

I. Information requested from States parties in relation to promoting the use of information and communications technologies (ICT) for the implementation of the Convention.

1. In relation to integrity in public procurement and management of public finances (Article 9)

➤ **State Register of Public Procurement MTender (SIA RSAP MTender)**

✓ ***Legal and regulatory frameworks establishing this ICT and enforcement thereof***

The IT tool used in the public procurement process in the Republic of Moldova is the **State Register of Public Procurement MTender (SIA RSAP MTender)**.

The legal framework governing IT tools in the field of public procurement are the following:

- Government Decision No. 985/2018 on the approval of the Regulation on the accreditation of electronic procurement platforms within the Automated Information System "State Register of Public Procurement" (MTender) https://www.legis.md/cautare/getResults?doc_id=109174&lang=ro
- Government Decision No. 705/2018 on the approval of the Technical Concept of the Automated Information System "State Register of Public Procurement" (MTender) https://www.legis.md/cautare/getResults?doc_id=113731&lang=ro
- Government Decision No. 986/2018 on the approval of the Regulation on the maintenance of the State Register of Public Procurement formed by the Automated Information System "State Register of Public Procurement" (MTender) https://www.legis.md/cautare/getResults?doc_id=109175&lang=ro
- Government Decision No. 600/2020 regarding the amendment of the Government Decision no. 986/2018 for the approval of the Regulation on the maintenance of the State Register of Public Procurement formed by the Automated Information System "State Register of Public Procurement" (MTender) https://www.legis.md/cautare/getResults?doc_id=122689&lang=ro
- Law no.131/2015 on public procurement

✓ ***Government bodies responsible for the maintenance of this ICT***

The owner of SIA RSAP MTender is the **Ministry of Finance of the Republic of Moldova** and ensures the implementation, operation and development of the nominated system in accordance with national law and international agreements, which Moldova is a party.

The technical-technological operator of the central data unit, responsible for the maintenance of the mentioned unit, is the **Public Institution "Center of Information Technologies in Finance"**, in accordance with the Government Decision no. 705/2018 on the approval of the Technical Concept of the Automated Information System "State Register of Public Procurement" (MTender).

The holder of the electronic procurement platform (hereinafter - PEA), in accordance with the legislation of the Republic of Moldova, may be the legal person who:

1. accepts the principles of SIA RSAP (MTender) and the conditions of participation in the implementation of SIA RSAP (MTender);
2. meets the technical, functional and legal requirements for PEA;
3. successfully supported the accreditation process in accordance with the provisions of the Regulation on the accreditation of electronic procurement platforms within the

Automated Information System "State Register of Public Procurement" (MTender), approved by Government Decision no. 985/2018.

✓ ***The publicity of data***

The system data is publicly available (except the personal data) and can be accessed at the following link: <https://mtender.gov.md/public/open-data>

✓ ***Description of the main characteristics and functions of this ICT***

The MTender is a multi-platform networking digital procurement service that comprises a government-operated web portal and the Open Data central database unit and is networking with several commercial electronic platforms certified to support electronic tendering procedures for public sector and commercial clients.

The MTender networking electronic procurement platform is a commercial electronic platform, authorized and certified for networking with the MTender and providing digital electronic tendering services to public sector clients as well as commercial buyers. Each MTender networking platform is providing a help desk service to buyers and economic operators registered on this platform to access digital services of the MTender.

SIA RSAP Mtender offers functionalities for announcing public procurement procedures such as low value contracts, open tender, call for bidding, electronic bidding, from announcing procurement procedures to awarding public procurement contracts.

In 2021, the Digital Business Intelligence (BI) analysis tool was launched based on the open data available in the MTender electronic public procurement system, being an innovation for the Republic of Moldova. The new module offers the opportunity to study the behavior of participants in public procurement procedures, to identify problems and assess trends. Such analyzes significantly increase the transparency of public procurement procedures and allow for increased control and reduction of corruption in this area.

2. **In relation to public reporting (Article 10)**

➤ **Public Services Portal**

✓ ***Legal and regulatory frameworks establishing this ICT and enforcement thereof***

Government Decision No. 657 of 05.09.2012 for the approval of the Regulation on the administration of the content of the single governmental portal of public services and the integration in the portal of electronic public service.

✓ ***Government body responsible for the maintenance of this ICT***

The E-Governance Agency of the Republic of Moldova is responsible for the maintenance of The Public Services Portal.

The following bodies have access to the data of these registers:

- *Read only access*: Citizens, Business, Foreigners;
- *Administration*: each Service Provider (public institution) manages data related to services they provide.

E-Governance Agency owns the intellectual property rights on the software.

✓ ***The publicity of data***

The data gathered by this IT tool is publicly available (link: [Public Services Portal-Home \(gov.md\)](https://publicservices.gov.md)). There are not any exceptions to the public accessing this data.

This platform gathers the official information regarding the public services of the central public administration, including the procedures, the required documents, the fees.

