having been accomplished. However, it is worth mentioning that the respective evaluation does not also refer to the impact of the actions performed. Taking into consideration the imperative need to ensure the practical enforcement of a considerable number of actions from the JSRS, and also considering the remaining backlog, it is recommended to extend the deadline for the JSRS implementation. This document was developed in the framework of the projec "Strengthening of Civil Society in the Fight

against Corruption in order to arrange for a due quality of its implementation, accompanied by the development of a detailed mechanism for the evaluation of the effective implementation of the actions already adopted in the framework of the reform. As for the NAS, the National Anticorruption Centre (NAC) is currently in the process of developing a new strategy for the years 2017-2019.

4. The EU-Moldova Association Agreement, Titles II and III, sets a series of commitments for the Republic of Moldova in the mentioned areas. In this respect, after assessing the progress in the accomplishment of the National Action Plan on the implementation of the Association Agreement (2015-2016), as well as of the Roadmap on the priority reforms' agenda, the findings are that up till now a series of legislative actions were implemented

regarding the justice sector reform (i.e. reorganization of the judicial courts and optimization of the number of judges) and the anticorruption system (promotion of a package of laws on integrity<sup>2</sup>, prosecution bodies' reform by adopting a new Law on prosecution and of the Law on specialized prosecution offices; promotion of amendments to the Law on verification of professional integrity, a new Law on integrity being currently in

the process of adoption, which will replace the current Law on prevention and combating of corruption).

5. Regardless of the positive evolutions in the justice sector reform and in the anticorruption area, their practical enforcement still remains a challenge for the authorities from the Republic of Moldova. There is a low level of citizens' trust in justice and in the law enforcement institutions. In this respect, a change of paradigm of the citizens' view regarding the efficiency of the justice sector reform and of the anticorruption efforts must represent the authorities' main concern.

6. At the same time, analysing the latest evolutions in the justice sector and in the anticorruption area, the main concerns of the civil society and of the development partners lie with the lack of transparency in the examination by the judicial courts of corruption cases related to the banking system frauds, which trigger a high level of interest from the public. In this context, we recall about the recent disapproving manner of appointing the Prosecutor General that was non-transparent and which is further undermining the credibility of the institution of General Prosecutor's Office<sup>3</sup>.

7. In a rule-of-law state, the civil society and the mass-media have a special role in providing for transparency of public proceedings, in increasing the accountability of public institutions and in emphasizing the integrity issues of the public agencies. In the Republic of Moldova, there is a permanent monitoring of the reform process in the justice sector and anticorruption ensured by the civil society. This includes the institutionalized monitoring through the Anticorruption Alliance, and other forms of manifesting such as participation in the public policies' development process and

formulation of common views through public appeals in the cases when deviations or abuse are detected on behalf of the authorities. Law on National Integrity Authority (NIA), Law on the declaration of assets and of private interests, as well as Law on the modification of the legal framework related to the mentioned legal acts.

NGO Statement disapproving the way of appointment of the Prosecutor General, 8.12.2016: <http://crjm.org/wpcontent/uploads/2016/12/2016-12-09-Declaratie-numire-Procurorul-General-fin.pdf>

8. The issue also lies with the fact that problems are identified in the process of increasing the decision-making transparency regarding policy papers or draft laws proposals. It frequently proves that the public consultation is only formal, or is lacking in general. Often, the recommendations issued by the civil society not being taken into consideration or, if they are still accepted and promoted, the latter are denaturalised in the process of final adoption of the respective acts. On the other hand, there are also positive examples when the civil society's appeals are reinforced through the statements and positions of the development partners. However, the majority of the civil society's public appeals either remain ignored or get only a formal response.

9. At the same time, the importance of mass-media in the framework of prevention and fighting against corruption should also be emphasized. The main instrument that has the potential of having an impact in this regard is the journalistic investigation, which emphasizes the integrity issues of public officials. However, the major issue that the investigative journalism in Moldova is currently facing lies with the cooperation in an optional regime on the side of certain competent authorities who frequently are reluctant to provide information of public interest, ignore or react with delays regarding the investigative articles envisaging different integrity issues of the civil servants or public officials.

10. The business environment is currently facing the issue of utmost red-tape in their activity, including through the excessive application of

revision and control instruments, which also is propitious ground for corruption in this area. Regardless of the fact that the legal framework was completed with a special law regulating the controls performed by public institutions, in reality these norms still provide opportunities for abuse on behalf of the control bodies. This state of affairs primarily affects the small and medium enterprises, which lack enough human resources to face the multitude of verifications on behalf of control bodies. Besides, the business environment faces the issue of lack of clarity in the process of authorizations' issuance by the local public authorities, of public services' inefficiency, as well as their susceptibility to acts of corruption. Corruption is also a major impediment in business development and in the valorification of export opportunities, especially towards the EU market through the DCFTA related to the Association Agreement. Another corruption-related issue is lack of transparency of the effective beneficiaries, which significantly limits the guarantees of business relations' stability between partners and allows for abuses, including through take-over of enterprises due to fictitious debts.

