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**RISK ASSESMENT OF THE CENTRE FOR COMBATING
CORRUPTION AND ECONOMIC CRIME
UNDER OUTPUT 4 OF PACO-MOLDOVA PROJECT**

**REPORT RESULTING FROM A PACO EXPERTS MISSION
CHISINAU, MOLDOVA (6-9 JUNE 2005)**

(Draft restricted)



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These recommendations have been prepared by joint working group of Council of Europe experts participating at the review of competencies activity under PACO-Moldova project and do not necessarily reflect official positions of the Council of Europe.

1. INTRODUCTION

1. This report documents a Risk Assessment Process carried out between 6th and 8th June 2005 on the Centre for Combating Economic Crime and Corruption, (hereafter referred to as the Centre). The assessment took place in Chisinau in the Republic of Moldova.
2. The purpose of the Risk Assessment was to identify the progress made by the Centre towards implementation of relevant parts of the Moldova Anti-Corruption Action Plan which supports the Moldova National Strategy for Preventing and Fighting Corruption.
3. The framework used for the Risk Assessment was taken from the April 2005 Council of Europe / PACO Report, "Review of competencies of the main enforcement institutions in the investigation and prosecution of corruption offences." This documented a number of elements necessary for an effective anti-corruption strategy. To provide some consistency in the CoE approach to this project, those elements have been used as the framework for this Risk Assessment process.
4. The Risk Assessment therefore examined the Centre against the elements below:
 - A legal framework shaped for the fight against corruption;
 - An anti-corruption institution, independent and adequately funded, and accountable to the authorities and the community for its implementation of the strategy;
 - Investigators, prosecutors and judges, well trained, sufficiently independent and credible;
 - The opportunity for the public and the institutions of the administration easily to report instances of corruption;
 - The support of policymakers for the implementation of the strategy and the allocation of adequate funds;
 - Media participation and the sensitising and education of the community.

In addition the Assessors probed the operational efficiency and effectiveness of the Centre.

5. The Risk Assessment was carried out by **Mr Stephen Condon** and **Mr Phillip King**. Both are independent consultants from the United Kingdom with extensive experience of anti-corruption operations and risk / threat analysis processes.

Structure of this report

6. This report contains an outline of the methodology that was used in this Risk Assessment of the Centre and details the research phase carried out. It then summarises the findings of the Assessors against the framework above.
7. It then lists the risks identified in tabular format against the same framework structure and proposes recommendations for action to reduce the level of risks. The recommendations made are forwarded for discussion by the Senior Management Team of the Centre who can then decide upon appropriate timescales and the appropriate official to lead each action.
8. The report also contains a section of overarching recommendations, relevant to the work of the Centre, but not covered by the National Action Plan.
9. The **National Action Plan** contains ten (10) Priority Actions for 2004/2005 and a number of Complementary Actions supplementing the Priority Actions. Some of the actions are

relevant to all of the organisations involved in the fight against corruption, while some are specific to individual agencies.

10. For the purpose of this Risk Assessment where the Centre has a shared responsibility for an Action we have concentrated solely on what steps the Centre has taken to progress the Action.

Methodology

11. The Process used was the Risk Assessment Model proposed by the Council of Europe for use by the Centre and other institutions in Moldova.
12. The Model consists of 6 phases:
 - (a) **Research**
 - (b) **Identifying Risks**
 - (c) **Analysing Risks**
 - (d) **Identifying Solutions**
 - (e) **Implementing Solutions**
 - (f) **Reassessing Risks**
13. As this Risk Assessment was carried out by independent experts for the Council of Europe it was not possible to fully complete sections d) to f) of the process as these sections require the involvement of senior members of the Centre. However the Assessors have identified potential solutions for examination by the Centre.

2. RESEARCH

Desk Research The Risk Assessment Team examined the following documents:

1. National Anti -Corruption Strategy for Corruption Prevention and Fighting & Action Plan
2. Council of Europe Review of National Anti -Corruption Strategy for Corruption Prevention and Fighting Action Plan (Oct 2004)
3. Informative note on actions for implementation of National Anti-Corruption Strategy and Action Plan (Feb 05)
4. Presidential Decree on the formation of the Monitoring Group (Feb 05)
5. Draft Regulations for the Monitoring Group (2005)
6. CCCEC Report of Activity for 2005 (May 2005)
7. Structure of CCCEC (July 04)
8. GRECO Evaluation Report (Oct 2003)
9. Corruption Offences Report (follow up to GRECO report) (2003)
10. Review of competencies of the main enforcement institutions in the investigation and prosecution of corruption offences. PACO Experts Mission (April 2005)
11. Organisational Assessment of the CCCEC -Robert Posey for US Embassy (May 2004)
12. SPAI Self - Evaluation & Peer Review of Implementation of SPAI - Immediate Actions (2002)
13. SPAI Stability Pact Anti-Corruption Initiative General Assessment Report (April 2002)
14. TACIS National Action Programme 2003- - Support to National Anti- Corruption Strategy of Moldova (2003)
15. Moldova: No Quick Fix. International Crisis Group (Aug 2003)
16. Moldova Regional tensions over Transnistria. International Crisis Group (June 04)
17. Commission of European Communities- Commission Staff Working Paper
18. European Neighbourhood Policy- Country Report- Moldova (2002)
19. EU Partnership & Cooperation Agreement between Moldova and the EU

20. Proposed EU- Moldova Action Plan
21. UNDP Common Country Assessment of Moldova (2000)
22. CEPS Neighbourhood Watch Report (April 2005)
23. National Integrity System Indicators: Republic of Moldova
Transparency International (2002)
24. Corruption: Moldova, Facts, Analysis and Proposals
Transparency International (2002)
25. Various Media articles from several sources

Meetings/ Focus groups The assessors met with the following groups/ persons:

CCCEC

Director, Valentin Mejinschi
Investigators of the General Directorate for Criminal Investigations
Investigators from the General Anti-Corruption Directorate
Investigators from the General Directorate for Audit & Control
Investigators from the Bureau for Combating Money Laundering & Financing Terrorism
Investigators from the General Directorate for Combating Economic Crimes
Section for Media, Foreign Relations & Protocol
Section for Internal Security

PROSECUTORS

Staff from the General Prosecutor's Office –section for supervising CCCEC investigations
Staff from the Anti-Corruption Procuracy

MEDIA & NGOs

Transparency International
TeleRadio Moldova
Several journalists from various media groups

GENERAL PUBLIC

The risk assessors took advantage of their time in Chisinau to speak with a number of ordinary citizens of Moldova on their views of corruption and the CCCEC. The assessors also spoke with a number of foreign nationals visiting Moldova for business reasons. These interactions gave another dimension to the official meetings.

The Assessors would like to formally record their appreciation of all the persons they met in connection with this risk assessment who openly expressed their views on a difficult subject.

3. FINDINGS & CONCLUSIONS

A LEGAL FRAMEWORK SHAPED FOR THE FIGHT AGAINST CORRUPTION

1. In this section the risk assessors sought evidence, or indications, of overarching strategy and structures supporting the National Anti-Corruption Strategy and Action Plan. We also sought indications of the Centre's involvement in ensuring that the criminal legislation of Moldova met the needs of those tasked with fighting corruption.

