

Annex [Note verbale reference: CU 2022/264]

1. The secretariat has prepared the following questionnaire as a guide that States parties may wish to use to provide relevant information in line with paragraphs 22 to 24 of resolution 9/1, entitled “Sharm el-Sheikh declaration on strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery”, including the provision of information on good practices and challenges concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery.
2. States parties may wish to take a broad view of emergencies and crisis response and recovery when responding to this questionnaire. Emergencies and crisis response and recovery may include humanitarian emergencies, natural disasters, conflict and post-conflict contexts, as well as health emergencies such as the COVID-19 pandemic, among others.
3. Collecting the information for this questionnaire may require cooperation by several different agencies/authorities. States parties may wish to send the questionnaire to agencies/authorities particularly involved in response and recovery efforts during times of emergencies, depending on their national system, as it calls for information on preventive anti-corruption measures, law enforcement and international cooperation. Such agencies/authorities may include:
 - Anti-corruption bodies, supreme audit institutions and other oversight bodies, and relevant entities with mandates to prevent and counter corruption;
 - National procurement agencies;
 - National law enforcement authorities;
 - National competent authorities responsible for international cooperation in criminal matters;
 - Development agencies.

Questionnaire

Contact Information

Please provide contact details for potential follow-up questions. Contact details will be treated confidentially.

Country: Republic of Moldova

Please describe (cite and summarize) good practices your country has taken (or is planning to take, together with the related appropriate time frame) concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery.

States parties are invited to provide information on experiences, good practices and challenges concerning the following:

I. Understanding corruption risks and typologies during times of emergencies and crisis response and recovery, including transnational elements

1. Has your government assessed corruption risks during emergencies or crisis response and recovery, either through formal risk assessments or other informal means? Please provide details, such as key findings and mitigation plans. Please describe whether any other (existing) risk assessment has been carried out that is relevant to the emergency response (such as sectoral risk assessments in procurement, healthcare, infrastructure, etc) and provide details.

According to the Law on the National Anticorruption NAC (NAC), no. 1104/2002, one of the duties of the NAC is to carry out the evaluation of institutional integrity, by identifying the risks of corruption within public entities with the help of analytical and practical methods (professional integrity testing), to description of the factors that determine the identified risks and their consequences, as well as offering recommendations for reducing them.

This activity is carried out by the NAC in accordance with the Law no. 325/2013 on institutional integrity assessment and the Methodology for identifying corruption risks within public entities, identifying public agents exposed to the risks and for analyzing risk factors that generate them, approved by the Order of the director of the NAC no. 50 of 20 March 2018.

During the years 2020-2022, among the public entities responsible for managing emergency situations (pandemic, war in the region), entities from the field of public health (the NAC for Centralized Public Procurement in Health and the National Agency for Public Health) and entities subordinate to the Ministry of Internal Affairs (Migration and Asylum Office; Material Reserves Agency; General Inspectorate for Emergency Situations; General Inspectorate of the Border Police; National Public Security Inspectorate).

All evaluation reports are placed on the page: <https://cna.md/lib.php?l=ro&idc=83&t=/Evaluarea-integritatii-institutionale/Rapoarte-de-evaluare/Rapoarte-privind-rezultatele-evaluarii&>.

The problems identified in the process of applying the present instrument are diverse, but generally characterize the non-enforcement of the institutional integrity climate by decision factors, the corruptibility of normative and departmental acts, as well as their erroneous application, deficiencies in the organizational legal system and that of internal managerial control. In order to eliminate the corruption risks found, a series of recommendations were offered to these entities, based on which integrity plans were developed and implemented.

Also, according to art. 4, point (1), letter f) of the Law on the National Anticorruption NAC no. 1104/2002, one of the duties of the NAC refers to the performance of the operational and

strategic analysis of acts of corruption, of acts related to corruption and facts of corrupt behavior, information on analytical studies of the phenomenon of corruption.

During the period 2020-2022, the Analytical Directorate of the NAC developed 258 Operational analysis reports and 35 Strategic Analysis Reports.

The Operational analysis reports concerned the properties of public persons in relation to their incomes, kinship and business relationships or telephone and financial connections between extras, the activity of economic agents, including winners of public tenders and officials both as basic subjects and subjects auxiliaries as persons with a position of public dignity/officials/public agents, as well as natural/legal persons.

As a result, the operational analysis products were sent for examination, according to the competence, to the criminal investigation officers and special investigation officers within the NAC, as well as to the anti-corruption prosecutors.

Part of the Operational Analysis Reports came to ensure the management of emergency situations in the field of public procurement at the central and local level, being aimed at several public authorities (Ministries, Agencies and subordinate institutions, central and local public administrations), as well as individuals and legal entities.

The strategic analysis reports and the actions related to them concerned the judicial practice on criminal cases of corruption and corruption-related cases, based on court rulings, the phenomenon of illegal constructions, the field of administration of the National Ecological Fund, the execution of mandatory medical assistance insurance funds (during the years 2018–2019), the activity of the National Agency for the Resolution of Appeals the implementation of projects by the Social Investment Fund of Moldova (during the years 2018-2020), the field of judicial expertise in constructions, the administration of public patrimony when offering and leasing real estate, the process of refunding the Value Added Tax, the acquisition and the supply of electricity in the context of the liberalization of the energy market in the Republic of Moldova, the implementation and realization of the Chisinau prison construction project, the formation of prices for medicines imported into the Republic of Moldova, the activity of the National Council of Historical Monuments, the management of the National Fund for the Development of Agriculture and the Rural Environment, the authorization, construction and registration of real estate in Chisinau, Bălți and Cahul municipalities, the field of production and use of energy from renewable sources, the malfunctions of the public procurement system and the promotion of low-value public procurement, in order to avoid the field of application of Law no. 131/2015, the field of recovery of criminal assets, the efficiency of the process of documentation sanctioning of drivers for driving transport while intoxicated, the process of public procurement and the administration of vaccines against COVID-19.

The products of strategic analysis, except for those submitted for further examination according to the competence (to the subdivision of criminal investigation, of special investigations within the NAC, as well as to the Anti-corruption Prosecutor's Office) are placed on the official page of the NAC (<https://cna.md/lib.php?l=ro&idc=217&t=/Studii-si-analize/Analyze-strategice-sectoriale&>).

A part of the Strategic Analysis Reports and their related actions have come to ensure the management of emergency situations in the field of the administration of vaccines against COVID-19 and the field of public procurement at central and local level, being aimed at several public authorities (Ministry, Agencies and institutions subordinates), as well as natural and legal persons.

2. Please list the main typologies of corruption (corruption risks) you have identified in your country's emergency or crisis responses and recovery. You may select from the list below, and add any additional risks not listed:

Public Procurement

- Bribery of procurement officials
- Excessive use of non-competitive bidding procedures, including by single or limited source tendering, with limited safeguards
- Improper application of emergency procurement procedures allowing for expedited delivery of goods and services
- Bid-rigging (e.g. use of inflated prices)

Misappropriation of Emergency Relief Funds

- Non-eligible beneficiaries circumventing rules and regulations, including through bribes, to obtain access to relief and support
- Diversion of donations away from intended beneficiaries
- Exploiting international financial assistance related to emergency relief or other types of support (such as donor funding or technical assistance)
- Embezzlement of profit gained from the sale and distribution of emergency supplies
- Manipulation and inflation of claims for economic relief
- Fraudulent billing for the provision of goods and services
- Diversion of donated equipment/supplies to the black market
- Companies hoarding/not discharging support received from the government

Conflicts of Interest

- Conflicts of interest between suppliers and authorities in procurement processes
- Political appointees or persons entrusted with prominent public functions involved in, or the beneficial owners of, companies bailed out by the government or companies involved in procurement processes
- Support packages distributed according to ethnicity and/or political affiliation