11. The importance of the education area in the context of preventing and fighting against corruption is hard to be underestimated: on the one hand, the sustainability of anticorruption efforts depends on education, on the other hand – the education system as such is a hotspot of corruption. Even though a series of positive trends were noticed in the education area recently, such as the ones related to the baccalaureate exam, the changed principle of educational institutions financing, the new Education Code, a series of endemic issues still persist, which make the education system an area affected by corruption: (1) teachers' salaries and benefits are very small, which may not incentivize growth of professionalism; (2) the development of parents' associations as a support system for the education sector does not go hand in hand with the growth of transparency in the educational institutions and neither is it related to the introduction of advanced methods of joint management; (3) the educational institutions become too profit-oriented in their



struggle to survive, thus neglecting their primary function – ensuring the due quality of the educational process and due level of staff professionalism; (4) there exists a National Authority for Quality Assurance in Professional Education (ANACIP)<sup>4</sup> that aims at ensuring quality of higher education but it is not funded enough so that to be capable of duly accomplishing its mission; (5) the role of pupil/student in the decision-making process at the institutional level is undermined; (6) there is a lack of transparency regarding the use of funds from the state budget. CONSIDERING the rationale mentioned above; PROCEEDING FROM the understanding that the civil society has a determinant role in influencing the anticorruption processes; BEING AWARE OF the need for a consolidated effort on behalf of the civil society and other non-governmental stakeholders in the formulation and promotion of priority actions in the anticorruption area; BEARING IN MIND, that by the end of 2016, the Parliament of the Republic of Moldova is supposed to adopt the new National Anticorruption Strategy; WE MAKE AN APPEAL to the competent national public authorities and to the international development partners to support the accomplishment of the following specific legislative and administrative key-actions, as provided for in the 6 Strategic Priorities for the Anticorruption area, developed, supported and promoted by the civil society organizations signatory hereto.



Image: IPRE

### *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. Plahotniuc<sup>70</sup>
2. Public call on the socio-political situation<sup>71</sup>
3. Public appeal to the selection committee regarding the eligibility criteria for civil service of the NBM governor,<sup>72</sup>
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.<sup>73</sup>

<sup>70</sup> <http://www.alianta.md/?go=news&n=377>

<sup>71</sup> <http://www.alianta.md/?go=news&n=368>

<sup>72</sup> <http://alianta.md/index.php?go=news&n=362>

<sup>73</sup> <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.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>

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.<sup>74</sup>

6. Equally positive impact it has had on public tenders the public call dedicated to the procurement of medical devices.<sup>75</sup>

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



*Are we supported, young people, by the state in order to build a future at home?*

With the aim to involve more and more young people in monitoring the implementation of the Association Agreement, on May 15, 2016, representatives of civil society, the National Center for Environment in partnership with the Resource Centre for Human Rights (CReDO) National Council Youth in Moldova (CNTM) and the National Platform of the Eastern Partnership Civil Society Forum organized Youth Forum Create your future home. The event brought together 150 young people from different parts of the country who had the opportunity to express their ideas in front of all the guests and especially the officials directly involved in the process of implementing reforms and representatives of development partners who support Moldova significantly in European integration.

During the event they were discussed topics aimed at implementing the EU-Moldova Association Agreement chapters "Justice, Freedom and Security," "Energy Cooperation" and "Environment". Young people were able to assert themselves in the 3 workshops oriented chapters of the Association Agreement mentioned above. Following the teamwork of the workshops, young people have developed three chapters statements on advancing the implementation of the Association Agreement mentioned above. These statements include actually desires of young people and activities that could speed up the implementation of reforms within the AA. Youth statements will be presented at the Civil Society Forum with the participation of civil society, Government and Parliament of Moldova, in order view to promote the implementation of the Association Agreement.<sup>76</sup>

<sup>74</sup> <http://alianta.md/news/view/-93479/page:2>

<sup>75</sup> <http://alianta.md/news/view/-2801/page:1>

<sup>76</sup> <http://www.credo.md/pageview?id=585?&lang=en>



Implementation of reforms as the main motivation that would lead young people to stay home, to create the future here and contribute to the country's development. Young people have realized that, as implementation of the Association Agreement will create jobs, open up new opportunities for young people and improve local conditions to bring more foreign investment in our country.

If the State to meet its obligations and would work according to European democratic standards, then no flow of young people leaving the country for a better future would be so great. We have active youth, ambitious young people who want to stay home, near their loved ones, but because they can not identify development opportunities here - leave their homes. „To stay or to leave? What I can offer this state? " There are a few questions that should his disquiet the civil servants in our country. Young people are the future generation, so their involvement is very important and necessary for the prosperity of the whole country. Thus, the organizers will conduct more events of this kind for young people in order to create a core of young activists who will be involved along with civil society in monitoring the Association Agreement and organizing actions that would support its implementation.

This event was organized within the project „monitoring of Moldova Association

Agreement with the EU by civil society " project funded by the foundation National Endowment for Democracy (NED).

