

# **REPORT No 3**

**Monitoring period: 01.01.2018 – 30.06.2018**

## **MONITORING THE TRANSPARENCY OF ACTIVITY OF LEVEL-TWO LOCAL PUBLIC AUTHORITIES AND OF ATU GAGAUZIA**

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*The opinions set out in the public reports of Promo-LEX are those of the authors and do not necessarily reflect the donors' view.*

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## INTRODUCTION

Promo-LEX Association is an apolitical, not-for-profit non-governmental organisation that pursues the public benefit and operates in accordance with the law in force of the Republic of Moldova (RM). The mission of Promo-LEX Association is to contribute to the development of democracy in RM by promoting and defending the human rights, monitoring the democratic processes, and strengthening the civil society.

In order to implement the statutory provisions, Promo-LEX Association is carrying out, during August 2016 – July 2019, the ‘Democracy, Transparency and Accountability’ Program with the financial support of the United States Agency for International Development (USAID). One of the Program’s projects is about monitoring the activity of level-two local public administration authorities and of the autonomous territorial unit of Gagauzia (ATUG) from the point of view of transparent decision-making, conflict of interests and local participatory budgeting during 2017–2019. Its objectives fit completely and harmoniously into the Promo-LEX Association’s mission to monitor democratic processes.

Local authorities are an important link of the national decision-making process, since they are closer to the citizens and know their needs better. The transparency of the local decision-making process and access to official information are essential in ensuring the efficiency of the decision-making, legality and legitimacy of the involved authorities. Special attention to the level-two administrative authorities and ATUG is caused by the insufficient approach to their activity’s transparency in the public administration system of Moldova.

Civic monitoring of the activity of the public administration authorities is necessary and beneficial by virtue of the general mission to improve the quality of the administrative processes and make the stakeholders involved accountable. To this end, when drawing up the reports on monitoring the transparency of the activity of the level-two LPAs and ATUG, the other civic associations’ experience in the monitoring of decision-making processes of the RM public administration was considered as well.

Report No 3 on monitoring the transparency of the activity of the level-two LPAs and ATUG in the RM during 01.01.2018-30.06.2018 30.06.2018 is the third one of the 5 Reports planned for 2017-2019.

The purpose of the reports on monitoring the transparency of the public administration’s activity is to verify whether the decision-making processes carried out by the level-two LPAs and ATUG are as transparent as provided for in the legal provisions in the field, as well as whether they are in line with the policy documents and actions undertaken by the public authorities.

The reports are drawn up by the Promo-LEX Association central team, Monitoring Democratic Processes Program, on the basis of findings reported by the monitors regarding the activity of all stakeholders engaged in the decision-making process at the level-two administration and ATUG: public authorities, local and regional media, civil society organisations, local opinion leaders, etc.

## OBSERVATION METHODOLOGY

The methodology of monitoring the transparency of the activity of level-two LPA authorities and ATUG provides for and regulates the 2017–2019 methodological framework, the object of monitoring, the parties involved, duration and procedures of monitoring of transparency in decision-making, of the conflict of interests and budgeting process, including participative budgeting, at the administrative level. The methodology implies continuous monitoring of the institutions and their operating procedures, with semi-annual public reports.

The following authorities underwent monitoring:

- a. deliberative and representative authorities: district councils, municipal councils (Balti and Chisinau), People's Assembly of the Autonomous Territorial Unit of Gagauzia (ATUG);
- b. executive authorities: District President, Mayor General of Chisinau municipality, Mayor of Balti municipality, ATUG Governor.

Thus, it is clear that not only district public authorities of the RM, but also those of Balti and Chisinau municipalities (which are also level-two administrations) and Autonomous Territorial Unit of Gagauzia (ATUG) underwent monitoring. *Acknowledging the difference between the duties of the public authorities of the corresponding administrative and autonomous units, the authors considered it useful and sound to use in the monitoring reports a joint term – LPA (local public administration) to name the district (32 ATUs) and municipal (2 ATUs) administrations and a unit with special legal status – ATUG.* This merger is also justified by the fact that the study does not focus on the authorities' powers and duties, but rather on the transparency of their activity, thus, the requirements here being generic for all the named public authorities.

Consultation with the stakeholders about the activity of LPA authorities played an important role in the monitoring. For the purposes of this methodology, stakeholders means citizens, local opinion leaders, legally created associations, media, other legal entities governed by private law, affected or that could be affected by the decision, and which can participate in the decision-making process and influence it. About 105 persons from all the monitored regions, representing various organisations, civic associations, the media, business entities and civic activists were interviewed with their voluntary consent, and, respectively, asked about their opinion.

The following areas were identified and set in order to attain the LPA monitoring objectives:

- assess the quality of communication between the stakeholders and the authorities involved in decision-making;
- analyse the conformity of the contents of the authorities' websites in terms of decisional 'transparency' with the relevant legislation;
- identify the LPAs' attitude about the requests for official information;
- find out the degree of transparency of the process of preparing and holding the meetings of representative and deliberative authorities;
- assess the transparency of the budget process, including the aspects of participative budgeting;
- transparency of competitions for public office;
- clarify the issue of professional integrity and conflict of interests;
- monitoring the degree of transparency of the public procurement procedures and tenders.
- identify the alleged cases of abusive use of administrative resources in the activity of district/municipal councilors/members of the People's Assembly.

The legal framework regulating the subject of research includes a range of regulatory acts (see Annex 1), among which: Law No 239 of 13 November 2008 on the Transparency in the Decision-Making Process, Law No 982 of 11 May 2000 on Access to Information and Law No 436 of 28 December 2006 on Local Public Administration.

Monitoring the LPAs' activity in terms of this Methodology implies collection and processing qualitative and quantitative information using certain pre-set work methods/tools:

- legal framework analysis;

- interviews with the representatives of LPAs and stakeholders (identifying perception);
- direct observation;
- monitoring of representative and deliberative authorities' meetings;
- review of websites of the public authorities being monitored, and of other public institutions, as needed;
- etc.

The degree of transparency of the decision-making processes is monitored by the national coordinator and 5 regional coordinators of Promo-LEX Association<sup>1</sup> having the status of monitors. When needed, they are assisted by the Promo-LEX volunteers from the corresponding ATU (see Annex 2). The involved monitors signed an observers' Code of Conduct similar to that used in the election campaigns<sup>2</sup>.

The obtained quantitative and qualitative data are stored on a web platform for collection and, respectively, reporting of information to the central team, which processes it in order to draw up a monitoring report. The reporting web platform is developed and managed by Promo-LEX.

The monitoring by Promo-LEX Association of the decision-making transparency in LPAs' activity is funded by the United States Agency for International Development (USAID). The opinions presented in the public reports of Promo-LEX belong to authors and do not necessarily reflect the donors' view.

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<sup>1</sup> The territory of the Republic of Moldova was divided into monitoring regions on the basis of Promo-LEX Association's own methodology, by the location of territorial offices and districts each regional coordinator is responsible for.

<sup>2</sup> <https://promolex.md/4689-codul-de-conduita-al-observatorilor-electorali-promo-lex/>

## SUMMARY

The Report was drawn up by the central team of Promo-LEX Association after having analysed the reporting forms filled in by the monitors for the period between 1 January and 30 June 2018, and namely: 35 general monitoring forms; 112 forms for the monitoring of the meetings of representative and deliberative authorities; 35 forms for the interviews with the LPAs' representatives and 105 forms for interviews with the stakeholders.

The conclusion regarding the lack of compliance with the legal provisions regarding the transparency of the decision-making process by LPA II remains valid for the monitoring period covered in Report 3. At the same time, we note that some positive trends can be seen in comparison with the previous monitoring results (e.g. publication of the approved project/budget on the website, publication of the institutional Ethics Code, etc.)

After analysing the causes of the monitored situation, we agree with the LPAs officials and with the civil society representatives of the monitored ATUs, who consider that the problem is systemic and that it refers to the uncertainties of the state policy concerning level-two LPAs (financial coverage of competences, sustainability of the administrative-territorial organisation, etc.). At the same time, we believe that a number of actions meant to ensure transparency do not require considerable financial resources and depend only on the decision-makers (e.g. placing the anti-corruption hotline on the website of LPAs).

Looking at the quality of **communication between the LPA authorities and stakeholders in the decision-making process**, we may conclude that the online communication channels continue to be requested the most by citizens seeking information about the activity of level-two LPAs and even register an ongoing increase as regards social networks (+17.14%) compared to the Semester II, 2017. According to the data provided in the Report No 3, both LPAs and stakeholders prefer to get informed online stakeholders (website, social networks and e-mail) in proportion of 89.52% and 62.54%, respectively. Traditional 'mass media' (TV, newspapers, radio) is ranked second in stakeholders' communication preferences with 25.08%.

As regards *public consultations*, the most commonly used mechanism in the first half of 2018 was holding public hearings (with a decrease of 17.15% compared to the previous semester), as well as requesting the opinions of civil society organisations, experts (with an increase of 11.42% compared to the previous reference period). Also, compared to the previous period, the share of people involved in public consultations decreased from 32.38% to 22.85%. Among the reasons for non-involvement in public consultations were mentioned the failure to organise them (18.51%) or lack of information/invitation (14.81%). Thus, we reiterate the need for an institutionalised mechanism to inform permanently the stakeholders at level-two LPAs about the field-specific issues.

From the perspective of the *accessibility of the LPA headquarters*, we note the lack of certain facilities such as specially equipped rooms for mothers with children and user-friendly WC for persons with special needs. Respectively, it is difficult to involve certain categories of population (mothers with children, people with special needs) in the decision-making processes and in public consultation. On the other hand, as compared to the second semester of 2017, the accessibility of LPA buildings has increased due to their endowment with ramps (25 out of 35) and sufficient number of seats on the hallways (25 out of 35). These minor progresses are encouraging and prove that the participation of certain categories of people in decision-making can be facilitated with minimum efforts.

Generalizing the LPA's performance as regards the communication with the stakeholders for each indicator, we find that for the first semester of 2018, LPA Soroca, Drochia and Edinet registered the highest score.

As regards the **compliance of the LPAs' website in terms of decision-making transparency with the legal provisions in the field**, we found that the contents of LPAs' websites have quite low a compliance with the principles of decision-making transparency. One of the positive aspects is that

89% of the LPAs published the draft decisions and the related materials. The number of LPAs that published the summary of the recommendations also increased, even if insignificantly.

On the other hand, 74% of the LPAs did not observe the provision regarding the approval and publication of internal rules ensuring the decision-making transparency, 89% of the LPAs did not publish the contact data of the person responsible for the decision making process, 80% do not observe and publish the development programs (quarterly/annual) of draft decisions, 89% do not publish the announcements about the initiation of draft decisions development. The obligation to publish announcements regarding the conduct of public consultations is not observed only by 69% of the LPAs, while the results of public consultations (summary of recommendations received from the stakeholders) were published accordingly only by 17% of the LPAs. Only 34% of the LPAs develop and publish the annual reports on the transparency of the decision-making process.

The analysis of the outcomes per LPA proved that the authorities from Straseni, Rascani, Cahul districts and Balti municipality are doing best in complying with the LPA website content requirements on decision-making transparency. At the opposite extreme – the weakest results were registered by LPAs from Briceni, Calarasi, Nisporeni and Ialoveni districts.

To identify the LPAs' **attitude about the requests for official information**, as part of the monitoring, 35 requests for the access to official information were sent to LPAs as information providers. In 20 cases (57.14%) full answers were provided before the legal deadlines, which is double compared to the previous monitoring period. On the other side, in 6 cases (17.14%) no answer was delivered after the information was requested. We are speaking about LPAs from Rezina, Singerei, Taraclia, Anenii Noi districts and Chisinau municipality.

**Based on the findings of the monitoring of transparency in preparing and holding the meetings of level-two LPAs' deliberative authorities**, we must note that the legal provisions in this field are observed. According to Promo-LEX monitors, during the first semester of 2018, the deliberative authorities of LPA met in at least 112 meetings as compared to 160 meetings conducted during the previous semester (of which 108 deliberative, 63 ordinary meetings and 49 extraordinary meetings.) All of the meetings were accessible to Promo-LEX monitoring.

The announcements were published mainly through the website (76.79%), but in comparison with the second semester of 2017 the publication rate of the announcements on the information board and in the media increased by 15.09% and 14.11%, respectively. We also find that the placement of announcements in the media (36.61%) is less popular, although it is one of the sources of communication and information preferred by the stakeholders. The term of 3 business days for publishing the announcement was observed in case of 98 meetings (87.5%), which represents an increase of 9.37% against the previous monitoring period.

The number of meetings remained relatively stable, after the councils published the adopted decisions. Decisions were made public only in the case of 91 (84.25%) deliberative meetings (out of 108). Among LPAs that did not publish the decisions of the meetings are the following: Soldanesti, Glodeni, Drochia, Donduseni, Briceni, Cimislia, Nisporeni, Calarasi and Ialoveni.

Also, the number of meetings with urgent matters to be examined on the agenda is still very high, and in the case of 5 meetings (4.62%) the general public was not informed about the need to include and adopt certain urgent decisions, which is a violation of the legal norms. LPAs that did not comply with these legal provisions include Balti municipality (2 meetings), Nisporeni, Hincesti and Orhei (one meeting each).

The Promo-LEX Association values and welcomes the live broadcasting of the meetings of level-two deliberative authorities and believes that this is an element of maximum transparency of the decision-making process. Although it is a relatively new procedure for the Republic of Moldova, 29.46% of the meetings conducted during the monitored period were livestreamed either online or

on TV. LPAs that use broadly the live broadcast include: Falesti, Balti, Soroca, ATU Gagauzia, Drochia, and Chisinau municipality (all the meetings were broadcast live).

Generalizing the LPA's performance as regards transparency of meetings, we find that for the first semester of 2018, LPA of Balti municipality registered the highest score.

The monitoring of the **degree of ensuring the transparency of local public authorities from the point of view of professional integrity**, was conducted on the basis of 6 indicators: In case of 5 indicators (an Institutional Ethics Code in place; the publication of CVs of heads of the authorities monitored; publication of the declaration of assets and personal interests on the website of the National Integrity Authority; the institutional integrity plan in place; the anti-corruption and/or information hotline in place) positive trends were registered (+16% on average) The highest increase (+ 31.42%) was registered in case of the publication of CVs of the LPA leaders on the website.

APLs from Leova, Telenesti and Balti municipality registered the highest score in terms of integrity. On the other extreme there are: Soroca, Ialoveni, Hincesti, Drochia, Edinet.

The situation concerning the placement on the website of the information about the person in charge of anti-corruption module is still alarming. All the LPAs failed to comply with this legal provisions. As regards the existence of anti-corruption telephone lines and of institutional integrity plan the picture is also worrying. However, these requirements are mandatory according to the existing legal norms stipulated in the GD No 188 on the Content of LPAs Websites. At the same time, we are aware that the capacities of LPAs to cope with the number of legal requirements in the field is reduced, and we appreciate the positive trend registered in the first semester of 2018 in aligning with the integrity criteria.

Promo-LEX Association found that the **transparency of competitions for employment in a public position is moderately positive**. According to the monitors, most of the LPAs that organised competitions met the conditions related to the competition advertising. We note that all have placed the announcement and the conditions of contests on the website (100%). At the same time, 93.10% placed the announcements on the information boards, but the situation is worse as regards their placement on the governmental board of the public functions – only 4 (13.79%) administrations out of 29. Thus, overall, we found out that 3 (10.34%) administrations (ATU Gagauzia, Cimislia and Dubasari) out of 29 that organised competitions observed the legal requirements related to employment transparency and displayed the announcements and the conditions by using all the 3 compulsory information channels and additionally, the regional media.

We perceive as positive the use of media to disseminate information on the organisation of competitions – 24 APLs (92.30%) out of 29 that organised competitions used this tool. Thus, we can state that the LPAs prefer to use the dissemination instruments (website, media) that are mostly used by the general public.