Strategic Issues

2. The National Strategy's clearly stated purpose is to reduce corruption in Moldova in order not to jeopardize the rule of law and democracy and not to hinder Moldova's economic and social development.

3. This aim is supported by three elements:
 - to counteract corruption by applying effective and efficient criminal prosecution norms
 - to prevent corruption by eliminating the opportunities for corruption in the systems and procedures of public institutions
 - to educate all segments of the population in the spirit of non-tolerance of corruption and develop active support from the people in the prevention and fight against corruption
4. The National Action Plan, with its 10 Priority Actions, should drive implementation of the National Strategy.

Action	Institution	Timing
Priority Action 1		
Establish an institutional mechanism for strategy implementation	Parliament, Presidency, Government	November - December 2004

5. In light of this Priority Action it seems reasonable for the Government and People of Moldova to assume that the Centre's strategy and objectives will clearly reflect their responsibilities under the Action Plan.
6. No evidence was seen of any corporate strategy within the Centre, despite asking quite pointed questions of quite senior staff. The only exception being the Section Chief for Media, Foreign Relations and Protocol, who stated that there was no separate Centre strategy to support the National Strategy but described 3 strategic priorities namely:
 - To focus on fighting corruption
 - To fight high profile cases of corruption
 - To supplement the fight against corruption through preventative activity and by educating the people of Moldova about the fight against corruption
7. If these strategic priorities do govern the working practices of the Centre then they would at least show some direct connection to the National Strategy.
8. It was stated that the Centre's Chief of Staff had outlined these priorities at a press conference sometime last year and that they have featured in a number of official reports since that time. However interviews with the mass media representatives indicated that they were completely unaware of any specific strategic imperatives that drove the Centre's activity.
9. Similarly there was no indication that Centre personnel have been informed of these priorities and the Director failed to mention them at all.
10. Meetings with Centre staff revealed that they were quite unaware of the third strategic priority shown above and, although most knew the National Strategy existed, very few knew that the Centre had strategic responsibilities beyond an investigative role.
11. The majority of personnel seen accepted that their work could not be truly successful without sensitising and educating the people of Moldova to the fight against corruption. Unfortunately very few, including the Director, saw this as a role of the Centre.

12. The Director of the Centre, Valentin Mejinschi, clearly did not see any role for himself as a “champion” of anti-corruption and stated that it was not a main function of the Centre to educate the public. This seems to indicate some dissociation of one of the most important role holders from a main aim of the National Strategy. This can only damage the implementation of the National Strategy.
13. A report for the US Embassy in 2004, by Mr Robert Posey, also reported this lack of strategic clarity. (Organizational Assessment of the CCCEC)
14. It is the strong opinion of the Risk Assessors that the Centre urgently needs to identify, document and publish its Mission, Vision and Value statements to clearly elaborate its role in fighting corruption. Those statements must reflect and support the aims of the National Strategy.
15. The Centre will then be able to articulate a transparent strategy for its work with clear aims and objectives demonstrating its commitment to **all of its responsibilities** under the National Strategy.
16. The Centre’s strategy document should then generate a specific action plan/ work plan to focus and drive activity forwards with clearly identified work streams supporting the various strands of the strategy.
17. This in turn will allow the development of key performance indicators so that success in the fight against corruption can be measured and reported.
18. Most importantly the Mission, Vision and Value statements, strategy document and objectives should be widely published. All staff should be personally briefed on the strategy and how the Director intends to achieve success against corruption through their work.
19. A tendency in anti-corruption work is to become obsessive over the need for secrecy. The Mission, Vision and Values, Strategy and Objectives of the Centre should not be regarded as secret, or even confidential but should be written to avoid giving any detail that could damage operational effectiveness, such as covert techniques.
20. Their overt publication to the people of Moldova would be a positive preventative step and a clear statement of commitment and determination to fight corruption..
21. The National Strategy introduced a Monitoring Group to discuss progress in implementing the Action Plan, and recommend action on identified problems.
22. This Group reports to the Coordinating Council on fighting Corruption and Crime, directly under the control of President of Moldova. This direct linkage and support should make the Monitoring Group a highly effective body.
23. While the risk assessors did not examine the effectiveness of the Monitoring Group it is of note that the assessors noted a lack of clarity over the role and impact of the Monitoring Group. It was claimed that some members of the Group were parochial in attitude, seeking to protect their own organisation rather than further the overall aims; and that there was a little understanding of how Group recommendations would be advanced. This lack of clarity can only negatively affect the progress of the National Strategy.

Conclusion

24. Priority Action 1 should have been completed by December 2004. It does not appear that there are clearly identified Mission, Vision or Values, Strategic Plan or Objectives within the Centre and therefore an effective mechanism for implementing the National Strategy cannot be said to be in place.
25. The role and responsibilities of the Monitoring Group do not seem to have been clearly communicated to its members, or to the members of the Centre. It is therefore highly probable that it does not enjoy the confidence of the general public.

Legislative Issues

Action	Institutions	Timing
Priority Action 3		
Analyze the compatibility of national criminal legislation with the international anti-corruption norms, as well as its efficiency in fighting against corruption cases, including the Law on Combating Corruption and Protectionism.	Ministry of Justice, <u>CCCEC</u>	November 2004 - March 2005

26. Under this Action the Centre, together with the Ministry of Justice, should have already completed an analysis of all legislation affecting the fight against corruption.
27. Meetings with various Centre personnel, prosecutors and judges, revealed that there are a number of legislative areas that require immediate attention if the country is to succeed against corruption. The most serious of these being that corruption offences are not automatically classified as "Grave Offences." This prevents the use of some special investigative techniques and therefore hampers investigations.
28. The assessors saw no evidence that the Centre had carried out any form of analysis internally to identify legislative gaps or weaknesses; only the Investigators of the General Anti-Corruption Directorate could claim their concerns had been taken forward to the Monitoring Group, and then by one of their own number. They were however unaware of any recommendations or action taken to address their concerns.

Conclusion

29. This Priority Action is the joint responsibility of the Centre and the Ministry of Justice. This risk assessment was concerned only with the Centre; therefore our comments are limited to the action taken by the Centre.
30. We found no evidence that the Centre had any organised process to identify and articulate their own legislative concerns, and certainly no information was given, at any time, of the Centre arranging meetings with the Ministry of Justice or Prosecutors to discuss such concerns. This Priority Action offers the Centre and its investigators the opportunity to request legislative changes to make their role more effective. The lack of any impetus greatly concerned the assessors.

AN ANTI-CORRUPTION INSTITUTION, INDEPENDENT AND ADEQUATELY FUNDED, AND ACCOUNTABLE TO THE AUTHORITIES AND THE COMMUNITY FOR THE IMPLEMENTATION OF THE STRATEGY

31. In this section we sought evidence that the Centre was developing into an effective anti-corruption asset capable of being the key institution to fight corruption in Moldova.