### *Public call on elaboration of the National Action Plan on Human Rights*

The signatory organizations call on the Government to take steps necessary to start the procedures necessary to develop an integrated plan of action on human rights for the next four years. Beginning with 2004 Moldova has integrated improvement actions aimed at promoting human rights framework in two National Plans for Human Rights, respectively for 2004-2008 and 2011 to 2014. Implementation, monitoring and evaluation of the two action plans ended in 2015, and until the moment no measures were taken in order to develop a new policy document that would address comprehensively the issues of human rights for the next time.

In the fall of 2016 Moldova is to undergo the Universal Periodic Review, and recommendations necessary to ensure the observance of human rights have already been reflected in alternative reports of civil society by the UN Council for Human Rights and will be submitted to the state by its members. Considering the three tools for creating development policies and human rights, it is necessary to develop an integrated plan of action that devolves upon both commitments under the 'Agenda 2030' human rights as well as obligations of the state.

The signatory organizations encourage the Government to adopt a comprehensive document, inclusive and focused on human rights, as well as the objectives of sustainable development in order to ensure observance of fundamental rights as well as to lift living standards, improving the economic and social indicators to be effective and



sustainable time activities actors involved in the observance, promotion and implementation of human rights to be objects of monitoring and impact assessment. Therefore, it is absolutely imperative the development of a centralized mechanism for monitoring and internal evaluation of how is implemented the policy document. Or is the lack of such a mechanism was one of the basic criticisms of the implementation of the previous National Action Plans on human rights. In this context, we consider it appropriate to take into account the creation of units/structures responsible for monitoring and evaluating the implementation of future-oriented action planning document for promoting human rights.

#### **4.4 Assembly, elections, freedom of expression monitoring**

Intimidation of activists, journalists and whistleblowers was ongoing and even upraised.

Members of CReDO felt in 2016 on their own experience the impact of fake news, the failure to check the primary source of effectuated statements, instrumentalization of products and a certain degree of intimidation and harassment, including and especially from other members and organizations of the civil society.



#### ***CReDO Preliminary opinion on the public meeting and the protest of the 27 august 2016<sup>77</sup>***

The event provided. Counterdemonstration observed. Polarizing context. Pluralism of expression in the public space of the insured with some deficiencies in principle with goals assurance and localization manifestation of aggressive incidents. Overall peaceful nature of events. The complexity demonstrations (the military parade, stretching in time and space of demonstrations, some elements festive) represents an additional challenge.

1. Demonstrations and counterdemonstrations in the context of possible polarized social tensions and therefore involve professional and proportionate actions of the police. Organizing public manifestations in the context of polarization of opinions in society on the political dimension of attitudes to authority, the reception confrontations ideas geopolitical nature in the context of unrest and threats to security in the region is a task that requires a high degree of professionalism of police and organizers increased responsibility and eventually the organizers/participants from counter-demonstrators.

2. Priority and safety demonstration meeting is conferred by law ensuring the right counter-demonstrators to express their opinions on the "distance visual and sound" ("sight and sound"), ie proximal visibility and sound non-polluting. In this context possible confrontation is evident not only in principle but ideas and forms of expression of different opinions in public space. Thus, the character of possible tensions between the organizers of the demonstration and possibility counter-demonstrators was expected and implies some risks, so the police have the obligation stated policy on the one hand to ensure the safe deployment of

<sup>77</sup> <http://www.credo.md/pageview?id=592>



demonstration (by law has priority because it is a national day and traditional is organized in day time) and smooth-running counterdemonstrations so that, any counter-demonstrators message to be heard in public space (do not discuss the quality of counter-demonstrators message).

3. The access was justified controlled, but the implementation was with deficiencies. Organizing demonstration was conducted by ensuring controlled and managed entry in the Square - the extent justified and often used by police, including countries in the region, was a measure principally proportioned. Achieving control measure probably had some deficiencies, because the number of entries in Square (two in number) were not adequate to the demands and expectations. Facilitating access would have been possibly organized with the installation of indicators and active messages of information on where the entry stands.

4. Cordons justified and proportionated, with minor deficiencies of achievement. Police cordons installed on the perimeter of the assembly as a measure to ensure the safety of the demonstration was legitimate and proportionate measure to the potential risks jeopardizing the demonstration. Making cordons of police was mostly proportional to potential risks that have emerged during the development of demonstration (military parade and festive elements that followed). Probably it would have been possible to achieve cordons with gradually increasing forces, indicating the need for them to increase with the growth of the level of risk. Police cordons have failed the implementation of the principle of separation of audio and visual demonstration of counterdemonstration - this being the negative burden of police and counter-demonstrators for the lack of communication.