Misuse of Information

- Use of social media to spread misinformation, undertake fraudulent activities such as phishing, cyber-criminal fraud

Inadequate Reporting/Protection Mechanisms

- Inadequate reporting/protection mechanisms for whistle-blowers and witnesses
- Restricted ability to report potential corrupt activities

Other Corruption Risks

- Extensive use of government emergency powers and regulations, with insufficient controls, consultations and/or guidance

- Provision of counterfeit good and supplies
- Fraudulent or illicit production of goods, including research
- Impeded anti-corruption enforcement actions during emergency and crisis responses due to corruption
- Impeded provision of international cooperation (e.g. mutual legal assistance) due to the emergency or crisis due to corruption
- Links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering

Please list any other typologies or risks:

1. In the field of internal affairs (integrated management of the state border, prevention and combating of cross-border crime, public security and emergency situations) typical risks of corruption are found, such as:
 - the risk of active/passive corruption (materialized risk, being a documented scheme of illicitly obtaining money from passengers leaving the country and in respect of whom there were suspicions of possession and presentation of the PCR test "COVID-19" with signs of forgery; extortion money from various people, both Moldovan citizens and foreigners, who intended to cross the state border in the direction of "exit", in order not to draw up minutes regarding the violation of isolation rules, etc.),
 - the risk of service abuse/exceeding the duties of the service,
 - the risk of influence peddling,
 - the risk of forgery in public documents,
 - the risk of not resolving the conflict of interests/favouritism (for example favouring certain natural and legal persons by exempting them from border crossing control);
2. In the field of state supervision/control, promotion and protection of public health:
 - the risk of active/passive corruption (for example, extortion of sums of money for defrauding laboratory samples, when issuing authorizations and health certificates, for renouncing some controls or not indicating irregularities, detected following checks);
 - high probability of materialization of the risk of falsification of AntiCovid-19 certificates/vaccination certificates;
 - the risk of abuse of office/excess of power or exceeding the duties of the office;
 - fraudulent issuance of permissive documents.
3. In the field of public procurement in public health:
 - Typical risks of corruption: favouritism; forgery in public documents; influence peddling; active/passive corruption; abuse of power or abuse of official position/excess of power or excess of official authority;
 - Specific risks of corruption: rigging the public procurement procedure; disclosure of information regarding competing offers; unfair competition, tenders with collusive agreements; arranged, insufficient and limiting specifications; defrauding the execution of contracts.

3. Did any of the corruption risks (typologies) identified in question 2 entail an international element? For example, fraudulent or collusive procurement practices involving foreign or international bidders or suppliers, donors or international financial institutions; aspects of transnational bribery; diversion of resources, assets or persons across borders)? Please be as

specific as possible and provide details and examples. If the information is sensitive, please describe the typology or give anonymized examples.

4. Please describe whether the corruption risks identified in question 2 appear to be longer-term trends. Have they required new or strengthened anti-corruption actions as a result? If so, please elaborate.

As part of the Strategic Analysis regarding the threats and trends of corruption in the public procurement process (elaborated on a permanent basis during 2021), corruption issues and vulnerabilities were identified during the conduct of public procurement procedures started through the MTender system.

To the extent of the identified deficiencies, several issues were outlined in the procurement procedures, including: the lack of transparency criteria at the stage of public procurement planning; problems at the stage of drafting the award documentation; not ensuring the efficiency of the purchase (purchase of luxury cars); the passivity of economic operators; division into lots; unmotivated withdrawal of appeals; the concentration of certain types of acquisitions around a narrow circle of economic agents; the division of acquisitions for the purpose of applying low-value acquisition procedures, which does not ensure transparency in the process and promotes personal interests of the heads of the contracting authorities; non-updated legal framework (especially the regulation on low-value public procurements), etc.

Consequently, the Analytical Directorate developed in 2022 the strategic analysis regarding some malfunctions of the public procurement system and the promotion of low-value public procurement, in order to avoid the scope of Law no. 131/2015. Subsequently, some unadjusted provisions of the Regulation on low-value public procurement approved by Government Decision no. 665/2016 were found, which reflect other thresholds of estimated values of low-value procurement contracts than those provided by the provisions the said law. The analysis of the data of the automated information system of the Ministry of Finance "Budget Execution" from the period of 2021, identified contracts concluded by public institutions based on low-value purchases in a total amount of over 5.25 billion lei, and for comparison, the value of the contracts concluded as a result of the start of public procurement procedures in the same period amounted to almost 8.5 billion lei. The conclusion of low-value contracts is totally lacking in transparency and cannot be identified on the informational portal www.tender.gov.md, because the current legislation does not provide for publication in this sense. In conclusion, (from the analysis of the available data) one could develop the worrying hypothesis of the intentional division of public procurement into low-value procurements in order to omit the transparency of the process and the favouring of stakeholders (public agents and economic operators), ultimately generating situations favourable to fraud public goods.

On all identified cases, the competent subdivisions of the NAC were notified to intervene with further examinations according to the competence, as well as the Public Procurement Agency of the Ministry of Finance, with the request to strengthen the procedures for monitoring the compliance of the public procurement procedures (on each individual case). Corruption risks identified in the institutional integrity assessment process have a high probability of materialization, being generated by a number of factors, including corruptible factors in the regulatory framework, institutional or operational factors (lack of

procedures or non-compliant procedures, faulty application of measures). anti-corruption regulated by the Integrity Law, deficient internal managerial control, etc.). Depending on the factors identified are stability and intervention measures.

5. Please describe any measures taken to support the private sector in identifying and mitigating corruption risks. This may include particular risks associated with supply chains and procurement processes.

6. Please provide an overview of efforts taken to understand the particular impact corruption in times of emergencies and crisis response and recovery may have on women and marginalized and vulnerable groups. If possible, please include reference to any research, analyses or assessments undertaken in this regard.

7. Is there a greater need for international cooperation in responding to corruption risks in the context of emergency and crisis responses than in other situations? Why, or why not?

In order to fulfil the provisions of art. 4, point (1), letter f) of the Law on the National Anticorruption NAC no. 1104/2002, for the elaboration of the operational and strategic analysis of acts of corruption, of acts related to corruption and the facts of corrupt behaviour and the provision of analytical and informational support.

The necessary nature of cooperation is dictated by the obligation to identify cases, provide the necessary information and further progress in investigations, including under criminal aspects, in order to ensure the urgent measures imposed on each case (initiation of criminal prosecution, organization of special investigative measures and criminal prosecution actions, attracting the guilty persons).

In the context of national legislation, both the control of corruption risks, documented in the activity of an entity, and the consolidation of the climate of institutional integrity are the responsibility of the head of the public entity and ensuring the recovery of damages caused by the crime).

II. Addressing corruption during times of emergencies and crisis response and recovery at the domestic level

1. Please describe the anti-corruption controls, safeguards and/or measures put in place to address the corruption risks identified above in question 2. Please highlight any special measures that may have been introduced in response to a particular emergency, and whether those measures may be useful for future crises. These may include anti-corruption task forces, the use of real-time audits, transparency portals and specific reporting channels for reporting corruption in the context of emergencies, including in the areas below.

The criminal prosecution body of the NAC, in the examination of criminal cases, implements the provisions of the Criminal Procedure Code.

Following the application of the institutional integrity evaluation tool, NAC experts formulate recommendations for removing the identified risk factors and reducing the probability of the materialization of corruption risks. Based on these recommendations, the evaluated entities adopt their integrity plans, the achievement of which is subsequently monitored by the NAC. The activities included in the integrity plans are diverse and prioritize the achievement of the following objectives:

- Ensuring the institutional and professional integrity of public agents;
- Consolidation of the regulatory framework and operational processes by excluding established corruptible factors.

