

A fight against corruption in Moldova: what’s wrong and what can be done?

The 2015 banking fraud revealed that all previously implemented anticorruption reforms were partial and rather unsustainable and translated into weak and politically dependent national anticorruption mechanisms. According to the latest opinion survey, corruption remains one of the top five issues for the population (Institute for Public Policies, Public Opinion Barometer, November 2017: www.bop.ipp.md). Faced with domestic, political and social instability and driven by external pressure, the Moldovan Parliament enacted a number of important anticorruption measures in 2016-2017 aiming to strengthen the capacity and independence of the anticorruption agencies. Most of these measures come from Moldova being part of the Association Agenda for 2017-2019, and more recently the measures were included in the list of conditions under the Memorandum of Understanding on EU macro-financial assistance. However, the quality of reforms implementation remains a serious problem, bringing marginal effects in reducing corruption. The slow pace of reforms is derived from the unpredictability in the legislative process, including long delays in adopting anticorruption-related laws, along with last-minute changes to the draft laws. Additionally, defectiveness of anti-corruption reforms stems from legislature’s attempts to sabotage the reforms through different controversial initiatives, delayed selection of leadership of the National Integrity Authority, excessive competences granted to the National Anticorruption Office, and insufficient staffing and financing of the Anticorruption Prosecution Office. The present brief analyzes the main anticorruption measures undertaken by authorities during 2017 and presents the main issues threatening their proper implementation.

Main issues of concern:

1. The anti-corruption strategy for 2017-2020 is implemented too slowly, especially where important legislative measures are concerned.
2. The prosecutorial reform did not reach its original goal; the Anticorruption Prosecution Office (APO) failed

to focus solely on high-level corruption. APO continues to be understaffed and underfunded.

3. An increasing number of selective prosecution and justice cases related to undesirable lawyers and representatives of public administration affiliated to political groups other than the ruling party.
4. The recently adopted Anti-money Laundering Law contains a number of shortcomings that may significantly hinder the implementation of the AML/CTF framework and the quality of the secondary legislation.
5. The insufficient funding of National Integrity Authority (NIA) and insufficient qualification of NIA staff for the verification, ascertainment and sanctioning activity could affect the successful implementation of the integrity reforms.
6. The new legislative initiative of the Democratic Party to introduce the integrity certificate for all candidates running for an appointed or elected public office is going to undermine the activity of the National Integrity Authority related to the verification of public officials’ assets and conflicts of interests for 2017.

Recommendation for the European Union

- 🔍 **To continue to apply targeted conditionality linked with concrete qualitative results in fighting and preventing corruption.**
- 🔍 **To closely monitor the hearings in high-profile cases, implementation of the anticorruption measures and the activity of the National Integrity Authority and the Anticorruption Prosecution Office and react promptly to all abuses or deviations;**
- 🔍 **To offer a twinning support for the Anticorruption Prosecution Office and the National Integrity Authority with the best EU practices;**
- 🔍 **To provide support for the development/ empowerment of agents of change (civil society, media, professional associations, youth etc.) for combating corruption in Moldova;**