

**REPUBLIC OF MOLDOVA** 



# CORRUPTION RISKS ASSESSMENT

### NATIONAL ANTICORRUPTION CENTRE

# LEGAL FRAMEWORK

- Law no. 90 of 25 April, 2008 on prevention and combating corruption
- Law no. 229 of September 23, 2010 on public internal financial control
- National standards for internal control in the public sector, approved by Order of Ministry of Finance no. 51 of 23 June, 2009
- Methodology for corruption risks assessment in public authorities and institutions, approved by Government Decision no. 609 of 28 July, 2008

### **ORGANISATIONAL ASPECTS**

#### NATIONAL ANTICORRUPTION CENTRE'S EMPLOYEES COMPETENCES

- SELECTS THE INSTITUTION
- TRAINS THE LEADING POSITIONS PERSONNEL
- MONITORS THE RISKS ASSESSMENT ACTIVITY
- PROVIDES RECOMMENDATIONS
- ATTENDS THE MEETINGS OF THE EVALUATION GROUP
- COORDINATES THE DEVELOPMENT AND EXECUTION OF THE INTEGRITY PLAN

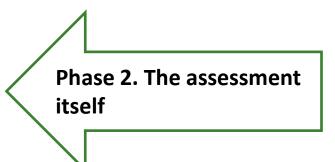
# **INITIATIVES (2014)**

- Model INTEGRITY PLAN for the local public authorities (sent to 35 district and municipal councils)
- Model RISKS REGISTRY for the central public authorities
  - *Objective "Strengthening institutional integrity"* Aspects: - Gifts regime;
    - Undue influences;
    - Conflict of interest;
    - Confidential and work information;
    - Usage of public resources.

### METHODOLOGICAL ASPECTS The phases of the corruption risks assessment

Phase 1. Preconditions assessment

- 1. Assessment of ethic rules;
- 2. Assessment of legal framework;
- 3. Assessment of the institutional structure.
- 1. Analysis of concrete corruption cases;
- 2. Relations of the institution with the public;
- 3. Filling the questionnaire;
- 4. Assessment of the institution's resistance to corruption risks;
- 5. Risks prioritization.



Phase 3.

Recommendations

development

- 1. Report on risks assessment;
- 2. Integrity Plan;
- 3. Re-assessment of corruption risks.

#### INSTITUTIONAL RESISTENCE

#### **TO CORRUPTION RISKS**

ASPECTS	PROBLEMS	RISKS
Regulatory Good governance Operational process	<ul> <li>Deficiencies in the regulatory framework, including departmental</li> <li>Deficiencies of the organizational – legal structure;</li> <li>Internal control / insufficient management;</li> <li>Inadequate application of the regulatory framework;</li> <li>Ignorance of the rules;</li> <li>Communication problems;</li> <li>Low awareness.</li> </ul>	<ul> <li>Irregular procedures;</li> <li>Insufficient limits against abuses;</li> <li>Low limits for embezzlement of funds;</li> <li>Low limits for information leaks;</li> <li>Insufficient vigilance;</li> <li>Conflicts of interests;</li> <li>Self initiative actions;</li> <li>Reduced vigilance;</li> <li>Reduces social control.</li> </ul>
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### **PUBLIC PROCUREMENT**

ASPECTS	PROBLEMS	RISKS
1. Organizational -2. Pre- contracting phase / procurement planning	1. Inadequate application of rules / Failure to file declarations of confidentiality and absence of conflict of interest	1. Conflicts of interests / information leakages / decisional discretion / irregular internal procedures
	2. Planning deficiencies / influence of external actors/ not publishing the procurement plans	2. Justified needs after "personal" interest / artificial increase of the budget
<ul> <li>3. Initiation of procurement / award of contracts</li> <li>4. Realization of contracts / supervision</li> </ul>	<ul> <li>3. Dubious cancellation of procurement / offers submitted by agents with the same founder / failure to register offers / insufficient transparency/ low awareness</li> <li>4. Irregular administration of contracts / inadequate supervision/ non - punishment</li> </ul>	<ul> <li>3. Manipulation of procurement documentation and offers / insufficient vigilance / understanding between tenderers (market sharing) / division of procurements</li> <li>4. Misuse and misappropriation</li> </ul>
		of funds / reduced vigilance

### **INTEGRITY PLANS**

# Established the following objectives:

- Improving the legal framework in that domain;
- Streamlining the organizational legal system and internal control of that institution;
- Increasing vigilance and awareness related to integrity;
- Consolidation of the relations between the institutional and the public.

# Thank you for your attention!