Action	Institution	Timing
<p>Priority Action 2</p> <p>Revise the competences of main institutions that are fighting against corruption cases.</p> <p>Center for Combating Economic Crime and Corruption: revise the structure, organization of operations, management and responsibilities, to efficiently prevent and educate the public in the spirit of non-tolerance of corruption; revise tax and financial control related functions; revise the competences of fighting against economical and financial violations</p>	<p><u>CCCEC</u>, General Prosecutor's Office, Ministry of Interior</p>	<p>December 2004 – February 2005</p>

Independence of the Centre

32. When assessing the Centre it was blindingly apparent that there is a clear and very disturbing difference in the perceptions of the Centre staff and those of the community of Moldova. While members of Centre saw themselves and their investigations as completely independent of any bias or undue influence, this view was definitely not replicated in meetings with other groups, media or even members of the general public. Unfortunately the spread of opinion from diverse sources indicates this damaging lack of belief in the independence of the Centre is quite widespread outside of the Centre.
33. It is of concern that there is a strong belief amongst many of the Centre's staff that any negative media coverage is unfair and a media ploy to discredit the Centre. This view seems to originate within the Centre's own Media, Foreign Relations and Protocol Section. They stated that the Press had its own strategy; that law enforcement was not popular; and even that the media was manipulated by corrupt officials with intent to "harm" the Centre.
34. When pressed neither this Section, nor any other Centre group, could, or would, put forward any real motive for the media taking a negative attitude. The risk assessors did find it disturbing that one group of Centre staff reported that a report had been submitted for action to the Internal Security Service about the attitude of the mass media. No details were given of what action was expected.
35. It is of note that members of the Audit & Control Directorate when asked about the negative press coverage refreshingly stated that they felt that criticism was healthy and could help the Centre to improve its performance and image.
36. Some sections of the media, NGOs and community believe the Centre does not have any real independence from the Government of Moldova. A number of examples of alleged abuse of power, allegedly Government instigated, were identified. In some cases the same incidents were mentioned as successes by the Centre.
37. The risk assessors purposely did not probe individual cases in any depth. However two cases were noted that indicated strong public belief that the Centre was not independent, but used as a tool of Government to suppress opposition.

38. One regularly mentioned case was the Mayor of Chisinau. The General Prosecutors Office designated it as a most important case forwarded by the Centre, and Centre staff regularly mentioned it as significant of their drive against high level corruption.
39. Conversely this case has raised the general public's suspicions. Outside of the Centre there appears to be a general acceptance that the arrest/detention of the Mayor was intended to restrict his political activity in opposition to the President prior to the recent elections. It seems to be common knowledge that his arrest/ detention, at the end of 2004, took place a year after the Centre's investigation had discovered no violations of the criminal legislation.
40. Another well known case concerned a senior official who had allegedly sold military aircraft and personally profited from the transaction, at the expense of the Moldova economy. The popular version of this case is that his actions only became of interest to the Centre when he began funding political opposition to the President.
41. The truth behind these cases, and others like them, may never be really known, but they do seriously damage any attempts by the Centre to portray themselves as an independent anti-corruption organisation protecting the general population of Moldova from corruption. Equally worrying is the belief of the Centre that they have the support and trust of the public. This attitude is seen at all levels and is apparent in the way the media are expected to accept press releases on such major cases without being given an opportunity to ask follow-up questions of the lead investigators. This only further raises suspicions that such arrests by the Centre are politically motivated.
42. We attempted to address the question of whether the Centre, or its staff, ever received any external pressure to influence how they dealt with corruption investigations. Virtually all staff stated they had never heard of any such pressures from Government but would report any such approaches to the Director. He agreed with their views and said that he would deal with any such approaches according to law and report them to a Minister.
43. Unfortunately these views were countered by those of some Prosecutors. Some pointedly declined to answer questions on this topic while others spoke of Centre pressure to cease prosecutions despite strong evidence. Anecdotal evidence suggested that the Anti-Corruption Procuracy Unit no longer deals with Centre cases because of their refusal to pursue Centre prosecutions with insufficient evidence, or to drop other prosecutions with good evidence.
44. This complete divergence of opinions makes it impossible to establish whether the Centre does operate independently and ethically on behalf of the people of Moldova, or is a puppet institution acting as a political weapon for the Government. What is definite is that there appears to be a serious lack of public confidence in the Centre while inside they seemingly believe they have the full support of the people.

Conclusion

45. The Centre has a great deal of work to do to truly gain and maintain public support and confidence in their work. Many people and organisations believe the Centre does not act independently of the Government and therefore do not trust them. The Centre needs to be more transparent and open to media enquiries if it is to reassure the general community that it is there to serve their interests.

Funding and Resourcing of the Centre

46. For reasons unknown the budgeting of the Centre seems to be regarded as a state secret. There can be no logical reason for such a stance although it is clearly necessary to restrict

any detail that could potentially expose covert investigation techniques. With those exceptions it should be a matter of public record of how much it costs to run the Centre and how those funds are used.

47. Secrecy in unnecessary areas can only promote public mistrust of the Centre. This is illustrated by the Centre's apparent refusal to disclose staff salary rates. This matter resulted in a court case, opposing a media group. The case was finally resolved by the Supreme Court ruling in favour of disclosure. An enquiry about salary scales should never have resulted in a court case at public expense. This has only alienated some of the media and further raised suspicions about the Centre and its activities.
48. The Director informed the Risk Assessors that the Centre staffing levels were, yet again, under review. He stated that last year he had a total staff (including regional staff) of 1067 but that this had been reduced to 600 necessitating a reorganisation and restructuring exercise. He stated that he had now been informed of a further cut of 50 posts and that these cuts would be spread across all departments. He said that this reduction (about 8.3%) would mean a further reorganisation and it was clear that this matter was foremost in the Director's priorities.
49. Meetings with Centre personnel revealed frustrations regarding physical equipment, such as computers, and access to operational support resources that seem to be allocated without any formal process recording the basis for case prioritisation. The further staff cuts, described by the Director, can only exacerbate this situation.

Conclusion

50. To reduce the overall establishment of an institution, allegedly vitally important to the Government's fight against corruption, by almost 50% in one year can only lead to three conclusions.
51. The first is that careful analytical research has revealed that the Centre was over-resourced to meet its obligations for fighting corruption. There is absolutely no evidence to support such a conclusion. Investigators report shortages of manpower and equipment; the Centre currently does not lead all significant corruption investigations; and it is clear that very little preventative or educative work has yet been carried out.
52. The second is that the extent of the corruption problem in Moldova had been wildly overstated. The fact that there seems to be a multitude of ongoing corruption investigations at the Centre and other institutions; allegedly widespread use of the Corruption Hotline, and generally widespread public concern contradicts this position.
53. The third, and only reasonable, conclusion is that there is insufficient Government support to develop the Centre into the key anti-corruption organisation needed to seriously impact upon the problem of corruption in Moldova.

Accountability

54. While there seems little doubt that the Centre is held accountable to Government and Parliament, as evidenced by the replacement of the Director last year, there seems to be little evidence of any systematic approach to this oversight.
55. We have already commented on the lack of any apparent corporate strategy for the Centre. Without a clear strategy and supportive objectives it is difficult to see how realistic key performance indicators can be in place for the Government to judge performance. The lack of such statistical information can only lead to further difficulties with budgeting and resource allocation.