As regards the transparency of public procurements, the Promo-LEX Association concludes that the constant transparency of the procurement process of LPAs is the result of the information published by the Public Procurement Agency. LPAs' official websites ensure a low transparency of the procurement process, this being limited to the publication of the Procurement Plans 91.43% (32 LPAs), announcements/invitations to participate in the procurement process 71.43% (25 LPAs). In addition, only 40% of the LPAs (14) publish the reports on low-value public procurements and, respectively, the quarterly/biannual and annual reports on the monitoring of the implementation of public procurement contracts – 31.42% (11 LPAs) on their official website. However, compared to the second semester of 2017, we note an increase in the number of LPAs that complied with the legal provisions on transparency in public procurement.

At the same time, Promo-LEX Association found a high number of cases when procurement contracts were awarded on the basis of a very small number of bids participating in the tender, which does not ensure an effective competition in the procurement process. Thus, 14.34% of the procurement

contracts (total amount – MDL 147 million), concluded by the LPAs were signed on the basis of a single bid participating in the tender (one business entity submitted the bid).

The Report No 3 comprises generalised disaggregated data on LPAs in order to underscore the authorities with best practices in the field. That analysis was reflected in Annex 14 and reveals a picture that tells us that the level-two local public authority from Balti municipality, Soroca and Rascani achieved the highest performance in terms of decision-making transparency during the second semester of 2018.

The appendix sums up the LPA performance per each monitored chapter. Similarly, the maximum performances of at least 3 LPAs were taken into account for each chapter (8 and 19 LPAs respectively, registered the highest score in terms of integrity and information request).

## I. COMMUNICATION BETWEEN THE LPAs' AUTHORITIES AND STAKEHOLDERS DURING DECISION-MAKING PROCESS

Communication between the LPAs' authorities and stakeholders is of crucial importance for the conduct of a transparent and democratic decision-making process. When taking decisions, public authorities are required to inform and consult the stakeholders as required by law. According to Article 11(2) of the Law No 239 on Transparency in the Decision-Making Process, the consultations take place at the initiative of the authorities and upon the proposal of stakeholders. Moreover, in the case of stakeholders, according to the same law, the public authority can not refuse the consultation.

In this context, the quality of communication between the LPAs' authorities and stakeholders during decision-making was assessed on the basis of the following aspects: *reflecting the information sources used by the authorities to convey information to the citizens in the context of organisation and conduct of the decision-making process; determining the involvement of the stakeholders in the public consultation process; identifying the accessibility and facilities of LPAs' headquarters subjected to the monitoring; degree of cooperation with the civil society associations.* By including this subject, Promo-LEX Association intended to create an overall image of the existing channels of communication between the LPAs' authorities and the stakeholders, the degree of involvement of the stakeholders as the most active social subjects directly affected by the administrative decision-making process, as well as the obstacles in applying the legal framework in transparency in decision-making. These aspects can provide a comprehensive picture of how to enforce legal provisions on transparency in decision-making.

Two basic methodological tools were used: observation and interviewing. The direct observation implied monitoring of the information boards and newsletters, local and regional newspapers, as well as analysing LPAs' websites and social media accounts and the monitoring of the headquarters of level-two LPAs. Individual interviews were carried out. This method was used to find out the actors' perception of the situation in the field. To obtain more objective results, both LPAs' representatives (as a rule, the secretary of the district/municipal council or the head of the public administration division) and stakeholders' representatives (citizens, local opinion leaders, legally established associations, media, etc.) were questioned. During the monitored period, 35 interviews with the LPAs' representative and 105 interviews with the stakeholders were analysed. The subjects included in the Interview Grid are reflected in Annexes 3 and 4.

a. The first subject reflecting the nature of communication between the LPAs' authorities and the stakeholders refers to the *identification of the information sources used by the authorities to transmit information about organisation and conduct of the decision-making process to the citizens and other stakeholders*. This exercise is followed by the presentation of information sources the parties prefer to use when learning about the stages of the decision-making process. Comparison of the opinions helped to cover the issue more comprehensively and objectively.

*Table 1. Degree of use of the communications sources by the LPAs and stakeholders*

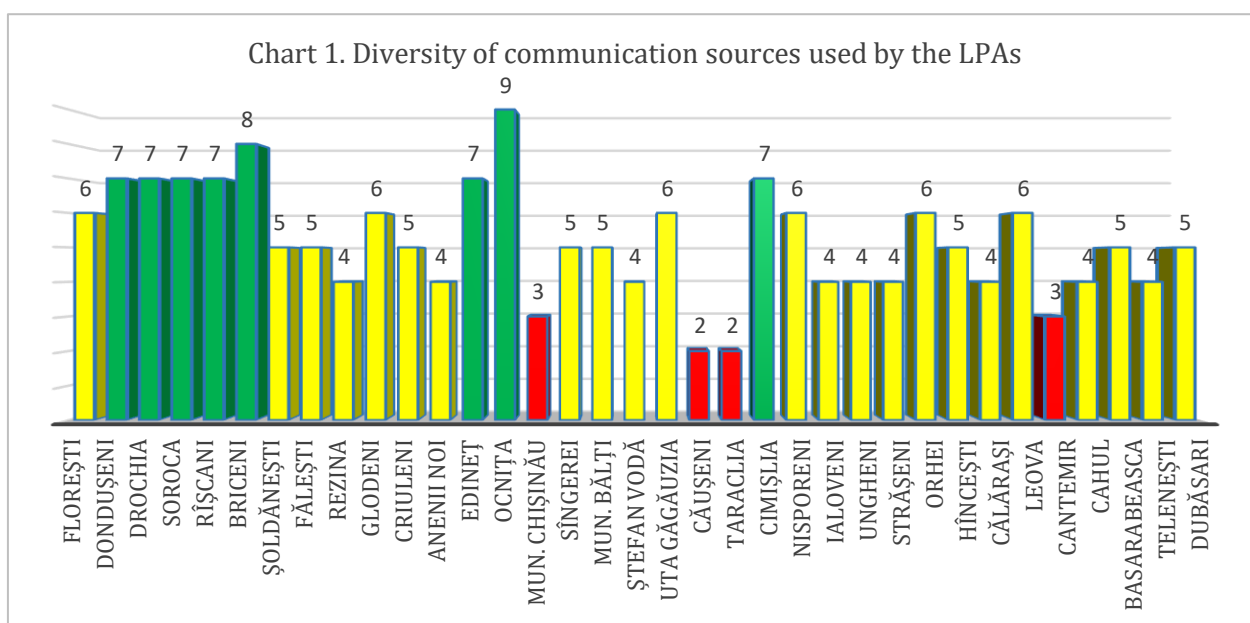
<b>Information source</b>	<b>Use by the LPAs</b>	<b>Use by the stakeholders</b>
Newsletter	10 (28.57%)	7 (6.67%)
Information board	<b>30 (85.71%)</b>	37 (35.24%)
Authority's website	<b>35 (100%)</b>	<b>97 (92.38%)</b>
Social media	<b>30 (85.71%)</b>	<b>63 (60.00%)</b>
Newspapers	25 (71.43%)	<b>45 (42.86%)</b>
Radio	7 (20.00%)	11 (10.48%)
TV	8 (22.86%)	23 (21.90%)
E-mail	29 (82.86%)	37 (35.24%)
Other <sup>3</sup>	7 (20.00%)	10 (9.52%)
<b>TOTAL</b>	<b>35 respondents</b>	<b>105 respondents</b>

<sup>3</sup> Direct communication and telephone communication were mentioned as other sources of information.

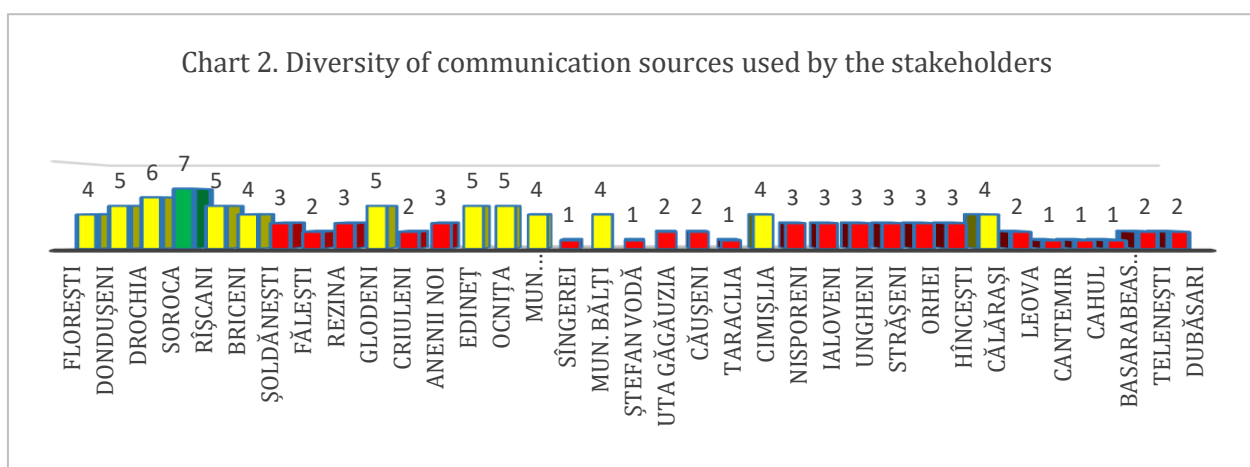
The interviewees could tick several options (see Table 1). Judging from the ticked options, the authority's website is the most popular source of information used both by the LPAs – 35 of 35 authorities (100%), and by the stakeholders – 97 of 105 persons (92.38%). Other communication channels preferred by APLs are: information board and social media (85.71% each), followed by email (82.86%) and newspapers (71.43%). Stakeholders prefer these same communication methods.

Although communication preferences remained the same, compared to the second semester of 2017 in the case of LPA, the use of social media and alternative communication options increased by 17.14%, especially direct communication with citizens. On the other hand, there are no essential changes in stakeholders' communication preferences.

We also found a diversification of the sources of communication used by the LPAs (see Chart 1). The LPAs from Donduseni, Drochia, Soroca, Riscani, Briceni, Edinet, Ocnita and Cimislia districts use 7-9 communication sources. LPAs from Chisinau municipality and Causeni, Taraclia and Cantemir districts use the fewest communication sources (between 2 and 3).



Stakeholders use fewer sources of communication and information on the organisation and conduct of the decision-making process (see Chart 2).



Most communication sources are used by stakeholders from Soroca and Drochia districts (between 6-7 sources), while those from Singerei, Stefan Voda, Taraclia, Cantemir, Cahul and Basarabeasca use

only one communication source, especially the website or direct address to the District Council representatives.

Generally, both LPAs and stakeholders prefer to get informed online (website, social networks and e-mail) in proportion of 89.52% and 62.54%, respectively. Traditional 'mass media' (TV, newspapers, radio) is ranked second in stakeholders' communication preferences with 25.08%. In case of LPAs, even if the media has a 38.09% rate, this communication source is less used in comparison with the information board or newsletter, which are used in proportion of 57.14%. Thus, we note a discrepancy between the communication and information preferences of the stakeholders and the LPAs regarding the communication options of levels 2 and 3.

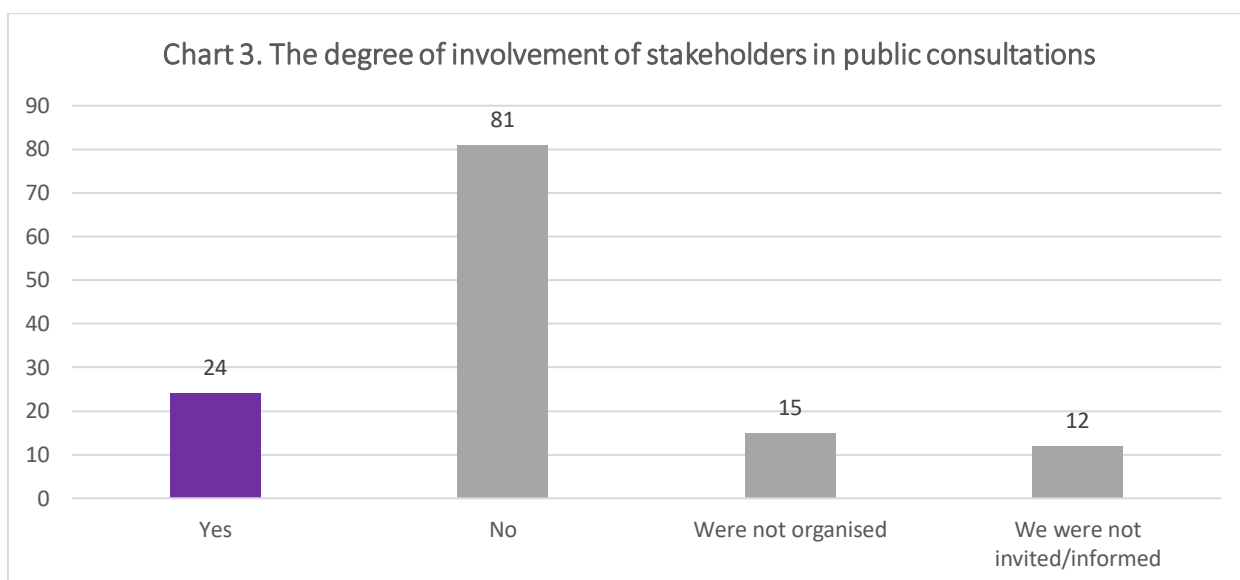
b. Promo-LEX thinks that another subject relevant for identifying the nature of communication between the citizens and LPAs is *determining the involvement of the stakeholders in the process of public consultation*. According to Law on Transparency in Decision-Making, public consultation is a reciprocal communication between the citizens, legally created associations, other stakeholders, on the one part, and public authorities falling within the relevant legislation, on the other part, in the result of which both parties are informed and capable of influencing the decision-making process.

As regards public consultations, the most commonly used mechanism in the first half of 2018 was holding public hearings and requesting the opinions of civil society organisations, experts and professional association. These options, with small differences, were mentioned by the majority representatives of LPAs and stakeholders (see Table 2). Compared to the second semester of 2017, APL representatives used less the public hearings (-17.15%), but asked more for the opinion of civil society (+11.42%) and consulted the public through other consultation mechanisms (+20.00%), especially through the website. The level of participation of stakeholders in public hearings decreased (-8.57%) and they requested less for the opinions of the of civil society organisations, experts, professional associations (-6.67%).

*Table 2. Public consultation methods used by LPA to ensure transparency of the decision-making process during the monitored period*

<b>Consultation mechanism</b>	<b>LPA's opinion</b>	<b>Stakeholders' opinion</b>
Seeking the opinions of civil society organisations, experts, professional associations	<b>19 (54.28%)</b>	27 (25.71%)
Organising public debates	18 (51.42%)	<b>36 (34.28%)</b>
Conducting public hearings	16 (45.71%)	35 (33.33%)
Conducting opinion polls	5 (14.28%)	3 (2.85%)
Other methods	16 (45.71%)	13 (12.38%)
<b>TOTAL</b>	<b>35 respondents</b>	<b>105 respondents</b>

In the same train of thoughts, out of the total number of interviewed stakeholders, 24 persons (22.85%) confirmed that they had participated in such activities (see Chart 3). Compared to the second semester of 2017, the share of people involved in public consultations decreased significantly (from 32.38% to 22.85%). In Drochia, Edinet and Glodeni, all three interviewed persons per ATU participated in public consultations.



