

**Annex 8:**

<b>TITLE VI. Financial assistance and anti-fraud and control provisions</b>		
<b>ACHIEVEMENTS</b>	<b>IMPACT</b>	<b>OVERDUE MEASURES</b>
<i>Measures to prevent and combat fraud, corruption and any other illegal activities</i>		
In order to strengthen the institutional capacity, representatives of the responsible Authorities (National Anticorruption Center (NAC), Ministry of Interior (MI)) benefited from thematic trainings conducted abroad. As well, the experts participated in exchanges in the field of EU funds fraud, combating corruption, etc.		<ul style="list-style-type: none"> <li>• Approval of the draft Law on the adjustment of the EU legal framework to the use of EU funds and their protection</li> </ul>
The Government Decision no. 767 to implement Law no. 325 of 12/23/2013 on professional integrity testing was approved (19.09.2014). Thus, by Annex 1 to Government Decision no. Regulation 767/2014 was approved the Framework Regulation cases of improper influence.		
<i>Exchange of information and further cooperation at operational level</i>		
On 26 October 2015 during the official visit of Giovanni Kessler, Director-General of OLAF in Chisinau was signed the Administrative Cooperation Arrangement between the NAC and the European Anti-Fraud Office (OLAF). The implementation of the strategic framework for cooperation between Customs Service and OLAF continued. Ministry of Interior also expressed interest in agreeing on a document on cooperation with OLAF.	Administrative Arrangement for Cooperation between NAC and OLAF will intensify collaboration between the Parties for the exchange of information and experience in preventing and combating fraud, corruption and other illegal activities and in particular in protecting the financial interests of the European Union by combating these crimes	<ul style="list-style-type: none"> <li>• Examination and identification of the list of Community legislation concerning financial instruments, appropriate for transposition into national law of the Republic of Moldova</li> </ul>
<i>Examination and identification of common EU list of Community legislation concerning financial instruments, appropriate for transposition into national law of the Republic of Moldova</i>		
It was developed a draft law amending the Criminal Code, through its adjustment to EU provisions on	By implementing of the law will be protected the interests of European institutions, will be ensured the	<ul style="list-style-type: none"> <li>• Evaluation of the legal framework in this field in order to identify possibilities of making</li> </ul>

<p>the use of EU funds and protection. The bill was submitted to the Government for approval.</p>	<p>sound management of financial resources, will be prevented and combated financial fraud and, not least, it will strengthen European policies and national legislative framework on the protection of financial interests of the related institutions. The need to protect the financial interests of the European Union is an important goal of both the Community institutions and national authorities.</p> <p>Thus, it was proposed to introduce the concept of "means of external funds" and criminal components such as: - use contrary to the means of internal loans or external funds; fraudulently obtaining money from foreign funds - embezzling money from foreign funds; - The diversion of resources from external funds.</p>	<p>the European Commission and European Court of Auditors to audit the Republic of Moldova related to the use of EU funds</p>
		<ul style="list-style-type: none"> <li>• Screening of national legislation to identify compliance concepts with the national legislation in this field, in particular for developing relevant legislative changes to reflect the notion of "conflict of interest" and "unduly paid" international standards in management of European funds as defined in art. 420 of the Association Agreement</li> </ul>
<p>It was approved the Order on the monitoring of external assistance provided by external development partners no. 142 of May 26, 2015 and Order concerning the creation of Sector Council on external assistance of Ministry of Interior (no. 146 of May 28, 2015).</p>		<ul style="list-style-type: none"> <li>• Consultation with the EU concerning the applicability in Moldova of administrative measures and sanctions imposed in accordance with EU regulations</li> </ul>
<p><i>Audits</i></p>		
<p>On 17 November 2015 the Court of Auditors approved the Decision No. 42 on the results of the pilot performance audit mission in the field of external assistance provided by the European Union "Expectations support provided by the European</p>	<p>Use performance evaluation and implementation of projects of assistance offered by the European Union</p> <p>Audit of resources allocated by the European Union,</p>	

<p>Union in the field of state border security can be made only based on the functioning of an effective mechanism for coordinating external assistance ".</p>	<p>development partners and other donors and raising the accountability of the public institutions in managing the EU funds</p>	
<ul style="list-style-type: none"> <li>• The Court of Auditors is drafting the "Regulation on the role of the auditor in identifying / determining elements of fraud and corruption".</li> </ul>	<ul style="list-style-type: none"> <li>- Establishing functional framework for conducting effective financial investigations and asset recovery</li> </ul>	<ul style="list-style-type: none"> <li>• Establishing in the Court of Auditors of a contact point that would facilitate exchange of information on combating fraud, corruption and other irregularities with the EU (Currently legal subdivision is responsible (in corpore) for the coordination of communication activities with national investigation bodies.)</li> </ul>