5. Counterdemonstration respected, protected perimeter demonstration justified

the measures stipulated proportional. Counterdemonstration was held nearby and in some cases counter-attempted and forced the entry on the perimeter of carrying the demonstration. The police tolerated and accommodated deployment of counterdemonstrations, but firmly secured the perimeter carrying the demonstration when counterdemonstrations tried forcing the first. Non-involvement of the police in the development of the counterdemonstration is justified and proportionate. Demonstration carrying perimeter protection is justified and proportional principle in developing risk due to the behavior of counter-demonstrators. Only part of counter-demonstrators acted aggressively elements that are easily identifiable.

7. Counterdemonstrators have used some actions (on the part of some peaceful and non-peaceful ones): peaceful: 1) vocalization of the slogans (including using speaking tube and sound sources), 2) mobilization in close proximity of the cords with non-peaceful elements: 3) attempts to force the police cords (at least 2 identified with the involvement of several dozen people); 4) entering the perimeter and area of the demonstration to communicate its messages and urging some participants to the demonstration (only a few minor actions); 5) throwing minor objects (eggs, etc.) - some minor incidents, 6) verbal and personal attacks on police officers (some isolated incidents). The peaceful actions demonstrated the good intention of principle on the part of a counter-signatory party. The unpredictable actions outlined did not have good intent and represented development risks that warranted the formation of the above-mentioned cords and control entry. The non-incidental incidents mentioned do not add value to public communication..

7. The police used a series of tactics to manage non-peaceful incidents and did not use other possible practices in such situations. The use of low intensity spray is justified and proportional if other less intrusive measures do not produce the perimeter safety effect.

The use of low-intensity tear spray (at least a few cases) on an isolated number of people who have tried direct forcing or spiraling by applying the physical force of the cord. In principle, the use of low-intensity tear spray is a measure of the strength of the police cord, along with the communication with people trying to persuade them, the isolation of some people, and the tactic of extending the protected space. The low-intensity tear spray was used without informing and using in advance each time trying to communicate with some people in the opposite category. The spray resulted in the cessation of attempts to enter the perimetry of the demonstration. **It is obvious that the purpose of the available tactics is justified, the immediate choice of spray measure (without the foregoing) as the goal-realization tactic probably was not proportional.** The reasons are that the police will wear out at the beginning the smallest tactical intrusion, ie: a) body resistance, b) communication and explanation, c) isolation of some people and only later d) spray. If tactics a) resistance, b) communication, and c) repeated isolation would not produce the expected effects, then d) the use of the spray is perfectly justified to achieve the purpose of assuring the safety of the manifestation. If there are reasonable and authentic evidence that does not produce the results of assurance of the demonstration of tactics a), b), c) before the d) spray application, then the use of spray is proportional and justified. In the absence of premargining of a), b), c), wear d) spary is not proportional. At the same time, the choice of spray with low intensity is tactical achievement of the lowest intrinsic intensity and has minimal effects on not only the agresive and peaceful counterdemonstrators, so the direct negative impact is not significant.

8. MAI and the Ombudsman will carry out documentation and analysis of the

circumstances of the deployment and of the public demonstrations.

### *Civic activists condemn hatred messages in election campaign*

*Elections 2016: From discrimination to hate speech and lies*

Civic activists, representatives of a number of communities of Moldova, condemn the messages inciting hatred and social division that are promoted in the election campaign prior to the runoff presidential elections. In a [news conference at IPN](#), these said not the personal life, but the professional skills must be decisive when choosing a candidate.<sup>78</sup>

Polina Cheastuhina, the representative of the Group of Feminist Initiatives in Moldova, said the last century's stereotypes concerning the women's role in society are maximally exploited. By such messages, they perpetuate the idea that the value of the woman is not equal to her skills, but resides in the fact that she is fertile and has a man who loves her. "The woman's place is everywhere and she has the right to run and vote in elections. We obtained the suffrage 100 years ago and have the responsibility of exercising this right consciously, aware of all the speeches delivered in the campaign," stated Polina Cheastuhina.

Olga Bitca, the representative of the Resource Center for Human Rights, said the women in the current election campaign are attacked, while the advisers of the candidates for President who formulated the message that the women are noted voted made a huge mistake and showed unprofessionalism. Now the parties that launched this tendency use different methods to incite hatred.

<sup>78</sup> <http://www.ipn.md/ro/politica/80168>  
<http://www.ipn.md/ru/politica/80168>  
<http://www.ipn.md/en/politica/80168>  
[http://realitatealive.md/live-grupul-de-ini-iativa-activi-ti-civici-sus-in-o-conferinta-de-presa-alegeri-2016-de-la-discriminare-la-incitare-la-ura-trase-de-un-car-de-minciuni\\_47924.html](http://realitatealive.md/live-grupul-de-ini-iativa-activi-ti-civici-sus-in-o-conferinta-de-presa-alegeri-2016-de-la-discriminare-la-incitare-la-ura-trase-de-un-car-de-minciuni_47924.html)  
<https://www.youtube.com/watch?v=UuKWO2I5UJY>

<https://www.privesc.eu/Arhiva/70977/Conferinta-de-presa-sustinuta-de-un-grup-de-activisti-civici-cu-tema--Alegeri-2016--De-la-discriminare-la-incitare-la-ura-trase-de-un-car-de-minciuni-#photo6110>  
<http://radiochisinau.md/alegeri-2016-activisti-civici-condamna-mesajele-de-ura-din-campania-electorala---40722.html>



Image:

Tezera Abebe, of the community of people native of African-Asian countries in Moldova, called on the competent bodies to deal with the messages of hatred toward refugees promoted in the election campaign. When a public figure resorts to hate speech and involves the mass media in disseminating this message, this should be regarded as aggravating factor.