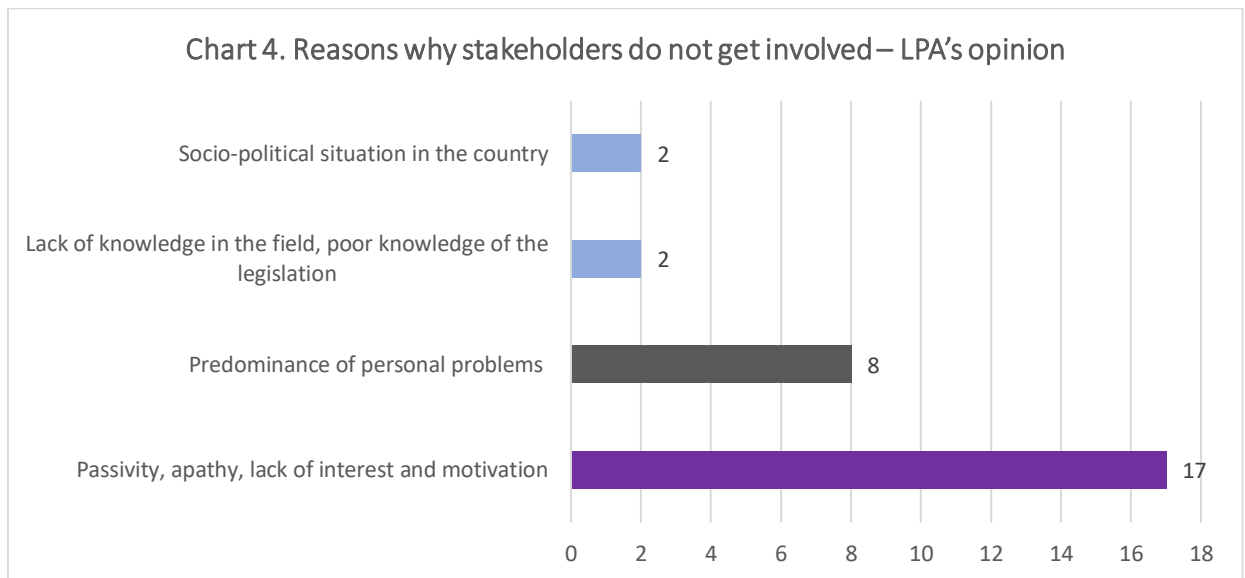
Among the reasons for non-involvement in public consultations were mentioned the failure to organise them (18.51%) or lack of information/invitation (14.81%). According to legal norms, the information of the stakeholders has to be target-specific, unlike the general information process, directed towards large, undefined public. Thus, we reiterate the lack of an institutionalised mechanism to inform permanently the stakeholders at level-two LPAs about the field-specific issues.

On the other hand, the interviews conducted with LPAs representatives show a more alarming trend regarding the degree of citizens' involvement in the decision-making process at the level-two administration (see Table 3), which remained relatively the same compared to the second semester of 2017. The interviewed civil servants also think that the majority of the citizens are not interested or they are relatively interested in the content of the decision-making process at the level-two administration (94.28%).

*Table 3. Degree of citizens' participation in decision-making, according to the LPAs representatives*

<b><i>Degree of participation</i></b>	<b><i>Significant</i></b>	<b><i>Relative</i></b>	<b><i>Insignificant</i></b>	<b><i>Total</i></b>
Number of options	2	21	12	35
Share	5.72%	60.00%	34.28%	100%

Among the reasons of citizens' non-involvement the LPAs' representatives mentioned: apathy, passivity and lack of interest and motivation; predominance of personal problems; lack of knowledge in the field, poor knowledge of the legislation; and the socio-political situation in the country (see Chart 4). In conclusion, we note that stakeholders are less involved in the decision-making process, and the reasons for this situation is the absence of an institutionalised mechanism to inform permanently the stakeholders at level-two LPAs, and in the high level of passivity and lack of interest from the part of the citizens.



c. An efficient communication with public authorities depends on the *accessibility and facilities of the LPAs’ headquarters* as well. This does not necessarily apply to the stakeholders only, but rather to all the categories of citizens, and especially to the elderly and disabled persons. Aspects included in the observation grid include: access ramps at the entrance to the headquarters; ensuring one’s comfort by placing chairs on the hallway; sufficient indoor lighting; user-friendly WC for persons with special needs; heating; room for mothers with minor children (see Table 4). Monitors used the direct observation method during the monitoring conducted in the first semester of 2018.

After the monitoring it was found that LPAs headquarters still lack specially equipped rooms for mothers with children and user-friendly WC for persons with special needs. This issue reduces not only the accessibility of headquarters, but also makes difficult to involve certain categories of population (mothers with children, people with special needs) in the decision-making processes and in public consultations. Thus, indirectly, the lack of such facilities may lead to non-observance of Article 6(a) of Law No 239 of 13 November 2008 on Transparency in the Decision-Making Process that ensures the right of every citizen to participate at any stage of the decision-making process. Or, without ensuring minimum accessibility, these categories of people (mothers with children, people with special needs) and their opinion are left outside the public participation process.

On the other hand, as compared to the second semester of 2017, the accessibility of LPA buildings has increased due to their endowment with ramps (23 out of 35) and sufficient number of seats on the hallways (25 out of 35). These minor progresses are encouraging and prove that the participation of certain categories of people in decision-making can be ensured with minimum efforts. It is also encouraging that the premises of all LPAs are equipped with heating, which ensures comfortable conditions for both visitors and civil servants who work in these buildings.

In conclusion, the LPAs from Rezina, Falesti, Balti municipality, Basarabasca, Leova, ATU Gagauzia, Cimislia, Taraclia, Cantemir, Cahul, Ungheni, Straseni, Orhei, Hincesti, Calarasi, Criuleni, Sorocea and Riscani have the highest level of accessibility with a score of 4/6. On the other hand, the lowest accessibility was registered in headquarters of LPAs from Soldandesti, Singerei, Briceni and Causeni with a score of 2/6.

Table 4. Accessibility and facilities of LPAs' headquarters (data disaggregated by ATU)

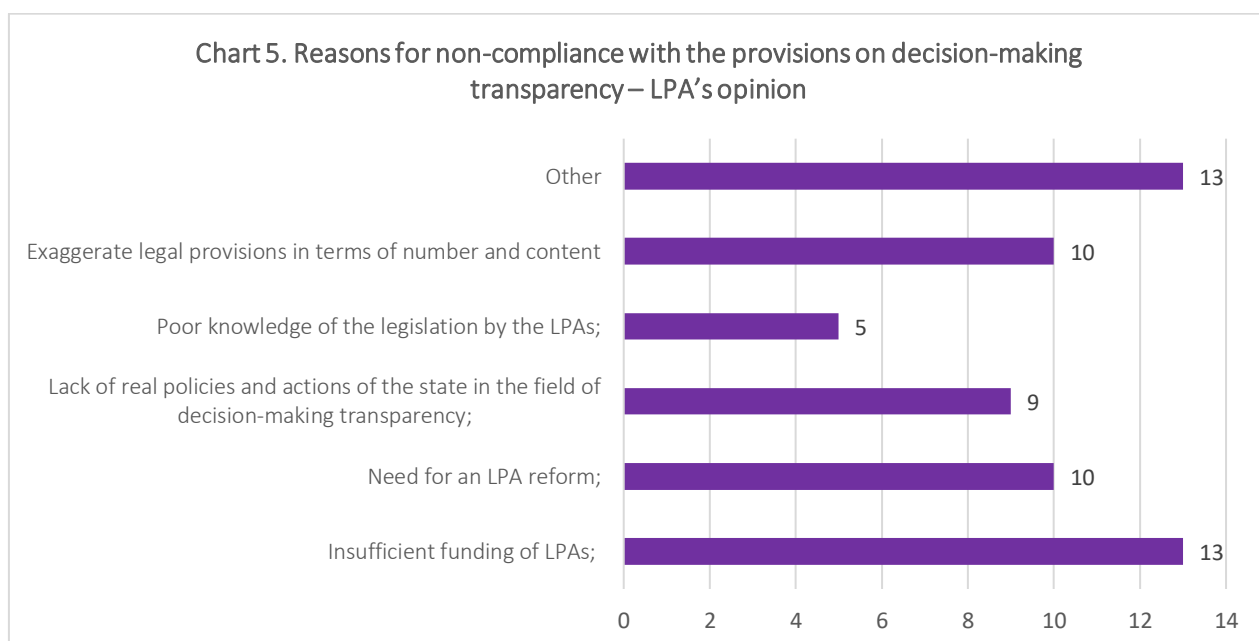
ATU		Access ramps	Sufficient artificial indoor lighting	Heating	Sufficient number of chairs on the hallways	Room for mothers with children	User-friendly WC for persons with special needs	Degree of implementation
North, Edinet Regional Office	Soroca	YES	YES	YES	YES	NO	NO	4/6
	Drochia	YES	YES	YES	NO	NO	NO	3/6
	Riscani	YES	YES	YES	YES	NO	NO	4/6
	Donduseni	NO	YES	YES	YES	NO	NO	3/6
	Edinet	YES	YES	YES	NO	NO	NO	3/6
	Briceni	NO	YES	YES	NO	NO	NO	2/6
	Ocnita	YES	YES	YES	NO	NO	NO	3/6
North-East, Balti Regional Office	Rezina	YES	YES	YES	YES	NO	NO	4/6
	Soldanesti	NO	YES	YES	NO	NO	NO	2/6
	Floresti	NO	YES	YES	YES	NO	NO	3/6
	Falesti	YES	YES	YES	YES	NO	NO	4/6
	Balti municipality	YES	YES	YES	YES	NO	NO	4/6
	Glodeni	NO	YES	YES	YES	NO	NO	3/6
	Singerei	NO	YES	YES	NO	NO	NO	2/6
Telenesti	NO	YES	YES	YES	NO	NO	3/6	
Center-South-East, Chisinau Regional Office	Chisinau municipality	NO	YES	YES	YES	NO	NO	3/6
	Anenii Noi	YES	YES	YES	NO	NO	NO	3/6
	Dubasari	NO	YES	YES	YES	NO	NO	3/6
	Criuleni	YES	YES	YES	YES	NO	NO	4/6
	Causeni	YES	NO	YES	NO	NO	NO	2/6
	Stefan Voda	NO	YES	YES	YES	NO	NO	3/6
Center-South-West, Calarasi Regional Office	Ungheni	YES	YES	YES	YES	NO	NO	4/6
	Straseni	YES	YES	YES	YES	NO	NO	4/6
	Orhei	YES	YES	YES	YES	NO	NO	4/6
	Nisporeni	YES	YES	YES	NO	NO	NO	3/6
	Ialoveni	YES	YES	YES	NO	NO	NO	3/6
	Hincesti	YES	YES	YES	YES	NO	NO	4/6
	Calarasi	YES	YES	YES	YES	NO	NO	4/6
South, Comrat Regional Office	Basarabasca	YES	YES	YES	YES	NO	NO	4/6
	Leova	YES	YES	YES	YES	NO	NO	4/6
	ATU Gagauzia	YES	YES	YES	YES	NO	NO	4/6
	Cimislia	YES	YES	YES	YES	NO	NO	4/6
	Taracia	YES	YES	YES	YES	NO	NO	4/6
	Cantemir	YES	YES	YES	YES	NO	NO	4/6
	Cahul	YES	YES	YES	YES	NO	NO	4/6
<b>Total</b>	<b>YES - 25 NO - 10</b>	<b>YES - 34 NO - 1</b>	<b>YES - 35 NO - 0</b>	<b>YES - 25 NO - 10</b>	<b>YES - 0 NO - 35</b>	<b>YES - 0 NO - 35</b>		

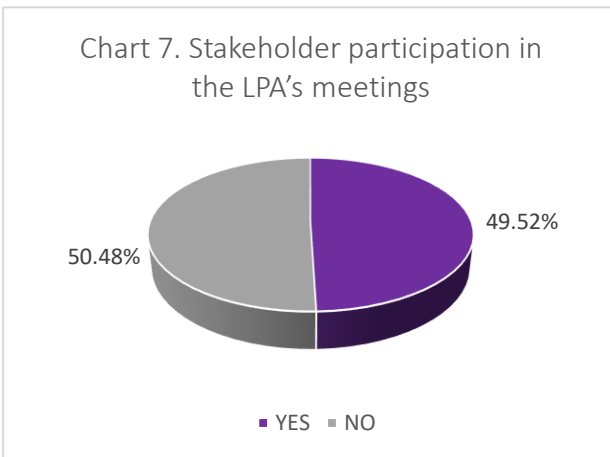
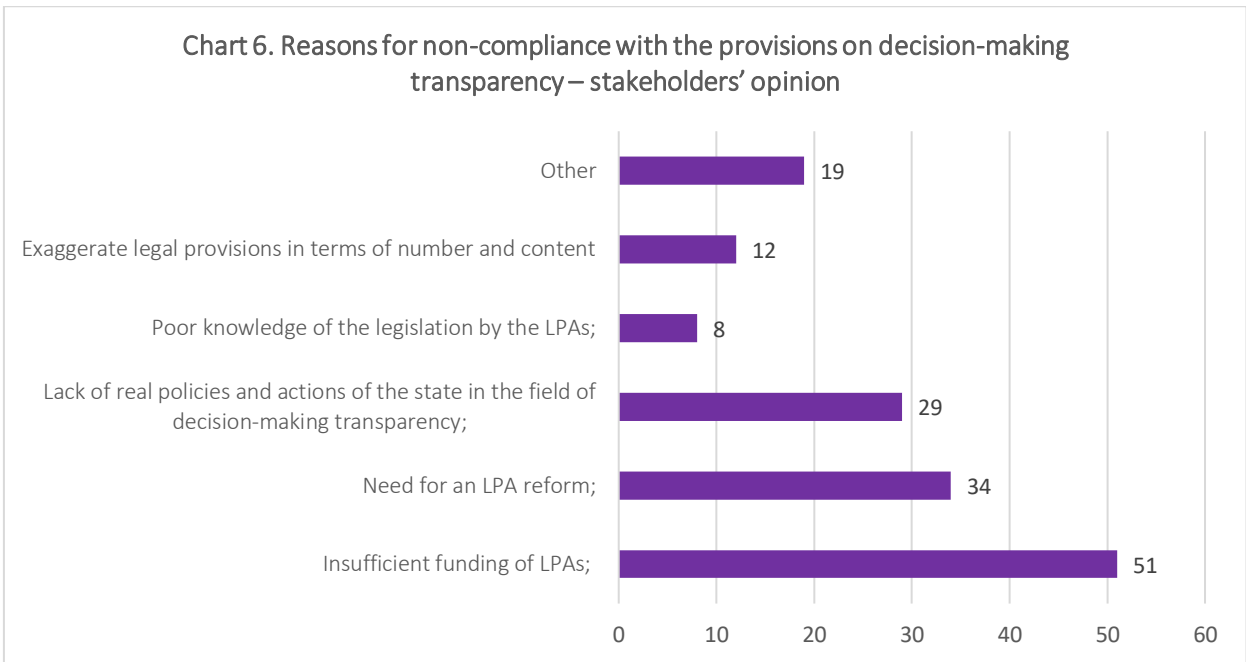
d. *Cooperation with the civil society* is another important aspect in ensuring the transparency of the decision-making process by public authorities. In this respect, we analysed *the reasons for non-compliance with the legislation, the stakeholders' participation in the decision-making process, and the assessment of the role and influence that stakeholders have in the decision-making process*. Promo-LEX believes that civil society must play an important role in communication with LPAs and the provisions on transparency of decision-making must be observed by both LPAs and civil society.

However, both LPAs and stakeholders consider that the provisions in the field of decision-making transparency are not observed. Moreover, both LPAs and stakeholders invoke almost the same reasons for non-compliance with these provisions.

One of the reasons invoked in this respect is the insufficient financing of LPAs. Both LPAs and stakeholders ticked most of the responses for this option (see Charts 5 and 6). Other reasons invoked by LPA are: lack of local radio and TV (Riscani), lack of human resources (Briceni), lack of necessary equipment (Leova), etc. Among the reasons cited by the stakeholders are: lack of human resources (Soroca, Briceni, ATU Gagauzia, Ungheni, Hincesti), lack of technical capabilities (Singerei), lack of motivation (Falesti, Telenesti, Rezina, Balti municipality, Floresti), failure of LPAs to execute legal provisions (Taraclia, Criuleni, Ungheni), etc.

