

Moldova's Priority Reform Action Roadmap – Key measures until 31 July 2016

The present Roadmap provides a comprehensive list of measures, stakeholders' engagement and calendar to address the challenges highlighted within the European Union Foreign Affairs Council Conclusions from 15 February 2016 and by other development partners for development, as well as responding to the expectations of the people of the Republic of Moldova. These reforms are necessary to ensure stability, restore cooperation with IMF and other development partners and implement the EU-Moldova Association Agreement.

The Roadmap was discussed within the Government Commission for European Integration. It was developed on the basis of the letter of Prime-minister Filip addressed to President Juncker (from 5 February) and comes as a follow up to the meeting of the MFA Minister Galbur with Commissioner Hahn (on 8 February).

The Roadmap shapes a dynamic and committed response to the current social-political and economic crisis, and is not replacing the existent EU-Moldova strategies and policy documents. The immediate goal is to lay a solid legislative and institutional foundation, as well as mobilise the necessary political will and external support for decisive reforms.

With regard to the timeframe it should be taken into account that some of the laws are already included in the agenda of the Parliament and will be discussed shortly, others are being drafted and will be presented for adoption in the coming weeks. As a general commitment - the executive and legislative authorities aim at fulfilling most of the measures stipulated below by the end of July 2016. At the same time it is realistic to expect the implementation of some measures before the meeting of the Association Council scheduled for 14th of March.

Priority actions include among others the following:

<i>Good Governance and Rule of Law</i>	
<i>Strengthening the stability, independence and effectiveness of institutions guaranteeing democracy and the rule of law by:</i>	
<i>1. Combating corruption</i>	
1.1. Parliament to adopt the set of Laws on integrity, including: <ul style="list-style-type: none"> • Law on National Integrity Commission; • Law on declaration of wealth and interests which extends the circle of subjects and objects of the declaration of wealth and interests; 	March-May 2016
1.2. Parliament to adopt other related set of Laws on integrity, including: <ul style="list-style-type: none"> • Law on integrity in the public sector and the respective amendments to legislative framework related to the law; • Amendments to the law nr. 325 of 23.12.2013 on testing the professional integrity based on the principles of constitutionality and introduction of the evaluation of the institutional integrity. 	April- July 2016
1.3. Parliament to adopt other related laws on delimitation of competences between the institutions with competences fighting corruption, including: <ul style="list-style-type: none"> • Law on delimitation of competences between the National Integrity Commission and other authorities on competences to find, pursuit and prosecute the wealth from other sources than the one declared; 	July 2016

<ul style="list-style-type: none"> • Law on delimitation of competences on criminal prosecution between the National Anti-Corruption Centre, Ministry of the Interior and General's Prosecutor Office; 	
1.4. Ministry of Justice to draft the legislation on incrimination of misuse and misappropriation of EU and international funds which would also tackle the conflict situations in the use of EU and international funds according to the provisions of the Convention on the Protection of the European Communities' Financial Interests and other international conventions on the matter.	March-April 2016
1.5. Ministry of Justice to develop anti-corruption initiatives and to further reform the National Anti-Corruption Centre in accordance with the new law on prosecution, the law on the National Integrity Commission and the law on declaration of wealth and interests.	March-April 2016
1.6. Ministry of Justice to draft special laws on the specialised prosecution: anti-corruption prosecution, fight against organised crime prosecution and the special cause prosecution, in accordance with to the concept of the reform of prosecution and the new law on prosecution.	May 2016
1.7. National Anti-Corruption Centre to prolong the implementation deadline of the National Anti-Corruption Strategy for 2016.	March 2016
1.8. National Anti-Corruption Centre to develop the professional integrity electronic file and the soft of electronic evidence.	May 2016
1.9. National Integrity Commission to implement the on-line system of submission of declaration of wealth and interests and train its staff.	July 2016
2. Public administration reform	
2.1. State Chancellery to ensure functionality of the National Council for Public Administration Reform, inter alia by convening the Council in regular meetings.	March 2016
2.2. State Chancellery to update and approve the Roadmap/Strategy on Public Administration Reform in consultation with civil society and development partners, including, recommendations of the SIGMA study findings.	April 2016
2.3. State Chancellery to launch an independent study to the institutional capacity of the State Chancellery (functional analysis, business processes, coordination role, etc.)	March 2016
2.4. State Chancellery to draft the Action Plan for modernization reform of the public services for 2017 – 2021	July 2016
3. Enhance transparency of political parties financing and accountability of elected candidates	
3.1. Ministry of Justice to ensure the right of political parties to register and operate.	permanent
3.2. Government to secure in the 2016 Budget Law funds for political parties financing, as provided by law.	March 2016
3.3. Central Electoral Commission to develop mechanisms for public monitoring and evaluation of compliance with the regulatory framework by those responsible for financing political parties and electoral campaigns.	May – July 2016
3.4. Central Electoral Commission to identify weaknesses and gaps in the electoral legislation, drafting amendments to the Electoral Code and related legislation within the inter-institutional working group by the Central Electorate Commission on 11.09.2015.	June 2016
4. Media freedom	
4.1. Parliament to adopt the amendments to the Audiovisual Code in order to exclude the monopoly in the media, restricting the	March 2016