The representative of the Information Center Genderdoc-M Angelica Frolov said the person who wants to be elected President must come up with solutions so that all the people enjoy better living standards. If this disseminates hatred and division in the election campaign, the person will continue doing so after the elections as well. She noted that her political views should not be

regarded as the voice of the LGBT community of Moldova of which she forms part. She said that after she expressed her personal political preferences on a social networking site, she became the heroine of a lampoon and was criticized by friends for damaging the image of a politician by showing her support for this.

Mihail Placinta, the representative of the Ukrainian community in Moldova, said the young people are very concerned about what is going on in the country, while the candidate who wants to become Head of State should be careful of the statements he makes in the election campaign so as not to affect the relations with other states. The fact that Ukraine's Ambassador in Chisinau was called to Kiev last week is a first signal that things cannot go on like this, while the candidate of the left should think well before saying something.

In the same news conference, activist Oleg Brega said the anti-European hysteria can lead to Moldova's exclusion from the ranks of the civilized states. If we do not want to accept the international treaties concerning the basic human rights, we will not be qualified to become a member of the Customs Union either as this also requires to obey human rights, the rights of migrants and of the members of the LGBT community.

IPN

## 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 by the Anticorruption Alliance

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.<sup>79</sup>

##### 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 personnel, interests and 10% of proposals were accepted on the law on NIC reform.<sup>80</sup>

##### 4. *Proposals for the Government's Strelet Government Programme/Action Plan Acțiuni*<sup>81</sup> 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, especially the bill on the Dissuasive Sanctions.

##### 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, the bill on Dissuasive sanctions, Asset Recoverement office, Whistleblower protection and other sectorial bills and reforms - 83 % accepted.<sup>82</sup>

##### 8. *Proposals to the code of ethics and conduct of prosecutors - 19% accepted.*<sup>83</sup>

##### 8. *Code of ethics and conduct of the judge: 85% of proposals accepted.*<sup>84</sup>

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

<sup>79</sup> <http://alianta.md/index.php?go=news&n=361>

<sup>80</sup> <http://alianta.md/index.php?go=news&n=358>

<sup>81</sup> <http://www.alianta.md/?go=news&n=367>

<sup>82</sup> <http://www.alianta.md/?go=news&n=388>

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

<sup>83</sup> <http://www.alianta.md/?go=news&n=297>

<sup>84</sup> <http://www.alianta.md/?go=news&n=295>



**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 the medical sector:**

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

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

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

Foreign partners have suspended funding until the stabilization of the situation in Moldova and the financial-banking sector. Strict Conditioning, required including by ACA, were imposed by IMF, EU, Romania.<sup>85</sup>

**15. Proposals for completing the Law on Prosecution - 4 of 25 proposals were accepted.<sup>86</sup>**

**16. Proposals for adjusting electoral regulation.<sup>87</sup>**

**17. Data on the founders of the campaign:**

Explaining the difference between the protection of personal data and the need for transparency in order to prevent and combat corruption regarding founders of companies and improving the practice of the correct application of international conventions and national provisions in the field, the initiative was conducted by the Economic Council under the Prime Minister. The data were made public.

Some sets of proposals were sent repeatedly. In total 22-25 set of proposals to improve the anticorruption legislative framework were made.

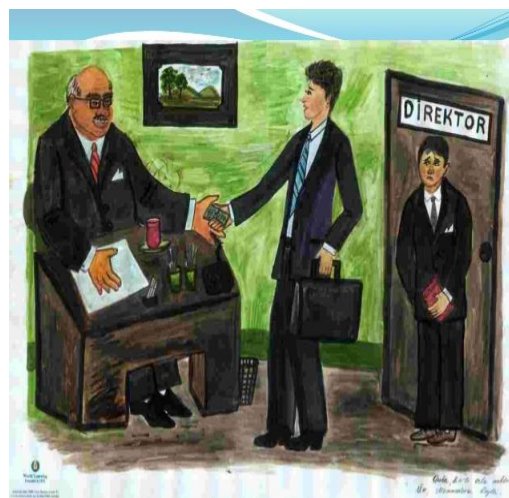


Image: Slideshare bikas

**18. Expertises of the legal and judicial practice:**

Besides more than 22 sets of legislative proposals, according to the EEF project in order expertise and perfecting the legal framework relevant to preventing and combating corruption were contracted three experts who focused their research on:

1. Informal tax collection in education;<sup>88</sup>
2. The integrity of public servants and officials;<sup>89</sup>
3. Evaluation of the National Anticorruption Strategy and drafting the proposals for the drafting of the new NAS.<sup>90</sup>