These options are followed by the need for a LPA reform, LPA representatives ticked 10 responses, and stakeholders – 34. Also LPAs invoked the exaggerated legal provisions in terms of number and content while stakeholders – the lack of real policies and actions of the state in the field of decision-making transparency.





As regards the participation in the decision-making process, we found that half of the interviewed stakeholders participated in the meetings of the District Council. 49.52% (52) of the respondents said that during the monitoring period they attended the meetings of LPAs (see Chart 7). The lack of an invitation/announcement or the lack of topics of interest on the agenda were among the reasons for non-participation. Thus, we can conclude that stakeholders attend the meeting of LPAs only if they address topics of their interest.

Moreover, 82.85% of the interviewed stakeholders believe that the LPAs inform the citizens about the draft decisions to be discussed on the District Council's agenda? In the case of Taraclia, Hincesti, Nisporeni, stakeholders reported the failure to observe this provision.

Generally, we can conclude that in the majority of cases the LPAs observe the Article 7 Item b) of the Law No 239 of 13 November 2008 on Transparency in the Decision-Making Process, which provides for the information, in the prescribed manner, on the organisation of decision-making process.

In the same train of thoughts, the 105 persons from the monitored regions were asked to assess the role of the organisations they represented in decision-making. In 43.80% of the cases (i.e. 46 persons), the self-assessment regarding the power to influence administrative decisions was positive. These respondents believed that the organisation they represent or they themselves, have an important role in decision-making (see Table 5). On the other hand, 39 interviewees (37.14%) think that their opinion is not taken into account in the decision-making process at the level-two administration. Note that compared to the data from Report II, the share of the representatives of stakeholders who believe that they have an insignificant role in decision-making has increased from 33 to 39 people.

Table 5. Self-assessment regarding the role that organisations play in decision-making (stakeholders' opinions)

Assessment/Role	Significant	Relative	Insignificant	Total
Number/Share of assessments	46 (43.80%)	20 (19.04%)	39 (37.14%)	105 (100%)

Concluding about the communication sources we note that both LPAs and stakeholders prefer to get informed online (website, social networks and e-mail) in proportion of 89.52% and 62.54%, respectively. Traditional 'mass media' (TV, newspapers, radio) is ranked second in stakeholder's communication preferences with 25.08%. In the case of the LPA, the information board or the newsletter is ranked second place with a score of 57.14%. Thus, we note a discrepancy between the communication and information preferences of the stakeholders and the LPAs regarding the communication options of levels 2 and 3. Compared to the second semester of 2017 in the case of LPA, the use of social media and alternative communication options increased by +17.14%, especially direct communication with citizens.

As regards public consultations, the most commonly used mechanism in the first half of 2018 was holding public hearings and requesting the opinions of civil society organisations, experts and professional association. Compared to the second semester of 2017, APL representatives used less the public hearings (-17.15%), but asked more for the opinion of civil society (+11.42%) and consulted the public through other consultation mechanisms (+20.00%), especially through the website. Also, compared to the previous period, the share of people involved in public consultations decreased from 32.38% to 22.85%. Among the reasons for non-involvement in public consultations were mentioned the failure to organise them (18.51%) or lack of information/invitation (14.81%). Thus, we reiterate the need for an institutionalised mechanism to inform permanently the stakeholders at level-two LPAs about the field-specific issues.

In the same train of thoughts, the interviews conducted with LPAs representatives show a more alarming trend regarding the degree of citizens' involvement in the decision-making process at the level-two administration which remained relatively the same compared to the second semester of 2017. The interviewed civil servants also think that the majority of the citizens are not interested or they are relatively interested in the content of the decision-making process at the level-two administration (94.28%). At the same time, 49.52% of the stakeholders said that during the monitoring period they attended the meetings of LPAs. The lack of topics of interest on the agenda was one of the reasons for non-participation, which confirms the findings of LPAs.

Thus, we note that stakeholders are less involved in the decision-making process, and the reasons for this situation is the absence of an institutionalised mechanism to inform permanently the stakeholders at level-two LPAs, and in the high level of passivity and lack of interest from the part of the citizens.

In terms of accessibility of the LPA headquarters, we note with concern the lack of certain facilities such as specially equipped rooms for mothers with children and user-friendly WC for persons with special needs. This issue reduces not only the accessibility of headquarters, but also makes difficult to involve certain categories of population (mothers with children, people with special needs) in the decision-making processes and in public consultation. On the other hand, as compared to the second semester of 2017, the accessibility of LPA buildings has increased due to their endowment with ramps (25 out of 35) and sufficient number of seats on the hallways (25 out of 35). These minor progresses are encouraging and prove that the participation of certain categories of people in decision-making can be ensured with minimum efforts.

Generally, both LPAs and stakeholders consider that the legal provisions on decision-making transparency are not observed. Moreover, both LPAs and stakeholders invoke almost the same reasons for non-compliance with these provisions. Other reasons invoked in this respect are: insufficient financing of LPAs, lack of local radio and TV (Riscani), lack of human necessary equipment (Leova, Singerei), lack of human resources (Soroca, Briceni, ATU Gagauzia, Ungheni, Hincesti), lack of

*motivation (Falesti, Telenești, Rezina, Balti municipality, Floresti), failure of LPAs to execute legal provisions (Taraclia, Criuleni, Ungheni), etc.*

*Generalizing the LPA's performance as regards the communication with the stakeholders for each indicator, we find that for the first semester of 2018, LPA Soroca, Drochia and Edinet registered the highest score (see Annex 12).*

## II. COMPLIANCE OF THE CONTENTS OF THE LPA AUTHORITIES' WEBSITES, IN TERMS OF 'TRANSPARENT' DECISION-MAKING, WITH THE RELEVANT LEGISLATION

Considering the current developments in communication technologies, using online information sources is no longer seen as a luxury, but rather as a need and an opportunity to solve the issues of communication with organisations, including the public ones, and the external world. A website is important as it stimulates and develops a business, and it is the easiest way to inform and provide offers to users. It will increase the credibility, potential and visibility of the owner. It is an unlimited space for communicating with users. Thus, tapping the opportunities provided by the internet is a must for modern public administrations. Online communication provides a range of opportunities to highlight the principle of administrative transparency.

Article 3(4) of the Law No 239 on Transparency in Decision-Making provides that the LPA shall consult with the citizens, associations established in line with the law, other stakeholders about draft regulations, draft administrative documents that can have social, economic, environmental impacts (on lifestyle and human rights, on culture, health and social protection, on local groups, public services). Concurrently, according to the Items 5 and 6 of the Government Decision (GD) No 967 on the Mechanism for Public Consultations with the Civil Society in Decision-Making provides that the LPA shall ensure access to draft decisions and related documents by publishing them on the official website, as well as it shall approve internal rules concerning the procedures on decision development, information, consultation and adoption of decisions in compliance with the law in force.

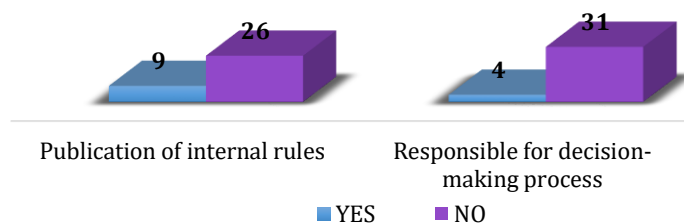
To abide by those provisions, the LPA authorities have to take measures to make sure the citizens, associations established in line with the law, other stakeholders can participate, including by publishing the following information on the website: *internal rules on the procedures of information, consultation and participation in decision-making; first name, last name, position and contact data of the person responsible of the decision-making process; information about the (quarterly/annual) draft decision development schedules; announcements that the development of a decision is about to start; announcements that draft decisions were withdrawn, announcements regarding the organisation of public consultations; draft decisions and related documents; the results of public consultations, the annual report of the public authority on transparency in decision-making (Item 14 of the Regulation on public consultations with civil society during the decision-making process approved by GD No 967 of 9 August 2016)*. Promo-LEX monitors checked and reported whether such pieces of information were published on the websites of the authorities (data disaggregated by ATU, on the basis of Promo-LEX regions are provided in Annexes 5).

In accordance with Items 6 and 14 of the Regulation approved by GD No 967, the LPA shall approve and publish on the website the *internal rules concerning the procedures on decision development, information, consultation and adoption* in compliance with the law in force as well as the contact data of the *person in charge of the decision-making process*.

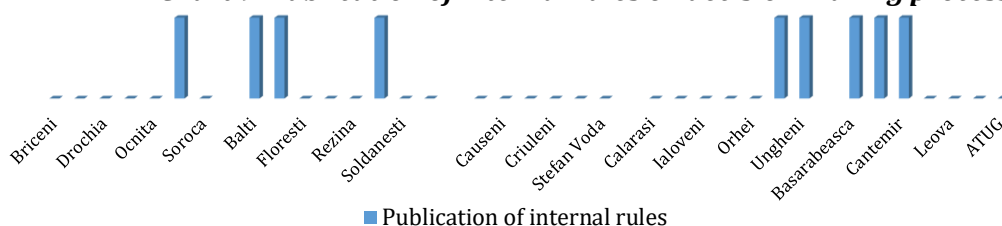
According to the reports of Promo-LEX monitors, the internal rules on information, consultation and participation in decision-making procedures were approved and published on the website by 9 LPAs, and the contact details of the person in charge of the decision-making process were published by four LPA (see Charts 8, 9 and 10).

Compared to the second semester of 2017, we find that the number of APLs that published the internal rules (2 LPAs – Riscani and Cantemir), and the contact details regarding the decision-making process (3 LPAs – Straseni, Cahul, Leova) increased.

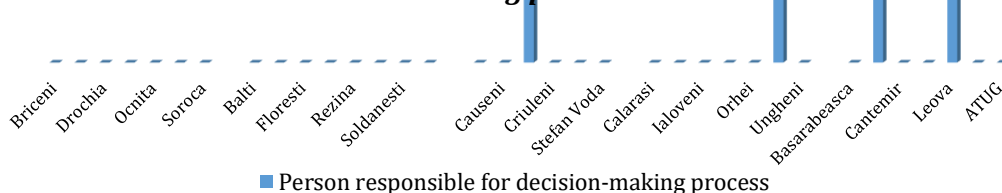
**Chart 8. Publication of internal rules and data of the person in charge for decision-making process**



**Chart 9. Publication of internal rules on decision-making process**



**Chart 10. Publication of the data of the person in charge for decision-making process**

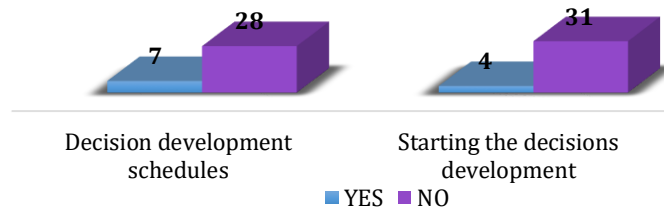


In order to facilitate stakeholders' access to decision-making information, according to Item 14(3) of the Regulation approved by GD No 967, the LPAs shall publish on the official website *information about the (quarterly/annual) draft decision development schedules*, specifying the drafts that will be subject to public consultations, and according to the Item 14(4) of the same regulatory act – publication of *the announcements about the initiation of decisions development*.

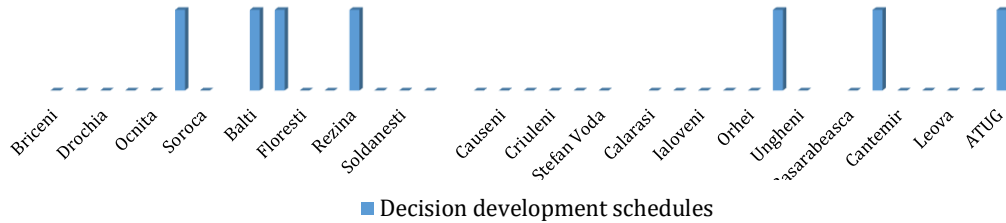
At the same time, according to Article 9(1) of the Law No 239, once the *drafting of a decision began*, the LPA shall publish an announcement in this regard on its official website within 15 business days at most and shall send it immediately to the stakeholders by e-mail, and shall post it up at its headquarters in a visible place and/or shall broadcast it on the local or national media.

According to the reports developed by Promo-LEX monitors, it was found that only 7 LPAs published *draft decision development schedules* and only 4 LPAs published the *announcements about the initiation of decisions development* (see Charts 11, 12 and 13). Compared to the second semester of 2017, the number of LPAs that have complied with the legal provisions on publishing *the draft decision development schedules* increased (by 4 – Riscani, Rezina, Cahul, UTAG), but as regards the publication of the *announcements about starting of decisions development*.

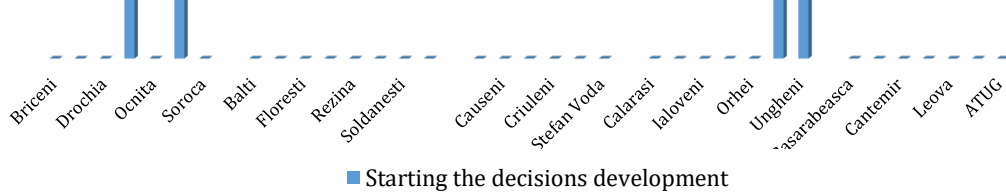
**Chart 11. Publication of decision development schedules and of announcement about starting of drawing up the decisions**



**Chart 12. Publication of decision development schedules**



**Chart 13. Publication of announcements about starting of drawing up the decisions**

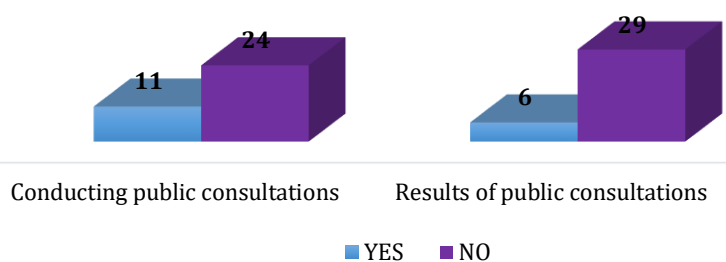


According to Article 12<sup>1</sup> of the Law No 239, should a draft decision be withdrawn, the LPA shall *put an announcement about it on its official website*, specifying the reason for that too. As reported by Promo-LEX monitors and having checked the websites, none of the LPAs posted on its website such announcements regarding the withdrawal of draft decisions in the first semester of 2018 (like in other monitored periods), even though draft decisions were withdrawn from the process of adopting it (for example, draft decision No 5/2 of the Council of Balti municipality of 22 February 2018, which was withdrawn from the process of adoption, and the information was not published on the official website of the PA).

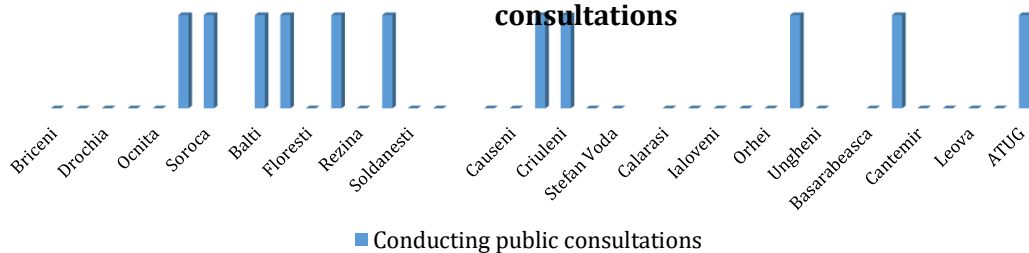
Article 11 of the Law No 239 provides that the LPAs shall organise public consultations for the developed draft decisions. For this purpose, the authorities shall publish the *announcement that public consultations will be held, as well as the related documents*, 15 working days before finalising the draft decision. At the same time, according to the Article 12 of the Law No 239, LPAs shall publish the *summary of recommendations* received during the public consultations on the website.

