

# THE NATIONAL INTEGRITY AUTHORITY



## REPORT ON THE ACTIVITY JANUARY-JUNE 2019



*CHIȘINĂU, 2019, [www.ani.md](http://www.ani.md)*

## TABLE OF CONTENTS

• GENERAL CONSIDERATION _____	1
• ASSURANCE OF FUNCTIONALITY _____	2
• FILING OF STATEMENTS OF ASSETS AND PERSONAL INTERESTS AND THEIR AVAILABILITY FOR THE GENERAL PUBLIC _____	3
• FIELD OF PREVENTION THROUGH TRAINING OF SPECIALISTS AND SUBJECTS TO DECLARATION _____	6
• INTEGRITY INSPECTORATE ACTIVITY _____	8
• LEGAL ACTIVITY _____	14
• POLICY MONITORING AND IMPLEMENTATION _____	15
• ENSURING THE SECRETARIATE OF INTEGRITY COUNCIL _____	16
• HUMAN RESOURCE MANAGEMENT AND DOCUMENTATION _____	16
PROFESSIONAL DEVELOPMENT _____	19
COMPONENT DOCUMENTATION _____	19
• FINANCIAL RESOURCES _____	20
AUDIT REPORT OF FINANCIAL SITUATION OF NIA _____	21
• INSTITUTIONAL TRANSPARENCY _____	22
MONITORING OF MASS MEDIA _____	24
• PROSPECTIVE ACTIONS FOR THE NEXT SEMESTER _____	28

## GENERAL CONSIDERATION

This report was developed in the context of the execution of the Decree of the Chair of NIA No. 8d from 11.06.2019 and includes evolutions registered in the first six months of the year 2019 by National Integrity Authority (*hereinafter Authority or NIA*) in order to ensure continuity in the implementation of the special laws and realisation of its mission, functional duties according to the legislative regulations and commitments entered into by the Republic of Moldova in several policy documents at national, sectoral and institutional level.

Starting from the mission, functions and duties of the authority, NIA is an autonomous and independent institution at the national level, which aims to ensure the integrity of the public position and the public dignity position, prevention of corruption through control procedures, accurate filing/completing of statements of assets and personal interests, respect for the legal regime of conflicts of interests, incompatibilities, limitations of restrictions by the subjects of declaration.

Efficiency of the Authority is materialized in:

- respecting the filing in time and on the form of the statements of assets and personal interests of the subjects of declaration, the declaration of conflicts of interest, incompatibilities, restrictions and limitations;

- carrying out of inspection procedures by the integrity inspectors with the finding of the infringement of legal regimes of declaration of assets, conflicts of interest, incompatibilities, restrictions and limitations;

- contravention punishment of the subjects of inspection;

- the prohibitions imposed by the integrity inspectors as a result of decisions made through acts of finding and the remaining final of these decisions;

- informing, training and consulting the subjects of declaration regarding the manner of observance of legal regimes of declaration of assets, conflicts of interests, incompatibilities, restrictions and limitations;

- development and maintenance of the information system "e-integrity" with the assurance of submission electronically of the statements of assets and personal interests by the subjects of declaration.

During the reference period NIA was determined in institutional capacity building and effective implementation of the Law no. 132/2016 *on the National Integrity Authority*, Law no. 133/2016 *regarding the declaration of assets and personal interests* and the Law no. 82/2017 *on the integrity*, drawing clear targets included in the Action plan of the NIA for the year 2019 (*approved by the Decision of the Integrity Council no. 4 from 11.03.2019*), namely:

- ❖ positive development of Authority in public perception and trust of civil society in NIA;
- ❖ increasing the number of inspections, controls, administrative cases and concluding acts;
- ❖ filling of vacant positions of the NIA;

- ❖ specialty methodological framework development;
- ❖ adjustment, maintenance, management and development of the system "e-integrity";
- ❖ finalization of the internal regulatory framework governing activity of the NIA;
- ❖ Relocation of NIA to a new allocated office (*starting of repair works, ensuring the necessary logistics for the transportation of goods, creation of necessary work conditions for employees, the necessary technical equipment and more.*).

### ASSURANCE OF FUNCTIONALITY

In the first half of the year 2019 in order to organize the activity of the authority more normative acts, oriented to the coherent implementation of the objectives, a total of **155 administrative acts**, of which **32 normative acts, including 8 provisions and 123 individual acts** have been developed, approved and registered, such as:

1. The Government decision no. 183/2019 *regarding the approval of the technical concept of the automated information system "e-Integrity"*;
2. The draft of the *Regulation on the organisation and operation of the automated information system "e-Integrity"*, with remission to the Ministry of Justice;
3. The Order of amendment of the *Regulation on the way of completing the statements of assets and personal interests in electronic form*;
4. Proposals for amendments to the Law 270/2018 *concerning the unitary system of salary in budgetary sector*, with reference to payment for labor of the integrity inspectors, with the remittance of the draft of law and the briefing note to the Ministry of Justice ( *letter no. 07/374 from 26.02.2019*) and the Ministry of Finance (*letters no. 07/458 from 11.03.2019, no. 07/702 from 13.04.19, no. 07/1206 from 25.06.19*);
5. The draft of order of amendment of the *Regulation on the order of issuing of certificates for integrity*, with preparation and remittance, for an opinion, of the act and the briefing note to the Public Service Agency and the National Inspectorate of Probation;
6. The order of the Chair of the NIA no. 3 from 04.02.2019 *regarding the organization and conduct of training sessions for the subjects of declaration or persons responsible for the management of the Electronic register of subjects of declaration within the central public authorities/ subordinated authorities*;
7. The order of the Chair of the NIA no. 6 of 14.02.2019 of amendment of the *Internal regulation of the National Integrity Authority and the Regulations on the organisation and operation of structural subdivisions and job profile of management positions* in order to establish its powers and authority and responsibilities for organizing the system of financial management and control;
8. *Report on the activities of the National Integrity Authority for the year 2018*, approved by the Decision of the Integrity Council no. 3 of 04.03.2019;

9. The order of the Chair of the NIA no. 7 of 04.03.2019 *concerning the commissions and working groups of the National Integrity Authority*;

10. The order of the Chair of the NIA no. 9 of 07.03.2019 of amendment of *the Employment scheme of the National Integrity Authority*, which was registered at the Ministry of Finances;

11. *The action plan of the National Integrity Authority for the year 2019*, approved by Decision of the Integrity Council no. 4 of 11.03.2019;

12. The act of transfer of the real estate from 25.03.2019, at the following address: Chişinău mun., 26 Bănulescu Bodoni Street (new headquarters of the NIA);

13. *The report on transparency in decision-making process within the framework of the National Integrity Authority for the year 2018*;

14. *Procurement plan of the National Integrity Authority for the year 2019*;

15. The order of the Chair of the NIA no. 14 of 23.04.2019 *concerning the organization and supervision of the activity of the Integrity Inspectorate*;

16. The common order of the NIA, the Public Service Agency and the National Inspectorate of Probation no. 17/287/100 of 13.05.2019 *concerning the interinstitutional cooperation mechanism within the period of issuance of the integrity certificates*;

17. The decree of the Chair of the NIA no. 6d from 21.05.2019 *concerning the control of the office of the annual statements of assets and personal interests filed for the year 2018*;

18. The order of the Chair of the NIA no. 18 of 22.05.2019 *concerning the amendments to the methodology of conducting the control of assets and personal interests and concerning the observance of the legal regime of the conflict of interests, incompatibilities, restrictions and limitations*, approved by Order no. 4 of 22.01.2018;

19. The decree of the Chair of the NIA no. 7d from 30.05.2019 *concerning the appointment of the administrator of the automated information system "e-Integrity", held by the National Integrity Authority*;

20. The order of the Chair of the NIA no. 22 of 18.06.2019 *concerning the risk management in the framework of the National Integrity Authority*, whereby the Register of risks was approved, in order to promote the principles of good governance through the application of the system of financial management and control;

21. According to the Law on safety and health no. 186-XVI of July 10, 2008, from 27.03.2019 the *Instructions on safety and health at work*, approved by the order No. 19 of 22.05.2019 have been developed. On the basis of these instructions "*The plan for the protection and prevention of accidents at work*", approved by Order No. 20 from 22.05.2019 was drawn up and approved.

## SUBMISSION OF ASSETS AND PERSONAL INTERESTS DECLARATIONS AND THEIR PUBLIC AVAILABILITY

For the second consecutive year the Authority has made available to the citizens of the Republic of Moldova, the Automated information system "e-Integrity" (*hereinafter AIS "e- Integrity"*), which enables the submission of the declaration of assets and personal interests in the electronic format as well as to facilitate the access of citizens and interested institutions to information of public interest.

In accordance with para. 20-23 of the **Government Decision no. 183/2019 concerning the approval of the technical concept of the Automated information system "e-Integrity"**, the owner of AIS "e-Integrity" is the State, which carries out the ownership, management and use of data of AIS " e-Integrity ", and financial resources for the development, maintenance and operation of AIS "e-Integrity" are provided from the State budget and other funds.

The owner of AIS "e-Integrity" is the Authority, with right of management and use of data and resources of AIS "e-Integrity".

The holder of AIS "e-Integrity" in terms of information is NIA, which ensures the creation and operation of AIS "e-Integrity".

The system administrator is an employee of the Authority or an establishment – person subcontracted by the Authority, providing technical support for the administration of AIS "e-Integrity".

The technical administrator of AIS "e-Integrity" is the public establishment "Service of information technology and cyber security" (*hereinafter SITCS*), which provides maintenance, security and the development of AIS "e-Integrity".