**19. Complaints and referrals of ACA:**

During 2015 the activity of ACA at the chapter referrals to appropriate authorities on acts of corruption, related acts of corruption and acts of corrupt behavior, abuse of office, incompatibility and restrictions in public office, the integrity of persons holding public office and similar positions, tortious conduct of public tenders and

<sup>85</sup> <http://www.alianta.md/?go=news&n=316>

<sup>86</sup> <http://www.alianta.md/?go=news&n=303>

<sup>87</sup> <http://www.alianta.md/?go=news&n=307>

<sup>88</sup> <http://www.alianta.md/?go=news&n=390>

<sup>89</sup> <http://www.alianta.md/?go=news&n=385>

<sup>90</sup> <http://www.alianta.md/?go=news&n=388>

public procurement, which became known from various sources focuses on the following dates:

- In total 24 complaints/referrals to 18 institutions,
- 64 officials, civil servants and persons responsible for the management of central and local public administration,
- Some of them relaunched or for breaking the statutory period of limitation or on account of receipt of additional information<sup>91</sup>
- of them- 48 men and 18 women, few of them repeatedly.

## 5.2 Anticorruption strategy evaluation

A working group to elaborate the new draft of the Anticorruption Strategy has been set up in 2015 and included 5 independent experts and representatives of the National Anticorruption Center. This process makes part of the National Action Plan to combat and prevent corruption<sup>92</sup>.

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 in the person of Olga Bitca. 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.

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 Centre 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.

Supplementary several rounds of consultations were organized by IPRE and Anticorruption Alliance and its members took an active part in order to generate more proposals and to establish several priorities for justice and anticorruption reform.

In December 2016 a public appeal was co-drafted by several members of the Anticorruption Alliance, debated and presented as a suite of the previous public debates on the strategic priorities in justice and anticorruption, whistleblower protection included.<sup>93</sup>

Proiect  
Versiune 29.02.2016

## STRATEGIA NAȚIONALĂ ANTICORUPȚIE

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<sup>91</sup> ACA Annual Report  
<http://www.alianta.md/?go=news&n=404>

<sup>92</sup>[http://www.gov.md/sites/default/files/document/attachments/intr03\\_3\\_0.pdf](http://www.gov.md/sites/default/files/document/attachments/intr03_3_0.pdf)

<sup>93</sup> <http://ipre.md/new/index.php/2016/12/13/apelul-public-al-societatii-civile-privind-prioritatile-strategice-in-domeniul-anticoruptiei/>  
<http://ipre.md/new/index.php/2016/12/13/a-fost-prezentat-apelul-public-al-societatii-civile-privind-prioritatile-strategice-in-domeniul-anticoruptiei/?lang=en>

These several sets of proposals from the part of the civil society were promoted during public sectorial consultations organised in December by the National Anticorruption Centre and the prefinal draft<sup>94</sup> was considerably revised, especially considering formulations of indicators and some of the actions. For instant, some actions considering political parties were revised in line with GRECO recommendations and the terms of the prevention and combating of the political corruption were debated with the representans of the Central Electoral Commission and specialized organisations.

The previous Anticorruption Strategy term expired in 2016.

The draft strategy was submitted to the Parliament and approved on 30 mars 2017.<sup>95</sup>

### **5.3 Testing Hypotheses on Suspension of Sector Budget Support to Moldova in 2015-16: Predictability, Non-adversity, Policy or Politics driven?**

#### **Testing Hypotheses on Suspension of Sector Budget Support to Moldova in 2015-16:**

*Predictability, Non-adversity, Policy or Politics driven?*

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The scope of this summary evaluation is to review the existing practice of the budget support (BS) with the particular emphasis on the EU budget support suspension practice. The paper explores several hypotheses: 1) Has the Sector Budget support been provided to achieve specific policy objectives? 2) Has the sector support suspension

decision been both predictable, based on applications of clear criteria that can be traced from the existing practice and applied in the manner compatible with the existing practice? 3) Has the sector support suspension not resulted in some sort of sanctions (intentionally or unintentionally) with adverse impact on original budget support objectives of the: a) “poverty eradication”, b) “improving citizens well-being”, c) “contribution towards sustainable economic growth”, d) “contribution to consolidate democracy”? The later are the standard sector budget support objectives.