56. The Centre's persistent and recurring answer to probing questions on almost any issue is that it is still a young organisation, and things take time to develop. While there is some sympathy for this position the reality is that the Centre is now 3 years old and the basics of running an organisation should be in place and operational by now.
57. There is for example a section apparently responsible for analysis, but no clarity amongst staff as to what it is that they analyse, where they obtain their data from, or what analytical products they produce.
58. There appears to be no formalised tasking procedure to decide upon priorities for investigators, or operative support sections. Staff revealed that such decisions are made through discussions of directorate/sections heads, sometimes in conjunction with the Director himself.
59. There appears to be no formal recording regime of decisions made, or the rationale behind them. Without such a regime it is difficult to see how any challenges on the efficient and effective management of the Centre can ever be mounted, or defended.
60. There is no centralised intelligence system at the Centre, and no cohesive system to ensure that information already held by one part of the Centre is made available to other staff with legitimate need of it. For example, the Criminal Pursuit Investigators stated that the only intelligence database they used was held by the Ministry of the Interior and would hold details of persons who had been indicted. The investigators from the Bureau for Combating Money Laundering stated that the Economic Crime Sections held an intelligence database, but it was not computerised. Investigators from the General Anti-Corruption Directorate spoke of a secret database in the process of creation. This database already apparently holds details of those suspected of involvement in corruption, but is seemingly not available to other investigators, or to the Centre's own analysis section.
61. Because of the apparent lack of information systems within the Centre even their own personnel are unaware of factors important to their work. One example is the Corruption Hotline. The Director stated that it produced some excellent information and had led to investigations against a Deputy Minister, a headmaster and a corrupt official selling passports.
62. His view was however in direct conflict with the views of his corruption investigators. The Criminal Pursuit section stated they did not know of any cases that had originated from the Hotline, and the General Anti-Corruption Directorate said it produced only low level unusable information, and very little of that.
63. The above comments make it difficult to see how the Centre can be said to be accountable to either those who administer it, or to the Monitoring Group, and most certainly not to the people of Moldova. They simply do not have the corporate ability to answer any searching questions by Government, media or the community.
64. An additional factor when considering the Centre's accountability to the community is their attitude towards the media. While they have markedly increased the supply of information to the media, most information supplied only concerns arrests and investigations launched. Most of the media sources interviewed reported that the Centre were reluctant to respond to questions seeking further information, or provide follow up information. While they are quite correct to refuse to supply information that could disclose covert techniques, or material that could affect the outcomes of court proceedings, there needs to be a greater realisation of the media's role in holding the Centre to account on behalf of the community.

65. The remarks above about media relations do not apply to the Centre’s relationship with the TeleRadio Moldova Company, a state controlled station. They reported an excellent relationship with the Centre including collaboration on a recently shown TV film, “A Parallel World” with plans in the pipeline for further TV programmes. This is most encouraging and the Centre should be strongly encouraged to build such good relationships with sectors of the mass media that are not so strongly government sponsored.

Conclusion

66. The CCC cannot be said at this time to be truly accountable, and most certainly not to the community of Moldova.

INVESTIGATORS, PROSECUTORS AND JUDGES, WELL TRAINED, SUFFICIENTLY INDEPENDENT AND CREDIBLE

67. The Risk Assessors sought to establish whether Centre personnel were sufficiently well trained to investigate corruption and whether they were impacting upon the other organisations by driving forward educational initiatives to help ‘target-harden’ those institutions against corruption. In addition we sought to establish whether the Centre was sufficiently protected against the threat of corruption from within its own organisation

Action	Institution	Timing
<p>Primary Action 4</p> <p>Conduct corruption vulnerability analyses and develop recommendations to prevent corruption in the following key institutions:</p> <ul style="list-style-type: none"> ▪ Center for Combating Economic Crime and Corruption, ▪ Court of laws, ▪ Prosecutor’s Office; ▪ Customs Department, ▪ Ministry of Interior, ▪ State Tax Service. 	<p><u>CCCEC</u> (Department of Prevention to be created) in cooperation with the subject institution</p>	<p>January – December 2005</p>
<p>Primary Action 6</p> <p>Ongoing organization of professional trainings with the participation of judges, prosecutors, operatives and criminal investigation officers on discovering, investigating, prosecuting and judging corruption cases. Facilitate exchange of international experiences.</p>	<p><u>CCCEC</u> in cooperation with other institutions</p>	<p>January – December 2005</p>
<p>Complementary Action 32</p> <p>Organize and hold round tables, facilitated by representatives of anti-corruption authorities, conferences on fighting against corruption that will facilitate the exchange of information between experts in different fields and approaches on corruption eradication</p>	<p><u>CCCEC</u>, General Prosecutor’s Office, Ministry of Internal Affairs, Customs Department, Information & Security Service, Dept of Border Troops, NGOs, mass-</p>	<p>permanent</p>

	media	
Complementary Action 33		
Promote on each training level, the educational contents that would make sure that the impact of corruption on human society development dimension is understand and develop a negative attitude towards corruption	CCCEC, Ministry of Education, General Prosecutor's Office, Ministry of Justice, Ministry of Internal Affairs, Information and Security Service, Supreme Council of Magistrates, mass-media, non-government organizations	permanent

Well trained, sufficiently independent and credible

68. During interviews and meetings with Centre staff, and in particular investigative staff, it was apparent that staff were committed to their roles and carried out those roles to the best of the ability within the confines of those roles. It was however quite apparent that the organisational structure of the Centre does not encourage their staff to "see the whole picture." In consequence it appeared that personnel from some sections were unaware of how other sections could, or did, support their own work.

69. It was identified that while some investigators had been recruited to the Centre from other institutions, bringing a wealth of experience with them, others had been directly recruited to the Centre. This meant that the very first investigations they had ever carried out were corruption investigations which are probably among the most difficult of all investigations. This is unavoidable in any specialist investigation organisation that recruits directly rather than "poaching" already experienced staff from other organisations. In the longer term this direct recruiting will undoubtedly have benefits in that Centre staff will not have residual loyalty to other institutions and colleagues that they may have to investigate for corruption. It was apparent that the Centre has coped with this problem to the best of its ability. Staff from both the General Anti-Corruption Directorate and the Criminal Pursuits Directorate stated that the more experienced investigators handled the most serious allegations. Lower level allegations being handled by the inexperienced investigators with supervision and mentoring by more senior staff available to help develop the necessary expertise. This is a sensible resolution to a relatively short-term problem. It would however be advisable to introduce an accreditation scheme whereby new investigators had a structured programme of skills and techniques to learn before they progressed to more serious cases.

70. It was apparent during the risk analysis itself, and the risk assessment training that followed, that there had been minimal training specifically aimed at fighting corruption. It was equally clear the investigators were determined to achieve investigative success and that there was a general desire for such specific training to be provided to them.

71. Some indications that more in-depth training is needed came from the investigators themselves, but also from prosecutors and judges. Both judges and prosecutors indicated that there had been investigations/prosecutions that had failed because of weaknesses in the collection and presentation of evidence.