As put down in the reports of Promo-LEX monitors, during the first semester of 2018 only 11 LPAs published *announcements on public consultations* in the decision-making process and only 6 of them published the results of these consultations – *summary of recommendations* (see Charts 14, 15, and 16) Compared to the second semester of 2017, we notice a major decrease in the number of LPAs that published *announcements on public consultations*: from 20 LPAs (second semester of 2017) to 11 LPAs in the first semester of 2018. Also, we notice an increase in the number of LPAs that published the *summary of recommendations* (from 4 to 6 LPAs).

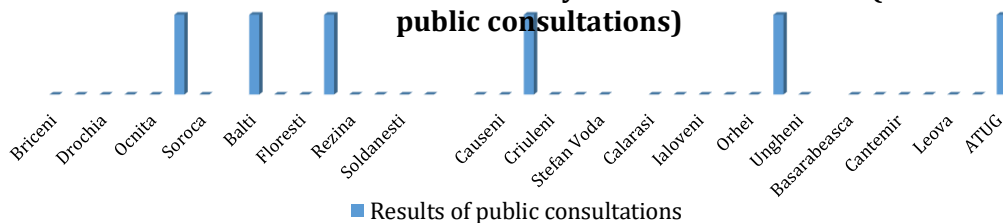
**Chart 14. Publication of announcements on public consultations and their results (summary of recommendations)**



**Chart 15. Publication of announcements about the organisation of public consultations**



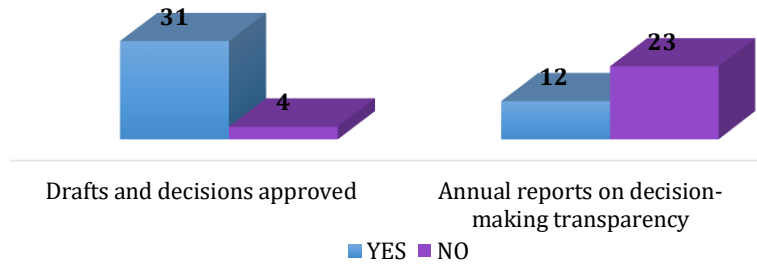
**Chart 16. Publication of the summary of recommendations (results of public consultations)**



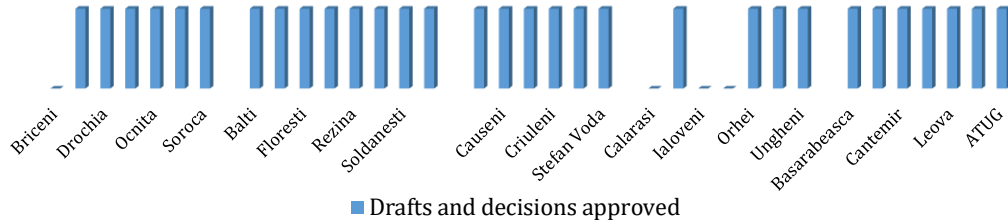
Article 16 of the Law No 239 provides that the LPAs shall publish the draft decisions, the decisions and the related materials, and the Article 16(2) of the Law No 239 provides that before the first half of the new year is over, the LPAs must publish the *Annual Report on Transparency in Decision-Making* (for the previous year). This report must include the following: number of decisions passed during the reporting period; total number of received recommendations as part of the decision-making process; number of consultative meetings, public debates and public meetings held; number of cases when the actions or decisions of the authorities were challenged, etc. At the same time, according to the Article 14(9) of the Regulation approved by GD No 967, the Report shall be published on the website.

Promo-LEX monitors reported about the publication of *draft decisions, decisions and related materials* in case of 31 LPAs and publication of *annual reports on decision-making transparency* – in the case of 12 LPAs (see Charts 17, 18 and 19). Compared to the second semester of 2017, the number of LPAs that published *the adopted draft decisions/ decisions* increased by 2 (from 29 to 31) while the number of LPAs that published *the annual reports on decision-making transparency* increase by 4 (from 8 to 12).

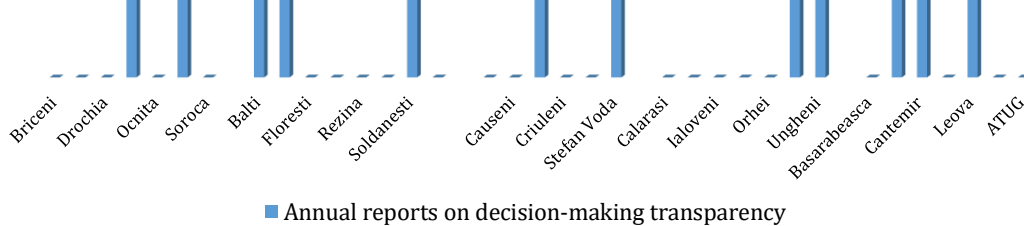
**Chart 17. Publication of draft decisions/decisions and annual reports on decision-making transparency**



**Chart 18. Publication of developed draft decisions/decisions**

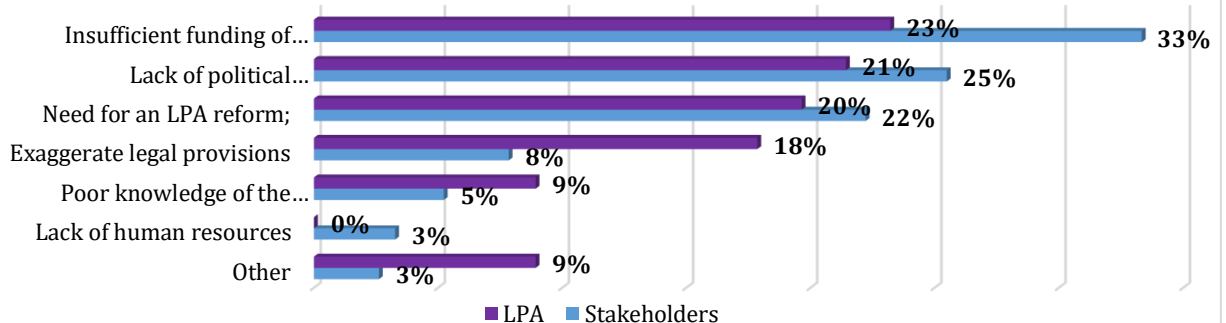


**Chart 19. Publication of annual reports on decision-making transparency**



To identify the causes of websites' non-compliance with the legal provisions, 105 interviews were carried out with stakeholders and 35 interviews – with the representatives of the 35 monitored LPAs. As a result, it was found that the main reason for non-compliance of the websites – mentioned by both stakeholders and LPAs – is *the insufficient funding of institutions*, followed by *a lack of real state policies and actions in the field of decision-making transparency*, and *lack of the authorities' will* (see Chart 20).

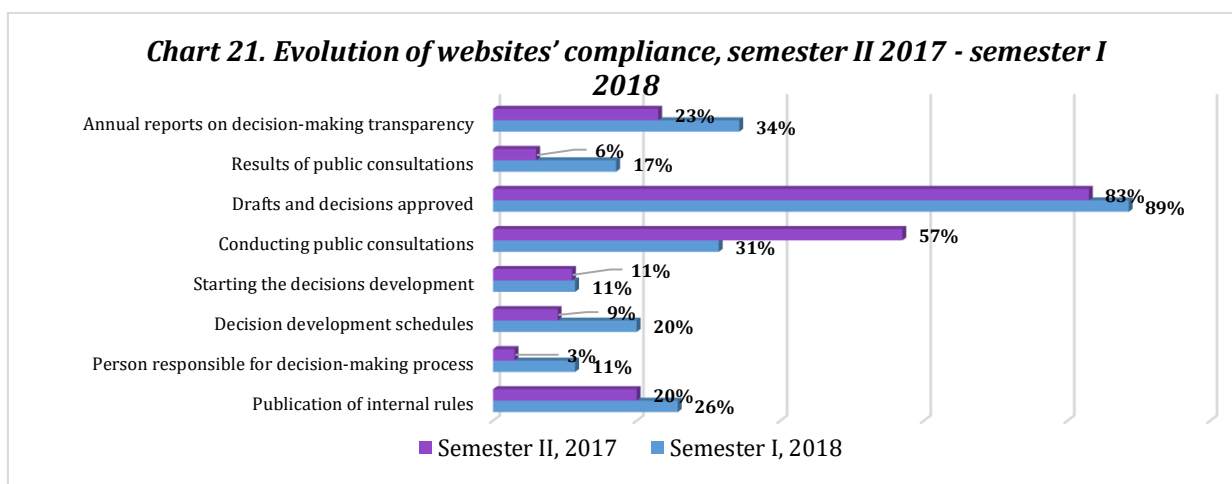
**Chart 20. Reason for non-compliance of websites with legal provisions**



Considering the aforementioned, the conclusion is that the contents of LPA websites is little in line with the law in terms of transparency in decision-making. One of the positive aspects is that 89% of the LPAs published the draft decisions and the related materials.

On the other hand, 74% of the LPAs did not observe the provision regarding the approval and publication of internal rules ensuring the decision-making transparency, 89% of the LPAs did not publish the contact data of the person responsible for the decision making process, 80% do not observe and publish the development programs (quarterly/annual) of draft decisions, 89% do not publish the announcements on the initiation of draft decisions development. The obligation to publish announcements regarding the conduct of public consultations is not observed only by 69% of the LPAs, while the results of public consultations (summary of recommendations received from the stakeholders) were published accordingly only by 17% of the LPAs. Only 34% of the LPAs develop and publish the annual reports on the transparency of the decision-making process.

To create an overall picture of the compliance of APLs' websites, Chart 21 reflects their evolution over 12 months (second semester of 2017 - first semester of 2018). Thus, although the level of transparency remains low, we note an improvement of certain aspects (drafts/decisions, summary of recommendations, etc.), but also a worsening of the public consultation process.



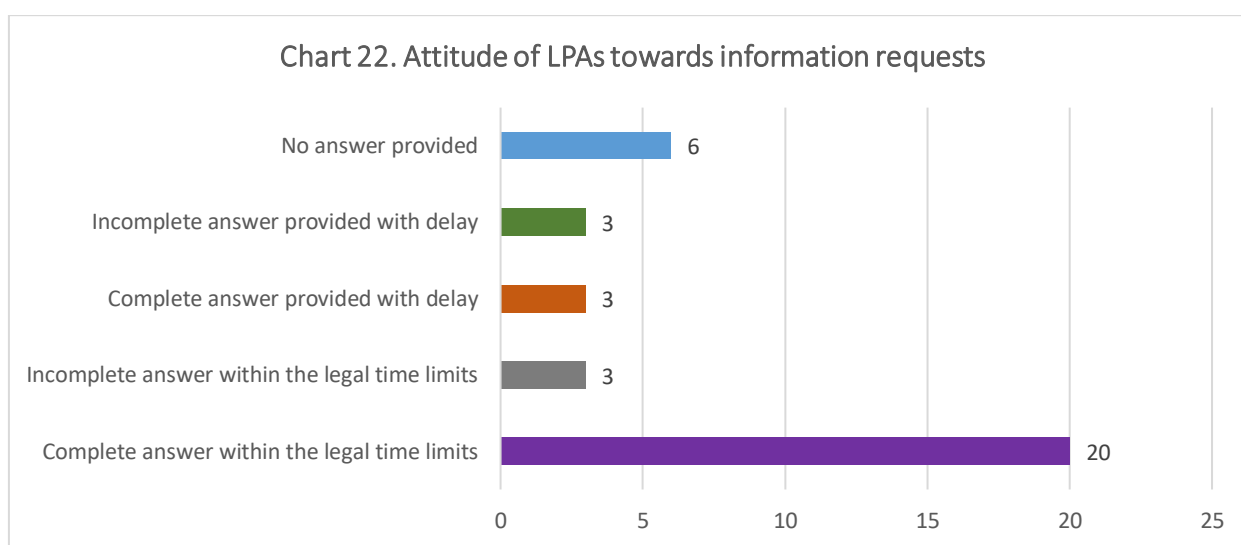
The analysis of the outcomes per LPA, represented in the charts based on the 9 types of information, proved that the authorities from Straseneni and Rascani districts, Balti municipality and Cahul district are doing best in complying with the LPA website content requirements on decision-making transparency. At the opposite extreme – the weakest results were registered by LPAs from Briceni, Calarasi, Nisporeni and Ialoveni districts (see Annexes 5 and 6).

### III. THE ATTITUDE OF LPA TOWARDS THE REQUEST OF OFFICIAL INFORMATION

The provision of official information is also an important indicator of the degree of transparency and openness of the LPA. To assess how information providers observe the obligation to ensure access to official information, Promo-LEX requested information from each of the 35 ATUs. The request for official information was developed in line with the legal requirements and make-up recommendations in the field.

In total, 35 such requests were filed (in line with the legal provisions, as the requested information was not the classified kind) – 1 request to each LPA. All the requests were sent by the Promo-LEX monitors. Generally, in 23 cases (65.70%) the LPAs answered within the legal time limit, in 20 of them, the LPAs provided complete data and 3 cases – the LPAs provided incomplete data (see Chart 22). A number of 6 LPAs (17.14%) delivered the responses in violation of legal deadlines. Note that in other 6 cases (17.14%) no response was delivered after the information was requested. We reiterate that Promo-LEX believes that these data are alarming considering the state of affairs of the transparency of LPA activity as well as the provision of quality public services.

In this regard we can largely observe the repetition of the results from the first semester of 2017, which may be a concerning fact given the failure of level-two LPAs to become more responsible.



Requests for access to information were given a full answer within the legal time limits by following 20 level-two LPAs: Soldanesti, Floresti, Falesti, Glodeni, Telenesti, Cahul, Ungheni, Straseni, Orhei, Hincesti, Calarasi, Soroca, Drochia, Riscani, Donduseni, Edinet, Ocnita, Briceni, Causeni, Stefan Voda. On the other hand, 6 ATUs did not respond at all: Rezina, Singerei, Taraclia, Chisinau municipality, Anenii Noi, Criuleni (see Table 6). Compared to the previous monitoring period (first semester of 2018), the number of LPAs that provided the full information within legal terms for Promo-LEX representatives has doubled.

We mention that ignoring requests for access to information is against the Law No 982 of 11 May 2000 guaranteeing access to information and stipulating in Article 19 that refusal of access to information shall be justified in written form. Moreover, according to the same law, the violation of the right of access to information can be challenged before courts of law.

Table 6. Attitude of LPA towards the requests of access to official information  
(data disaggregated by ATU)

	Within legal time limits and complete content	Within legal time limits and incomplete content	With delay and complete content	With delay and incomplete content	No answer provided
North, Edinet Regional Office	Donduseni Edinet Ocnita Soroca Drochia Riscani Briceni				
North-East, Balti Regional Office	Soldanesti Floresti Falesti Glodeni Telenesti		Balti municipality		Rezina Singerei
Center-South-East, Chisinau Regional Office	Causeni Stefan Voda		Dubasari		Chisinau municipality Anenii Noi Criuleni
Center-South-West, Calarasi Regional Office	Ungheni Straseni Orhei Hincesti Calarasi	Nisporeni	Ialoveni		
South, Comrat Regional Office	Cahul	Basarabasca Leova		ATU Gagauzia Cimislia Cantemir	Taraclia
	<b>20</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>6</b>

*In conclusion, compared to the previous monitoring period, the Promo-LEX Association found partial progresses in the relations between the level-two LPAs authorities and the information requesters in the process of ensuring and implementing the constitutional right of access to information.*

*As part of the monitoring, 35 requests for official information were sent to LPAs as information providers. In 20 cases (57.14%) full answers were provided before the legal deadlines, which is double compared to the previous monitoring period. On the other side, in 6 cases (17.14%) no answer was delivered after the information was requested. We are speaking about LPAs from Rezina, Singerei, Criuleni, Taraclia, Anenii Noi districts and Chisinau municipality.*

#### **IV. DEGREE OF TRANSPARENCY OF THE PROCESS OF PREPARING AND HOLDING THE MEETINGS OF LPAS' DELIBERATIVE AUTHORITIES**

Transparency in decision-making is essentially based on two principles: a) informing the citizens, associations set up in line with the law and other stakeholders about the initiation of drafting up decisions and about public consultations with regards to these decisions, and b) providing equal opportunities to citizens and associations set up in line with the law and other stakeholders to participate in decision-making. Thus, identifying the degree of transparency in preparing and holding the meetings of LPAs' deliberative authorities was identified on the basis of the following procedures: *announcement of the meetings; deliberative nature of the meeting; approval of the agenda during the meetings of the deliberative authorities; free participation and observation of the meetings, live broadcasting and publication of the adopted decisions.*

One of the essential elements of the engagement of the stakeholders in the decision-making process is the direct participation in the meetings of the public authorities during which the decisions themselves are discussed and adopted. In this respect, Article 13(1) of Law No 239 on Transparency in Decision-Making provides that the meetings of the public authorities concerning decision-making are public, except in cases provided for by the law.