➤ **Citizen's Government Portal and Governmental Portal of the Entrepreneur (MCabinet)**

✓ ***Legal and regulatory frameworks establishing this ICT and enforcement thereof***

- Government Decision No. 413/2020 for the approval of the Regulation on the use, administration and development of the Government Citizen Portal;
- Government Decision No. 412/2020 for the approval of the Regulation on the use, administration and development of the Governmental Portal of the entrepreneur.

✓ ***Government body responsible for the maintenance of this ICT***

The E-Governance Agency of the Republic of Moldova is responsible for the maintenance of MCabinet System.

The following bodies have access to the data of these registers:

- *Read only access*: Citizens, Business accessing their own data.

E-Governance Agency owns the intellectual property rights on the software.

✓ ***The publicity of data***

The data gathered by these IT tools is not publicly available, only authenticated users have access to their own data. Users' authentication is only using MPass with e-Signature. Also, considering that the portals show personal data, there is no public access to these data. Only authenticated users have access to their own data. Users' authentication is only using MPass with e-Signature.

A publicly available web link to this data is <https://mcabinet.gov.md/>.

✓ ***Description of the main characteristics and functions of this ICT***

MCabinet has the public and private part that can only be accessed with authentication. In case of authentication on MCabinet, the user is responsible for storing any associated authentication information. Therefore, the user is responsible for all activities that occur in his account. User accounts are not transferable to another person. It is not recommended for the user to pass on the authentication information to any third party. Any such transmission is the sole responsibility of the user who assumes all associated consequences.

➤ **Portal date.gov.md**

✓ ***Legal and regulatory frameworks establishing this ICT and enforcement thereof***

Government Decision No. 700/2014 on open government data.

✓ ***The publicity of data***

The extended and improved version of the date.gov.md Portal was launched in 2019, transforming it from the Open Government Data Portal into the Government Data Portal - a

one-stop shop for public sector data, which aims to substantially diversify the categories of data provided towards visualization and reuse of users, broadening the spectrum of users, improving the way data are viewed and working with available data, diversifying the types of access to data held by public authorities. The portal includes 3 basic modules (including the former Open Government Data Portal, launched by the Government in April 2011) and makes available in real time, in a transparent way the data of different types held by public authorities:

1. **Open data sets** of ministries and central public administration institutions, published in computer-readable formats. Based on open government data, in the form of primary data, directly from the source, legal entities (private and public) and individuals can develop applications of significant social impact for citizens, the business environment, as well as conduct analysis and research in the fields of interest etc.;
2. **The “Search in Public Data” module**, which allows searching, retrieving, simple and friendly navigation through public data from various registers, databases, etc., held by public authorities and published for quick and easy viewing;
3. **Data with authorized access** - the data with authorized access are intended for users, entities, which in accordance with the provisions of art. 3 of Law No. 142/2018 on data exchange and interoperability have the role of participants in data exchange. The service is an interface that allows entities to access authentic, complete and truthful data from state registries and information systems, in real time, in relation to their rights, basis and concrete legal purpose. The data displayed through this interface is retrieved automatically and in real time via the MConnect interoperability platform. The objective of the service is to ensure controlled access to information for entities that have a legal basis and purpose to process concrete data sets, in order to perform their legal duties, perform tasks of public interest, provide services, exercise the prerogatives of public authority or exponents of state power.

✓ *Description of the main characteristics and functions of this ICT*

Through it, the Government of the Republic of Moldova provides citizens and companies with access to public data sets. The platform - a one-stop shop for open data - contains information produced by government institutions. Based on them, companies, organizations or individuals can develop their own applications and analyzes designed to contribute to improving the quality of life of citizens and the development of the business environment.

3. [In relation to participation of society \(Article 13 of UNCAC\)](#)

The National Anticorruption Centre (NAC) and the **People’s Advocate (Ombudsman)** are the designated central bodies responsible for receiving whistleblower reports and providing whistleblower protection respectively. These two authorities have different systems of receiving complaints, which will be briefly presented below.

✓ *Legal and regulatory frameworks establishing these ICT and enforcement thereof*

- a) With regard to the NAC’s system of receiving reports, the legal instruments regulating this process are:
 - Law on whistleblowers No. 122/2018, which states that the disclosure of illegal practices can be made through the electronic online disclosure system (Article 7 paragraph 2). The Law No. 122/2018 does not allow for anonymous whistleblowing. Article 11 of the law expressly requires whistleblowers to identify themselves when they file a report.

- Instruction on the registration and examination of external disclosures of illegal practices of the National Anticorruption Centre, approved by Order No.195 of 11.12.2018.

b) With regard to the People's Advocate, neither the Law on whistleblowers no.122/2018, nor other normative acts contain a direct provision on IT tools used to receive whistleblowers' protection requests. The requests for protection are received in the general order of receipt and registration of petitions. All the functions and the content of the website of the Office of the People's Advocate (www.ombudsman.md) comply with the requirements submitted by the Government Decision of the Republic of Moldova no.188 of 03.04.2014 on the official pages of public administration authorities on Internet. The People's Advocate examines the complaints for protection of whistleblowers and contributes to their defense in accordance with the provisions of Law no. 52/2014 on the People's Advocate (Ombudsman). In case of public disclosures of illegal practices, the People's Advocate may referral ex-officio in accordance with art. 22 of Law 52/2014 on the People's Advocate.

