

GRECO: Fifth Round Evaluation Report on the Republic of Moldova

András Csúri



euclid

European Law Forum: Prevention • Investigation • Prosecution

News

On 4 March 2024, GRECO presented its [5th round evaluation report on the Republic of Moldova](#). The country has been a member of GRECO since 2001 and undergone four evaluation rounds.

93% of recommendations were implemented in the first evaluation round, 67% in the second evaluation round, and 88% in the third evaluation round. In the fourth evaluation round, dealing with corruption prevention in respect of parliamentarians, judges, and prosecutors, only 33% of all recommendations have been fully implemented to date; in its last publicly available Compliance Report, GRECO concluded in this context that the low level of compliance was “globally unsatisfactory.”

In Transparency International’s Corruption Perceptions Index 2024, Moldova ranked 91st of 180 countries, with a score of 39 out of 100 (on a scale where 0 means highly corrupt and 100 very clean), showing a steady increase compared to the previous two years (a score of 36, ranking 105th in 2021 and a score of 34, ranking 115th in 2020). However, challenges in investigating and prosecuting high-level corruption became visible in the banking fraud and Russian laundromat cases, which led to other fraud and money laundering schemes in the country’s banking, financial, and insurance sectors.

In a report from 2023, the European Commission saw no significant progress in the prosecution of high-level corruption cases and long-standing criminal cases, although the track record of high-level corruption convictions increased slightly.

In March 2022, the Republic of Moldova submitted its application to join the EU and was subsequently granted candidate country status. The European Commission presented nine steps that the country needs to address to further progress on the enlargement path, amongst which is “to complete ... the comprehensive justice system reform, ... including through efficient use of asset verification”, “to fight corruption at all levels by taking decisive steps towards proactive and efficient investigations, and a credible track record of prosecutions and convictions”, and “to enhance the involvement of civil society in decision-making processes at all levels”. On 8 November 2023, the European Commission recommended opening accession negotiations with Moldova in view of “important progress” made on meeting the nine steps.

GRECO acknowledges progress in setting up an institutional and legal framework to promote integrity and prevent corruption in the top executive functions of the central government and its law enforcement agencies (presently the Moldovan Police and the Border Police). This institutional setting includes the National Anti-corruption Centre, the National Integrity Authority (ANI), and the Anti-corruption Prosecutor’s Office. A national integrity and anti-corruption strategy is in place, with work underway on a new strategy for the period 2024-2028. The integrity legal framework comprises several laws regulating issues such as the

AUTHOR

András Csúri

Vienna University of Economics and Business

Published in
2024, Vol. 19(1) euclid
ISSN: 1862-6947
<https://euclid.eu>



assessment of institutional integrity, the management of institutional corruption risks, and the declaration and verification of assets and personal interests. New laws came into force more recently on access to public-interest information and on the protection of whistleblowers (2023 and 2024, respectively).

However, GRECO's report identifies a number of areas where improvement is needed. Regarding central governments (top executive functions), GRECO recommends the following:

- Adopting clear rules on integrity checks for PTEFs as part of their recruitment in order to identify, avoid, and manage potential and existing conflicts of interest;
- Making the names, functions (responsibilities), salary, and information on ancillary activities in respect of presidential advisers, ministerial advisers, and experts or consultants (non-tenured advisers) public;
- Broadening the spectrum of registers of institutional corruption risks by covering PTEFs more specifically, including regular updates of the registers;
- Adopting code(s) of conduct for PTEFs, covering all relevant integrity matters and making these public, together with practical guidance, coupled with a credible and effective mechanism for supervision and enforcement, including appropriate sanctions;
- Providing dedicated awareness-raising trainings for PTEFs on integrity-related matters, when taking up their positions and at regular intervals thereafter, and making confidential counseling available on integrity-related issues;
- Introducing rules on how PTEFs engage in contacts with lobbyists and other third parties who seek to influence the government's decision-making processes, decisions, and other activities;
- Ensuring that the internal audit service of the President's Office and all ministries, including the State Chancellery, be fully staffed and fully operational;
- Establishing an effective supervision mechanism to implement the rules on post-employment restrictions in respect of PTEFs;
- Ensuring an equal and fair distribution of workload and consistency of decisions of integrity inspectors within the National Integrity Authority by establishing an effective internal oversight mechanism;
- Including all PTEFs in the list of categories of officials who may be investigated and prosecuted by the anti-corruption prosecutor's office for the commission of certain corruption and corruption-related offences.

As regards the Police and the Border Police, GRECO makes the following recommendations:

- Taking proactive measures to increase the representation of women at all levels, particularly at middle and senior managerial levels;
- Taking measures to comply with the requirements laid down in the new freedom of information legislation, as regards, e.g., the increase of proactive transparency, the creation of a register of requests for public interest information;
- Handling information requests within the statutory time limit, and ensuring the proportionate application of the legitimate grounds for limitations of access to information;
- Providing dedicated regular trainings on risk management to police officers, who are involved in the preparation and finalisation of risk registers;
- Developing and publishing dedicated (separate or joint) code(s) of ethics covering all relevant integrity matters, coupled with practical guidance and an enforcement mechanism;
- Carrying out systematic integrity checks of law enforcement officers, including sensitive functions and managers, prior to recruitment and throughout their career;
- Establishing a merit-based, competitive, and transparent process for the selection and appointment of deputies to the Chief of the Police, and limiting *ad interim* promotions to exceptional situations;

- Increasing the level of remuneration to establish attractive wages for the lower ranks (entry level);
- Establishing an effective supervision mechanism to implement the rules on post-employment restrictions;
- Taking measures for the practical implementation of the obligations stemming from the whistleblowers' protection legislation.

GRECO will assess Moldova's level of compliance with regard to the implementation of the 25 recommendations in 2025.

About eucrim

eucrim is the leading journal which regularly informs about current developments in European criminal and "criministrative" law.

All news items are freely accessible at: <https://eucrim.eu/news/>

Stay informed by emailing to eucrim-subscribe@csl.mpg.de to receive alerts for new releases of issues.

The project is co-financed by the [Union Anti-Fraud Programme \(UAFP\)](#), managed by the [European Anti-Fraud Office \(OLAF\)](#).



**Co-funded by
the European Union**