Law No 436 on Local Public Administration guarantees the open and public nature of the local council's meetings as well<sup>4</sup>. Thus, Article 17 of Law No 436 stipulates that any person interested can help during the local council's meetings. The citizens, the stakeholders are entitled to: a) participate, as the law may permit, at any stage of the decision-making process; b) have access to the information about locality's budget and use of budget resources, to the draft decisions and agenda of the meetings of the local council and mayor's office; c) suggest starting to draw up and adopt certain decisions; as well as to d) submit to the local public authorities recommendations in their own name or on behalf of certain groups of inhabitants of the respective communities, on various draft decisions subject to discussion.

The respective LPAs' authorities and ATUs' civil servants must take necessary measures to ensure effective opportunities for participation of citizens and all stakeholders in decision-making. Moreover, impediments to the free access to the local council's meetings or compromising of the decision-making process by deliberate actions of hiding the information of public interest is sanctioned in accordance with the law in force.

On the basis of the aforesaid, Promo-LEX Association, as a stakeholder, opted for the rights guaranteed by the legislation and assessed the degree of compliance of the procedures of preparing and holding the meetings of LPAs' local councils (district, municipal, ATUG) with the legislative provisions in decision-making transparency.

The following monitoring methods were used: direct observation of the meetings (attending the meetings) by Promo-LEX monitors, communication with LPAs' officials and stakeholders, as well as analysis of online resources. The meetings were monitored by using a Monitoring Form as a working tool, which comprised several important indicators of compliance of the procedures of meetings' organisation and holding: *type of session; degree of ensuring the publication; presentation of information about the agenda; presence in the meeting; publishing the decisions.* By summing up and analysing the information gathered using these Monitoring Forms, we managed to get an overall picture, both in the country and in each ATU in part, regarding the openness to the public of the

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<sup>4</sup> According to Article 1 of Law No 436 on Local Public Administration, the *local council* is a level-one or level-two representative and deliberative authority of the population of an administrative and territorial unit, elected to solve the local issues. Likewise, according to Article 47 of Law No 436 on Local Public Administration, the provisions related to the organisation and operation of the local council, except for those related to its powers, shall be the same for the district council.

meetings, presentation of information about the items on the agenda, as well as regarding the attendance of the involved actors at the meetings.

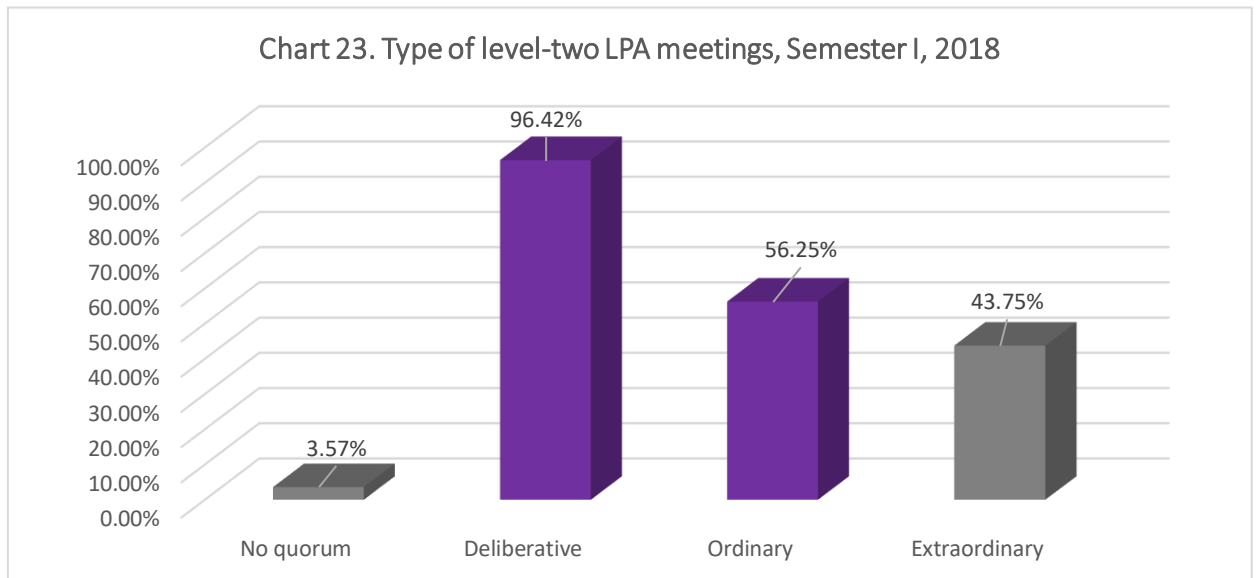
To start with, we should mention that during the monitored period, LPAs' deliberative authorities (including People's Assembly of ATUG) had at least 112 meetings, by 48 less as compared to the second semester of 2017. Most meetings were held in Bălți municipality (12), ATU Gagauzia (6), Cantemir (5), Chisinau municipality, Ungheni, Edinet, Riscani, Cimișlia (4 in each LPA). The smallest number of meetings were held in Falesti (1) (see Table 7).

Table 7. Nature of LPAs' meetings (disaggregated by ATU)

Region	District/Municipality/ATUG	Total number of meetings	Number of deliberative meetings	Number of ordinary meetings	Number of extraordinary meetings
North, Edinet Regional Office	Briceni	2	2	2	0
	Donduseni	4	4	2	2
	Drochia	3	3	2	1
	Soroca	3	3	2	1
	Ocnita	2	2	1	1
	Riscani	4	4	2	2
	Edinet	4	4	1	3
North-East, Balti Regional Office	Falesti	1	1	1	0
	Floresti	3	3	2	1
	Glodeni	3	3	2	1
	Balti municipality	12	10	2	10
	Singerei	2	2	1	1
	Telenesti	3	3	1	2
	Soldandesti	2	2	2	0
	Rezina	2	2	2	0
Center-South-East, Chisinau Regional Office	Anenii Noi	2	2	2	0
	Causeni	3	3	2	1
	Stefan Voda	2	2	2	0
	Chisinau municipality	4	3	0	4
	Dubasari	3	3	2	1
	Criuleni	2	2	2	0
Center-South-West, Calarasi Regional Office	Calarasi	3	3	2	1
	Hincesti	3	3	2	1
	Ialoveni	3	3	1	2
	Nisporeni	3	3	2	1
	Orhei	3	3	1	2
	Ungheni	4	4	1	3
	Straseni	2	2	2	0
South, Comrat Regional Office	Basarabeasca	2	1	2	0
	Cahul	3	3	2	1
	Cantemir	5	5	2	3
	Cimislia	4	4	2	2
	Leova	3	3	2	1
	Taraclia	2	2	2	0
	Gagauzia ATU	6	6	5	1

Region	District/Municipality/ATUG	Total number of meetings	Number of deliberative meetings	Number of ordinary meetings	Number of extraordinary meetings
	<b>Total</b>	<b>112</b>	<b>108</b>	<b>63</b>	<b>49</b>

We remind that Article 45(1) of Law No 436 on Local Public Administration stipulates that district councils shall have ordinary meetings every 3 months (valid for the Chisinau and Balti municipal councils as well). Thus, during a semester, each of those 35 representative bodies, except for the People’s Assembly of ATUG, should have had 2 ordinary meetings. However, we found that District Council from Chisinau municipality, Edinet, Falesti, Ocnita, Orhei, Singerei, Telenesti and Ungheni had only one ordinary meeting, the rest being extraordinary ones.

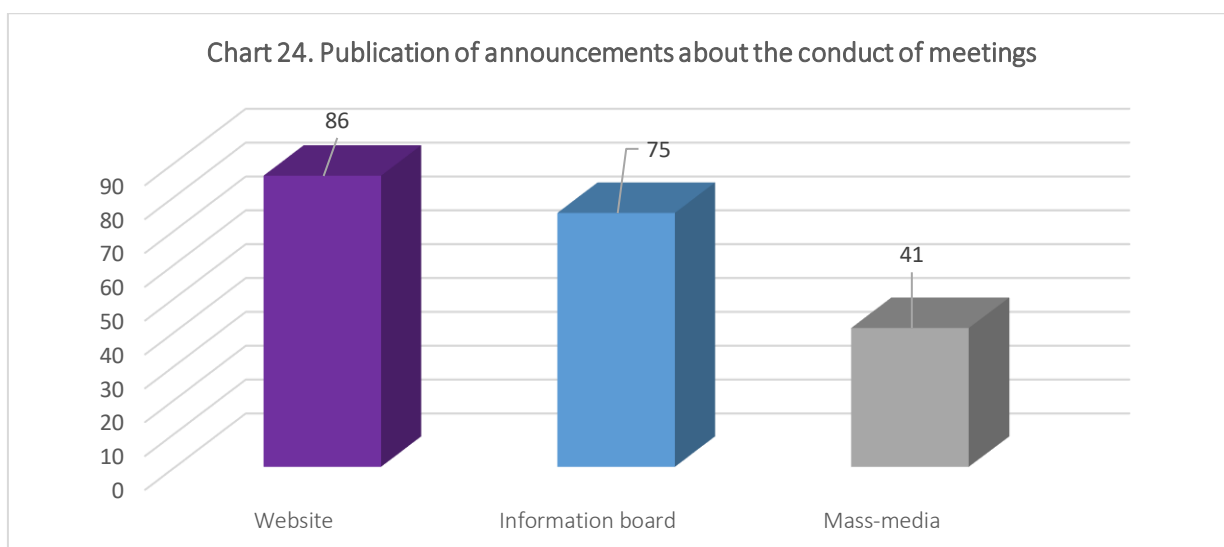


*The deliberative nature of the meetings* was also analysed. According to Article 13 of the Law on Local Public Administration, council meetings are deliberative if at least two thirds of the council members participate in it. Of the 112 meetings that Promo-LEX monitored, 108 were deliberative (96.42%) and in only 4 cases (3.57%) there were not enough councillors to hold the meeting (see Chart 23). Most of the meeting that did not have the necessary quorum (2) were held in Balti municipality and per one meeting was held in Basarabeasca and Chisinau municipality. Thus, we note an active participation rate of local officials, which maintained during the first semester of 2008.

*Announcements of the meetings.* While analysing the monitored fitting criteria one by one, we should note that Article 13(2) of the same Law No 239 on Transparency in Decision-Making states that the announcement of a public meeting has to contain data, time and place of the public meeting, its agenda, and also should be:

- published on the public authority’s official website;
- sent to the stakeholders via e-mail;
- posted at the headquarters of the authority, in a publicly accessible place;
- and/or broadcast by the central or local media, as may be required.

During the monitoring, the Promo-LEX Association assessed the extent to which LPAs published the announcements on the meeting on the website, on the information board and in the media. Thus, out of the 112 meetings, in the case of 86 (76.79%) meetings the announcements were placed on the website, in the case of 75 (66.96%) - on the information board and in the case of 41 (36, 61%) - in the media (see Chart 24). Compared to the second semester of 2017 the publication rate of the announcements on the information board and in the media increased by +15.09% and +14.11%, respectively.



Note that in case of 30 meetings (26.78%) the announcement was placed on all three monitored sources and only in case of 7 meetings (6.25%) the announcement was not placed on any monitored source. The legal norms on the placement of announcements (placement on the website and on the information board) were observed in case of 56 meetings (50.00%).

Per LPA, only in the case of Falesti and Balti municipality, the announcements on the conduct of all the meetings were placed on all three monitored sources (website, information board and media). In the case of LPAs from Falesti, Singerei, Telenesti, Balti municipality, Basarabeasca and Cahul, the announcements on the conduct of all the meetings were placed on the website and on the information board, which is in line with the legal norms (see Table 8).

On the other hand, LPSs from Soldandesti, Glodeni, and Drochia did not place on the website any announcements on the conduct of the meetings, even if they took place. We note that during the monitoring, the website of Drochia LPAs is in process of development. In case of LPSs from Ocnita, Dubasari, Causeni, Criuleni, Stefan Voda, Chisinau municipality, Ialoveni and Taraclia, no announcement was placed on the information board (see Table 8).

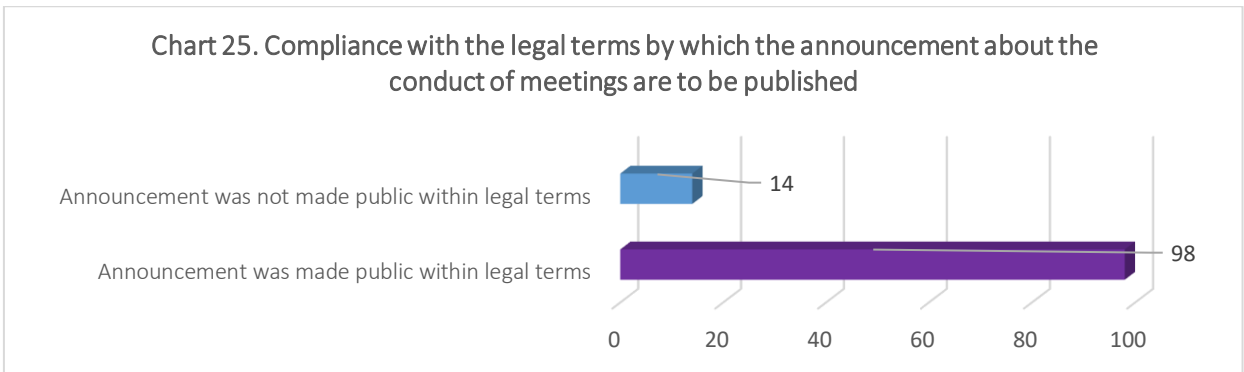
Thus, we see the trend that was mentioned in the previous reports – in communication with the external environment, the priority is given to online platforms, namely to the website. We also find that the placement of announcements in the media is less popular, although it is one of the sources of communication and information preferred by the stakeholders (see Chapter 1).

