

EaP Platform 1: Strengthening institutions and good governance

Effective asset declaration system The case of Armenia and Moldova

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Similarities and differences

- Both countries have the legal framework on declaration of assets and interests - DoA&Is (Armenia – in 2013-2014, Moldova in 2002, re-setting in 2008, 2016)
- Both have institutional framework for DoA&Is (Commission for Ethics in Armenia and National Integrity Authority in Moldova)
- Armenia does not seem to have a system of declarations of interests, while Moldova – does have the system of declarations of interests combined with the DoA&Is
- Subjects of declarations in Armenia - narrow (only high level - Ministers, MPs, judges, heads of LPAs), in Moldova – wide - all



Similarities and differences

- Both have an electronic system of declarations, but the data does not allow generating analytical reports (Armenia – PDF/scanned format)
- In both countries, under the pretext of protection of personal data, a part of info is not accessible for CSOs and investigative journalists – this limits the efficiency of investigations and collaboration with law enforcements institutions
- Both countries have a culture of nepotism when property is registered on relatives non members of the households and third parties which impedes the verifications
- Both have the practice of “Bailment contracts” - a contract on renting space/cars with no financial obligations 😞



Similarities and differences

- Both have the practice of declaring huge amounts of donated money (weddings, baptisms – 30,000 EUR that exceed the annual income of the declarant for tenths of years), real estate – the relevant bodies do not investigate the real provenience of this wealth
- In both countries there were no sound cases on investigation of undeclared assets, particularly at high level – After the revolution in Armenia – several cases started this year
- In both countries high level decision makers have considerable properties and bank accounts abroad (particularly in EU) and both do not investigate these cases.



Armenia needs to...

- adopt a law on conflict of interests and institutionalize the system of declarations of interests
- improve the quality of the Register of assets and incomes
- improve the quality of the legal framework
- consolidate the role of regulatory body (Commission for Ethics)
- increase the awareness on conflict of interests policies, particularly by public servants



Moldova – from leader in EaP to a compromised system of DoA&I

- Procrastinating the reformation of the National Integrity Authority (NIA)
- Political fight for the position of the Chair of this institution and the threat of affecting the security of the Register and declarations from previous years
- Applicants for positions in NIA with compromised reputation
- Issuing the integrity certificate for the main figurant in the Kroll Report on the USD 1 Bill fraud
- Selective application of law to the candidates in electoral campaign, facilitating the affiliated to the governing party
- Ignoring the multiple informations on undeclared properties in Switzerland, France, Romania coming from investigative journalists



Moldova needs ...

- An international agreement on verification of assets by high level authorities and their legality, including assets abroad
- An INDEPENDENT National Integrity Agency
- Focus on high level authorities
- Be not selective and apply the existing law to all declarants
- Be particularly open when dealing with the cases of high public interest
- Ensure higher access to info from the declarations of high level authorities
- Improve the operability of data base from the Register
- Collaborate with investigative journalists and CSOs
- Apply for the support of relevant EU institutions when verifying the assets and accounts abroad