At the same time, it is mentioned that in the crisis situations, a special emphasis needs to be placed on the efficiency of communication policies of government authorities with citizens, the business environment, journalists, etc., it is necessary to ensure the transparency of decision-making processes and ensure access to information of public interest.

Internal and external audit missions are important. For example, during the pandemic period, the Court of Accounts of the Republic of Moldova carried out two audit missions with the theme: "Have the competent authorities taken sufficient measures in order to provide citizens with vaccines and achieve collective immunity to combat the COVID-19 infection?" and "Evaluation of the compliance of the use of financial resources allocated for the motivation and support of the personnel involved in the prevention, detection and treatment of the COVID-19 infection and the implementation of epidemiological surveillance measures".

The effectiveness of the establishment of mixed, including cross-border, operative groups is also mentioned. For example, as a result of frequent bomb threat alerts, recently recorded at the Chisinau International Airport, mixed crews of the law enforcement authorities were organized, which patrol daily in the vicinity of the Airport and can intervene with the necessary support of the Border Police in ensuring airport security.

Also, starting from the war situation in Ukraine, the flow of passenger and cargo transport to the Moldovan-Romanian border increased considerably. In this context, several necessary measures to improve the customs situation and streamline traffic at the Moldovan-Romanian border were approved at the meeting of the Commission for Exceptional Situations. These come as a result of the working meeting between the Prime Minister of the Republic of Moldova and his Romanian counterpart, but also of subsequent technical meetings between the representatives of the competent authorities from the two states. Among the emergency measures necessary to unblock the situation in customs, including to reduce the waiting time for cargo trucks, the establishment of a joint action group is listed, which would coordinate and synchronize the immediate activities of the Moldovan and Romanian authorities at the border points.

Emerging from the humanitarian crisis caused by the war in Ukraine, it is also necessary to mention the implementation of practical cooperation mechanisms between FRONTEX officers, the Border Police and the Customs Service (the operational area of the FRONTEX Agency at the Moldovan-Ukrainian border is deployed at the point of Palanca border crossing).

Continuous monitoring of public procurement procedures according to the functional competences and undertaking rigorous measures in case of necessity. Likewise, with the intervention according to the competence and notification of the contracting authorities in order to establish the possible facts and risks of corruption.

Public procurement and the management of public finances

2. Please describe measures taken to develop and/or further strengthen accountability and transparency in public procurement during times of emergencies and crisis response and recovery. These may include:
- The development of specific guidelines, orders or memorandums for procurement in emergency contexts;
 - The development of new codes of conduct or guidelines for procurement personnel during times of emergencies and crisis response and recovery;
 - Requirements to disclose potential and real conflicts of interest;
 - Reforms of legal, regulatory and policy frameworks governing public procurement;
 - Requirements to collect and publish the beneficial ownership information of entities contracting with the government;
 - Requirements to cross-check information available on the ultimate beneficial owners of companies involved in procurement processes;
 - Publication of information on the whole procurement cycle, from tender to delivery (including type and amount of contract, reference information for the awarded company, beneficial ownership information, validation of delivery, etc.);
 - Specific labels or “tags” for procurement contracts to facilitate the monitoring of contracts associated with a particular emergency or crisis;
 - Measures to ensure procurement in emergency contexts have appropriate oversight and sanctions, including the potential disqualification of companies;
 - Measures to help ensure that compliance programmes and safeguards are in place for bidders;
 - The use of online portals that afford opportunities to track procurement contracts through the whole procurement cycle;
 - Feedback mechanisms for monitoring by groups outside the public sector, such as civil society organizations.

Taking into account the notifications received from the contracting authorities and economic operators regarding the problems arising in the field of public procurement related to the impossibility of executing public procurement contracts as a result of the increase in prices and the inflation index, as well as the damage to the supply chain caused by the war in Ukraine, The Ministry of Finance, as the authority that promotes policy in the field, came up with certain recommendations set out in the Order no. 13-09/94 of 14.04.2022 regarding the execution of public procurement contracts in the context of price volatility.

By Government Decision 41/2022 of 24.02.2022, a state of emergency was declared throughout the territory of the Republic of Moldova. Pursuant to art. 2 of this decision, the Commission for Exceptional Situations issued several provisions containing regulations regarding public procurement procedures.

These provisions being the following:

CSE decision no. 2 of 25.02.2022

CSE decision no. 3 of 27.02.2022

CSE decision no. 7 of 03.04.2022

CSE decision no. 12 of 23.03.2022

CSE decision no. 18 of 28.04.2022

CSE decision no. 19 of 29.04.2022

CSE decision no. 22 of 23.05.2022

CSE decision no. 26 of 14.06.2022

CSE decision no. 27 of 21.06.2022

CSE decision no. 28 of 24.06.2022

- Information on all awarded contracts is published on the website of the Public Procurement Agency under the heading Transparency, Awarded Contracts

(<https://tender.gov.md/ro/contracte-atribuite>).

- All reports on the conduct of the procurement procedure are also published in the Public Procurement Bulletin on the website of the Public Procurement Agency

<https://tender.gov.md/ro/bap>

- Internally, in the database of the Public Procurement Agency, public procurement procedures for emergency situations have mentions with reference to the destination of the contract (refugees, emergency situation), to facilitate the evidence of these contracts.

- All public procurement procedures, with the exception of low-value procurements and negotiation procedures without prior publication of the tender notice, are carried out through the electronic public procurement system SIA RSAP MTender (<https://mtender.gov.md/tenders>)

3. Please highlight 2-3 good practices and challenges faced when developing, implementing and/or monitoring the measures you have identified in question 2.

A major challenge in the crisis situation is the volatility of prices in the field of public procurement, which leads to the impossibility of executing public procurement contracts as a result of the increase in prices and the inflation index, as well as the damage to the supply chain caused by the war in Ukraine.

4. Were internal audit systems, real-time audit mechanisms and/or other mechanisms used to help monitor and oversee the management of public resources during times of emergencies and crisis response and recovery? If so, please describe. Please provide any information on good practices and/or lessons learned.

In the conditions of the pandemic, the authorities/institutions of the state were put in the situation of developing policies in an emergency regime. The Government was tasked with managing an unprecedented economic and social crisis, compounded by challenges and a series of already existing chronic problems. The urgent actions undertaken by the Government of the Republic of Moldova were carried out through the Extraordinary National Public Health Commission and the Exceptional Situations Commission (ESC). The Government, through the said Commissions, approved a series of measures to identify, reallocate and mobilize financial means, to support the public sectors and mitigate the impact of the COVID-19 pandemic on the economy and the population.

The existing spending programs were reviewed and decisions with immediate and long-term impact were approved, aimed at reducing the negative effects on the economy, the health system and the social sphere. Shortly after the outbreak of the emergency, a series of normative regulations were developed and promoted on the platform of the Exceptional Situations Commission, in order to reduce the negative economic impact of

the pandemic crisis on the business environment. The provided measures were aimed at economic support and contribution to combating the crisis caused, in particular by:

- direct support programs for entrepreneurial activity;
- the most significant changes in the fiscal field operated by ESC Provisions, Law no. 60/2020, Law no. 69/2020, Law no. 102/2020, which reflected a more flexible framework of fiscal-budgetary measures, including to it supports the other components of the national public budget, such as local budgets, the state social insurance budget and the compulsory health care insurance funds. Thus, based on the amendments made to the Annual Budget Law, budget allocations were provided for the measures undertaken in the economic, social support, health and education fields.

Specific measures were established for the social and medical sectors, which were aimed at providing quality services and support to citizens, especially regarding the provision of free medical assistance for patients with COVID-19, the purchase of medicines and personal protective equipment, supporting people who lost their jobs during the state of emergency, providing financial support for disadvantaged families, home distribution of pensions, state social allowances and other social benefits, etc.