As regards the availability of assets and personal interests declarations, in accordance with article 9 of law No. 133/2016 *on declaration of assets and personal interests* the National Integrity Authority publishes submitted declarations on its official website within 30 days of the expiry of the time limits for the submission of declarations, ensuring permanent access to them within 15 years from the submission date, except the facts set forth in the law.

Although, the term provided for legal access to declarations of assets and personal interests is **30 days**, AIS "e-Integrity" make them instantly publicly available, after their electronic signing, with hatching of personal data.

Thus, in a single virtual point, on web site, the *Portal of statements* containing **621,700** declarations is placed, at the time, and include:

- ❖ **203 708** scanned income and assets declarations, submitted during the period of 2011-2016;
- ❖ **214 278** scanned personal interests declarations, submitted during the period 2011-2016;
- ❖ **66 578** scanned assets and personal interests declarations, submitted during the period 2016-2017;

- ❖ **69 107** digitally signed declarations of assets and personal interests, submitted in electronic form in the year 2018.
- ❖ **68 029** digitally signed declarations of assets and personal interests, submitted in electronic form in the period of January to June 2019.

Having evaluated the whole process for the submission of declarations of assets and personal interests, as well as taking into consideration the topics addressed by the declarants through phone calls and letters send to the institution, a series of actions were realized:

- ❖ At the Integrity Council's initiative and together with the National Integrity Authority, *four visits to the territory*, namely the cities of Edineț, Orhei, Leova, Comrat were organized, *during which over 70 of the subjects of declaration and responsible people were participated.*

The purpose of the visits referred to the familiarization with the problems faced by the declarants in the process of submission of assets and personal interests declarations, deficiencies and proposals to improve both the legal framework and the good functioning of the information system.

- ❖ In order to the development, management and assurance of maintenance of Automated information system "e-Integrity", the Authority has carried out a series of measures oriented towards carrying out a technical evaluation of the system on the part of the Service of Information Technologies and Cyber Security with the presentation of proposals for updating and implementation of modern information technologies in the process of submission of assets and personal interests declarations, checking of compliance with the legal regime of the declarations of assets, personal interests, of conflicts of interest, incompatibilities, restrictions and limitations;

- ❖ **153** requests of central and local public authorities with respect to the granting of access to human resources services operators for permanent updating of the electronic register of subjects of declaration of assets and personal interests have been considered and resolved, being created respectively **151** new user accounts and blocked **12** user accounts, created earlier. For the reception and resolution of requests of public organizations concerning the carrying out of rectifications in the electronic register of the subjects of declaration of assets and personal interests, an institutional distinct e-mail address [registru@ani.md](mailto:registru@ani.md) was established, managed by the Information Technology Service of the NIA.

- ❖ Over 2000 of circulars on the updating of electronic register of subjects of declaration of assets and of persons responsible for completing the register of subjects from public entities have been submitted to the authorities of the central public administration, as with the presentation of information on the number of employees, subjects of declaration of assets, persons responsible (including substitutes) for permanent updating of the electronic register of subjects of declaration of assets and personal interests;

❖ The decree no. 72 of 30.05.2019 "concerning the appointment of the administrator of the automated information system "e-Integrity" held by the National Integrity Authority has been developed;

❖ In the address of Public establishment "Service of information technology and cyber security" a request with regard to the additional allocation of **35 electronic mailboxes** was delivered, necessary for providing the communication process in the activity of employees. As a result of this request, the number of available postal boxes was provided to **70 units**, being signed to this end the additional agreement no. 1 of 20.06.2019 to the Contract No. 13, STAAP/34-18 of 02.02.2018 between the NIA and the PE "SITCS".

### **FIELD OF PREVENTION THROUGH TRAINING OF SPECIALISTS AND SUBJECTS OF DECLARATION**

In accordance with the provisions of art. 7, paragraph (3), letter f) and letter g) of Law No. 132/2016, in the field of management of the activity of promoting the integrity of the subjects of declaration, the Authority assures the training of specialists from public organizations in the field of declaration of assets and personal interests, and provides advice to public organisations and subjects of declaration in its field of activity.

According to internal regulations of NIA these functions are assigned to the Department of evaluation, prevention and implementation of policies.

Thus, according to the Order of the Chair of the NIA no. 3 from 04.02.2019 regarding the organization and carrying out of training sessions of the subjects of declaration and persons responsible for the management of the electronic register of subjects of declaration within the framework of central public authorities/ subordinated institutions, in the first half of the year 2019, **40** training sessions to **2 399** persons were organized and carried out within the requesting entities and in the location of NIA with approach of following topics:

- *Obtention, extension and revocation of qualified advanced electronic signature;*
- *Completing the Register of subjects of declaration of assets and personal interests;*
- *Completing and submitting the statements of assets and personal interests in electronic format;*
- *Observance of legal regime of declaration of assets and personal interests;*
- *Observance of legal regime of conflicts of interest;*
- *Observance of legal regime of incompatibilities, restrictions and limitations, as follows:*

<i>No.</i>	<i>Beneficiary authority</i>	<i>Date</i>	<i>Trained persons</i>
<i>1.</i>	Central public authorities	14.02.2019, 09.00	120
<i>2.</i>		14.02.2019, 14.00	
<i>3.</i>		15.02.2019, 09.00	
<i>4.</i>		15.02.2019, 14.00	

5.	National Bank	18.02.2019, 14.00	280
6.		18.02.2019, 15.40	
7.		19.02.2019, 10.30	
8.		19.02.2019, 13.30	
9.	Agency of intervention and payments for Agriculture	21.02.2019, 09.30	31
10.	National Agency for quality assurance in education and Research	22.02.2019, 14.00	22
11.	Agency for consumer protection and market surveillance	25.02.2019, 14.00	32
12.	State tax service (Central office)	26.02.2019, 14.00	37
13.	State tax service (tax officials through the application "Skype for business")	27.02.2019, 09.30	913
14.	Superior Council of Magistracy (representatives of the courts of law)	27.02.2019, 14.00	19
15.	Superior Council of Magistracy (Central office)	28.02.2019, 09.00	30
16.	Education Department of Soroca (heads and deputies of the institutions)	28.02.2019, 10.00	96
17.	Bureau of migration and Asylum	28.02.2019, 14.00	22
18.	Institutions subordinated to the Ministry of Economy and infrastructure	01.03.2019, 09.00	13
19.	Material Reserves Agency	01.03.2019, 14.00	12
20.	Ministry of Finances	05.03.2019, 09.00	153
21.		05.03.2019, 10.30	
22.	Service of protection and State guard	05.03.2019, 09.00	34
23.	National Health Insurance company (territorial subdivisions)	06.03.2019, 09.00	41
24.	National Health Insurance company (Central office)	06.03.2019, 14.00	43
25.	State Agency for intellectual property	07.03.2019, 09.00	88
26.	Parliament of the Republic of Moldova	22.03.2019, 14.00	36
27.		26.03.2019, 09.00	
28.	National Centre for personal data protection	22.04.2019, 14.00	18
29.	Education Department of Soroca	24.04.2019, 10.00	88
30.	Civil Aviation Authority	20.05.2019, 13.30	48
31.		20.05.2019, 15.15	
32.	National Agency of Social Assistance	22.05.2019, 14.00	24
33.	Ministry of education, culture and research ( Central office )	24.05.2019, 10.00	28
			<b>Total - 2228</b>

At the request of the Academy of public administration were participated as trainers, at the training course "*Ethics and integrity*", unit "*Information system "e-*

*Integrity*", organized for the 48 civil servants of execution and management, with duration by three academic hours.

At the same time, at the request of the National Anticorruption Centre, 2 sessions of training of 69 declarants and specialists responsible for completing the Register of subjects of declaration, as well as other interested persons, were organized and conducted, with the topic: "*The observance of the legal regime of conflicts of interests*", as follows:

<i>No.</i>	<i>Beneficiary authority</i>	<i>Date</i>	<i>Trained persons</i>
1.	Police Inspectorate of Comrat	28.06.2019, 10.00	26
2.	Court of Cahul	28.06.2019, 14.00	43
			<b><i>Total – 69</i></b>

In accordance with the provisions of paragraph 7 of the *Regulation on the order of issuing the integrity certificates*, approved by common Order of the National Integrity Authority, the Public Services Agency and the National Inspectorate of Probation No. 90/653/07 from 09 October 2018, the request of the integrity certificates takes place through the filing of application for the issue of the integrity certificate at multifunctional centres' headquarters of the Public Services Agency – by persons which propose its candidacy for the position of mayor or councillor in the local council (rural, city, district, municipal).

In this context, there have been developed: a PowerPoint presentation and a brochure - information material for the employees of the Public Services Agency (PSA) with the topic "*The order of request and issue of the integrity certificate*" as well as 3 training sessions for 54 specialists from all territorial subdivisions were organised and conducted, which will be trained directly in the described process.

Thus, cumulatively, for all the 40 training sessions 4100 informative materials (brochures, leaflets, etc.), 520 guides and 4 PowerPoint presentations were completed, printed and distributed.

In the period laid down, in addition to the training sessions, daily support has been granted and responded to dozens of telephonic calls received on the part of specialists responsible for filling of the Register of the subjects of declaration of assets and personal interests and the declarants themselves, which enter difficulties in the process of submission of assets and personal interests e-declarations, as well as compliance with legal regime of conflicts of interest, incompatibilities, restrictions and limitations.

## **INTEGRITY INSPECTORATE ACTIVITY**

Integrity inspector shall represent a pillar subdivision of the Authority being directly responsible for accomplishing the mission in the basic field of institutional activity.

At 01.01.2019 the Integrity Inspectorate has examined 131 complaints/petitions, which included:

- 23 of the year 2016;

- **50** of the year 2017;
- **58** of the year 2018.

During the semester I currently **168** complaints/petitions have been received, recorded and distributed randomly through the system.