72. The Primary and Complementary Actions from the Action Plan that are applicable to this area of the risk assessment are activities where the Centre is only one of the institutions tasked with achieving the action. It is therefore unfair to criticise the Centre alone for

failing to achieve the Action required. However they do have responsibilities under the Action Plan and, as the Key Anti-Corruption agency, should be able to show some evidence of instigating improvement activity. This is particularly relevant where such activity could directly benefit their own performance through joint training activities.

73. Unfortunately there was no evidence to indicate any formal training with other agencies involved in the fight against corruption which is a missed opportunity for both the Centre and the other institutions.
74. It was clear that a good dialogue exists between the General Prosecutors Office and the Centre which allows some feedback from prosecutors about cases under investigation, but this is very much on an individual case-specific basis. A formalised structure of meetings to discuss general difficulties arising with the preparation and conduct of investigations would be beneficial for both organisations. This could provide a basis for identifying and implementing training needs, and lead to increased efficiency in the fight against corruption. It was apparent that such a programme was an aspiration only with no timescales for introduction of such activity.

Conclusion

75. The Centre personnel require additional training in order to provide a professional investigation service that will meet the requirements of the National Strategy and seriously impact upon corruption.
76. They, as the key institution, also need to take the initiative and instigate the inter-organisational training envisaged by those who designed and drafted the National Strategy.

THE OPPORTUNITY FOR THE PUBLIC AND THE INSTITUTIONS OF THE ADMINISTRATION TO EASILY REPORT INSTANCES OF CORRUPTION

Action	Lead Agency	Time Frame
Primary Action 7 Organize public discussions on such specific topics as the conflict of interests, finding out and denouncing corruption cases, journalist investigations, ethics codes, access to information.	<u>CCCEC</u> in cooperation with mass-media and civil society	Jan - Dec 2005
Complementary Action 9 Create in public institutions an internal administrative control mechanism over the implementation of corruption prevention institutional measures	<u>CCCEC</u> and appropriate institutions	2005, <u>Q I</u>
Complementary Action 14 Identify & minimize opportunities for corruption in the public acquisition procedures	<u>CCCEC</u>	<u>2006, Q II</u>
Complementary Action 18 Evaluate transparency of	Ministry of Education, <u>CCCEC</u>	2005, <u>Q I</u>

organization of graduation and bachelor degree examinations in the undergraduate education and entrance examinations in higher education to reduce opportunities for corruption		
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77. The National Action Plan makes the expectations of the Centre abundantly clear. It is intended that effective steps are taken to educate and involve the general public in the fight against corruption.
78. It is clearly apparent that hardly any effort has been made by the Centre in respect of these actions. This statement must be tempered by the realisation that the Centre has had its manpower level cut by almost 50% since last year and, according to the Director, that a further cut of 50 posts is imminently anticipated.
79. The data released by the Centre in May 2005 identifying their operational investigative successes against corruption must also be considered. This indicates that the Centre started 131 criminal procedures for corruption offences and seized considerable funds. Their data also indicated the widespread of institutions where corruption has been discovered.
80. If this data can be verified then the Centre and its staff are to be congratulated on their successes and the Director should consider using the data to form the basis of a proposal to stop any further cuts in his organisation and reverse the earlier staffing cuts. But however excellent the operational successes they do not necessarily offer a long term solution to a clearly widespread corruption problem. Today's successes affect today's corrupt officials only, they do not necessarily prevent further corruption in the same area. It is the Government's stated intention, through the National Strategy and Action Plan, to create long term solutions through prevention and education of the general public, and therefore once and for all cut the supply chain of funds to corrupt officials.
81. It is therefore disappointing that the Centre have not made more impact in this area. While this can be partly blamed on lack of resources and high workloads at least some fault lies with the senior management of the Centre. They have not ensured their staff are aware of their preventative and educative roles and have not allocated resources to such activities. It was particularly disappointing to hear the Director himself state that educating the public against corruption was not a main function of the Centre and, "according to the laws governing the Centre-not important." It was clear from conversations with staff at the Centre that the Director is quite involved with day to day activity and has quite high visibility within the Centre. This is laudable but also detrimental to the overall success of the National Strategy if his negative views of prevention and education activity are openly expressed.
82. The only real step that the Centre has taken to progress the actions above is increasing their contact with the mass media. There is no doubt at all that the Centre now regularly supplies the media with details of arrests and prosecutions. While praiseworthy it appears that excellent opportunities are regularly missed where every such release of information could include some reinforcement of the anti-corruption message, and encouragement for the public to report corruption. Media sources reported that such requests were never made by Centre officials. The only exception to this was reported by the national TV Company TeleRadio Moldova, who reported a completely different and more pro-active

stance from the Centre, resulting in good levels of TV coverage. This attitude needs to be the norm for the Centre's media relations, not the exception.

83. There was some indication that the Centre accepts that it does have a role in educating the community and therefore preventing corruption. This was shown by their attendance at an anti-corruption concert organised by Transparency International. Although a Centre official attended it was reported that his involvement was limited to an extremely brief input, and sadly that a strong anti-corruption message from the Centre as not delivered. This would have been an excellent opportunity for the Director himself to take a high profile opportunity in front of the country's youth to identify his and the Centre's commitment.
84. It was reported by media sources, and Transparency International, that the Centre responds to requests for information rather than proactively supplying it (other than arrest etc). It is therefore encouraging to note the release of the May 2005 report giving a more general picture of their work and successes, and referring to the importance of collaboration with society and the use of the Hotline. It was however extremely disappointing to note that the report, rather than stressing successes arising from the Hotline, instead denigrated the quality of the information received.
85. There appears to be considerable confusion within the Centre as to the effectiveness of the Hotline. The Director stated it was of great use and had led to some good cases. Investigators stated they believed it only gave low level information and did not know of any cases it had originated. The risk assessors were unable to ascertain what analysis, if any, was carried out of the amount or type of data, generated by the Hotline and yet the May 2005 report claimed an increase of 63.5% in the number of appeals to the Centre.
86. One positive step in encouraging people to report corruption is the Public Access Room at the Centre which allows members of the community to speak with officials about their concerns. It was encouraging that when the risk assessors visited the room, without giving any prior notification to the Centre, that there were two members of the public in the room. Some consideration should be given to the layout of the facility in order to maximise the privacy of people who are brave enough to come forward and report corruption.
87. Any person coming forward to report corruption will usually be fearful of reprisals from corrupt officials. It is therefore necessary to be innovative in the ways in which such information can be received by the Centre. One possibility is the use of 3rd party reporting strategies. This allows a person to report their concerns through a trusted third party. This could be through an attorney, or even an NGO. This type of strategy often means that the information may sometimes be anonymous, or with a witness who will not agree to give evidence at court. This presents some problems with launching a full criminal investigation, but does not mean the information is worthless, or untrue. The information **may** be useful intelligence on which a proactive evidence-gathering investigation could be launched. Unfortunately the Centre does not appear to appreciate these potential intelligence gains. An example was given by Transparency International of supplying information about educational corruption. There the information sources declined to supply their names but gave quite specific detail of the corruption. It is claimed that the Centre failed to react to the intelligence supplied when a proactive operation could have resulted in an operational success, and even more importantly raised public and NGO confidence in the Centre.