*On the first hypothesis, the conclusion is that all the budget support has had the type of the sector budget support (SBS) or sector reform contract (SRC) with the specific policy objective to reduce poverty and improve the lives of the citizens. Moldova has not contracted GBS/GGDC programs with the implicit political and good governance considerations. The choice has been for pro-poor and people oriented support.*

*On the second hypothesis, the conclusion is that it is likely this hypothesis does not hold at least with regard of most of the budget support programs. The key arguments are: 1) suspension of payments/disbursements for pro-poor and poverty reduction programs have no substantive justification, 2) procedures to weight on alternatives for de facto suspension have not been considered and employed, 3) possible considerations for de facto suspension have not been communicated clearly, 4) conditionality of IMF agreement stands-out as lacking legitimacy. Withholding the payments on at least 6 programs (poverty reduction, pro-poor) is not justified.*

*On the third hypothesis, a thorough assessment of the hypothesis requires more sophisticated estimation methods. A qualitative evaluation is likely to conclude that this hypothesis does not hold. Indeed, the adverse consciences could imply: 1) contribution to non-monetary poverty, 2) adding the political instability and the vulnerability of the society 3) reduction of the*

[http://realitatealive.md/live-institutul-pentru-politici-i-reforme-europene-prezinta-apelului-public-al-societa-ii-civile-privind-priorita-ile-strategice-in-domeniul-anticorup-iei\\_49706.html](http://realitatealive.md/live-institutul-pentru-politici-i-reforme-europene-prezinta-apelului-public-al-societa-ii-civile-privind-priorita-ile-strategice-in-domeniul-anticorup-iei_49706.html)  
<http://www.alianta.md/?go=news&n=412>

<sup>94</sup><http://cna.md/pageview.php?l=ro&idc=44&t=/Transparenta-decizionala/Proiecte-elaborate>

<sup>95</sup> <http://www.legis.md/cautare/rezultate/99502>

revenue to meet up the current balance of payment, 4) increasing indebtedness of the state treasury.

The methodology implies research into the EU internal guidance and secondary research on the EU practice and practice by other international donors as used world-wide. It also includes a quick review of the budget support as applied to Moldova since 2009. We use only publicly available data and information that contains written records or could be traceable through meetings with the participation of the both parties that made information into the public space.

#### ***5.4 What is real and declared impact of the modifications of the law on audiovisual ?***

This research looks into the subject of the how the existing draft proposals impact the rights of the national minorities to access to information and receive it in the language of the choice of the national minorities. The core conclusion in this respect is that the proposed amendments do not support and promote the development of the national minorities media as for instance of the Ukrainian, Gagauz or Bulgarians. It also has the effect of the reduction of the import of the Russian language audiovisual content specifically the programs of the informative, political and analytical nature from the Russian federation.

We discuss 3 draft laws: draft Audiovisual Code, law with amendments proposed by deputy Sirbu and the law with amendments proposed by deputy Carp. The objectives of the draft laws discussed have been to protect national audiovisual space from the propaganda from the outside of Moldova and to promote the indigenous audiovisual content. All draft laws have been adopted in the 1<sup>st</sup> reading as of the writing of the paper and await the 2<sup>nd</sup> and final reading.

#### **What is real and declared impact of the modifications of the law on audiovisual?**

By Serghei Ostaf [ostaf@credo.md](mailto:ostaf@credo.md)

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We review in detail the current legal framework and how the proposed modifications may change them. These modifications are discussed also in the context of the existing audiovisual broadcasters and outlets structure (concentration of transmission and retransmission license, share of the view) as well as the structure and the nature of the advertisements market. We also model the impact of the proposed laws on the language used in the audiovisual market.

The current state of the play of the 9 out of 19 have the preponderance of the Romanian language broadcasting, yet their share of the viewers is around 30-35% with the Russian language broadcasters dominating with 65-70%. 4 out of 19 the the preponderance of the indigenous production with the share of viewers of 15-20% with the rest are 80% are retransmitting. 13 out of 19 have the retransmission licence so that retransmission licence have the share of viewers is around 75-80%. 9 out of 13 retransmission licence belong to the Russian licences with the share of viewers are 60% or the majority. Therefore, the media market is dominated by the retransmission licences from Russia (Russian language) and share of the indigenous content is less than 20%. The described situation has been inherited from the time of the independence and has just slightly improved (indigenous and state language content) in the past 5-6 years with the bleak prospect for the future.

The solutions proposed with regard to the protection against the Russian propaganda by use of the raising the requirement of the percentage of the state or Romanian (as referred to in different drafts) language of the informative, analytical programs. As one can see below all 3 proposals



establish high threshold for the informative and analytical programs to be produced in Moldova and effectively ban the retransmission of these programs in Russian. At the same time these requirements do not refer to the other types of programs that are retransmitted from Russia.

### 5.5 Options for the Institutional Functions of the Agency of Energy Efficiency

The scope of the paper is to come to the conclusion on the institutional set-up of the Agency and its future mandate.

The research objective is to propose a new institutional set up and a sectoral positioning of EEA. The methodology for the consistent thinking about the design of an agency requires a process and explanation. A coherent approach, in the narrow sense, requires an understanding of the types of functions that are needed to be accomplished given the particular challenges that the society faces in the EE area. The specific and concrete functions are to be identified through a process of a) understanding the challenges and which of these challenges could be addressed by the state provided these functions are compatible with the role of the state. This is also done through a thorough review of the exercise of the current functions. And to what extent these are exercised well. Once the set of the specific and needed functions are identified, conclusions and recommendations can provide the best advice on the type of the state agency that can host the required functions.