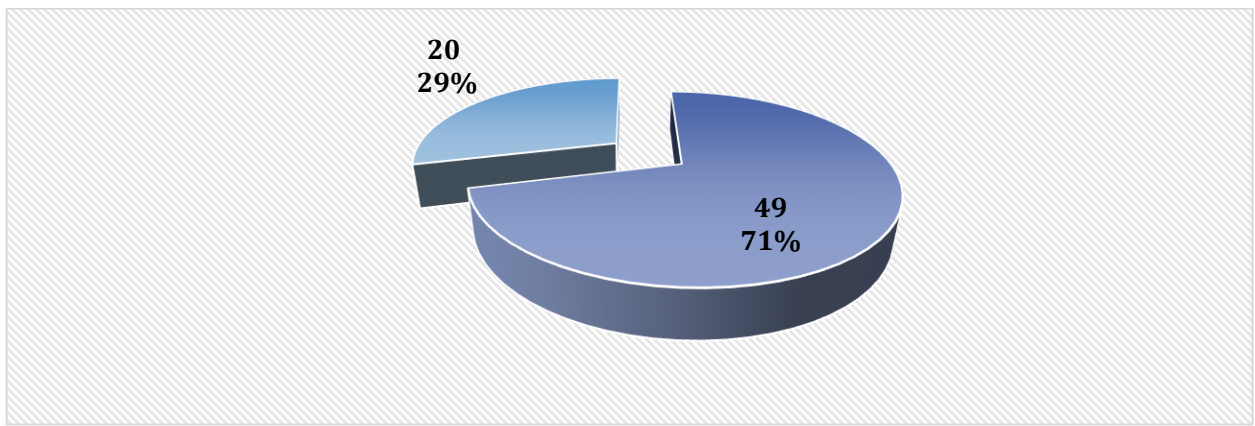
Similarly, according to the reports presented by the integrity inspectors, as a result of examination of the process for annual filing of statements of assets and lists generated by AIS "e-Integrity", by the decree no. 6d from 21.05.2019 were identified the risk-based areas of declarations submitted in 2018, being distributed randomly in the information system **290** declarants, including: deputies, judges, prosecutors;

- Therefrom, for the late submission and failure to submit the declarations of asstes **19** administrative causes have been initiated, of which: 15 for deputies and ex-deputies, 4- for judges, with the initiation of **15** cases involving the examination of applications from the office of inspectors, as well with application of administrative penalties.

During the reference period the Inspectorate has issued:

<b><u>154</u></b> <b>Protocols</b>	<b>88 - Initiation (56,8%)</b>
	<b>67 - Denial (43,2%)</b>
<b><u>69</u></b> Finding acts	<b>49 – Findings (71%)</b>
	<b>20 – Dismissals (29%)</b>

### **FINDING ACTS ISSUED IN THE SEMESTER I**



Infringement finding acts – 49

Acts of cessation of control - 20

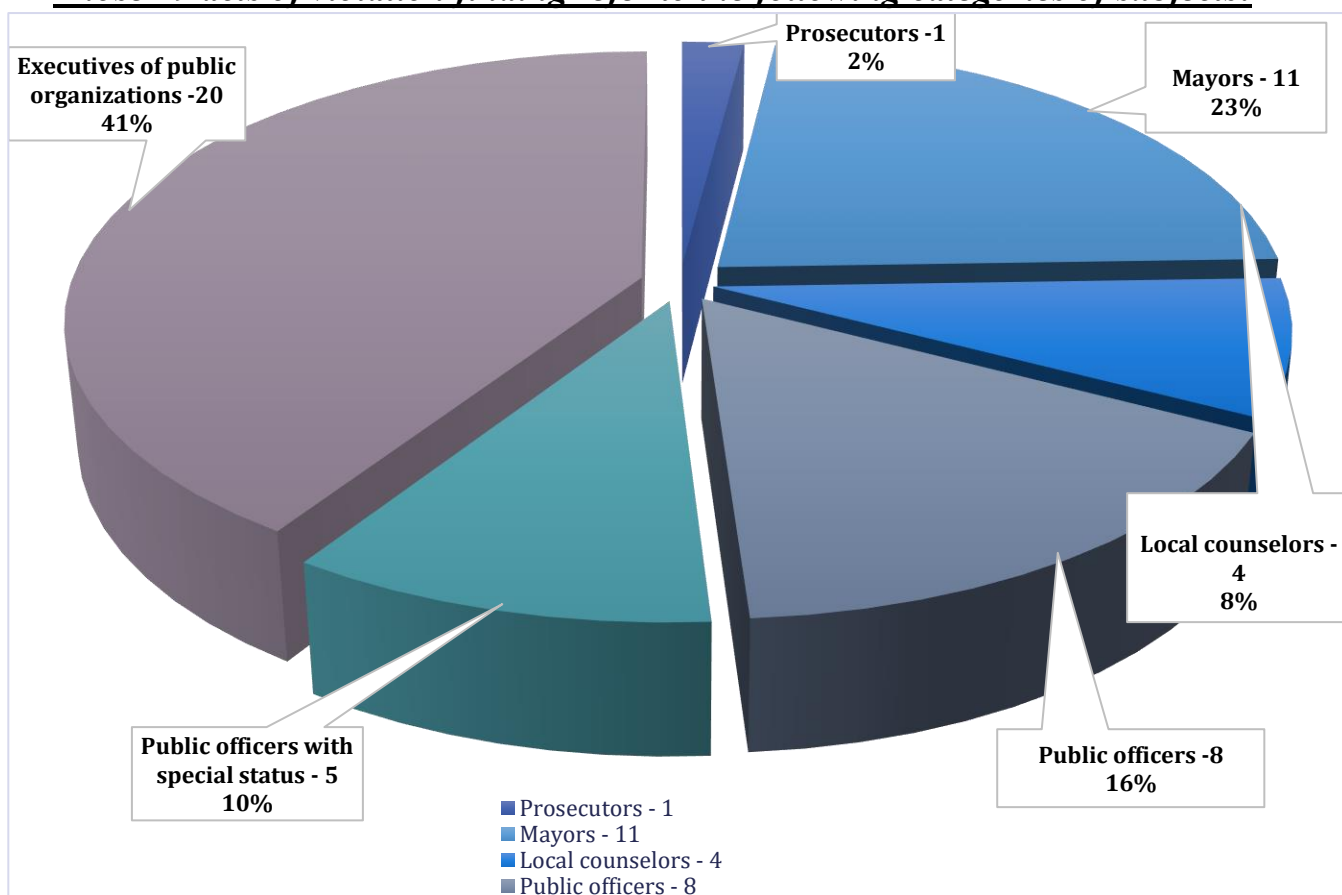
*The 69 finding acts were centered on the following control regimes:*

Legal regime	Finding acts (finding)	Finding acts (dismissal)	Number of issued acts (total)	Percentage of finding
Assets and personal interests	3	17	20	15%
Conflicts of interest	33	3	36	83%
Incompatibilities	13	0	13	100%
Restrictions	-	-	-	-
Limitations	-	-	-	-
<b>Total</b>	<b>49</b>	<b>20</b>	<b>69</b>	<b>71%</b>

*Those 49 acts of violation finding refer to the following categories of subjects:*

Category of the subjects of declaration	Total finding acts	Assets and personal interests	Conflicts of interest	Incompatibilities	Restrictions	Limitations
<i>Prosecutors</i>	1	---	1	---	---	---
<i>Mayors</i>	11	---	11	---	---	---
<i>Local councilors</i>	4	---	1	3	---	---
<i>Public officers</i>	8	---	---	8	---	---
<i>Public officers with special status</i>	5	3	---	2	---	---
<i>Leaders of public organizations</i>	20	---	20	---	---	---
<b>TOTAL</b>	<b>49</b>	<b>3</b>	<b>33</b>	<b>13</b>	<b>---</b>	<b>---</b>