Conclusion

88. It is apparently intended to form a Prevention Directorate under the control of Mr Donchev, who stated it is their intention to, "take prevention to new levels." This is an

admirable aim but seemingly no date for the instigation of this Directorate has been fixed, neither have resources been allocated, nor measurable objectives identified.

89. The Centre is only concentrating on its investigative role. Its preventative activity is sparse and uncoordinated and there is a grave lack of clarity within the Centre about its responsibilities to the National Strategy and Action Plan.

THE SUPPORT OF POLICYMAKERS FOR THE IMPLEMENTATION OF THE STRATEGY AND THE ALLOCATION OF ADEQUATE FUNDS

Action	Lead Agency	Time
<p>Complementary Action 7</p> <p>Provide the bodies for preventing and fighting against corruption with financial support, social protection, modern equipment, criminalistical equipment, means of transportation, telecommunication equipment, etc.</p>	<p>Ministry of Finance, <u>CCCEC</u>, Ministry of Internal Affairs, General Prosecutor's Office,</p>	<p>Permanent</p>

90. The comments in the sections above would seem to indicate that, despite the Centre being identified as the key institution against corruption in Moldova, it is being stripped of the resources needed to be effective in fighting corruption.

91. The Centre report released in May 2005 gives an indication of the spread of corruption throughout the country's institutions, and claims there had been a 63.5% increase in appeals to the Centre on corruption matters. It is also clear that other institutions, including the Ministry of the Interior, are still dealing with corruption matters despite the Centre's mandate to be the main anti-corruption agency.

92. Against this there is the fact that the personnel establishment was slashed from 1067 to 600 staff and now faces a further 8% cut of 50 personnel posts.

Conclusion

93. There is clearly insufficient support by policymakers for the Centre. It is however unclear whether the Director attempted to argue against the cuts already imposed, or intends to challenge the next round of cuts. Unfortunately the impression gained was that of passive acceptance of these cuts matched to a further reorganisation of the Centre which will be disruptive and damaging to staff morale. The current systems and processes in the Centre would certainly not make it easy for the Director to defend his institution against budget cuts or to request additional resources.

MEDIA PARTICIPATION AND THE SENSITISING AND EDUCATION OF THE COMMUNITY

94. An assessment of whether appropriate use is being made of the media to educate, inform and gain public support for the fight against corruption

Action	Lead Agency	Time Frame
<p>Primary Action 8</p> <p>Conduct a survey of attitude to and perception of corruption, including attitude to the work of the Center for Combating Economic Crime and Corruption, and other institutions engaged in fighting against corruption.</p>	<p><u>CCCEC</u> in contact with a specialized surveying agency</p>	<p>June 2005</p>

<p>Complementary Action 23</p> <p>Develop and publish information on legal framework and anti-corruption measures that are taken</p>	<p><u>CCCEC</u>, Ministry of Internal Affairs, General Prosecutor's Office,</p>	<p>Permanent</p>
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95. The comments in the above sections report the risk assessors' views on the Centre's action and inaction in this area.

Conclusion

96. The Centre needs to be much more proactive in its use of the media. It should be used not only to publish details of arrests, but to ensure that every member of the public becomes aware of the Centre (and Government) determination to fight corruption.

97. The new Prevention Directorate should set up and properly resourced as a matter of urgency. The Head of that Directorate, and the Director, should raise their public profiles as "champions" of anti-corruption, taking every opportunity to appear in the media and at public functions to speak about the Centre's fight against corruption and their personal commitment. Only then will people start to trust the Centre.

CENTRE SPECIFIC ISSUES

98. The sections above detail areas for improvement in the management of the Centre. Generally the risk assessors were impressed by the standard and commitment of the staff they met. However these personnel need to be effectively supported by systems and processes that help them to achieve the Centre's objectives. Areas that require attention are:

99. Centre Strategy/ Aims and Objectives
 Clear and transparent Mission, Vision and Values statements are required. These should be allied to a Strategy that supports the National Strategy and that allows clear objectives to be drafted against which success can be measured.

100. Organisational Structure
 The Centre has now existed for 3 years and has already had a number of structural reorganisations. Following last year's personnel reduction there was a reorganisation and the Director is currently planning another in light of further cuts, and to accommodate the creation of a Prevention Directorate. This process should be completed as soon as possible and the results published to all staff. The Director should try to ensure that this reorganisation allows him to meet all his responsibilities under the National Strategy and Action Plan agreed at the end of 2004.

101. Internal Security within the Centre
 The Director was quite naturally highly protective of the Centre when this topic was raised. He insisted that in 3 years there had only been 3 allegations of any corrupt practice by Centre staff and that those allegations had proved false. This was somewhat contradicted by the Internal Security Directorate who mentioned the case of an employee dismissed for failing to investigate a case but was rather supplying "advice" to the company on how to avoid problems.

102. Meetings and discussions with people from outside the Centre revealed that there is a broad suspicion of corruption within the Centre. It must be accepted however that an organisation such as the Centre will always have enemies who try to spread malicious rumours, and that the Centre will be a target for infiltration by corrupt people seeking an

ideal environment to operate in, ie where they can “protect” other corrupt officials and criminals. It is therefore essential that the Centre can defend its staff by demonstrating a robust internal security system.

103. The assessors were generally content that the main elements of such a system were in place, but less satisfied that they were functioning adequately. For example, new recruits supply extensive personal details but these are not routinely checked unless that person falls under suspicion. There is a process for internal investigations of suspect staff but a very small Internal Security Section. A review of the processes in place and staffing levels is highly recommended.

104. Investigative processes

It was apparent that the current investigative system is fragmented and a cause of some frustration to investigators and to prosecutors. It would almost certainly be advantageous, more resource efficient, and lead to better conclusions if investigators retained responsibility for their investigations throughout the life of that investigation, that is from its first inception through to case completion.

105. Consideration should be given to the creation of a short-term working party to report and make recommendations to the Director on structural/ process improvements. Clearly the Director needs such recommendations before his next restructuring/ reorganisation exercise.

106. A natural follow-on from this would be the creation of Standard Operating Procedures (SOP) for every stage of the investigative process. This would introduce a consistency presently lacking and helping to address some training/ experience shortfalls in the less experienced investigators.

107. Decision Making

It was apparent that there is a lack of any formalised decision making process in the Centre. This is not to say that decisions are not made, or that the decisions made are incorrect. It is just that there does not appear to be a process that could explain/ defend that decision if challenged.

108. This is particularly important on case prioritisation decisions and decisions affecting the allocation of operational resources to support investigations. It appears that such decisions are taken by Directorate Heads, sometimes with the Director. It also appears that there is no documented record of either the decisions made, or the rationale behind the decision. The lack of such a documented process makes it almost impossible for the Centre, or its staff, to be accountable to either Parliament or the people they serve.

109. Intelligence Systems

There is a critical need for the Centre to have its own intelligence system serving its own units. This system should hold all intelligence about corruption in Moldova including thematic analysis of corruption trends, all incoming Hotline information, all current investigations by all sections of the Centre, and all intelligence on people suspected of involvement in corruption. Access to such a system needs to be carefully controlled with tiered levels of access for staff with different needs.