The Court of Accounts carried out, during 2020-2021, the following thematic audit missions:

- Compliance audit of the management and use of resources intended for the health sector to prevent and combat the spread of the Covid-19 infection (CoARM Decision no. 42 of July 26, 2021)
- Financial audit of the Additional Grant to the "Emergency Response to COVID-19 in the Republic of Moldova" Project (CoARM Decision no. 45 of July 28, 2021)
- Performance audit "Have the competent authorities taken sufficient measures to provide citizens with vaccines and achieve herd immunity to combat the COVID-19 infection?" (CoARM Decision no. 71 of December 16, 2021)
- Compliance audit on the implementation of the measures to motivate and financially support the staff involved in the prevention, detection and treatment of the COVID-19 infection and the surveillance and monitoring measures of people in quarantine (CoARM Decision No. 5 of February 17, 2022)

The audit missions carried out by the Court of Accounts highlighted the problems, non-conformities and difficulties faced by public entities during the pandemic period in managing the public system and combating the effects caused by COVID-19, mostly caused by:

- primacy and lack of practices in emergency management;
- the ambiguities of the normative framework;
- fragmented inter-sectoral communication of the parties involved;
- low responsibility of decision-making management;
- the insufficiency of monitoring and supervision measures for the implementation of the established actions;

- the lack of integrated information systems for facilitating and holding data related to the processes of recording medical services, public procurement, etc.

The evaluation of the vaccination process shows that the entities involved in this process did not carry out and implement internal audit/control activities that would fully ensure the transparency of the vaccines used. Thus, the decision-makers were not sufficiently concerned with how to organize the records of the doses of anti-COVID-19 vaccines and did not provide clear and exhaustive procedures, which did not ensure truthful data on the number of doses used and those destroyed, in correlation with the actual number of vaccinated people. The audit carried out by the CoARM, showed that the authorities and institutions involved in the immunization process, in some cases, did not demonstrate the appropriate responsibility in terms of the effective achievement of the objectives of the National Anti-COVID-19 Immunization Plan, as well as did not fully ensure the achievement of the goal of achieving collective immunity. The delay of the immunization process was conditioned by the ambiguities of the regulatory framework, the insufficiency of key controls and poor management. At the same time, the process of systematization, monitoring and management of information regarding anti-COVID-19 immunization, although it was carried out under exceptional conditions, it needs to be improved. Also, the process of using vaccine doses is to be carried out economically, with the provision of anti-COVID-19 vaccines to the population.

An important aspect in the context of CCRM audits refers to public procurement related to the management of the COVID19 pandemic. The central public authorities carried out public procurement of consumables and medical equipment intended to combat the COVID-19 pandemic. Regardless of whether it is the mechanism of centralized or individual public procurements, they were accompanied by deficiencies, which denote the need to streamline managerial control mechanisms and processes, taking into account the lessons learned.

In the same period, the reporting, transparency and audit measures regarding public procurements carried out to prevent and combat the COVID-19 infection were established, with the contracting authorities having the obligation to report to the Public Procurement Agency and to publish on their web pages the distinct reports within the respective deadlines. For its part, the Agency ensures the collection, generalization and publication of data on the public procurements in question at the national level. The public procurements related to the prevention and combating of the COVID-19 infection were intended for the procurement of disinfectants, gloves, protective masks, medical equipment, pharmaceutical products, and computer technology, purchased on the basis of low-value public procurement contracts. It should be noted that all the deficiencies related to low-value purchases also influenced the purchases made in the context of the pandemic. Moreover, the facilities granted (simplification of contracting conditions) favoured the avoidance of compliance with legal provisions and contributed to increasing non-transparency and diminishing fair competition between economic operators.

Based on Government Decision no. 493/2020, measures were taken to ensure transparency and optimal management of public money in the process of preventing, reducing and liquidating the consequences of the COVID-19 pandemic. Subsequently, the Ministry of Finance, through letter no. 10-11/77 of 11.11.2020, requested the internal audit subdivisions of the central and local public authorities to carry out audits focused

on internal managerial control for public procurement intended to prevent, reduce and the liquidation of the consequences of the pandemic.

5. Please describe what measures or initiatives could be used/have been used to help ensure transparency in the allocation, use, distribution and management of the national budget during times of emergencies and crisis response and recovery. These may include dedicated budget lines, measures to present budget items, public hearings or rendering such information accessible to the public.

A special account was opened to collect donations in order to manage the Ukrainian refugee crisis. The funds received in this account were allocated for the expenses related to the refugee crisis, according to the provision of the Commission on exceptional situations of the Republic of Moldova.

In order to ensure transparency, the expenses are reflected in the budget under a separate code of activity.

The reports on the accumulated donations and the allocation of financial means are periodically published on the website of the Ministry of Finance”.

The planning and execution of the state social insurance budget (BASS) for 2020 under the conditions determined by the pandemic situation, were directly influenced by the measures provided for in the provisions of the Exceptional Situations Commission, the decisions of the Extraordinary National Public Health Commission and other normative acts approved in the epidemiological context.

Although the Law on Public Finances and Budgetary-Fiscal Responsibility¹ establishes the general terms and conditions regarding the amendments/clarifications of the approved annual budgets, the annual indicators of the approved state social insurance budget, were specified 4 times². The specifications of the budget indicators were influenced by the level of execution of the state social insurance budget during the budget year, by the dynamic nature of the number of beneficiaries and the average sizes of social benefits for each type of social benefit, as well as by the adoption of legislative acts, the financial coverage of which was not provided for in the approved budget for 2020.

At the same time, the changes to the BASS indicators were also dictated by the impact of the COVID-19 pandemic, under the conditions of the state of emergency on the territory of the Republic of Moldova from March 17 to May 15, 2020³ as well as the adoption of additional support measures for certain categories of the population.

In the first project to amend the State Social Insurance Budget Law⁴ for the year 2020, the approved plan for state social insurance contributions was reduced. At the same time, the increase in transfers from the state budget to BASS were intended to cover the BASS

¹Law no. 181/2014.

²Law no. 63/2020 for the amendment of the State Social Insurance Budget Law for the year 2020 no. 173/2019 (hereinafter Law no. 63/2020); Law no. 132/2020 (Government Decision no. 437/2020 regarding the undertaking of liability on the draft law for amending the law on the state social insurance budget for the year 2020, hereinafter Law no. 132/2020); Law no. 174/2020 for the amendment of the State Social Insurance Budget Law for the year 2020 no. 173/2019 (hereinafter Law no. 174/2020).

³Parliament Decision no. 55/2020 regarding the declaration of the state of emergency.

⁴Law no. 63/2020.

deficit, as well as the implementation of provisions approved but not included in the initial budget that refer to:

- guaranteeing unemployment benefits to insured persons in the minimum amount of 2775 lei;
- the granting of unemployment benefits in the amount of 2,775 lei to people who register as unemployed, but who do not meet the criteria for granting unemployment benefits, including entrepreneurs' license holders, who in March did not have an insured income;
- financial support of disadvantaged families by granting social aid in the context of the implementation of support measures during the state of emergency.

The second amendment to the state social insurance budget⁵, the transfers received between the state budget and the state social insurance budget were increased, both on the revenue side of BASS, and on expenses, intended for the granting of payments not foreseen in the approved annual budget:

- for granting compensation to the descendants of medical personnel who died as a result of carrying out medical activity in the fight against COVID-19;
- for granting the single financial support of 700 lei to the beneficiaries of pensions and social allowances, the amount of which does not exceed 3000 lei.