Table 8. Placement of announcements about LPAs' meetings (disaggregated by ATU)

District/Municipality/ATU G		Number of meetings	No of meetings, with the announcement published on the website	No of meetings, with the announcement posted on the information board	No of meetings, with the announcement distributed in the media	No of meetings with the announcement made public within legal terms
North-East, Balti Regional Office	Falesti	1	1	1	1	1
	Rezina	2	2	1	1	2
	Soldandesti	2	0	2	2	2
	Floresti	3	2	3	0	3
	Glodeni	3	0	3	2	3
	Singerei	2	2	2	1	2
	Telenesti	3	3	3	0	3

District/Municipality/ATU G		Number of meetings	No of meetings, with the announcement published on the website	No of meetings, with the announcement posted on the information board	No of meetings, with the announcement distributed in the media	No of meetings with the announcement made public within legal terms
	Balti municipality	12	12	12	12	12
North, Edinet Regional Office	Drochia	3	0	3	0	3
	Donduseni	4	3	4	2	3
	Riscani	4	3	4	3	4
	Edinet	4	3	4	0	4
	Briceni	2	1	2	2	2
	Ocnita	2	1	0	0	0
	Soroca	3	1	3	0	3
Center-South-East, Chisinau Regional Office	Dubasari	3	3	0	0	3
	Causeni	3	3	0	0	3
	Anenii Noi	2	2	1	0	2
	Criuleni	2	2	0	0	2
	Stefan Voda	2	2	0	0	2
	Chisinau municipality	4	4	0	0	4
Center-South-West, Calarasi Regional Office	Ialoveni	3	2	0	0	1
	Orhei	3	3	1	2	2
	Ungheni	4	3	3	1	3
	Hincesti	3	2	2	2	2
	Nisporeni	3	2	1	2	2
	Calarasi	3	3	2	1	3
	Straseni	2	2	1	1	1
South, Comrat Regional Office	Gagauzia ATU	6	6	5	6	6
	Basarabasca	2	2	2	0	2
	Leova	3	1	2	0	2
	Taraclia	2	2	0	0	2
	Cantemir	5	4	3	0	4
	Cahul	3	3	3	0	3
	Cimislia	4	1	2	0	2
<b>Total</b>		<b>112</b>	<b>86</b>	<b>75</b>	<b>41</b>	<b>98</b>

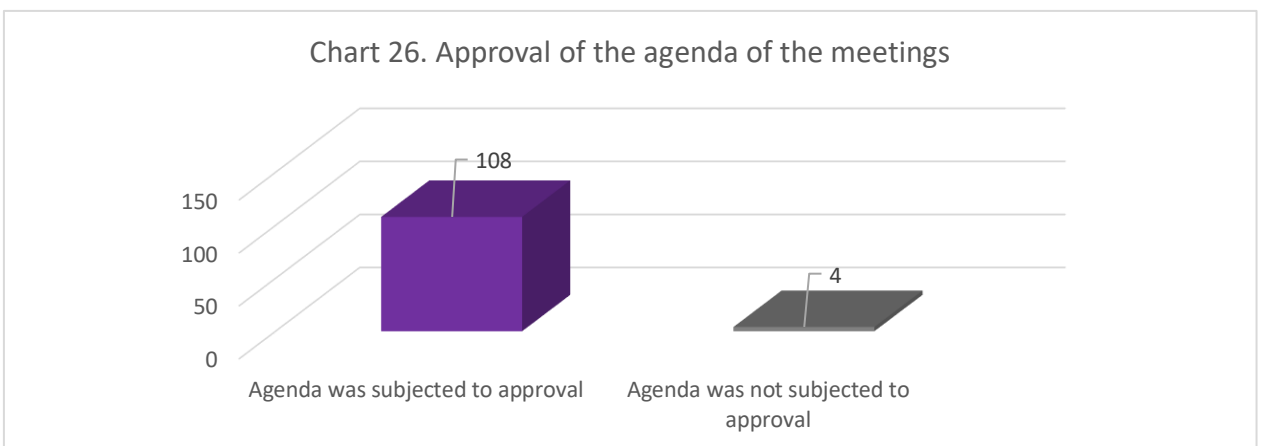
Another criterion proving that the procedures for organising and holding meetings are in line with the legislation in the area of transparent decision-making is the number of days within which the announcements of meetings need to be made public (see Table 8). Article 13(2) of the Law No 239 on Transparency in Decision-Making provides that the announcement of public meetings shall be made public at least 3 business days before the date the meeting is supposed to take place on.



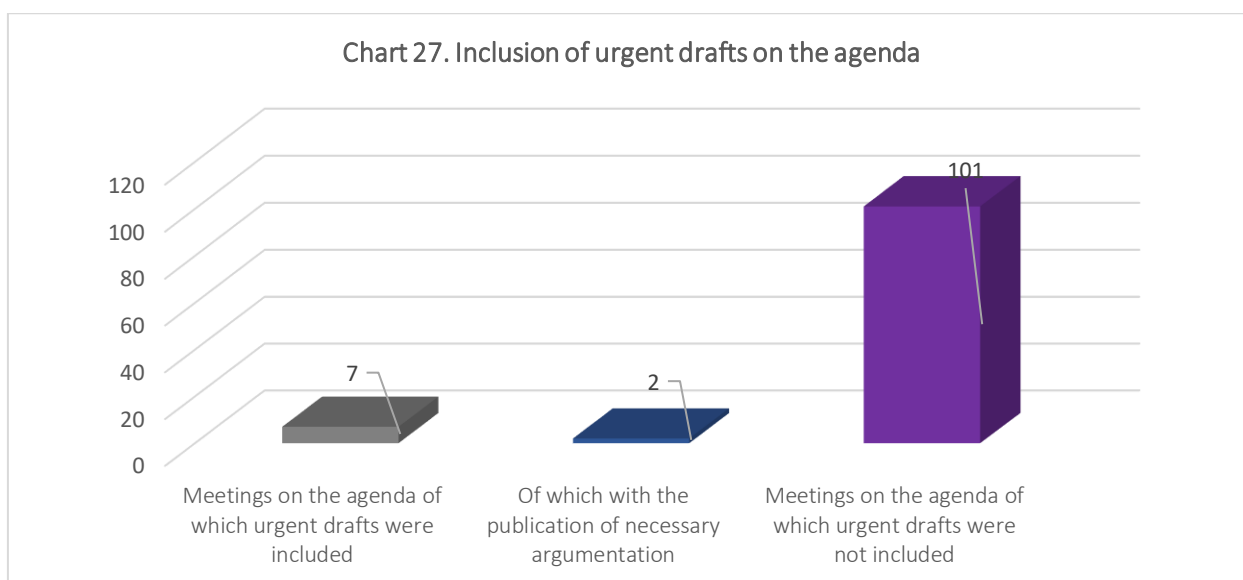
Having analysed the data collected for the 112 monitored meetings, which took place during the first semester of 2018, Promo-LEX Association found that in 98 (87,5%) of the cases the deadline was observed (see Chart 25). As compared to the previous monitoring period a 9.37% increase was registered in this respect.

The *approval of the agenda during the meetings of deliberative authorities* in a public and open way is also a procedure inherent to a transparent administration. Both Article 13(2) of the Law on Transparency in Decision-Making, and Article 17(3)(b) of the Law on Local Public Administration guarantees the access of the general public to the topics included on the agenda and to be discussed during the meeting. It is worth mentioning that the meeting of the council is carried out according to the agenda proposed by the mayor (the situation of Chisinau municipality and Balti municipality) or the councillors who requested the meeting. The agenda shall be amended or supplemented only at the beginning of the meeting and by vote of a majority of councillors.

Thus, of the 112 meetings held during the monitored period, in the case of 108 (96.42%) meetings, the agenda was subject to approval at the beginning of the meeting, and only in 4 cases (3.57%) this was not done (see Chart 26). Out of 4 meetings, one (Briceni) was deliberative. Thus, the positive trend in approving the agenda at the beginning of the meeting also continued in this semester.



In exceptional situations, urgent draft decisions may be drafted and adopted without observing the stages provided for by the Law on Transparency in Decision-Making. However, the law requires that the provision of arguments on the need to adopt the decision as a matter of urgency, without consulting the citizens, associations established under the law, and stakeholders, be made public within 10 working days at most from the date of its adoption, by placing them on the public authority's website, by displaying them at its headquarters in a publicly accessible place, and/or by broadcasting by the central or local media.



Thus, out of 108 deliberative meetings, 7 (6.48%) had urgent draft decisions on the agenda (see Chart 27). However, only in two cases the legal provisions were observed, namely the need to adopt the decision as a matter of urgency, without consulting the stakeholders and it was made public within 10 working days at most from the date of its adoption, by placing them on the public authority's website, by displaying them at its headquarters in a publicly accessible place, and/or by broadcasting by the central or local media. LPAs that did not comply with these legal provisions include Balti municipality (2 meetings), Nisporeni, Hincesti and Orhei (one meeting each). Compared to the second semester of 2017, the number of meetings with urgent matters on the agenda during the monitored period decreased, as well as the number of cases when no arguments are provided (see Table 9).

The *free participation and observation of the meetings* was a key aspect of the monitoring. We would like to note that Promo-LEX monitors had free access to the meetings held by district and municipal councils, and by People's Assembly of Gagauzia, no impediments being encountered. They also had free access to the meetings with a lack of quorum, being allowed to assist and observe the work of councillors. The monitors also noted an increased activity of councils' subdivisions. Thus, their representatives also attended the meetings, along with the mayors, heads of the territorial offices of the State Chancellery, as well as of other institutions.

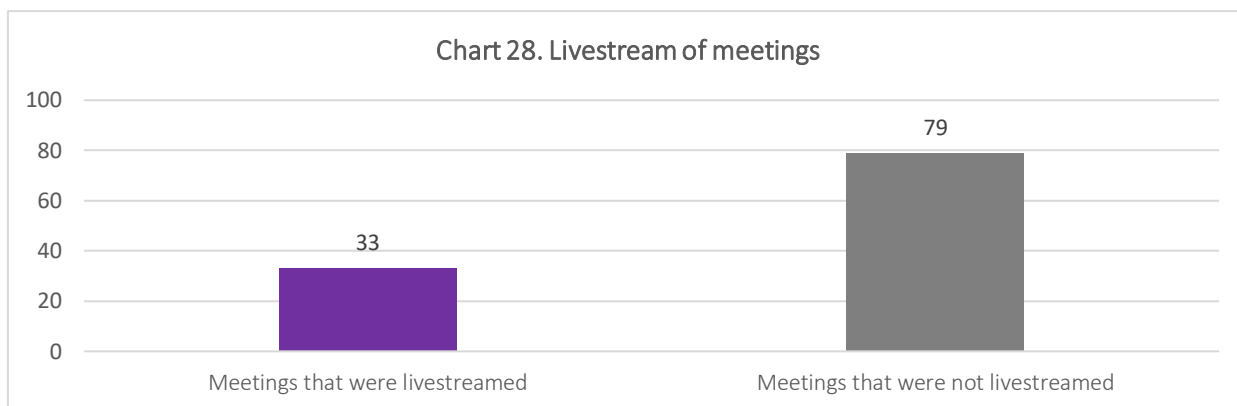
*Table 9. Approval of LPAs' meeting agenda (data disaggregated by ATU)*

District/Municipality/ATUG		Number of meetings	Number of deliberative meetings	No of meeting when the agenda was approved at the beginning of the meeting	No of meetings with urgent drafts	No of meetings when arguments on the need to include urgent drafts in line with legal provisions were provided	No of meetings the decisions of which were published on the website	No of days when decisions were published
North, Edinet Regional Office	Soroca	3	3	3	0	0	3	7/7/6
	Drochia	3	3	3	0	0	0	x/x/x
	Riscani	4	4	4	0	0	4	5/6/1/9
	Donduseni	4	4	4	0	0	2	7/x/x/6
	Edinet	4	4	4	0	0	4	6/8/7/6
	Briceni	2	2	1	0	0	0	x/x

North-East, Balti Regional Office	Ocnita	2	2	2	0	0	2	6/7
	Falesti	1	1	1	0	0	1	8
	Rezina	2	2	2	0	0	2	7/22
	Soldandesti	2	2	2	0	0	1	8/x
	Floresti	3	3	3	0	0	3	13/13/11
	Glodeni	3	3	3	0	0	2	8/11/x
	Singerei	2	2	2	0	0	2	13/11
	Telenesti	3	3	3	0	0	3	7/11/5
Balti municipality	12	10	10	3	1	10	11/11/4/ 7/13/11/ 13/8/1/1 8	
Center-South-East, Chisinau Regional Office	Dubasari	3	3	3	0	0	3	5/7/8
	Causeni	3	3	3	0	0	3	25/8/12
	Chisinau municipality	4	3	4	0	0	3	8/3/4
	Anenii Noi	2	2	2	0	0	2	11/5
	Stefan Voda	2	2	2	0	0	2	7/5
	Criuleni	2	2	2	0	0	2	1/3
Center-South-West, Calarasi Regional Office	Ungheni	4	4	4	0	0	4	6/6/6/6
	Hincesti	3	3	3	1	0	3	6/21/30
	Nisporeni	3	3	3	1	0	2	3/x/19
	Calarasi	3	3	3	0	0	2	x/13/19
	Straseni	2	2	2	0	0	2	7/7
	Ialoveni	3	3	3	1	1	0	x/x/x
	Orhei	3	3	3	1	0	3	6/6/6
South, Comrat Regional Office	Gagauzia ATU	6	6	6	0	0	6	ATUG Official Gazette, according to the procedure
	Basarabasca	2	1	1	0	0	1	5
	Leova	3	3	3	0	0	3	7/7/7
	Cimislia	4	4	4	0	0	1	x/25/x/x
	Cantemir	5	5	5	0	0	5	5/8/19/2 0/12
	Cahul	3	3	3	0	0	3	6/7/0
	Taraclia	2	2	2	0	0	2	54/9
<b>Total</b>	<b>112</b>	<b>108</b>	<b>108</b>	<b>7</b>	<b>2</b>	<b>91</b>		

*The live broadcasting of meetings* is an element that increases the transparency in the decision-making process. Although it is a relatively new procedure for the Republic of Moldova, some district and municipal councils as well as the People's Assembly widely use the live broadcasting of the meetings either on online portals or on TV. Thus, 33 (29.46%) of the 112 meetings were broadcast live and the citizens were able to watch local deliberative bodies (Chart 28). Compared to the second semester of 2017, the percentage of live broadcasts remained unchanged. LPAs that use broadly the

live broadcast include: Falesti, Balti, Soroca, ATU Gagauzia, Drochia, and Chisinau municipality (all the meeting were broadcast live).

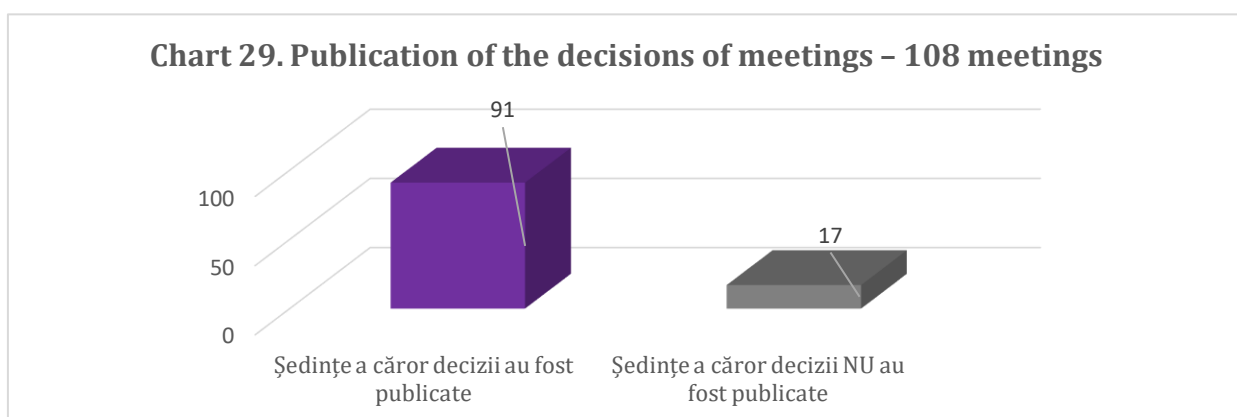


*Publication of adopted decisions.* Public authorities must grant access to the adopted decisions by publishing them as prescribed by the law, by placing them on the official website, by displaying them at their headquarters in a publicly accessible place and/or by broadcasting them via the central or local media, as appropriate, as well as via other means established by law (Article 15 of the Law on Transparency in Decision-Making). The council secretary is responsible for informing the public about the adopted decisions.