possibility to hold more than 2 broadcasting licenses.	
4.2. Audiovisual Coordinating Council, Government and the Parliament to draft and adopt amendments to the national legislation, mainly to the Audiovisual Code, introducing concepts in accordance to the EU legislation (Audiovisual Media Services Directive of the EU) and EUMS best practices in order to promote fair competition on the media market, aiming inclusively at limiting the concentration of media ownership and preventing intentional disruption of opposition oriented outlets.	April - June 2016
4.3. Parliament to adopt the appropriate legal framework which will allow the development of the local media market, local broadcasters and promotion of the local media products in accordance with the CoE and OSCE expertise.	July 2016
5. Justice Sector Reform, in particular ensuring the independence, effectiveness, transparency and accountability of the judiciary and law enforcement agencies:	
5.1. Ministry of Justice to appoint the members of the Disciplinary Board of Judges according to the Law no. 178 of 25.07.2014 on the disciplinary responsibility of judges and the Regulation regarding the selection of civil society representatives in the Disciplinary Board of Judges, approved by the Minister of Justice Order no. 91 of 01.02.2016.	March 2016
5.2. Parliament to adopt the law on reorganization of the judicial system (map of the courts).	March-April 2016
5.3. Parliament to adopt amendments to the law on the status of judges.	March-April 2016
5.4. Parliament to adopt amendments to the Criminal Code, Criminal Procedure Code and Execution Code in order to exclude cases of arrest of minors who could be re-educated.	March-April 2016
5.5. Government to adopt draft amendments to the Constitution of the Republic of Moldova in respect of the initial term of appointing judges and the selection of judges of the Supreme Court of Justice, as well as specifying the role of the Superior Council of Magistracy in the self-administration of judiciary system, its composition and competences.	March 2016
5.6. Government to approve the draft law amending the law on lawyers by increasing the transparency in the process of accession to the lawyer profession, increase the liability and guaranteeing the responsibility of the lawyers by financial support.	March 2016
5.7. Government to approve the draft law on reducing the limits of discretion (liberty of interpretation) of judges in the civil, criminal and contravention cases.	March 2016
5.8. Ministry of Justice to develop and present for public consultations strategies for modernization of the probation system and penitentiary.	May 2016
6. Reform of the Prosecution	
6.1. Parliament to submit the adopted Law on Prosecution for promulgation to the President.	March 2016
6.2. Government to initiate the procedure for amending the Constitution, which relates to the Prosecution reforms (i.e. art 124 and 125 of the Constitution).	March 2016
6.3. Government to adopt the related framework to the Prosecution Law as approved by the justice sector reform working group	April 2016
Economic development and functioning market economy	

7. Re-launch negotiations for the signature of a Cooperation Agreement with IMF	
7.1. National Bank to consult with IMF measures to be taken following the audit reports for the 2 banks, placed under special supervision.	March-April 2016
7.2. National Bank to develop an action plan following the audit recommendations/findings for the 2 banks, placed under special supervision.	March-April 2016
7.3. Complete the audits of the third bank under special supervision.	March-April 2016
7.4. National Bank to develop an action plan following the audit recommendations/findings for the third bank.	April 2016
7.5. Government to undertake all necessary steps in order to launch negotiation for a new Cooperation Agreement with IMF (Memorandum of Economic and Financial Policies)	April – May 2016
7.6. Government to launch negotiations and signature of the Cooperation Agreement with IMF.	June 2016
8. Strengthen the independence and supervisory powers of the National Bank and of the National Commission for Financial Markets	
8.1. Parliament to finalize the procedure for appointing a Governor to the National Bank of Moldova (NBM) via a transparent competition, and to appoint the Governor to the NBM	March 2016
8.2. Parliament to appoint new members to the NBM's management bodies in order to fill-in the existing vacancies (two deputy governors and four independent members of the NBM's Supervisory Council)	March-April 2016
8.3. Parliament to adopt the financial-banking legislative package (amendments to the NBM and NCFM Laws, draft law #14) agreed with the IMF and WB.	March 2016
8.4. NBM and the Parliament (with support of IMF) to engage an independent external review of the banking supervisory process at the National Bank of Moldova.	July 2016
8.5. National Bank to draft the Action Plan for the implementation of the Financial Sector Assessment Program (FSAP) recommendations.	March 2016
8.6. National Bank to draft and consult with IMF on the Legal, Institutional, and Regulatory Framework in Times of Financial Stability - Legal tools for Systemic Banking Crises (Bridge Bank legislation).	May 2016
8.7. Parliament to adopt relevant legislation related to Legal tools for Systemic Banking Crises (Bridge Bank legislation).	June-July 2016
8.8. NBM to draft (with the support of IMF) a special legislation on the Central Depository	March - May 2016
9. Ensure thorough, impartial investigation of the cases of fraud that affected the banking system in 2014, also with a view to recovering the diverted funds and to bringing those responsible to justice.	
9.1. National Bank will grant all necessary support to Kroll investigation with a view to recover the diverted funds.	Ongoing
9.2. General Prosecutor's Office to ensure a timely advancing of the cases to courts and swift processing of the international requests for legal assistance from Latvia, Russia and the US.	Ongoing