110. The creation of such a system will lead to greater operational efficiency and less replication and gathering of information already held by different parts of the Centre. It will aid analysis of the corruption problem and aid the Director in obtaining the correct level of resources for his organisation. It is completely inappropriate for the main anti-corruption organisation to be dependent on intelligence management by another institution whose staff they may be investigating.

111. Conclusion

The Centre has a critical role to play in leading the fight against corruption. The Centre must attain a status where it has the trust and respect of the ordinary people of Moldova and creates fear in the corrupt. Resources are and probably always will be tightly controlled. There is a need to ensure that the most efficient use is made of all of those resources to provide accountability to those who the Centre serves.

4. RISKS IDENTIFIED

Risk	Para Refs	Priority	Action(s) Recommended	Timing	Person Leading
A LEGAL FRAMEWORK SHAPED FOR THE FIGHT AGAINST CORRUPTION					
Strategic Issues					
The lack of a clear and published corporate strategy for the Centre could negatively affect progression of the National Strategy	C6-20	HIGH	<p><u>Short Term</u> Form a Strategic Development Committee to draft and design Mission, Vision and Values, Overarching Strategy and Measurable Objectives for the Centre</p> <p>Obtain Ministerial / Government level support for Centre Strategy</p> <p>Publish Strategy, Mission, Vision and Values and Objectives internally and externally</p> <p><u>Long Term (Annually)</u> Review Strategy and Objectives ensuring they fit the current needs</p>		
The Director's failure to accept educating the public against corruption as a main function of the Centre will impede progression of the National Strategy	C12	HIGH	<p><u>Short-Term</u> The Director should ensure that his commitment to ALL the main themes of the National Strategy is widely known</p>		

<p>The lack of knowledge of Centre staff of ALL their responsibilities under the National Strategy prevents them impacting on prevention and education themes</p>	<p>C10-11</p>	<p>HIGH</p>	<p>Short Term All staff should be personally briefed by the Director or Directorate Heads on the Centre’s total responsibilities under the National Strategy</p>		
<p>Lack of clarity over the role and impact of the Monitoring Group prevents its effectiveness</p>	<p>C21-23</p>	<p>MEDIUM</p>	<p>Short Term The roles, responsibilities and reporting avenues of the Monitoring Group should be clearly documented and widely published, internally and externally</p>		
<p>Legislative Issues</p>					
<p>Failure to carry out effective analysis of criminal legislation impedes investigation and may assist offenders to evade justice</p>	<p>C28-30</p>	<p>MEDIUM</p>	<p>Short Term The Centre should hold a focus group for investigative staff to identify shortcomings in criminal legislation that hamper anti-corruption efforts</p>		
			<p>The Centre should encourage the Ministry of Justice and General Prosecutors Office to carry out the same exercise</p>		
			<p>The Centre should meet with Prosecutors & Ministry of Justice to identify weaknesses in criminal legislation</p>		
			<p>The Centre should undertake to document and formally present the joint findings and recommendations for change to the Monitoring Group</p>		
			<p>Long Term The Centre should ensure that a joint Legislative Review Working Group is established with a remit to regularly identify areas for development in the criminal legislation</p>		

AN ANTI-CORRUPTION INSTITUTION, INDEPENDENT & ADEQUATELY FUNDED, AND ACCOUNTABLE TO THE AUTHORITIES AND THE COMMUNITY FOR IMPLEMENTATION OF THE STRATEGY

Independence of the Centre

<p>Public confidence in the Centre continues to be low on the commitment to tackling high level corruption while there is a widespread belief at the Centre that they have the trust, support and confidence of the people</p>	<p>C32-36</p>	<p>HIGH</p>	<p><u>Short Term</u> Centre staff should be briefed on findings of Transparency International most recent surveys and studies Results of the Public Attitude Survey (planned for Sept 05) should be analysed and widely published internally and externally <u>Long Term</u> The Public Attitude Survey should be repeated annually, particularly focusing on areas of greatest concern The Centre should consider introducing some form of feedback system whereby reporters of corruption can report their satisfaction levels</p>		
<p>Staff at the Centre believe that any negative media coverage is unfair and a media ploy to discredit them.</p>	<p>C33</p>	<p>HIGH</p>	<p>A media policy should be drafted for the Centre including: type of reports/detail to be released; inclusion of anti-corruption messages; how follow-up questions will be dealt with; access to officials for media; levels of authority for media release The Media Policy should deal with how allegedly unfair criticism will be rebutted</p>		
<p>That the Centre attempts to control negative media coverage by using other state security institutions to pressure to sections of the media</p>	<p>C34</p>	<p>HIGH</p>			

That press releases currently fail to meet the needs of the media as investigators are not made available to the media	C41	MEDIUM	Media training should be provided for all senior staff including senior investigators so that they are more comfortable and professional when dealing with media		
Details of high profile cases released to the media give insufficient detail to reassure the public that the case(s) are not politically motivated	C41	HIGH	High profile cases should be presented to the media by a senior official able to answer questions that can help to reassure the public of the Centre's independence in instigating the case		
Funding and Resourcing of the Centre					
That the Centre's budget restrictions reduce community confidence in Government's commitment to fighting corruption	C46-53	HIGH	<p>Short Term Director should instigate a root and branch review of all Centre directorates, staffing levels and activities using risk assessment methodology to identify the most and least mission critical areas.</p> <p>Director should use the data gained to identify any opportunities for rationalisation/ brigading of resources and present a cogent Resourcing Plan to the Monitoring Committee setting out the Centre's present and future needs</p> <p>Long Term The Centre should produce an Annual Report detailing how their budget was used and the progress made against as well as operational successes</p>		
<ul style="list-style-type: none"> proposed staff cuts may reduce Centre's ability to tackle all main themes of National Strategy shortages of physical equipment and operational support may result in failed investigations 					

<p>The lack of a centralised Centre intelligence system, leads to duplication of work already completed, inefficient investigations and unnecessarily increased costs</p>	<p>C57,60</p>	<p>HIGH</p>	<p>Short Term The Centre should introduce an Intelligence system available to all Centre Directorates (subject to need) that records all investigative activity thereby reducing duplication and increased costs</p>		
<p>That the lack of formal recorded tasking and resource allocation process restricts the Centre's ability to effectively bid to the Government for resources</p>	<p>C58-59</p>	<p>HIGH</p>	<p>Short Term The Centre should ensure that Tasking and Resource allocation processes are documented providing an 'audit trail' for the usage of Centre funds and resources</p>		
<p>Accountability</p>					
<p>Poor corporate strategy means a lack of realistic key performance indicators preventing any effective accountability for performance/ cost analysis either to Government or Community</p>	<p>C54-66</p>	<p>HIGH</p>	<p>Short Term The Centre should develop and publish its strategic aims and objectives by which its progress and performance can be measured Long Term The Centre should produce an Annual Report detailing how their budget was used and the progress made against as well as operational successes</p>		
<p>The lack of an effective Analytical section impedes effective management of the organisation</p>	<p>C57</p>	<p>HIGH</p>	<p>Short Term The Centre should develop effective analytical systems that aid senior management to identify 'best practice' and areas for improvement in both operational and administrative areas</p>		