By the third amendment⁶, the general indicators of the state social insurance budget for 2020 were modified by bringing them into line with the indicators, included in the draft law to amend the State Budget Law for 2020, coordinated with the International Monetary Fund:

- the transfers received between the state budget and the state social insurance budget were increased, as well as those for covering the deficit of the state social insurance budget;
- transfers for benefits and other payments, financed from the state budget, were reduced;

At the same time, the following changes were made to the expenditure side:

- increasing the expenses for allowances for temporary incapacity for work caused by common illnesses or accidents not related to work;
- the exclusion of expenses on the activity "Organization of children's and teenagers' summer rest" in connection with the suspension of the activity of rest camps and improving children's health;
- reducing expenses for the activity "Ensuring the right to balneal-sanatorium treatment";
- the increase in expenses (through redistribution from other items) for stocks of circulating materials, determined by the need to purchase protective materials and disinfectants, to ensure the development of work processes in the regime established by CNESP;
- recalculation of expenses for the distribution of benefits, taking into account the increase from 0.7% to 1.3% of home distribution rates in cash of pensions,

⁵Law no. 132/2020.

⁶Law no. 174/2020.

allowances and other state social benefits for beneficiaries of old-age pensions and allowances state social benefits for the elderly, during the state of emergency in public health.

For the year 2021, the planning and execution of the BASS took into account the changes and practices used at the beginning of the pandemic, so no specific changes generated by the pandemic context were developed.

In the context of the organization of the vaccination process, through the decisions of the Commission for Exceptional Situations and the Extraordinary National Commission of Public Health, periodically (daily or weekly) information on the evolution of vaccination in the Republic of Moldova was published. Information on vaccination was available through various media channels as well as on <https://ms.gov.md/covid-19/>.

The Commission's decisions regarding the periodicity of distribution of information on the evolution of vaccination can be accessed at <https://gov.md/ro/content/decizii-cse>.

Inter-institutional coordination at the national level

6. Please outline measures which could be taken or have been taken to enhance coordination among institutions at the national level involved in response and recovery efforts, such as Memorandums of Understanding, data sharing agreements, standard operating procedures or other formal and informal mechanisms that enable institutions to share information and respond in a coordinated manner to corruption risks in the context of emergencies.

The National Anticorruption NAC concludes collaboration agreements with various institutions that are holders of databases and information useful for carrying out the duties given by law.

Thus, during 2018, collaboration agreements were concluded with: the Office of Ombudsman, the National Integrity Authority, the National Food Safety Agency, the Ministry of Health, Labour and Social Protection, the Competition Council and the General Prosecutor's Office.

Additional protocol: NAC – Court of Accounts.

During 2019, collaboration agreements were concluded with: the Intelligence and Security Service, the National Bureau of Statistics, the National Agency for the Resolution of Appeals, the Diplomatic Institute of the Ministry of Foreign Affairs and European Integration, the Supreme Council of Magistracy, the National House of Social Insurance, Additional protocol: NAC – State Fiscal Service.

During 2020, inter-institutional collaboration agreements were concluded with: The State Fiscal Service, the National Bureau of Statistics, SA "FinComBank", Office for Prevention and Fight Against Money Laundering, the Public Property Agency, the Public Services Agency, the National Agency for Regulation in Energy, Ministry of Education, Culture and Research.

Additional protocol: NAC – Public Services Agency; NAC – Ministry of Finance.

During 2021, inter-institutional collaboration agreements were concluded with: "Orange Moldova" SA, Court Administration Agency, IP National Radio Frequency Management Service, IP "Information Technology and Cyber Security Service".

During 2022, collaboration agreements were concluded with: The National Administration of Penitentiaries, MI Regia Apă-Canal Bălți and the Soros Moldova Foundation.

Transparency measures, including access to information

7. Does the government have specific measures in place to identify individuals who may be involved in, or who help facilitate, corrupt acts? Such measures may include requirements to disclose beneficial ownership information and requirements to make such information accessible to law enforcement or other authorities. For example, information contained in beneficial ownership registries or information contained in open tender portals may be used by supreme audit institutions and other oversight bodies to audit, and inform, response and recovery measures.

In order to implement the obligation to disclose the information related to the beneficial owner, by the Law no. 308/2017 on prevention and combating money laundering and terrorism financing was established that the State registration authority, according to the established procedures, verifies, registries, records and updates the data regarding the beneficial owners of legal entities and individual entrepreneurs at their registration, at registration of modifications in incorporation documents of legal persons, at state registration of persons subject to reorganization and their removal from State register.

Legal persons and individual entrepreneurs are obliged to obtain and hold of adequate, correct and up-to-date information on their beneficial owner, including details of interests generating benefits for them, to submit to the state registration authority the requested information regarding the beneficial owner and to inform immediately about change of their data.

It is prohibited the state registration of legal entities and individual entrepreneurs in the absence of data about the beneficial owner and/or if the presented information is untrue or incomplete.

On detection of non-authenticity or non-compliance of the information about the beneficial owner of the legal entities or of the individual entrepreneurs after the state registration, provisional measures shall be applied in respect of their goods in accordance with the provisions of art. 33 of the AML/CFT Law.

The data accumulated by state registration authority, including those regarding the beneficial owners, are provided, to the Office for Prevention and Fight against Money Laundering, to law enforcement authorities, to the authorities with supervision functions of the reporting entities and to the reporting entities provided in art. 4 only for the purpose of enforcing of present law, as well as to other persons in case of the existence of a legitimate interest.

The state registration authority shall ensure prompt and unlimited access to the held data, according to the established procedures, for the Office for Prevention and Fight against Money Laundering, authorities with supervision functions of the reporting entities and reporting entities provided in art.4, without informing the accessed entity.

The authorities with supervision functions of the reporting entities shall maintain, monitor and update periodically the data on beneficial owners of the supervised entities.

The reporting entities do not rely exclusively on the data of state registration authority in order to meet the requirements related to customers due diligence measures, but are using the risk-based approach.

The competent authority, during the registration of non-commercial organization, shall verify whether the founder, administrator or beneficial owner is not included in the list of persons, groups and entities involved in terrorism and proliferation of weapons of mass destruction activities mentioned in art. 34 par. (11) of the AML/CFT Law (The list of persons, groups and entities involved in terrorism activities and proliferation of weapons of mass destruction that are subject of targeted measures). The non-commercial organization shall be registered by the competent authority only if there is no suspicion of the affiliation of its founder, administrator or beneficial owner to persons, groups and entities involved in terrorism and proliferation of weapons of mass destruction activities. In case of the establishment of any pertinent suspicions regarding affiliation of the founder, administrator or beneficial owner of the non-commercial organization to terrorism entities and organizations, the competent authority shall notify immediately the Office for Prevention and Fight against Money Laundering and the Intelligence and Security Service.

In case of investment companies, the person managing the investment company is obliged to obtain and hold adequate, accurate and up-to-date information including the identity of customers, their beneficial owner, data on performed investments and identity of the founders and beneficiaries of the investment company.

The person that manages the investment company shall disclose the status that he has and shall provide the reporting entities in due time with the necessary information within the application of customers due diligence measures.

Additionally, the Law no 220/2007 on state registration of the legal entities establishes that the legal entities are obliged to present the information related to the beneficial owner. As well, according to the art. 34¹ of the same law, the information related to the legal entities, including those related to the beneficial owners is publicly available on the website of the state registration authority.

In compliance with the provisions of Article 33 of Law no. 220/2007 on State Registration of Legal Entities and Individual Entrepreneurs, in the Republic of Moldova, information relating to the name, surname, personal identification number (IDNP), domicile/residence, phone number of beneficial owner/beneficial owners, as defined in Law no. 308/2017 on Prevention and Combating Money Laundering and Terrorism Financing are included in the State Register of Legal Entities.