✓ ***Government bodies responsible for the maintenance of these ICT***

- a)** NAC is responsible for the maintenance of the electronic online disclosure system and is the only authority that has access to the data available through this system.
- b)** The People's Advocate receives whistleblowers' protection requests in the general order of receipt and registration of petitions. The electronic system for submitting complaints to the Ombudsman is handled only by the Office of the People's Advocate who owns the intellectual property rights on the software. Only empowered officials of the People's Advocate Office have access to the data from this register.

✓ ***The publicity of data***

- a)** The data gathered through the electronic online disclosure system of NAC is not publicly available.
- b)** The collected data through the electronic system for submitting complaints of the People's Advocate Office are not public and there is no exception to it.

✓ ***Description of the main characteristics and functions of these ICT***

- a)** NAC, in its capacity as the examination authority, receives external disclosures of illegal practices including by email - at a protected email address, specially created to receive disclosures of illegal practices and through a special section created on the official website www.cna.md for this purpose. Thus, the reporting persons may make an external disclosure at the following link:

<https://www.cna.md/practicailegala.php?l=ro&idc=181&t=/Avertizorii-de-integritate/Depune-o-avertizare/Online> .

All external disclosures of illegal practices made through the official website of the NAC are subject to the internal procedure of registration of external disclosures of illegal practices. Thus, after downloading the form completed by the whistleblower, the responsible person from the NAC notifies by email the person who reported the illegal practice about the fact that his/her disclosure has been registered. The whistleblower is informed within 30 days from the date of registration in the Register of disclosure of illegal practices and integrity warnings, about the results of the examination. Whistleblowers are informed of the results of the examination by telephone or e-mail. The

confidentiality of the identity of the reporting person is ensured during the examination of the report.

b) Whistleblower's protection complaint is a special module on the website of the People's Advocate Office www.ombudsman.md. Whistleblowers may submit complaints using an online form in Romanian (<https://ombudsman.md/avertizari-de-integritate/>) and Russian language (<https://ombudsman.md/ru/avertizari-de-integritate/>).

The above-mentioned page contains several fields that are proposed to be filled by whistleblowers, according to Annex no. 2 of Law no.122/2018. The fields offer the possibility to disclose the illegal practices, and also the possibility to attach documents and other files. The complaints are directed through the Intranet system to the Management Complaint Department and to the Investigation Department of the People's Advocate Office, where the complaints/requests are received and processed.

II. Information requested from States parties in relation to challenges and good practices in anti-corruption awareness-raising, education, training and research (Article13(c)).

Among the factors favoring corruption is the high level of social acceptability of corrupt behavior, but also the low awareness of public agents regarding ethics and integrity. Building on this desideratum as well as the priorities of the corruption prevention activity in the Center's strategic objectives, public awareness-raising campaigns and trainings for public officials were launched. These were designed to promote integrity and anticorruption standards, strengthen the institutional and professional integrity system, educate society and public agencies in the active spirit of denouncing corruption manifestations. The anticorruption education carried out in 2021 was oriented towards training and information activities of the target groups, awareness campaigns, consultative and methodological support of the public entities in implementing the integrity standards, working with the civil society and external partners in order to increase the efficiency of prevention mechanisms. In this regard, 245 training activities were carried out in the fields of integrity and anticorruption for 8.450 persons, representing various target groups, namely: public servants, students and citizens. In 2021, due to the extension of the Public Health State of Emergency, it was necessary to apply alternative methods of conducting training. Thus, the following categories of beneficiaries were trained:

- public agents - 7,419 people in 226 trainings;
- pupils and students - 678 pupils and students in 15 trainings (+2 trainings in common with the educational directorates);
- private sector - 176 people in 2 trainings (+5 trainings jointly with LPA);
- other categories - 177 people, in 2 trainings (+5 trainings jointly with LPA/education departments).

During 2021, the work continued on the distance learning platform of the National Anticorruption Center. Thus, all the study objects were made by the IT developer, then tested in 3 stages. Each step included activities to verify, write, and validate the content and graphics of the objects. The "*Anticorruption and Integrity*" distance learning course includes: 3 modules consisting of 24 objects of study and 2 assessment tests:

- module I "*Generalities on corruption, anti-corruption and integrity*" - 2 study objects;
- module II "*Measures to ensure institutional integrity*" - 14 study objects;
- the "*Road to Integrity*" assessment test - a way to assess the knowledge gained in module II;
- module III "*Integrity control and liability for lack of integrity*" - 8 study objects;
- final assessment test.

The training courses for public servants (executive and management) within the central and local public administration were resumed. Curricula for continuing vocational training have been developed and approved. The following courses were held at the Academy of Public Administration:

- „*Management and leadership*” - module „Integrity and integrity control” (4 hours), intended for managers within the Ministry of Internal Affairs - 5 courses, 213 managers;
- “*Integration in the public service*” Module “Integrity” (4 hours) - 7 courses, 218 executive public civil servants;
- “*Cultivating integrity in the public service*” (12 hours) - 3 courses, 96 civil servants.