Lack of a formal documented tasking process to decide operational and resourcing priorities prevents effective oversight of the Centre	C58-59	HIGH		Short Term The Centre should introduce a system that allows them to justify the ways operations are prioritised and resourced			
By appearing reluctant to respond to media questions seeking further information he Centre can appear to ignore public accountability	C64	HIGH		Short Term Introduce a Media Policy for the Centre (see Section above)			
well trained, sufficiently independent and credible							
Employing investigators without previous investigative experience can impede investigative success and use of mentors distracts them from their own investigations	C69	MEDIUM		The Centre should introduce a formal training/ accreditation system for new investigators that allows them to gain experience under appropriate supervision without adding to the workloads of senior investigators			
Lack of specific anti-corruption training can impede investigative success	C70	MEDIUM		Short Term All anti-corruption investigators should receive regular training on developing themes of corruption, and modern methods of combating corruption			
Lack of any formal training with other agencies involved in the fight against corruption is a missed opportunity for both the Centre and the other institutions.	C71-73	MEDIUM		Short Term Organise round tables with all other institutions investigating corruption to identify areas where mutual cooperation could ease resource usage and promote efficiency Long Term			

<p>Failure to arrange formal scheduled meetings with prosecutors to discuss prevalent investigative or evidential difficulties on a non-case specific basis hinders organisational learning and impacts on investigative success</p>	<p>C74</p>	<p>HIGH</p>	<p>The Centre should represent Moldova at international anti-corruption conferences.</p> <p>Short Term Arrange scheduled meetings between investigate directorate heads and prosecutors to identify and discuss recurring areas of evidential weakness</p> <p>Long Term Involve prosecutors and judges in training programmes for anti-corruption investigators</p>		
<p>OPPORTUNITY FOR THE PUBLIC AND THE INSTITUTIONS OF THE ADMINISTRATION TO EASILY REPORT INSTANCES OF CORRUPTION</p>					
<p>That failure to address educative aspects of the Action Plan reduces public confidence in the Centre</p>	<p>C77-89</p>	<p>HIGH</p>	<p>Short Term Investigate new Preventative Directorate as soon a possible ensuring it is adequately resourced and its inception and aims widely publicised</p> <p>Long Term Design and publish Preventing Corruption handbooks for</p> <ul style="list-style-type: none"> ● senior managers in public institutions ● Private Sector Business Managers ● General Public including students <p>Organise Anti-Corruption seminars for</p> <ul style="list-style-type: none"> ● Senior public institution staff ● Private Sector Business Managers ● General Public including students 		

That Hotline contact numbers are not published widely enough and generalised results from the Hotline are not published in a manner which encourages further reporting by citizens	C85	HIGH	Use the instigation of the new Prevention Directorate to re-launch the Hotline focusing on its importance and its success rather than on negative data			
That failure to grasp every media or public appearance opportunity results in a low public profile of the Centre and missed opportunities to encourage reporting of corruption	C83	HIGH	Prevention Directorate and Protocol / Media Directorates to identify all possible opportunities for the Centre to promulgate its commitment to fighting corruption and spread its anti-corruption message			
That the Centre is not innovative in the ways that it seeks/receives information on corruption thereby missing valuable intelligence opportunities	C87	MEDIUM	Form a cross Directorate working party with input from General Prosecutors Office to identify and discuss all methods of gaining information on corruption and how that information can best be used to defeat corruption			
THE SUPPORT OF POLICYMAKERS FOR THE IMPLEMENTATION OF THE STRATEGY AND THE ALLOCATION OF ADEQUATE RESOURCES						
That reducing appropriate levels of resources is indicative of a reduction in Government support for the National Strategy	C90-93	HIGH	<u>Short Term</u> The Director should, through the Monitoring Group, seek Government level support for his review of the Centre's resources and methods as a means of identifying funding requirements. <u>Long Term</u>			

				The Centre should produce an Annual Report detailing how their budget was used and the progress made against as well as operational successes		
That lack of sufficient resources leads to investigative failures impacting on levels in public confidence in the Centre and Government	C90-93	HIGH		The Centre should monitor any investigative failures and be prepared to use the media to reassure the public of centre’s abilities		
MEDIA PARTICIPATION AND THE SENSITISING AND EDUCATION OF THE COMMUNITY						
That the Centre’s relationship with mass media diminishes from a lack of transparency and assistance on follow up questions	C64, C96	HIGH		Short Term Introduction of Media Policy as detailed above Long Term Consider innovative projects such as documentaries on the work of the Centre		
That the Centre’s excellent relationship with the national TV company is not replicated generally with all media sections	C65	MEDIUM		Centre should analyse their excellent relationship with the national TV station and actively seek to build the same levels of trust with ALL media sections		
That opportunities continue to be missed to use the media to constantly reinforce the Centre’s anti-corruption commitment	C82	HIGH		Prevention Directorate and Protocol / Media Directorates to identify all possible opportunities for the Centre to promulgate its commitment to fighting corruption and spread its anti-corruption message		
That the new Prevention Directorate is not adequately resourced	C93, 96-97	HIGH		Short Term The Head of the Prevention Directorate should draft a strategy statement for the new Directorate with		

			<p>measurable aims and objectives and realistic budgetary needs for presentation to the Director</p> <p>Long Term To publish internally and externally the work of the Prevention Directorate to demonstrate its positive effects</p>		
<p>That the Director, Head of the Prevention Directorate and other senior staff fail to develop high public profiles as champions of anti-corruption</p>	C97	HIGH	<p>Media training should be provided for all senior staff including senior investigators so that they are more comfortable and professional when dealing with media and public appearances to spread anti- corruption message.</p>		

5. OVERARCHING RECOMMENDATIONS

A constantly mentioned theme during the risk assessment process was that the Centre was a relatively young organisation and that things and processes took time to develop. The risk assessors had some sympathy for this argument but felt that it actually identified an inherent weakness in the current makeup of the Centre.

It was clearly apparent that the vast majority of personnel at the Centre are committed individuals doing their best to combat corruption within a system that cannot be considered to be user-friendly, or operationally efficient. The report above has highlighted a number of areas that are in need of improvement such as the introduction of a Centre based Intelligence System available to all investigators dependant upon their needs.

We have also highlighted the difficulties caused by the lack of any clearly published Mission Statement, Strategy, or Aims and Objectives. This has resulted in the lack of any visible management systems that assist the Director and his senior staff to efficiently manage resources, prioritise investigations and tasks and comply with all responsibilities under the National Action Plan.

The Director when interviewed spoke of further staff cuts likely to be imposed and the need for a further reorganisation; other staff mentioned the creation of the new Prevention Directorate. What was not apparent was any effective Change Management Process to facilitate the changes affecting the Centre. It is strongly suggested that the Director and his senior staff are provided with high quality training of how to facilitate and manage organisational change. It is grossly unfair to expect investigators, such as the Director, to undertake extremely specialised management activity alien to his own expertise without adequate training.

The provision of such training for the most senior staff would then aid them to develop and refine the strategies that need to govern the Centre's development into a centre of excellence for fighting corruption whilst maintaining the support of its staff and increasing public confidence in the organisation.

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June 2005

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