**Those 49 acts of violation finding refer to the following categories of subjects:**



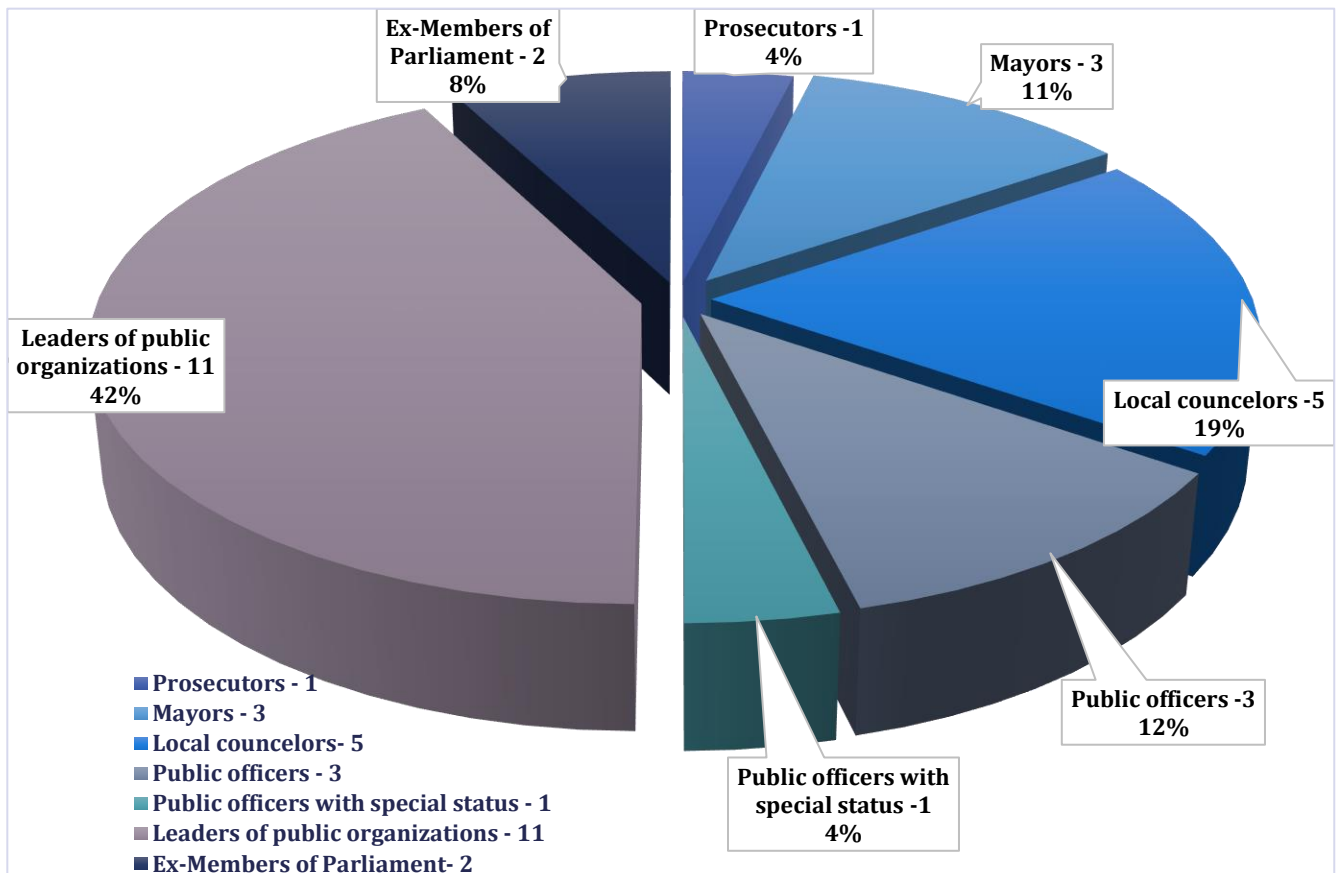
As a result of becoming definitive of the finding acts in respect of 42 subjects of control, it will be asked of them to terminate the term of powers, the employment or work relationships and they will be prived of the right to exercise a public office or a position of public dignity for a period of 3 years.

Categories of subjects of declaration	Total of acts of finding
Prosecutors	1
Mayors	9
Local councilors	4
Public officers	7
Public officers with special status	2
Leaders of public organizations	19
<b>Total</b>	<b>42</b>

**In the semester I of current year 55 administrative cases have been examined:**

<b>55 Administrative cases</b>	<b>28 of administrative protocols</b>
	<b>36 250 Moldavian lei – Inflicted fines</b>
	<b>14 administrative cases sent in the court instances</b>
	<b>2 dismissed administrative cases</b>
	<b>0 administrative cases challenged at court</b>
	<b>22 pending cases</b>

**Control subjects concerned in 28 contravention protocols**



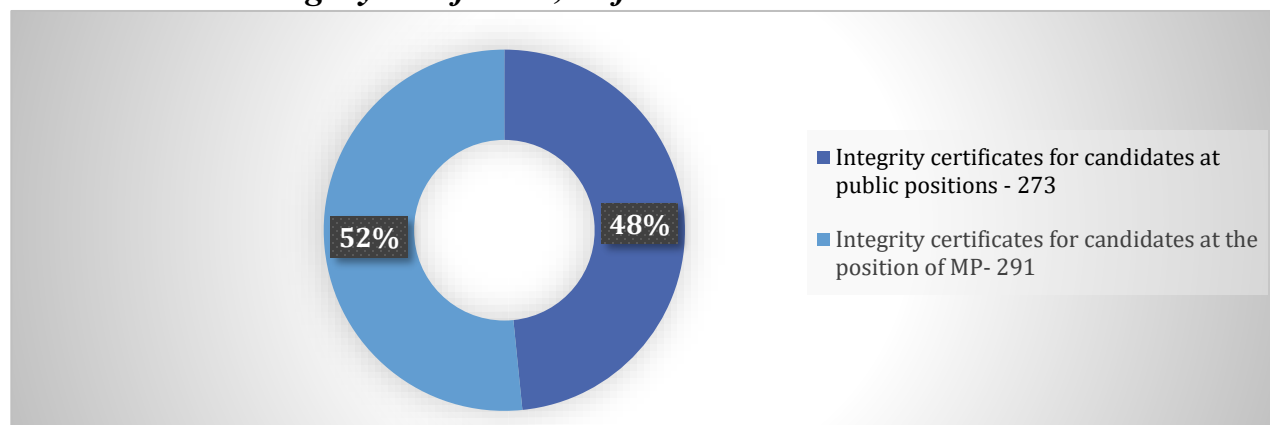
**28 protocols have referred to the following violations:**

N/O	Violations of the provisions of Contravention Code laid down:	Number of protocols drawn up
1.	art. 330 <sup>2</sup> „Failure to comply with the rules of submitting the declaration of assets and personal interests”	12
2.	art. 313 <sup>2</sup> „Non-disclosure or failure to solve a conflict of interests”	10
3.	art. 313 <sup>4</sup> „Failure to comply with the legal regime of incompatibilities and limitations applicable to public officials and high ranking officials”	4
4.	art. 319 „Hindering the activity of the National Integrity Authority”	2
5.	art. 313 <sup>5</sup> „Failure to undertake the proper measures regarding performance of the Law on disclosure of assets and personal interests”	0
6.	art. 313 <sup>6</sup> „Failure to comply with the legal regime of restrictions and limitations related to the termination of office, of labor relations and prevention of migration of the civil servants to the private sector (pantouflage)”	0
<b>Total</b>		<b>28</b>

**Category of subjects concerned in 28 protocols:**

Category of subjects of declaration in respect of which the administrative protocols had been drawn	Total protocols drawn up	art. 313 <sup>2</sup> Non-disclosure or failure to solve a conflict of interests	art. 313 <sup>4</sup> Failure to comply with the legal regime of incompatibilities and limitations applicable to public officials and high ranking officials	art. 313 <sup>5</sup> Failure to undertake the proper measures regarding performance of the Law on disclosure of assets and personal interests	art. 313 <sup>6</sup> Failure to comply with the legal regime of restrictions and limitations related to the termination of office, of labor relations and prevention of migration of the civil servants to the private sector (pantouflage)	art. 319 Hindering the activity of the National Integrity Authority	art. 330 <sup>2</sup> Failure to comply with the rules of submitting the declaration of assets and personal interests
ex-MP's	2	----	----	----	----	----	2
Mayors	3	2	----	----	----	----	1
Local councilors	5	----	2	----	----	----	3
Prosecutors	1	1	----	----	----	----	----
Public officers	3	----	2	----	----	----	1
Public officers with special status	1	----	----	----	----	----	1
Leaders of public organizations and their deputies	11	7	----	----	----	----	4
Persons without status of subject of declaration	2	----	----	----	----	2	----
<b>TOTAL</b>	<b>28</b>	<b>10</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>12</b>

*In the first six months of the year 2019 the requests were received, processed and issued 564 integrity certificates, as follows:*



- Certificates for candidates at public positions -273
- Certificates for candidates at the position of Member of Parliament- 291

From 291 requests for integrity certificates for the position of MP - 6 applicants for integrity certificates have been refused because of the discrepancies between the package of documents to legal requirements.

**Requests for public positions-273** numbers were sent to public authorities, as follows:

- State Agency on Intellectual Property – 101, (37%);
- Agency for payments and intervention in agriculture – 73, (26%);
- Superior Council Prosecutors – 22, (8,1%);
- National Anticorruption Center – 22, (8,1%);
- Competition Council – 19, (7%);
- National Integrity Authority – 15, (6%);
- Parliament of the Republic of Moldova, Commission for economy, budget and finances – 8, (3%);
- Commission for organizing and carrying out of competition for public office of management of a superior level – 6 (2%);
- Service of prevention and combating of money-laundering – 2, (0,8%);
- Central Electoral Commission – 2, (0,8%);
- State Chancellery – 1, (0,4%);
- Prosecutor's Office of the Republic of Moldova – 1, (0,4%);
- Service Agency for the office of governor of Gagauzia – 1, (0,4%);

## **LEGAL ACTIVITY**

During the report period the Authority conducted a series of activities with a view to adjusting the legislative-normative framework, including the domestic, indispensable in ensuring institutional functionality and the quality of issued decision-making act, as follows:

- a. The development and endorsement of **dozens** of projects of normative legislative, and departmental acts.
- b. Advising the **61** of projects of finding acts issued by the Integrity Inspectorate.
- c. Participation in **15** meetings in working groups (round tables, meetings, etc.).
- d. Accordance of legal support in **5** judicial sittings on contravention cases, of which **3** cases with movement into the territory.
- e. The representation of interests in **109** judicial sittings of the National Integrity Authority, the Integrity council and the Integrity Inspectorate in the court instances has been ensured with:
  - preparation of **38** references;

**The total number of pending cases in court, at the time of reporting: 45,** out of which:

- 39 cases - challenging the finding act of the integrity inspector;
- 2 cases - challenging the refusal in initiating control;
- 1 case - cancellation of the order for termination of the term of powers, collection of material and moral injury;
- 1 case - challenging the refusal to provide information;
- 1 case – non-enforcement of the finding act of the NIC, in reference to the nullity of contracts.
- 1 case – non-issue of the order of employment.
- Won cases–**9 (8- on merits, 1 appeal)**;
- Lost cases – **5** (4 on merits, of which a case partially and 1 appeal in cassation)

## **MONITORING AND POLICY IMPLEMENTATION**

During the reference period, the Authority has been engaged in several activities related to the implementation/elaboration/assessment of the following policy documents:

1. The national action plan for the implementation of the RM-EU association agreement 2017-2019 (*PNAAA*) (4 briefing notes filed);
2. Matrix of policies concerning the liberalisation of visa regime (*VLAP*) –(3 briefing notes filed);
3. National Integrity and Anti-corruption Strategy for 2017-2020 (*SNIA*)-(3 briefing notes filed);
4. **20** Objectives of Eastern Partnership for 2020 (*PaE*)-(1 briefing note filed);
5. The draft of Agreement for funding within the annual programme of action of the European Union for Moldova in the year 2018, „*Strengthen the rule of law anti-corruption mechanisms in the Republic of Moldova*” (*PAA2018*) – (2 briefing notes and 1 opinion submitted and participation in a meeting);

6. The memorandum concerning Macro-Financial Assistance for the Republic of Moldova from the European Union (*MFA*) -(1 briefing note submitted);

7. The draft of International Treaty on the exchange of data for verification of assets declarations within Regional Anticorruption Initiative (*RAI*) - (1 briefing note submitted);

8. The draft "*Promoting the rule of law and strengthening the integrity in the Republic of Moldova*", implemented by the Legal resources centre from Moldova, in partnership with Romania Expert Forum, financed by the Embassy of the Kingdom of the Netherlands - (2 briefing notes submitted and participation in 8 meetings);

9. The joint draft of the European Union and the Council of Europe "*Controlling corruption through law enforcement and prevention*" (*CLEP*)-(participation at a meeting);

10. The National Development Strategy „Moldova 2030” – field of Justice and Public administration (*NDS-2030*).

In this context, it is necessary to note that some of the actions included in the policy documents which were not made in time, as reasons were those relating to the delaying of the process of ensuring the functionality of NIA and the lack of an uniform and repetitive practices which are to be assessed on the basis of analytical studies.

### **ENSURING SECRETARIATE WORKS OF THE INTEGRITY COUNCIL**

The work of the Integrity Council Secretariat's (*hereinafter IC or Council*) results from duties of IC, according to the provisions of article 12, paragraph (7) of the Law no. 132/2016 *with respect to National Integrity Authority*, as well as the *Regulation of organization and functioning of the Integrity Council*.

During the reference period the Council's work was focussed on:

- approval of the activity report of NIA for the year 2018;
- approval of the Regulation on the organisation and operation of the IC;
- approval of the Report of the Council's activity for the years 2017-2018;
- approval of the Plan of actions of the Authority for the year 2019;
- approval of the Regulation on the selection of the representatives of civil society and academic environment in the Disciplinary Board of the NIA;
- approval of the Regulation on the organisation and operation of the Disciplinary Board of the Authority;
- approval of the Decision on the representation of IC in the Competition Commission for the selection of representatives of civil society and academic environment in the Disciplinary Board of the NIA;
- appointment of the members of the Integrity Council in the Disciplinary Board of the NIA;
- appointment of the members of the Integrity Council in the procedure of carrying out the control concerning the submission in term of declarations of asstes and

- personal interests by the Chair and the Deputy Chair of the NIA, and by the integrity inspectors of the National Integrity Authority;
- announcement of organisation of competition for the selection of the representatives of the civil society and academic environment in the Disciplinary Board of the NIA.

In this sense, during the semester I of the year 2019 the organization was ensured and **7 meetings** developed of the Integrity Council with 27 topics included on the agenda of the meetings, with the completion of a **7 minutes of meetings** of the IC.

The correspondence of Integrity Council was executed and managed, which has been issued and entered during the reference period:

- incoming documents – 15; outgoing – 22; internal – 7.

Also the Secretariat of IC made and sent a total of **210 notes** to members of the Council, the Ministry of Justice, thus ensuring efficient communication process not only within the framework of meetings of the IC, as well as between meetings.

## **HUMAN RESOURCE MANAGEMENT AND DOCUMENTATION**

The personnel list of the Authority constitutes **76 units**, of which:

- 2 public dignity positions;
- 46 public positions with special status (integrity inspectors);
- 26 public positions, including 6 managerial public positions and 20 positions of execution;
- 2 units of technical staff.

At 01.07.2019 **30 employed in the work** and **2 employees with suspended work relationships** are recorded according to the legislation in force.

Of employees in work, **2** have occupied positions by appointment, **17**-by means of competition, **5**- by means of transfer from other authorities and **1** person has been engaged pursuant to the provisions of the Labour code. Five others hold positions as a result of transfer in similar positions within the National Integrity Commission.

In accordance with the provisions of Government Decision No. 1281 from 26.12.2018 a temporary moratorium concerning the employment of staff in the budgetary sector to the vacant offices was established and as a result in the first three months competitions for filling the vacant positions of the Authority were not organized.

Following the petitions addressed to the Ministry of Finances during this period 2 competitions for the substitution of position of integrity inspector started, which at the moment are in progress.

For the competition started from 26.04.2019 15 candidates have applied, at the written assignment 10 candidates have been admitted. A candidate who has applied for transfer of his file for the next competition, invoking family reasons.

In order to avoid delays in substitution of position of the NIA, which will have the effect of strengthening the operational capacity of the institution, on the basis of the Order of the Chair of the NIA no. 23 of 19 June 2019, the Authority announced beginning with **20 June 2019 a new competition** for the substitution of public position with special status -integrity inspector, having established the deadline for the submission of dossiers - July 10, 2019.

All announcements concerning the organization of competitions shall be published on the portal [www.cariere.gov.md](http://www.cariere.gov.md), and are placed on the website of the NIA through press releases (<http://ani.md/ro/node/774>), which are transmitted to the media sources for reception and media coverage.

During this reference period, **2 public officers with special status** were employed, which were selected in the competition organized and conducted at the end of 2018.

Also **a public officer was reinstated in office**, who had suspended work relationships by reason of staying in additional leave for care of child for up to three years and **two public officers were transferred** from other public authorities.

At 01.07.2019 **the level of employment** within the National Integrity Authority constitute **39.47%**, this representing **30** employees and **46** vacant positions, among which:

- **37** public offices with special status;
- **2** managerial public offices (1 - temporarily vacant),
- **6** public offices of execution (2 - temporarily vacant);
- **1** auxiliary position.

**Integrity Inspectorate** is complemented by **20.93** percent (43 staff positions, 9 occupied positions, 34 vacant positions);

**Service of integrity security, audit and control** is not complemented (4 staff positions, 4 vacant positions);

**Evaluation, prevention and policy implementation division** is complemented at the rate of **66.7%** (6 staff positions, 4 occupied positions, 2 vacant positions, including 2 temporarily vacant);

**Legal Division** is complemented by **66.6%** (6 staff positions, 4 occupied positions, 1 vacant position, 1 temporarily vacant position);

**Human resources and documentation division** is complemented at the rate of one hundred percent (5 staff positions, 5 occupied positions);

**Finance and Administration Division** is complemented at the rate of **50%** (6 staff positions, 3 occupied positions and 3 vacant positions, including a temporarily vacant);

**Cooperation and public relations service** is complemented at the rate of one hundred percent (2 staff positions, 2 complete positions).

**Information technology service** is completed at a rate of **50%** (2 staff positions, 1 vacant position).

In accordance with the provisions of the Order of Chair of NIA no. 97 from 31.10.2018 concerning the **organization of the Register of subjects of declaration of**

**assets and personal interests** within the National Integrity Authority, the application of the National Integrity Authority of Register of the subjects of declaration of assets and personal interests contains at the moment **46 officials**, including **4 members** of the Integrity Council, and released/retired from service officials of the NIA.

According to the records, **33 officials and members of Integrity Council** hold devices of certification of electronic signature, **5** of which **were issued** during the reference period and the other **6 were extended** during the same period, **1 device** has been canceled.

Qualitative analysis of the complement, including persons who have suspended work relationships, denotes that all employees of the National Integrity Authority have higher education, with the exception of auxiliary personnel:

- **21** have done studies in law;
- **4** in economics;
- **5** in other fields.

At the same time, **4** employees have and several specialties obtained within the framework of licence university studies:

- **1** in law and economics;
- **2** in law and pedagogy;
- **1** in law and in the military field.

Other **22** employees hold higher education diplomas through master's degree:

- **15** in the field of law;
- **2** in the field of economics;
- **2** in political sciences;
- **1** in information technology engineering;
- **1** in the field of international relations.

**The average age** of the employees of the National Integrity Authority at 01.07.2019 is **40.7 years**.

#### **a. Professional development of the employees**

In order to carry out the provisions of Law no. 158/2008 *concerning the public office and status of the public officer* and of Regulation concerning the continual professional development of public officers, approved by Government Decision 201/2010 regarding the implementation of the provisions of Law no. 158/2008, at 19.01.2019 the Decree no. 1d was signed, through which **the strategic line has been established in the field of professional development of employees of the NIA for the year 2019**, specifically focusing on external training, general internal training (at the institutional level) and special training (at the level of structural subdivisions), and planned and monitored self-training.

It was also established a **methodical day for professional development activities** at the institutional level and within the framework of structural subdivisions-Friday, 15.30 o'clock.

During the reference period, at the compartment *General training* there were organized and carried out:

- **7 activities**, attended by **121 employees gross** or **29 employees net**;
- **8 employees** have gained new knowledges and skills within the framework of **8 activities in the country**;
- **9 employees** – abroad, namely: at the National Integrity Agency (NIA), the High Court of Cassation and Justice (HCCJ), National Anticorruption Directorate (NAD) (**Romania**). The study visit was organized by the Center for legal resources of Moldova in partnership with the "Expert Forum " (Romania) within the project " *Promoting the state of law and strengthening the integrity of the Republic of Moldova*", financed by the Embassy of the Kingdom of the Netherlands.

