



CENTRUL NAȚIONAL
ANTICORUPȚIE AL
REPUBLICII MOLDOVA



NATIONAL ANTICORRUPTION
CENTRE OF THE REPUBLIC OF
MOLDOVA



AGENȚIA DE RECUPERARE
A BUNURILOR INFRAȚIONALE

CRIMINAL ASSETS RECOVERY
AGENCY

Nr. 21/1-2361 from 12/04/2018
To reference: CU 2018/78/DTA/CEB/CSS

A progress in ensuing recovery of illicit assets was achieved on 30 March 2017, as the Parliament adopted the Law no. 48 *on the Criminal Assets Recovery Agency* and the Law no. 49 for amendment and completion of some legislative acts. The CARA has the status of directorate within the organizational structure of the NAC.

The working group made up of the CARA, the NAC and the Ministry of Finance (Tax Inspectorate) officers developed on 26 December 2017 the draft Regulation on assessment, administration and valorisation of criminal goods according to the new duties stipulated in the Criminal Procedure Code. The draft Regulation was submitted for public consultations and sent for approval to the specialised authorities.

By the Law no. 261 of 07.12.2017 for amendment and completion of some legislative acts, the framework related to the CARA legislation was adjusted, assigning it with additional duties. The scope of the Criminal Assets' Recovery Agency was broadened to proceeds stemming from other type of crimes (27 additional articles of the Criminal Code, including drugs trafficking, trafficking in human beings, organized crimes, tax evasion, smuggling).

The Parliament Decision of 29 March 2018 provides the allocation of additional 10 staff units to the Criminal Assets Recovery Agency. The total staffing of the CARA is currently 18 units, out of which the additional 10 staff units have yet to be hired.

With the support of the EU and Council of Europe project "Controlling corruption through law enforcement and prevention", the CARA is developing a Strategy for the Criminal Asses Recovery Agency. The scope of the Strategy is to ensure the recovery of goods obtained as a result of committing income-generating offences, according to the CARA's competences.

Along with the current activities to adjust the legal and institutional framework, the efforts are oriented to strengthening the capacities of CARA in terms of human resources, technical endowment and access to necessary databases.

In this context, regarding resolution 7/2, adopted by the at seventh session of the Conference of the State Parties to the United Nations Convention against Corruption , CARA doesn't have enough experience and practices, which could be shared on criminal measures and remedies to enhance international cooperation and asset recovery related to corruption or in the identification of legal and natural persons, involved in the establishment of corporate entities, including shell companies, trusts and other similar arrangements, which may be abused to commit or conceal crimes of corruption or to hide, disguise or transfer their proceeds of corruption to countries that provide safety to the corrupt and/or their proceeds.

Head of CARA,
Otilia Nicolai