10. Restoring an attractive and stable business and investment climate	
10.1. Parliament to amend the legislative framework in order to improve business climate, including: <ul style="list-style-type: none"> - draft law for amending and supplementing the Law no. 451-XV of 30.07.2001 on licensing of entrepreneurial activity; - draft law for amending the Law no.235-XVI of 20.07.2006 on the basic principles of regulation of the entrepreneurial activity; - draft law on amending the law on the license activity of entrepreneurs and the law regulating by authorization the activity of entrepreneurs. - draft law on amending the law on state registration of the legal entities and individual entrepreneurs (art, 2, 4, 5,7) and the law on the regulating by authorization the activity of entrepreneurs. - draft law on metrology; - draft law on national standardization; 	March-April 2016
10.2. Ministry of Economy to develop the necessary secondary legislation related to: <ul style="list-style-type: none"> - Law on market surveillance; - Law on the rights of consumers at the concluding of contracts - Law on metrology; - Law on national standardization; 	April – May 2016
10.3. Government to re-launch the privatization process.	Ongoing
10.4. Ministry of Economy to update the Roadmap for improving the competitiveness of the Republic of Moldova.	March 2016
10.5. Ministry of Economy to promote the legislative initiative establishing a consultative nature of state controls carried out in small and medium sized enterprises for 3 years after their establishment.	March 2016
10.6. Government to launch and conduct an inspection survey study (on the feasibility of all the public authorities in charge with competences of state control).	March – May 2016
10.7. Government to strengthen the capacities of the National Food Safety Agency, by appointing the Director of NFSA.	March 2016
10.8. Government to approve the new National Strategy for investment attraction and exports promotion for 2016-2020.	March 2016
10.9. Government to approve the Action Plan for 2016-2018 for the implementation of the National Strategy for regulatory reform of the entrepreneurial activity for 2013-2018.	March 2016
10.10. Ministry of Economy to draft the law on the state enterprises and municipal enterprises in order to adjust the corporative management rules to the best practices of public property management.	April 2016
11. Improving transparency and investment conditions in the energy sector	
11.1. Parliament to adopt the new Electricity and Natural Gas Laws in line with the 3rd Energy Package (Directives 2009/72/EC and 2009/73/EC).	March 2016
11.2. Ministry of Economy to sign a new electricity supply contract in more favorable terms as of 01.04.2016.	April 2016
11.3. National Energy Regulatory Agency to establish the mechanism on the recovery of tariff deviations accumulated in the electricity sector and ensuring its adoption.	April 2016

11.4.	Parliament and the Government to launch consultations with the European Energy Community and development partners for an external independent review of the National Agency for Energy Regulation, its competences and capacity for consolidating the independency of the Agency.	March 2016
11.5.	National Energy Regulatory Agency to develop a roadmap on the liberalisation of the gas and electricity markets in order to properly inform the population, operators and other stakeholders about the timelines and steps to be taken.	March-April 2016
<i>12. Cooperation with civil society</i>		
12.1.	Government to re-launch the cooperation mechanism with civil society on permanent basis.	March 2016
12.2.	Parliament to review its mechanism of cooperation with civil society and to set up a new platform for the civil society participation at the stage of draft laws discussions..	March 2016
12.3.	Parliament to adopt the “2% Law” (amendments to the NGO Law and Tax Code allowing tax payers to redirect up to 2% of the taxes to be paid to the state budget to NGOs) as a measure to additionally support the activity of the civil society.	April-May 2016
<i>13. Accelerate the implementation of the EU-Moldova Association Agreement, including its DCFTA part</i>		
13.1.	Government to implement the Calendar on liquidating the arrears in the implementation of the AA/DCFTA.	March 2016
13.2.	Government to draft a Roadmap for ensuring the DCFTA application on the entire territory of the country.	March 2016
13.3.	Government and Parliament to improve institutional coordination aimed at ensuring efficient and smooth legal approximation of the national legislation in accordance to the AA/DCFTA commitments.	March-April 2016
13.4.	Government and Parliament to aggregate monitoring tools related to the legal approximation in accordance with the Legislative Programme of the Parliament based on the AA/DCFTA commitments.	March-April 2016