As per Article 34¹ of Law no. 220/2007, the Public Services Agency provides public viewing on its official website of the information from the State Register on the name, surname, and country of residence of the beneficial owner/beneficial owners of the legal entity and individual entrepreneur (link: <http://www.asp.gov.md/ro/informatii-utile/date-statistice>).

Therewith, as per Article 37 paragraph 1) of Law no. 220/2007, the state registration body cooperates with public authorities and institutions, with other entities, concluding with them cooperation agreements on the exchange of information and the establishment of common procedures of activity, mainly online, to fulfil the duties established by law. Thereby, the Public Services Agency, based on an agreement, provides access to the competent authorities, via SIC “Access Web” search system, to the information on the

beneficial owners of legal entities and individual entrepreneurs, in compliance with the contractual provisions.

The data accumulated by the state registration body, including data on beneficial owners, shall be provided, upon request, to the Service for Prevention and Combating of Money Laundering, bodies responsible for the supervision of reporting entities and reporting entities provided for in Article 4 of Law no. 308/2017 only to implement this law, as well as to other persons in case of a legitimate interest.

8. How does the government ensure that emergency measures are limited in duration and scope? Please describe any measures taken to mitigate the use of broad emergency executive authority, such as legislative oversight, regular reports to committees, and review and monitoring mechanisms.

Pursuant to art. 66 letter m) of the Constitution of the Republic of Moldova, of art. 12 and art. 18 paragraph (2) of Law no. 212/2004 regarding the state of emergency, siege and war regime, the Parliament of the Republic of Moldova approved Parliament Decision no. 41/24.02.2022 by which a state of emergency was declared for the period of 60 days. During this period, the Commission for Exceptional Situations of the Republic of Moldova issues provisions for the implementation of measures that are applied only during the state of emergency and are intended to coordinate at the national level the recovery of the crisis caused by the war in Ukraine, including in the aspects that target crimes at: crossing the state border, collecting/distributing humanitarian and financial aid.

9. Have your authorities applied or strengthened whistle-blower protection or reporting systems, including those that afford opportunities for confidential and/or anonymous reports, and how to address such reports?

Yes, whistle-blower protection measures are in place and have been applied in accordance with current legislation.

Use of information and communication technology tools

10. Has the government used information and communication technology tools to build, implement and/or maintain resilient emergency response systems? If yes, please explain what types of tools have been used and include relevant links, if possible.

In the context of the refugee crisis situation generated by the war in Ukraine, there were developed several digital tools aimed at supporting the Ukrainian people who fled the war and took refuge on the territory of the Republic of Moldova. These include:

- **The informational portal dedicated to Ukrainian refugees;**

- **The state identification number (IDNP) in digital format for citizens of Ukraine (a digital application); - The digital solution "Emergency flights from Moldova for refugees from Ukraine";**

- **Humanitarian assistance to the citizens of Ukraine through MPay – the government electronic payment service**
<https://mpay.gov.md/Services/Service/UA001> .

In the context of the COVID-19 pandemic, it was developed:

- **The electronic epidemiological form.** Starting from October 5, 2021, passengers and travellers crossing the state border of the Republic of Moldova in the direction of entry can also complete the epidemiological form in electronic format <https://fisa-covid.gov.md/> .

- **The digital COVID-19 certificate,** link: <https://certificate-covid.gov.md>

11. If possible, please describe the benefits and challenges of using the tools identified in 10?

The informational portal dedicated to Ukrainian refugees, launched on March 1, 2022, as part of the "Moldova for Peace" national campaign with over 1 million hits in total since its launch and is available at: <https://dopomoga.gov.md/> .

The new platform was designed as a single point of access to information related to the help that citizens of Ukraine can benefit from during their stay in Moldova.

The portal includes several resources and categories of information: conditions for crossing the border of the Republic of Moldova, accommodation units, food, specialized medical help, help for children and pets, financial and telecommunications services, contacts regarding initiative groups active in the online environment, information on job offers for refugees and more. Since the launch of the informational portal, it has been accessed by over 264 thousand unique users, most of these users being located in Chisinau, Kyiv, Odesa, Lvov, Tiraspol.

The state identification number (IDNP) in digital format for citizens of Ukraine (a digital application) <https://dopomoga.gov.md/idnp/> . Thus, refugees from Ukraine, who will be on the territory of the Republic of Moldova for a longer period of time, can benefit from public services based on the state identification number (IDNP), assigned when crossing the border of the Republic of Moldova, which can be downloaded with the help of a digital application. The new digital solution is integrated on the dopomoga.gov.md platform and can be used starting from March 14, 2022. At the moment over 6219 IDNPs have been generated for Ukrainian refugees.

The digital solution "Emergency flights from Moldova for refugees from Ukraine", with 154 completed flight forms. Information and reservations for emergency flights from Moldova, made available for refugees from Ukraine, can be accessed in digital format on the dopomoga.gov.md platform. Applications for free flights can be completed online by entering personal data, contact details and other information.

Humanitarian assistance to citizens of Ukraine through MPay <https://mpay.gov.md/Services/Service/UA001> . E-government Agency initiated new measures to ensure a high degree of accessibility and informational security for online transfers, actions that are required in the context of the situation in the region. Starting from February 26, donations for Ukrainian refugees, on the account opened by the Ministry of Finance, can be made by accessing the government electronic payment service MPay. The account has been integrated on the MPay platform and is available and can be used by anyone to provide humanitarian assistance to the citizens of Ukraine, safely and from any corner of the world.

Coordination of the process of keeping records of the stocks of donated/distributed goods for refugees and integration with the software intended for the State Chancellery (CS) control NAC to view the available stocks (internal application configured at the

MoldCoop warehouse (1C Stock) and coordination of the platform expansion process (view stocks of goods, transport offers/requests, placing and managing orders, integration with the 112 service, etc.) for its use for the needs of the CS control NAC (uahelp.md).

The electronic epidemiological form. Starting from October 5, 2021, passengers and travellers crossing the state border of the Republic of Moldova in the direction of entry can also fill out the epidemiological form in electronic format. Thus, the process of prevention and control of the COVID-19 pandemic is made more efficient, including by streamlining the flow of passengers and travellers at border crossing points. The epidemiological sheet can be accessed at the address <https://fisacovid.gov.md> and must be completed no later than 3 days before entering the Republic of Moldova by persons who are to comply with the self-isolation regime for 14 days, in case who: do not have a COVID-19 vaccination certificate, the negative result of an RT-PCR test valid for 72 hours or a rapid antigen test valid for 48 hours, the confirmatory medical conclusion in the event that people who have endured COVID-19 . In this sense, EGA made a major contribution to the development of the web platform, which was developed in- the period of 2 weeks. In addition to the interface for completing the epidemiological sheet, the system automatically notifies the authorities responsible for monitoring people in self-isolation (National Agency for Public Safety and Ministry of Internal Affairs).

The digital COVID-19 certificate. With the efforts of the EGA, it was possible that, starting from October 15, 2021, citizens of the Republic of Moldova can download the COVID-19 Certificate online, which includes: the vaccination certificate, the test certificate and the recovery certificate, from the COVID-certificates page <https://certificate-covid.gov.md/> . The certificate was approved by the Extraordinary National Commission for Public Health and will be issued through the Automated Information System "Registry of vaccination against COVID-19", based on the data presented by the medical and sanitary institutions. The COVID-19 digital certificate facilitates free movement at national and international level, under safe conditions, during the COVID-19 pandemic. The document can be downloaded for free and is available in Romanian/English. This is official proof that the person has been vaccinated against COVID-19, tested and has a negative result, or had COVID-19 and recovered.

12. Has the government used information and communication technology to help manage and oversee public procurement during times of emergencies? If yes, please explain the particular tool, its benefits and challenges and include relevant links, if possible.