*Recommended solutions.* We recommend a short term solution and a long-term solution with the later to be a precursor to the first one. The short-term solution is called 1A, namely a combination of *Option 1: De facto existent situation and consolidation reporting to Ministry of Economy* and *Option A: De facto existent situation and consolidation (+Energy Impl Unit, EFF)*. This is the easiest and most probably implementation that should be explored in short term. The long-term solution is called 2B, namely a combination of: *Option 2: Independent Agency reporting to Government* and *Option B: Horizontal extension (additional policy areas)*. Combination of the

value added and more influential agency that require more costs but with higher implementation effectiveness.



Proiectul **Reforma și îmbunătățirea eficienței sectorului energetic din Moldova**

Documentul **Opțiuni pentru funcțiile instituționale ale Agenției pentru Eficiență Energetică**

Numărul Proiectului **53040015**

Elaborat pentru **Ministerul Economiei a Republicii Moldova**

Elaborat de **AF-Mercados EMI**  
Martie 2016

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## 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 2017

	Notes	1-Jan-17 MDL	1-Jan-16 MDL
<b>ASSETS</b>			
<b>Property and equipment</b>			
Building	1	1,619,960	1,748,245
Furniture	1	3,513	5,562
Computer equipment	1	65,044	48,671
Car	1	0	0
		<b>1,688,517</b>	<b>1,802,478</b>
<b>Current assets</b>			
Stocks		31,860	
Other receivables	2	16,047	440,290
Cash and cash equivalents	3	85,828	170,352
		<b>133,735</b>	<b>610,642</b>
<b>Total assets</b>		<b>1,822,252</b>	<b>2,413,120</b>
<b>ACCUMULATED FUNDS AND LIABILITIES</b>			
<b>Accumulated surplus</b>			
Accumulated surplus	4	(621,617)	0
Revaluation reserve	1	688,283	745,640
		<b>66,666</b>	<b>745,640</b>
<b>Liabilities</b>			
Deferred income	5	1,000,234	1,056,838
Deferred revenue from grants	5		25,702
		<b>1,000,234</b>	<b>1,082,540</b>
<b>Current liabilities</b>			
Payables and accruals	6	228,852	58,440
Loan		526,500	526,500
		<b>755,352</b>	<b>584,940</b>
<b>Total liabilities</b>		<b>1,755,586</b>	<b>1,667,480</b>
<b>Total fund balance and liabilities</b>		<b>1,822,252</b>	<b>2,413,120</b>

Director Serghei Ostaf

Accountant Panico Vladislav

## 8.2. Report on activities

### Income Statement for the year ended 31 December 2016

	Notes	2016 MDL	2015 MDL
<b>Revenue</b>			
Grant revenue	7	497,374	1,905,123
Other revenue	8		145,132
		497,374	2,050,255
<b>Expenses</b>			
Program and administrative expenses	7	(1,118,991)	(1,905,123)
Other expenses			(145,132)
		(1,118,991)	(2,050,255)
<b>Excess of expenses over revenue</b>		(621,617)	0
Net foreign exchange loss		0	0
<b>Surplus (deficit) before income tax expense</b>		(621,617)	0
Income tax expense			
<b>Gain (Deficit) for the year</b>	4	(621,617)	0

Director Serghei Ostaf

Accountant Panico Vladislav



### 6.3. Report on circulation of funds

#### Statement of Cash Flows for the year ended 31 December 2016

	<b>Note s</b>	<b>2016 MDL</b>	<b>2015 MDL</b>
<b>Cash flows from operating activity</b>			
Surplus before income tax expense		<b>(621,617)</b>	<b>0</b>
Adjustments for:			
Grant revenue		(497,374)	(1,491,059)
Adj of accruals		(414,064)	
Exchange difference		(4,613)	102,263
Operating loss before changes in working capital		<b>(1,537,668)</b>	<b>(1,388,796)</b>
(Increase) / decrease in other receivables		392,383	(422,326)
Increase / (decrease) in payables and accruals		170,412	43,726
<b>Cash generated from operations</b>		<b>(974,873)</b>	<b>(1,767,396)</b>
Income tax			
<b>Net cash from operations</b>		<b>(974,873)</b>	<b>(1,767,396)</b>
<b>Cash flows from investing activities</b>			
Acquisition of property and equipment		(32,950)	0
<b>Net cash utilised in investing activities</b>		<b>(32,950)</b>	<b>0</b>
<b>Cash flows from financing activity</b>			
Net Funds received		923,299	1,302,105
<b>Net cash flows from financing activity</b>		<b>923,299</b>	<b>1,302,105</b>
<b>Net increase / (decrease) in cash and cash equivalents</b>		<b>(84,524)</b>	<b>(465,291)</b>
<b>Cash and cash equivalents at 1 January</b>	<b>3</b>	<b>170,352</b>	<b>635,643</b>
<b>Cash and cash equivalents at 31 December</b>	<b>3</b>	<b>85,828</b>	<b>170,352</b>

Director Serghei Ostaf

Accountant Panico Vladislav