#### **b. Component documentation**

During the reference period, in order to ensure the double sense of the flow of documents between the NIA and other institutions/individuals, and also between subdivisions of the Authority, shall be mentioned the following:

##### **❖ Incoming documents:**

○ **2157** of documents were registered in the register of entry documents (general register). In the year 2018 for the same period 832 of documents were recorded in the register of incoming documents (general register).

- There were registered 196 petitions (register of petitions), including:
  - general petitions-133;
  - petitions concerning the cases of integrity-63.

In the year 2018 for the same period 124 petitions were registered.

##### **❖ Outgoing documents:**

○ **1253** of documents were registered in the general register of outgoing documents, in proportion with the same period of the year 2018 - 505 documents have been registered.

##### **❖ Internal documents:**

○ **298** notes/reports of employees of the NIA were registered and transmitted for examination. In the same period of the year 2018 in the register 58 notes were registered.

○ 81 applications of employees of the NIA were registered and submitted for enforcement.

##### **❖ Enforceable discipline:**

- **824** documents were registered with a term of control, out of which:
  - complaints-49;
  - petitions-196;
  - invitations-5;
  - requests for information-10;
  - request for a integrity certificate -564.

Cases of violation of the terms of execution of the documents were not registered.

## FINANCIAL RESOURCES

According to the budget plan for the year 2019, it have been allocated to the National Integrity Authority financial assets in the amount of **24128.0 thousand lei**.

Funds are allocated in order to ensure the proper functionality of the establishment through office equipment, maintenance of premises and other current expenditures and for ensuring the implementation of the provisions of the Parliament Decision no. 9 of 08.02.2018, concerning the approval of the structure and limit number of personnel of the Authority, in accordance with the expanded Personnel list of the NIA and the Governmen Decision no. 802 from 01.08.2018 in respect of transmittance of real estate situated at the address: 26 B. Bodoni Street, the seat where the Authority has to be re-placed.

During the reference period-the first half of the year 2019 the funds were allocated from the State budget in the amount of **3462.2 thousand lei**, which constitute **14.35%** of the annual budget allocated for 2019, of which:

**a. Salary costs - 2955.8 thousand lei:**

- remuneration of employees' work –**2317, 9.2 thousand lei**;
- expenditure relating to salary, made up of contributions and insurance premiums to the social insurance budget and healthcare- **637.9 thousand lei** (NCSI - **533.5 thousand lei** and NCMI –**104.4 thousand lei**);

**b. Travel expenses abroad - 8.8 thousand lei;**

**c. Costs relating to the purchase of goods and services-4 97.6 thousand lei.**

According to the objective concerning the realization of the annual and quaternal plan for carrying out the public procurement procedures for the year 2019, and its implementation through the organization and conduct of the public procurement procedures for the period of reference low-value contracts for the purchase of goods and services have been drawn up with their registration upon necessity at the State Treasury. Also there were organized procurement upon necessity with request of offers for goods and services of small value.

### **❖ Audit report of financial situations of the National Integrity Authorities**

The audit mission has been carried out according to the programme of the audit activity of the Accounts Chamber for the year 2019, with the aim of providing reasonable assurance that the financial situations of the National Integrity Authority at 31 December 2018 do not contain, in their entirety, significant distortions due to fraud or errors, as well as issuing of an opinion.

Public external audit was planned and conducted in accordance with International Audit Standards applied by the Court of Accounts (ISSAI 100, ISSAI 200 and ISSAI 1000-2999).

According to the Decision no. 29 from 23.04.2019 the Court of Accounts has found that the financial statements of the National Integrity Authority, which comprise the balance sheet, statements of income and expenses, the report on the flow of funds, the report on budget execution, the narrative report on budget execution, for the financial

year ended on December 31, 2018, with the exception of the effects of certain aspects, provide, in all significant aspects, a right and fair image in accordance with the requirements of rules for accounting and financial reporting in the budgetary system of the Republic of Moldova.

Audit observations have served as the basis for the expression of opinion with reservations on the financial statements of the National Integrity Authority concluded on December 31, 2018.

The Court of Accounts has recommended the National Integrity Authority for making attitude and implementation, the following issues:

**a)** to make up an inventory, as a result of dealing with analytical accounting, stocks of reverts, as well as accounting of inventory results according to the regulatory framework in force;

**b)** to ensure the connection of the process of elaboration of the Authority's budget to the principles of good governance, through the planning of costs in strict correlation with the actual needs of the entity;

**c)** to promote and implement an appropriate management of human resources, with the adjustment of the process of the labour remuneration of employees to the principles of good governance;

**d)** to ensure the staff remuneration in accordance with the legal-normative framework in force;

**e)** to grant annual leave according to the regulations in force;

Similarly, the Court of Accounts has transmitted the decision issued to the Moldovan Parliament too, for information and attitude over audit observations relating to the continuity of the activity, as set out in the audit report, to identify opportunities strengthening the institutional capacity of the National Integrity Authority of management in future periods.

## **INSTITUTIONAL TRANSPARENCY AND COMMUNICATION** **ACTIVITY**

In the first half of the year 2019, the National Integrity Authority at the chapter of communication focused on informing the subjects of declaration and the general public about the process of filing annual statements of assets and interests, as well as about the results of the controls of the integrity inspectors resulted in acts of finding.

In this context, have been carried out:

- 73 of press releases;
- 28 weekly summaries;
- a broad campaign of information and awareness-raising carried out during the period from February 11-March 31, 2019, and culminating in a press conference.

The information campaign included:

- ✓ Realization and dissemination of 14 press releases relating to the process for submitting declarations;

- ✓ Granting of 4 tv interviews in broadcasts aired at times with different audience (9:00; 13:00 and 19:00);
- ✓ Training of over 1800 people in 22 seminars;
- ✓ Providing the telephonic consultations on the way of completing declarations through tens of thousands of calls;
- ✓ Press conferencing of totalization attended by 4 television stations, a press agency and 2 online video transmission portals.

The primary communication tool of the NIA remains the official page, therefore, it has been continuously updated, with in this sense more than 30 changes/updates of the content of the various sections.

Respectively, it has been placed on the official website: *Report on transparency in decision-making process within the framework of the National Integrity Authority for the year 2018; New forms of statements of assets and personal interests (in two languages), valid from 01.01.2019; Activity report for the NIA for the year 2018; Activity report of the Integrity Council for the years 2017-2018; The action plan of the NIA for the year 2019; The budget for the year 2019; Procurement plan for the year 2019; The amended regulation on the way of complement the DAIP on-line; Regulation on the selection of the representatives of civil society and academic environment in Disciplinary college of the National Integrity Authority; Decisions of the Integrity Council adopted during this period etc.*

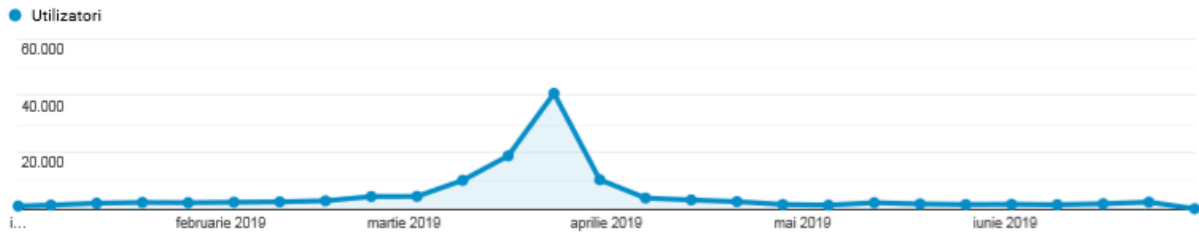
In the diagrams below is the dynamic of users of webpage *ani.md*. The most active period is at the end of March when the term expires for submission of annual declarations of assets and interests.

## Prezentare generală a publicului

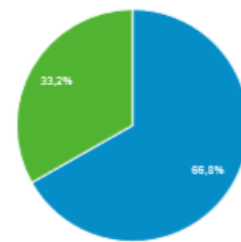
1 ian. 2019 - 30 iun. 2019

● Toți utilizatorii  
100,00 % (de) Utilizatori

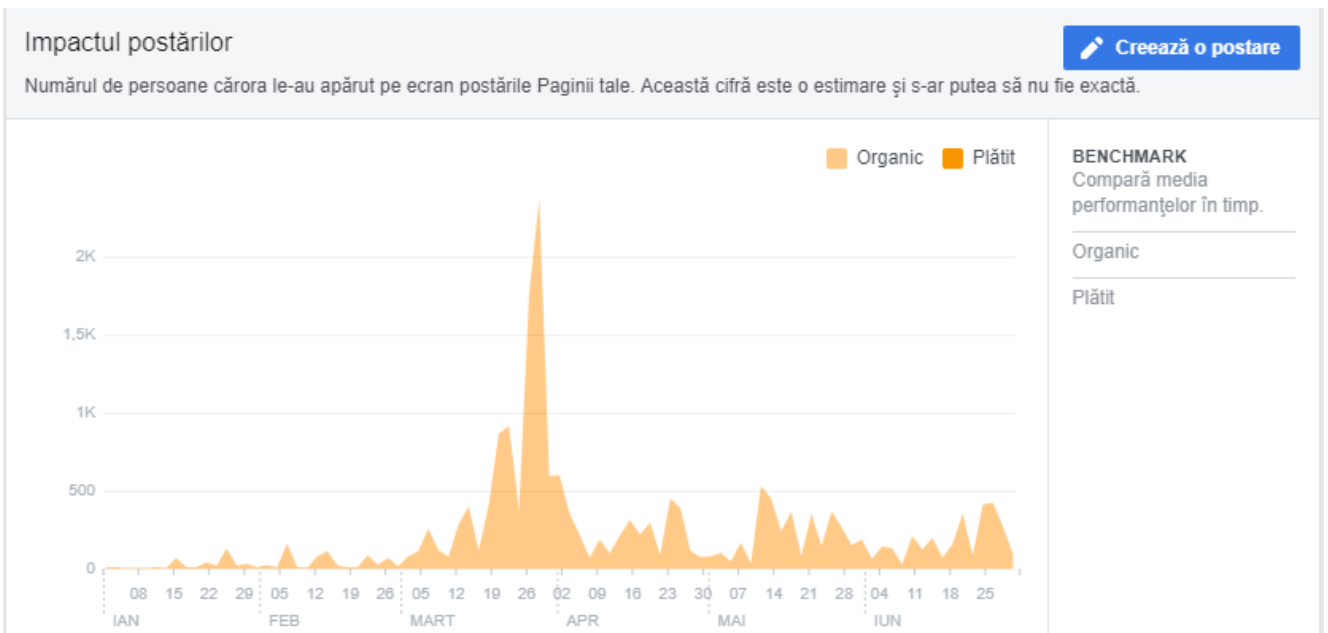
### Prezentare generală



■ New Visitor ■ Returning Visitor



For a better visibility of the National Integrity Authority in public space, at Facebook page 142 posts were posted. Here was their impact:



In the top of 3 most viewed posts in this period, we have the following ranking:

1	25.03.2019 15:33	!! The National Integrity Authority comes with a number of recommendations for those who submit declarations this week. View the press release <a href="http://ani.md/ro/node/639">http://ani.md/ro/node/639</a>	4.505 persons
2	28.03.2019 19:15	So the employees of the NIA are offering daily telephone consultations. And those who call us and guess we don't want to respond, do not get mad, you have know that at this time we help someone to submit the statement. #integritate #ani #declaratii	2.127 persons
3	24.05.2019 14:57	✓The employees of the NIA discuss today with representative the National Anticorruption Centre, Ion Pruteanu, about integrity, whistleblowers, integrity test and other important issues related to the prevention of corruption. #integritate #ANI #CNA	1.550 persons

During that time it has maintained the relationship of communication with users of social networks, answering to at least 25 messages.

At the same time, the employees of the institution were responsive with journalists interested in the activity of the NIA, context in which 13 video interviews were offered, as well as numerous telephone interviews or through social networks.

Subdivisions concerned have provided answers to at least 9 access requests to information received from the media institutions.

It has also been assured free access within the public meetings of the Integrity Council. At all meetings of the Council were invited representatives of online transmission portals: *www.privesc.eu* and *www.realitatealive.md*.

The activity of communication and public relations of the Authority was implemented through administration of telephone line and information of the institution. Thus, in the first half of the year 2019, at the **hotline 1879 calls** has been taken, only **two calls of which have content of complaints** on the basis of which briefing notes were made by the management, the rest aimed at questions about the way of completion of the statements.

### **Mass media monitoring**

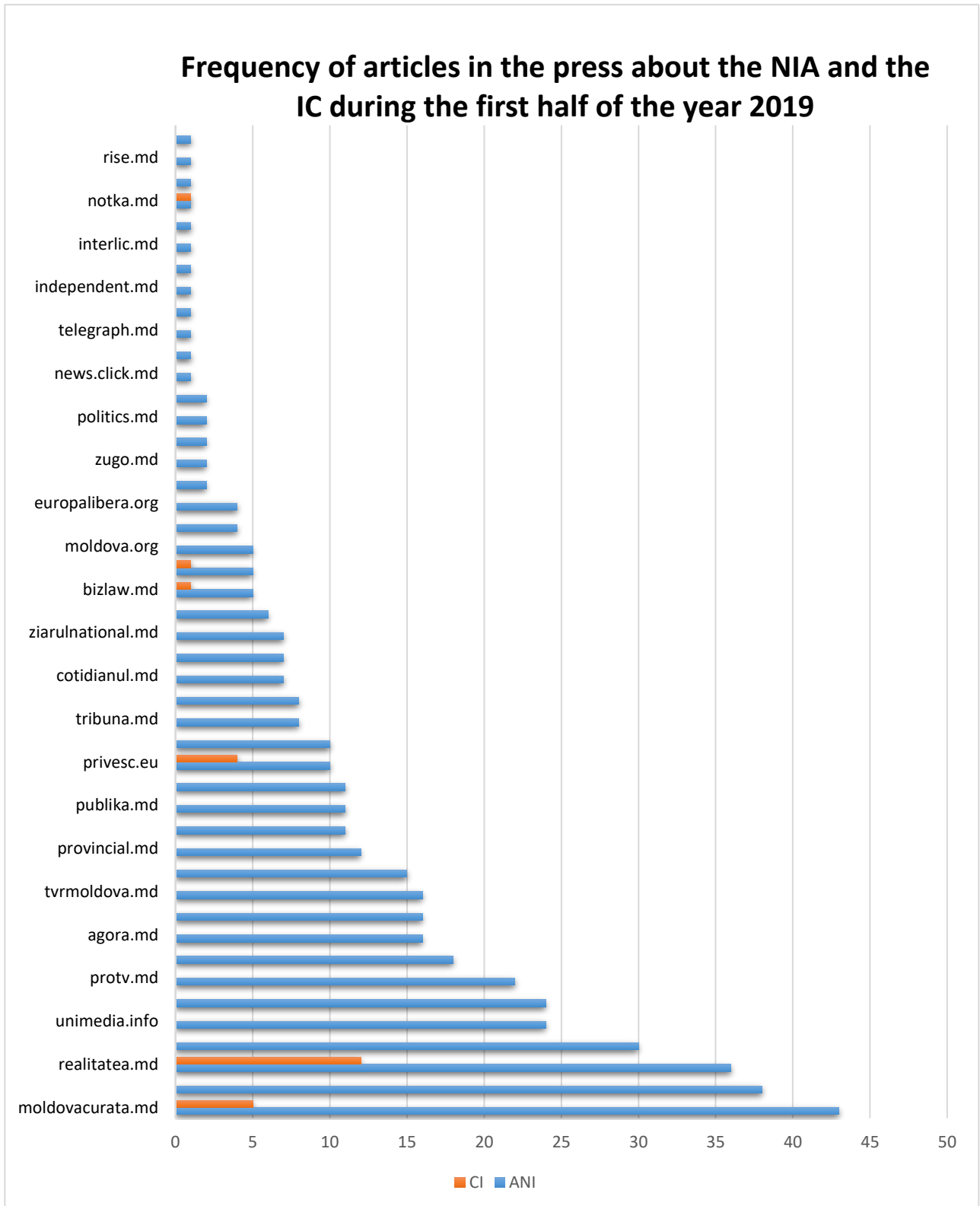
During the reference period, the Service of cooperation and public relations monitored the mass communication means in order to assess the institutional image, but also with regard to any opening of investigation based on the media content.

Therefore, **86 of press magazines** were made from which it follows that in the first half of the year 2019, and activity of the NIA was reflected in at least **47 mass media sources**.

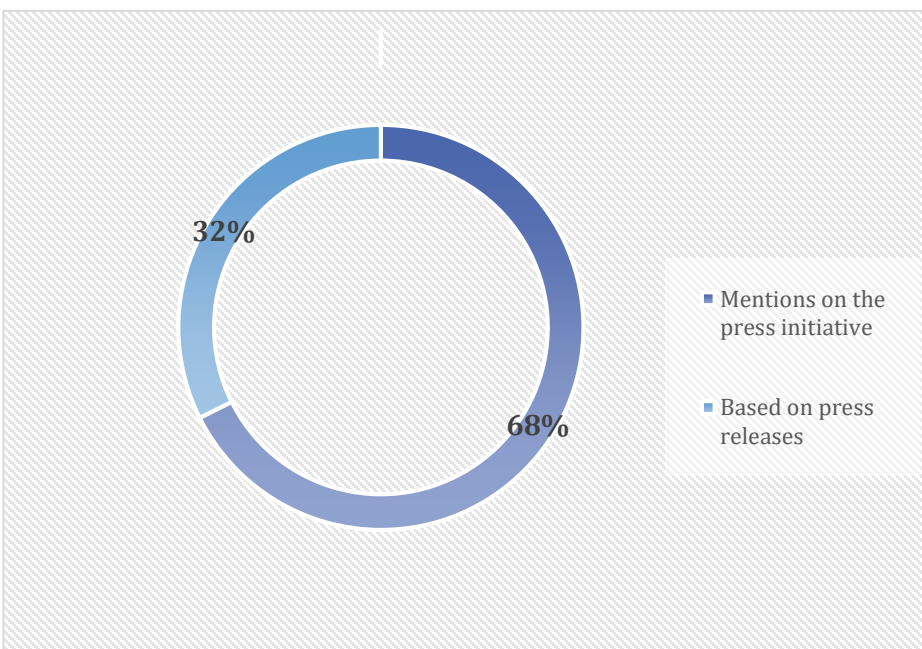
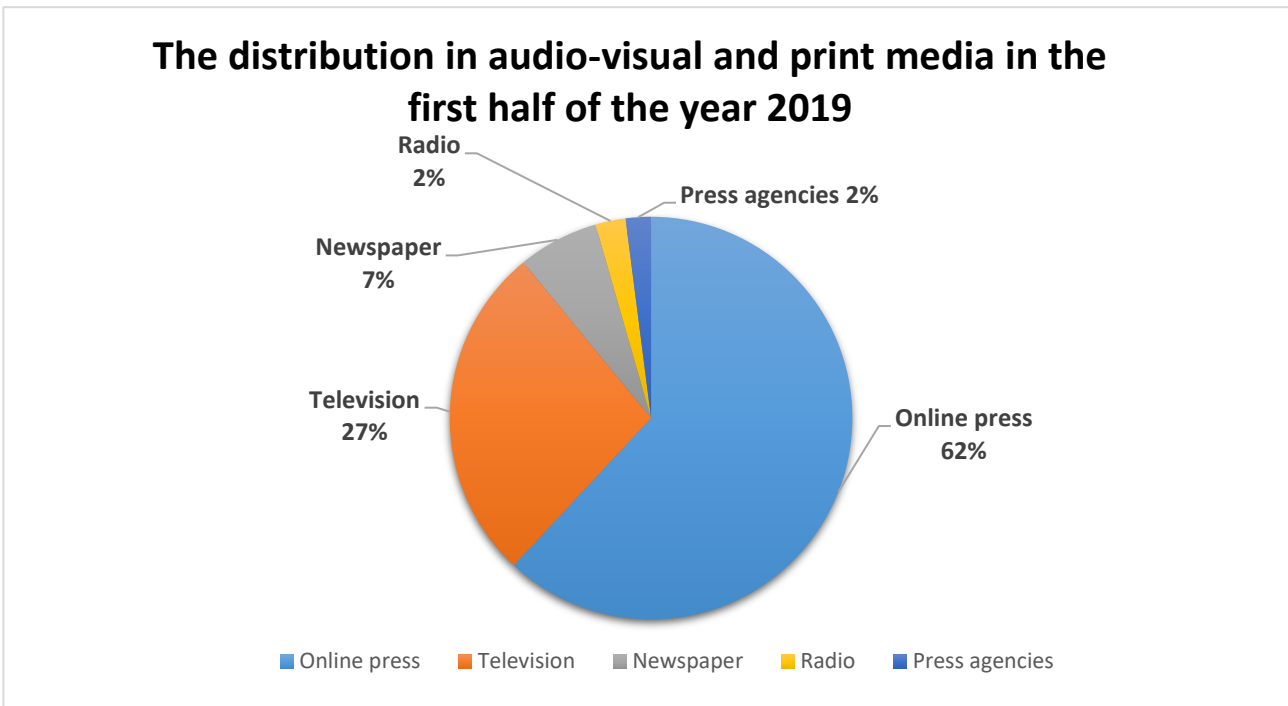
From the total of **482 references from these sources**, most of them made:

- moldovacurata.md (48),
- realitatea.md (48) and
- tv8.md (38).

Number of references of the other media institutions can be viewed in the diagram below.



Depending on the type of the source media where 482 of references have been made concerning the field of competence of the NIA and the IC, we get the following rates of distribution.

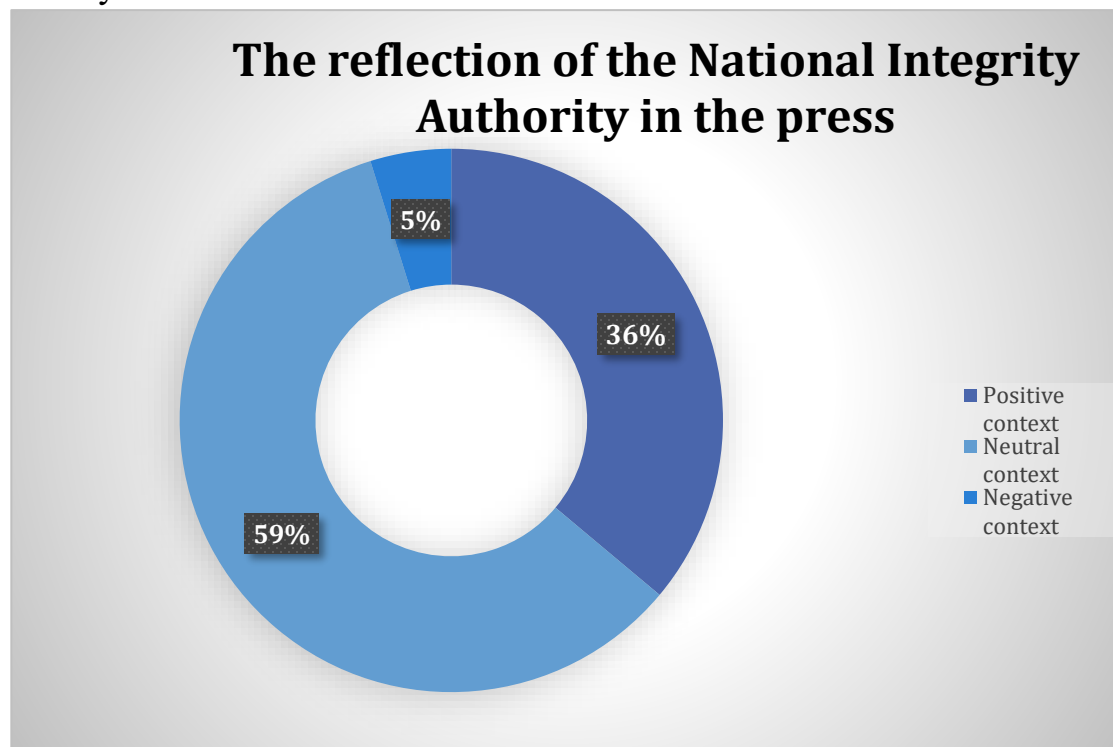


To be noted that of 482 references, 156 were made on the basis of press releases disseminated by SCRP.

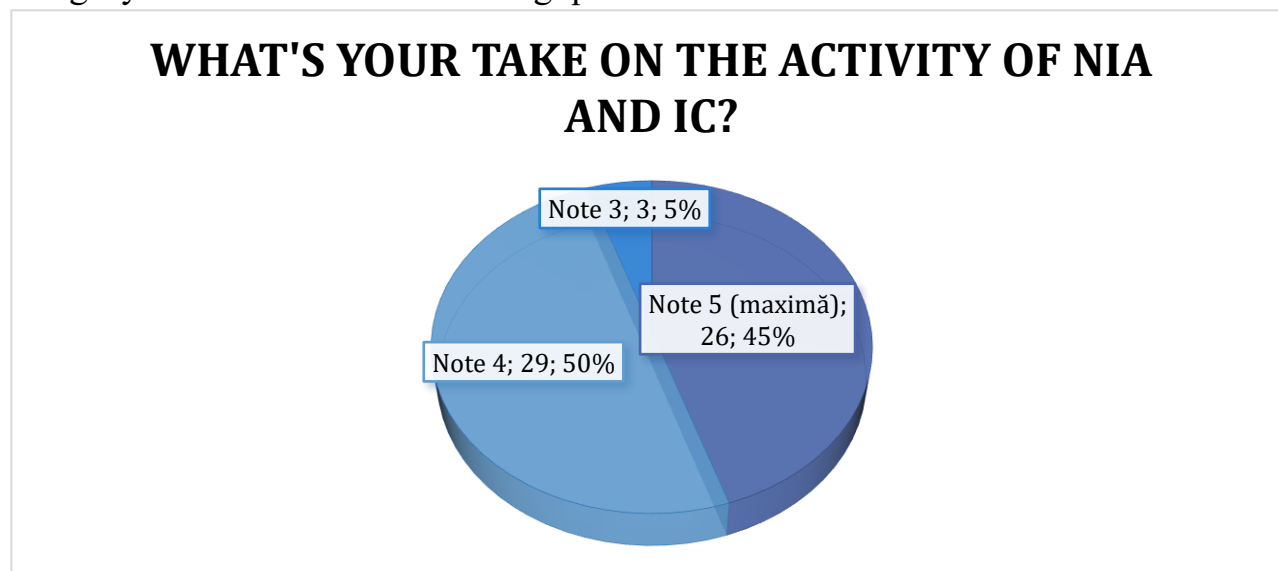
Having analyzed the media content published in the public space, SCRP transmitted to the management of the NIA 12 briefing notes concerning the eventual opening of investigation and informed the Integrity Inspectorate about the existence of articles pertaining to the control of the Authority.

In the second quarter the institutional image of the NIA was analysed. Thus, of those **374** references in the press about Authority's activity - **135** were made in a positive context, **221** in neutral context and **18** in a negative context.

As a result, it can be concluded that the National Integrity Authority is seen by society as follows:



In the context of information and evaluation sessions from 11 and 12 April, held in Edineț, Orhei, Comrat, Leova, the target audience, who were subjects of declaration from these districts, at the end of the event has completed an assessment questionnaire, by which they have appreciated the activity of the National Integrity Authority and the Integrity Council with the following qualifiers:



During the reference period there were realized 1655 photos and 2 videos. Graphics image was created for the synthesis of the week, and if necessary were edited images that accompanied the press release on web page.

Also, the following proposals have been put into practice:

-Modification of the language of communication used in the institution's press releases: the use of a more accessible language, avoiding the wooden language, legal terms hard to understand and opting for attractive titles;

-Presence of the institution in social networks (Facebook);

- Organization of interviews and participations in broadcasts;

- Sending press releases via e-mail, not just their placement on the website;

-Use of own images on web page and on Facebook;

-Communication with journalists on social networks, not only by fixed-line phone etc.

### **PERSPECTIVE ACTIONS FOR THE SECOND HALF OF THE YEAR**

At the institutional level, the Authority proposes the establishment and implementation of the objectives of the action plan of the NIA for the year 2019, with the elimination of the deficiencies, the maintenance and development of AIS „e-Integrity”, with strengthening of institutional functional capacity. Similarly, strengthening analytical and preventive activity of the NIA and the elaboration and the approval of speciality operational methodological procedures regarding the activity of verification and control by the integrity inspectors, for establishing of specialty practices at the level of control and examination of cases in court instances.

**REPORTER  
CHAIR OF THE NATIONAL  
INTEGRITY AUTHORITY**

**Rodica ANTOCI**