13. Has the government used information and communication technology to promote transparency in the management of public finances during times of emergencies and crisis response and recovery? If yes, please explain the particular tool, its benefits and challenges and include relevant links, if possible.

Engagement of actors outside the public sector

14. If possible, please provide an overview of how the government has partnered with, or encouraged the participation of, actors outside the public sector to help monitor and support oversight of government actions during times of emergencies and crisis response and recovery. Please also include any future initiatives planned.

15. Are there any policies or initiatives that particularly facilitated the engagement of actors outside the public sector in these contexts? If yes, please describe.

In order to improve the coordination between institutions at the national level involved in the recovery of the crisis, through point 1 of Provision no. 3 of February 27, 2022 of the Commission for Extraordinary Situations of the Republic of Moldova, the Single Crisis Management NAC (CUGC) was established, which managed to establish defined mechanisms and processes that strengthened the Government's response to the crisis caused by the war in Ukraine . In the migration crisis management process, volunteers and charities were trained in transporting, housing and feeding refugees from Ukraine.

III. Responding to corruption during times of emergencies and crisis response and recovery, including through international cooperation

1. If possible, please provide examples of detected or suspected instances of domestic or transnational corruption and how these were identified in your country. If the information is sensitive, please describe the typology or give anonymized examples.

Corruption offenses through the lens of money laundering. The case of FOREX can serve as an example
[https://cna.md/libview.php?l=ro&idc=5&id=3981&t=%2FServiciul-relatii-publice%2FComunicate-de-presa%2FDouazeci-i-patru-de-persoane-au-fost-retinute-intr-un-dosar-de-spalare-de-bani-Victimele-banutilor-sunt-sute-de-moldoveni-rui-i-kazahi&fbclid=IwAR22yLtr_W8yvD6a6QQSgOWJXJ-bBdYOL47UFhQDGTytyBIHKQuiN1S6WLw \)](https://cna.md/libview.php?l=ro&idc=5&id=3981&t=%2FServiciul-relatii-publice%2FComunicate-de-presa%2FDouazeci-i-patru-de-persoane-au-fost-retinute-intr-un-dosar-de-spalare-de-bani-Victimele-banutilor-sunt-sute-de-moldoveni-rui-i-kazahi&fbclid=IwAR22yLtr_W8yvD6a6QQSgOWJXJ-bBdYOL47UFhQDGTytyBIHKQuiN1S6WLw))

2. How did the government respond? Has your country taken any steps to identify, investigate or prosecute corruption in emergency and crisis responses and recovery? Examples may include an interagency cooperation taskforce among anti-corruption authorities, analysis of suspicious transaction or financial disclosure reports, greater cooperation across international borders, strengthening investigation and prosecution capacity, etc.

Ensuring and creating joint assistance groups in criminal matters between the competent authorities at national and international level.

3. In its response, did your authorities find it necessary to seek or request international cooperation (e.g. mutual legal assistance or direct law enforcement cooperation)? Please provide details

and examples. How effective do you believe the cooperation was, and what were the main challenges? Was the assistance provided, were there any obstacles?

The Criminal Assets Recovery Agency (CARA) within the National Anticorruption NAC constantly seeks and establishes international cooperation relations with counterparts from other jurisdictions.

Thus, the Agency joined such informal information exchange networks between asset recovery and administration offices as CARIN, BAMIN, was connected to the secure channel EUROPOL/SIENA, through which it carries out efficient information exchange. The Agency also uses the national tool – the International Police Cooperation Directorate of the General Police Inspectorate, to exchange information on the platforms provided by INTERPOL, EUROPOL, SELEC, etc.

This cooperation has proven to be effective, in general the degree of assistance is relatively high.

The lower degree of some jurisdictions' provision of financial-banking information can be considered as a challenge, requests for rogatory commission being requested.

By carrying out working visits, training courses, internships, conferences, round tables, meetings regarding the implementation of positive practices and advanced experience of other states in the field of combating corruption acts, corruption related acts.

At the same time, obstacles in the provision of information can be mentioned as the state of Turkey, which at our request provided insufficient information, as well as other offshore areas.

4. Has your government received any requests for international cooperation from other countries seeking to identify, investigate or prosecute corruption during times of emergencies and crisis response and recovery? Please provide details and examples. How effective do you believe your authorities cooperated, and what were the main challenges? Was the assistance provided, were there any obstacles?

CARA has received several requests for information related to Russian military aggression against Ukraine. Examples and details of these cannot be provided as this data is protected investigative information. Necessary assistance was provided, relevant information was provided to applicants.

IV. Mechanisms to respond to corruption during times of emergencies and crisis response and recovery through international cooperation

1. Have your authorities had any practical experience in sharing information, including spontaneously, with authorities in other countries concerning suspected corruption in the context of emergency or crisis responses?

Yes. An example can be the case of the bank fraud "Laundromat File" where actions were taken in this regard.

2. Has your government used electronic communication channels or networks, including those of INTERPOL or the GlobE Network, that enable the prompt exchange of information for the investigation and prosecution of corruption offences in the context of emergency and crisis responses?

CARA is connected to the secure channel EUROPOL/SIENA.

Yes. In the case of the National Anticorruption NAC, these communication channels are widely used to announce international wanted persons, etc. suspected of committing acts of corruption or those related to corruption.

3. Are you aware of any examples of joint or parallel investigations or the bilateral sharing of capacity and expertise on investigating and prosecuting corruption in this context?

CARA constantly participates in experience sharing trainings in the field of conducting parallel financial investigations.

Here, the "Luca Filat Case" can serve as an example.

4. Have you taken additional measures to analyse asset declarations, financial disclosures and/or suspicious transaction reports during times of emergencies or crisis response and recovery?

The Office for Prevention and Fight against Money Laundering, if any emergencies or crisis situations occur, performs strategic and operational analysis in order to be able to undertake the relevant measures necessary to redress, supervise and mitigate the risks. For some cases, if the emergency or crisis situations is at the regional level, the experience of the countries that face the same problems.

The measures can be as follows:

- Establishment of a mechanism at the national level related to the specific measures (additional obligations);
- Involvement of other public authorities;
- Notification of the reporting entities regarding the new potential risks;
- Settling of additional high-risk criteria, considering the characteristics of the crisis situation;
- Cooperation with similar authorities from other countries.

The control of declarations of Assets and personal interests took place according to the legal provisions and, targeting the risk groups, established by the National Integrity Agency management. Additional measures, during the reference period, were not undertaken.

5. Have you experienced challenges in accessing adequate, accurate and up-to-date information on the beneficial ownership and control of legal persons in other jurisdictions? In your view, what may be improved to enable effective, timely access to such information?

For information, please note that no information on beneficial owners of legal entities in other jurisdictions has been accessed/verified so far, as no interconnection with databases in other countries is available.

Due to the fact that the legislation regarding the beneficial owner is implemented differently from one state to another, sometimes it is difficult or even impossible to access the information related to BO. As well, very often, the information is not available in English language. Another issue is homogeneity of the publicly available information. As a solution in order to make the access effective and timely would be establishing the format of the provided information (especially on the used language) and creation of a website that would provide the links to all existing national databases.

6. Have you experienced challenges in verifying assets beneficially owned by public officials abroad? In your view, what may be improved to enable effective, timely access to such information?

The challenges, in the process of verifying the assets and properties owned by the subjects of the declaration from the Republic of Moldova abroad, during the reference period, were the same as before the pandemic: the refusal of competent institutions from other countries to provide data to the National Integrity Authority, citing protection of personal data and lack of legal grounds.

7. Have there been any efforts to support anti-corruption practitioners and law enforcement authorities in your country, including human resources management and opportunities for capacity-building and peer-learning on methods, tools and technologies for countering corruption in the context of emergency and crisis responses?

Here we can mention the conclusion of collaboration agreements with institutions similar to the NAC of other states in order to carry out the exchange of experience and best practices in the chapter of revealing, documenting and combating corruption acts and combating corruption acts, corruption related acts.

As well as the identification of sources of external financing in order to strengthen the professional capacities of the anti-corruption subdivision (technical assistance), criminal prosecution, including The Criminal Assets Recovery Agency, through training in the country and abroad in the fields of competence.

8. In your view, are there any unique aspects of requesting or providing international cooperation in emergency and crises responses as opposed to regular cases?

No

9. Does your government have any experience in receiving or providing international financial assistance (such as donor funding or technical assistance) to address emergency situations? In your view, what are effective mechanisms to strengthen integrity and prevent corruption in the provision of emergency relief funds? What should be improved?

During the period 2021-2022, the Government of the Republic of Moldova has received, from development partners, foreign assistance (financial and technical assistance, as well as donations) to mitigate the negative impact of COVID-19 pandemic crisis, the energy crisis and the refugee crisis following the outbreak of the war in Ukraine. Therefore, in order to strengthen integrity and prevent corruption in the provision of emergency relief funds, financial resources must be used according to the provisions stipulated in the Agreement/s with development partners, in order to achieve the objectives/performance indicators with a direct focus on the target values (beneficiaries).

V. Effectiveness of international frameworks to respond to corruption during times of emergencies and crisis response and recovery, including through international cooperation

1. Are there any longer-term trends related to addressing corruption in emergency and crisis responses that require a new or improved anti-corruption approach in the future? Or that require greater international cooperation or new ways of working together? Please explain.

There are. In the future, it is necessary to strengthen relations in terms of the operative exchange of information, the development of parallel financial investigations and the application of confiscation measures in cases of corruption.

2. Are there any measures or processes that you would consider good practices to facilitate international cooperation and rapid exchange of information in emergency and crisis situations? Examples could include measures to accept electronic copies of mutual legal assistance requests and prioritize requests concerning corruption during times of emergencies and crisis response and recovery. Has your country had any experience in this regard?

3. How should countries strengthen collaboration to address corruption risks arising in emergency and crisis situations, with respect to international cooperation? Please list up to three measures countries could apply that would strengthen international cooperation in this regard.

Providing the necessary support
Prompt provision of requested information

4. Have there been any efforts by your government to enhance cooperation with multilateral, international or regional bodies to address corruption and other forms of crime during times of emergencies and crisis response and recovery?

VI. Data collection

1. Have your authorities collected data or statistics to track and analyse trends concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery. Are these publicly available?

Yes, data is collected;
No, they are not public

2. Have your authorities collected data or statistics to track and analyse trends and links between corruption and other forms of crime? Are these publicly available?

Yes, they are collected.
Available depending on the case.

Please outline actions required to ensure or improve the implementation of the commitments contained in paragraph 23 of resolution 9/1, as well as any challenges faced or technical assistance required.

Please describe (cite and summarize) measures/steps your country has taken, if any (or is planning to take, together with the related appropriate time frame) to explore and enhance knowledge of the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering, including during times of emergencies and crisis response.

States parties are invited to respond to the following questions:

I. Analyses and assessments to explore and enhance knowledge of the links between corruption and other forms of crime

1. Has your government undertaken any analyses or assessments to better understand the links between corruption and other forms of crime, including typologies of crime and how corruption may be used to facilitate and enable organized crime?

A large part of the Operational Analysis Reports concerned the properties of public persons in relation to their incomes, the activity of economic agents, including winners of public tenders and civil servants both as basic subjects and auxiliary subjects as persons with a function of public dignity/ public officials/agents, as well as natural/legal persons.

As a result, indicators were identified suggesting the admission of acts of corruption in connection with other forms of criminality (including the embezzlement of funds provided for public procurement procedures).

(Other forms of crime in connection with those of corruption – indices identified in the analytical products).

- Exercising duties in the public sector in a conflict of interest situation;
- Abuse of power or abuse of official position;
- Excess of power or excess of official authority;
- Illicit enrichment;
- Forgery in public documents;
- Forgery in accounting documents.

2. Has your government taken any measures to strengthen legal, regulatory and policy frameworks that recognize how corruption and other forms of crime may be linked and that call for coordinated anti-corruption action?

By Law no. 211/2021, the Strategy regarding ensuring the independence and integrity of the justice sector for the years 2022-2025 was approved, which provides for actions aimed at developing a concept for amending the criminal law in order to establish a unique long-term policy, through which the following are achieved:

- analysis of the deficiencies of the institutions in the Criminal Code, with the identification of remedial measures;

- the evaluation, based on disaggregated statistical data, of the criminogenic phenomenon related to the seriousness of the criminal acts and the established punishments;
- the identification, including through the lens of jurisprudence, of the provisions that generate non-uniform interpretations. The deadline for these actions is 2023.

3. Does your country's national risk assessment or other policy framework to prevent and combat money-laundering recognize and address the risk of laundering of proceeds of corruption and other economic crime?

In order to reveal existing threats and vulnerabilities of the national system for preventing and combating money laundering and terrorist financing, in April 2022, FIU Moldova approved the national ML/FT risk assessment. The results of the assessment process contribute to the efficient management and allocation of resources by responsible authorities and reporting entities and to determining the level of control measures applied to a particular product or sector.

Related data and information were systematized at national and international levels in order to update the national threats and vulnerabilities in the field, based on the World Bank Methodology, which was initially used in the national risk assessment initiated in accordance with Government Decision No 697/2015. National threats and vulnerabilities are the main factors determining the risk of money laundering at national level.

The basic objectives for establishing the threats related to money laundering included as follows:

- Identification of threats in terms of the type of predicate offense generating illicit proceeds, the origin and the sector involved, the structure of crime products from different perspectives:

- Systemic collection of data on cases investigated;

- Analysis of cross-border threats originating from foreign jurisdictions.

Thus, as a result of the systematization of existing data and information, the working groups identified the following as crimes generating illicit proceeds at national level and resenting a threat: corruption, drug trafficking, tax evasion, cybercrime and smuggling.

As well, in order to implement the FATF Recommendations, EU Directives and recommendations formulated as a result of the 5th round of evaluation of the MONEYVAL Committee, as well as to address the shortcomings identified in the field, in particular as regards the proper implementation of the normative framework, it was necessary to develop and approve the Parliament Decision No. 239/2020 on approving the National strategy for preventing and combating money laundering and terrorist financing for 2020-2025 and the Action Plan for implementing the National strategy for preventing and combating money laundering and terrorist financing for 2020-2025.

The Action Plan of the mentioned Strategy is planned for the period of 2020 – 2025.

II. Specific mitigation measures to address corruption and other forms of crime during times of emergencies and crisis response and recovery

1. Have your country's authorities undertaken any investigations into unfair commercial practices, such as price-gouging and the manipulation of prices of essential goods and services, or bids,

or abuse in the allocation, distribution, use and management of relief and recovery funds? Have your country's authorities undertaken any investigations into corruption during times of emergencies and crisis response and recovery, such as bribery of procurement or other public officials, embezzlement of profits, diversion of resources and conflicts of interest? Have any measures been applied to freeze and seize related proceeds of crime?

CARA carries out investigations related to the corruption acts, in which it applies measures to seize the income derived from these crimes.

Investigations have been initiated on the above-mentioned aspects.

Here we can mention: the prevention, detection and investigation of acts of corruption discovered in the process of managing the crisis situation caused by the Covid-19 virus in the Republic of Moldova. Likewise, the documentation and investigation of unfair commercial practice related to the formation of prices for gasoline and diesel, as well as for oil.

Please outline actions required to ensure or improve the implementation of the commitments contained in paragraph 22 of resolution 9/1, as well as any challenges faced or technical assistance required.