In this context, it should be mentioned that the current legal provisions do not provide for concrete terms for the publication of decisions. Neither the Law on Transparency in Decision-Making, nor the Law on Local Public Administration contain rules that would explicitly regulate the way and the term during which the LPAs are to publish the adopted decisions. Note that the amendments made by the Parliament to the Article 46 of the Law on Public Administration will enter into force on 28 October 2018. They also provide for a deadline of maximum five days after signing during which these decisions shall be made public.

No such deadline was in place when we published this Report, this is why we will expressly indicate after how many days the decisions were published, if published.

Thus, of 108 conducted and deliberative meetings, only in 91 cases the LPAs published the adopted decisions (see Chart 29). This means that in 84.25% of the meetings, and we believe this is an alarming trend for transparent decision-making. Among LPAs that did not publish totally or partially the decisions of the meetings are the following: Soldanesti, Glodeni, Drochia, Donduseni, Briceni, Cimislia, Nisporeni, Calarasi and Ialoveni (see Table 9).



At the same time, in the absence of a concrete legal deadline, the councils, according to monitors' data, published the adopted decisions within different time-frames, starting with one day (Cahul district), which is the fastest publication, and ending with 54 days – the latest publication (Taraclia district). If we were to apply the legal provisions concerning the deadline of maximum five days for the publication of the decisions, which will enter into force on 28 October 2018, than the LPAs of Criuleni and Basarabasca observed this term for all the meetings.

Note, in this context, that the information about the time when decisions were published does not refer to the ATUG, since the decisions of People's Assembly are published in an official local publication according to a separate procedure.

As we have referred to above, we also identified a problem in the form of the form of decision making. We believe it is necessary to expressly regulate what published decisions and their content should look like. During the monitoring, we found decisions published in Word format, without signatures and seals, as well as in PDF – scanned copies of decisions already signed by the chairperson of the meeting and the secretary of the council. Similarly, an element that raises question marks about the public nature of the decisions is their upload on the Google Drive platform, but with limited access. In such cases, one may request access, which can be granted within an indefinite period of time.

*Based on the findings of the monitoring of transparency in preparing and holding the meetings of LPAs' deliberative authorities, it is worth mentioning that the transparency in the local decision-making process is mostly observed. According to Promo-LEX monitors, during the first semester of 2018, the deliberative authorities of LPA met in at least 112 meetings (of which 108 deliberative, 63 ordinary meetings and 49 extraordinary meetings.) Promo-LEX has access to all the meetings for monitoring purposes.*

*The announcements were published mainly through the website (76.79%), but in comparison with the second semester of 2017 the publication rate of the announcements on the information board and in the media increased by 15.09% and 14.11%, respectively. We also find that the placement of announcements in the media (36.61%) is less popular, although it is one of the sources of communication and information preferred by the stakeholders. The term of 3 business days for publishing the announcement was observed in case of 98 meetings (87.5%), which represents an increase of 9.37% against the previous monitoring period.*

*The number of meetings remained relatively stable, after the councils published the adopted decisions. Decisions were made public only in the case of 91 (84.25%) deliberative meetings (out of 108). We believe this is an alarming trend for transparent decision-making. Among LPAs that did not publish totally or partially the decisions of the meetings are the following: Soldanesti, Glodeni, Drochia, Donduseni, Briceni, Cimislia, Nisporeni, Calarasi and Ialoveni.*

*Also, the number of meetings with urgent matters to be examined on the agenda is still very high, and in the case of 5 meetings (4.62%) the general public was not informed about the need to include and adopt certain urgent decisions, which is a violation of the legal norms. LPAs that did not comply with these legal provisions include Balti municipality (2 meetings), Nisporeni, Hincesti and Orhei (one meeting each).*

*The Promo-LEX Association values and welcomes the live broadcasting of the meetings of level-two deliberative authorities and believes that this is an element of maximum transparency of the decision-making process. Although it is a relatively new procedure for the Republic of Moldova, 29.46% of the meetings conducted during the monitored period were livestreamed either online or on TV. LPAs that use broadly the live broadcast include: Falesti, Balti, Soroca, ATU Gagauzia, Drochia, and Chisinau municipality (all the meeting were broadcast live).*

*Generalizing the LPA's performance as regards transparency of meetings, we find that for the first semester of 2018, LPA of Balti municipality registered the highest score (Annex 13)..*

## V. ASPECTS OF PROFESSIONAL INTEGRITY

Integrity should be a descriptor of any administrative modernization and consolidation of public authorities. Actually, integrity is the main principle of professional conduct of civil servants and/or persons holding public dignity positions. In an administrative decision-making process, integral conduct is an extremely important factor in the context of the use of public goods and finances. As part of the issue, the conflict of interests means a conflict between the public debt and the personal interests of a public official. A conflict of interests arises when the interests of a public official, as a private person, influence or may influence inappropriately the fulfilment of his/her official obligations and responsibilities.

To ensure a transparent activity of the local public authorities from the point of view of professional integrity, Promo-LEX monitors looked into the following aspects: *an Institutional Ethics Code in place; the publication of CVs of heads of the authorities monitored; the submission for publication of the declaration of assets and personal interests on the website of the National Integrity Authority (of presidents and deputy-presidents); the person responsible for the anti-corruption module; the institutional integrity plan in place; the anti-corruption and/or information hotline in place.* The following work tools were used: review of LPA's and of National Integrity Agency's (NIA) websites, and of other public information sources. At the same time, discussions with the duty bearers within the monitored LPAs were held.

a) *The existence of an Institutional Code of Conduct* within the LPAs was the first aspect of the issue addressed by Promo-LEX monitors. We urge again LPAs, including on the basis of this monitoring, to take into account the opportunity to promote and observe the principles of professional integrity through an LPAs' Institutional Code of Conduct.

In this context, the Promo-LEX Association is pleased to note that the number of LPAs that have such a Code is increasing. In the first semester of 2018, 9 LPA (25.75%) reported the existence of the institutional Code of Conduct, with 4 LPAs more than in the second semester of 2017. LPAs that have adopted such a document are: Falesti, Basarabasca, Leova, Cimislia, Cantemir, Cahul, Orhei, Riscani and Criuleni (See Table 10). LPAs from Singerei and Calarasi talk about developing and adopting such a Code.

b) *The publication of the CVs of the heads of monitored authorities* is the second relevant aspect. According to Item 15 of the Regulation approved by GD on the Official Websites of Public Administration Authorities on the Internet, information on the heads of public administration authorities shall be published on the official website of the public administration authority.

In this respect, the CVs of district presidents and deputy-presidents; of mayors and deputy mayors of municipalities (level-two administrations); of the Governor of ATUG and of the president of People's Assembly were analysed. After the monitoring we found a positive trend in this chapter. During the first semester 2018, 23 LPAs (65.71%) published the CV of the management, representing an increase of 31.42% compared to the second semester of 2017. LPAs that do not comply with this legal provision are: Soldanesti, Taraclia, Cantemir, Cahul, Nisporeni, Ialoveni, Hincesti, Soroca, Drochia, Donduseni, Edinet and Chisinau.

Table 10. Aspects of professional integrity and conflict of interest  
(data disaggregated by ATU)

Region	ATU	Institutional Ethics Code	CVs of LPAs heads	Declaration of assets and personal interests	Person responsible for anti-corruption module	Institutional Integrity Plan	Anti-corruption hotline	Degree of implementation
North, Edinet Regional Office	Soroca	NO	NO	YES	NO	NO	NO	1/6
	Drochia	NO	NO	YES	NO	NO	NO	1/6
	Riscani	YES	YES	YES	NO	YES	NO	4/6
	Donduseni	NO	NO	YES	NO	YES	NO	2/6
	Edinet	NO	NO	YES	NO	NO	NO	1/6
	Briceni	NO	YES	YES	NO	NO	NO	2/6
	Ocnita	NO	YES	YES	NO	NO	NO	2/6
North-East, Balti Regional Office	Rezina	NO	YES	YES	NO	YES	NO	3/6
	Soldanesti	NO	NO	YES	NO	YES	NO	2/6
	Balti municipality	NO	YES	YES	NO	YES	YES	4/6
	Floresti	NO	YES	YES	NO	YES	NO	3/6
	Falesti	YES	YES	YES	NO	YES	NO	4/6
	Glodeni	NO	YES	YES	NO	YES	NO	3/6
	Singerei	NO	YES	YES	NO	YES	NO	3/6
	Telenesti	NO	YES	YES	NO	YES	YES	4/6
Center-South-East, Chisinau Regional Office	Chisinau municipality	NO	NO	YES	NO	YES	YES	3/6
	Anenii Noi	NO	YES	YES	NO	NO	NO	2/6
	Dubasari	NO	YES	YES	NO	NO	NO	2/6
	Criuleni	YES	YES	YES	NO	YES	NO	4/6
	Causeni	NO	YES	YES	NO	NO	NO	2/6
	Stefan Voda	NO	YES	YES	NO	YES	NO	3/6
Center-South-West, Calarasi Regional Office	Ungheni	NO	YES	YES	NO	NO	NO	2/6
	Straseni	NO	YES	YES	NO	YES	NO	3/6
	Orhei	YES	YES	YES	NO	NO	NO	3/6
	Nisporeni	NO	NO	YES	NO	NO	YES	2/6
	Ialoveni	NO	NO	YES	NO	NO	NO	1/6
	Hincesti	NO	NO	YES	NO	NO	NO	1/6
	Calarasi	NO	YES	YES	NO	NO	NO	2/6
South, Comrat Regional Office	Basarabasca	YES	YES	YES	NO	YES	NO	4/6
	Leova	YES	YES	YES	NO	YES	YES	5/6
	ATU Gagauzia	NO	YES	YES	NO	NO	NO	2/6
	Cimislia	YES	YES	YES	NO	YES	NO	4/6
	Taraclia	NO	NO	YES	NO	YES	NO	2/6

Region	ATU	Institutional Ethics Code	CVs of LPAs heads	Declaration of assets and personal interests	Person responsible for anti-corruption module	Institutional Integrity Plan	Anti-corruption hotline	Degree of implementation
	Cantemir	YES	NO	YES	NO	NO	NO	2/6
	Cahul	YES	NO	YES	NO	YES	NO	3/6
<b>Total</b>		<b>YES - 9 NO - 26</b>	<b>YES - 23; NO - 12</b>	<b>YES - 35 NO - 0</b>	<b>YES - 0 NO - 35</b>	<b>YES - 19 NO - 16</b>	<b>YES - 5 NO - 30</b>	

c) Third, the publication of the declaration of assets and personal interests of the presidents and deputy-presidents published on the page of the National Integrity Authority was examined. A positive trend is also found in this respect. In case of 35 LPAs (100%) the declaration of assets and interests were published on NIA's website.

Note that the Law No 133 on the Declaration of Assets and Personal Interests provides for the obligation of the persons holding public dignity positions (district presidents and deputy presidents; mayor general, mayor and deputy mayors; ATUG Governor and president of the People's Assembly) to fill in and submit the Declaration of Assets and Personal Interests. The declaration is to be submitted every year by 31 March, and the NIA publishes the declarations received on its official website within 30 days from the declarations submission deadline. In addition, in the case of employment, validation of mandate or appointment, if necessary, the declaration shall be submitted within 30 days from that date.

In the same train of thoughts, we encourage LPA authorities to publish the declarations on their own websites, which are often used by the general public. During the monitored period, 3 LPAs (8.57%) published the declarations of assets and interest of the presidents and deputy-presidents on their own website, namely: ATU Gagauzia, Ungheni, Edinet.

d) A fourth analysed criterion is the *publication of data on the person responsible for the anti-corruption module*. We specify that the anti-corruption module contains all the data on the institution's anti-corruption activity, which includes: person in charge, integrity plan, report on the implementation of the Integrity Plan, report on the implementation of the National Anticorruption Strategy, information on the establishment of specialised anti-corruption and/or information telephone lines, as well as other information of public interest relevant to the field.

We remind that according to GD No 188 on the Official Websites of Public Administration Authorities on the Internet, data on the anti-corruption module, including the data of the responsible person shall be published on the official website of the public administration authority. Promo-LEX notes with concern that during the monitored period all the LPAs failed to comply with this provisions. We also note that even if half of the LPAs adopted Institutional Integrity Plans containing information about persons responsible for each activity, they have not yet published on the website the name of person responsible for the entire 'anti-corruption module', as provided by law.

e) Indicator number five refers to the existence and publication of *an institutional integrity plan*. Along with the other components of the anti-corruption module introduced in the GD No 188 in August 2016, the institutional integrity plan began to be monitored in the second semester of 2017, given the need for sufficient time to develop it. In the first semester of 2018, 19 APLs (54.28%) published such a Plan on their websites. As compared to the previous monitoring period a 25.71% increase was registered in this respect. Moreover, Stefan Voda LPA is the only one that published a report on the implementation of the National Anti-Corruption Strategy.

Also, note that no LPA published the report on the implementation of the institutional integrity plan. In most cases this was due to the fact that institutional integrity plans were adopted in the first semester of 2018, this justification is not applicable in the case of the LPAs of Criuleni, Balti

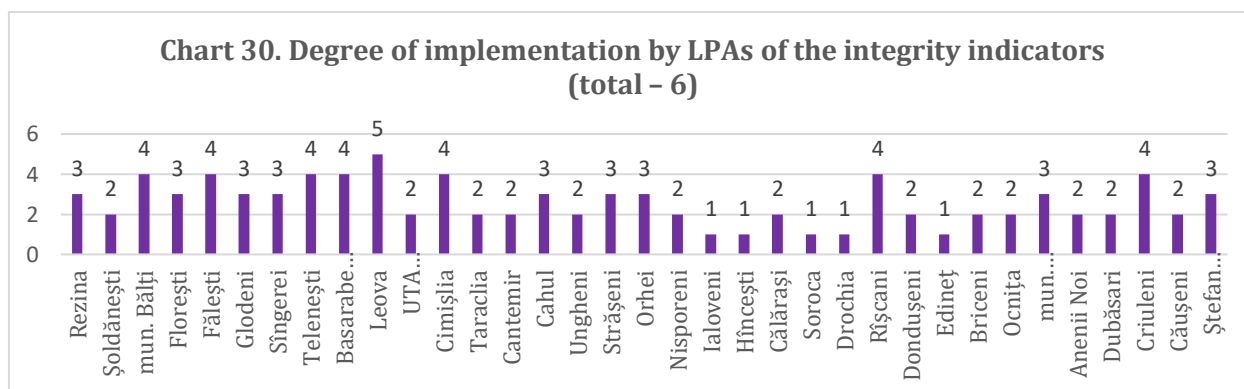
municipality and Chisinau municipality. In the case of these LPAs, the plans were adopted in 2016-2017, thus the Government Decision No 188 are not fully observed.

Among the LPAs that did not publish the institutional Integrity Plan are the following: ATU Gagauzia, Cantemir, Ungheni, Orhei, Nisporeni, Ialoveni, Hincesti, Calarasi, Soroca, Drochia, Edinet, Briceni, Ocnita, Anenii Noi, Dubasari and Causeni.

f) The last indicator analysed relates to the *existence of the specialised anti-corruption and/or information hotline*. According to GD No 188 on the Official Websites of Public Administration Authorities on the Internet and Regulation on the Functioning of Anti-Corruption Hot-lines System, approved by Law No 252, LPAs shall place the information on anti-corruption and/or information hot-lines on their official website.

According to the results of the monitoring, during the first semester of 2018, the following 5 APLs (14.28%) published an anti-corruption hotline on their websites: Telenesti, Leova, Nisporeni, Chisinau municipality and Balti municipality. As compared to the second semester of 2017, an insignificant increase from 4 to 5 LPAs was registered in this respect.

Generalising the score obtained by LPA in terms of integrity indicators, we found that the highest score was registered by Leova – 5/6, while the lowest score was registered by Soroca 1/6 (see Chart 30). In case of those 5 mandatory indicators in terms of legal provisions (the publication of CVs of heads of the authorities monitored; the submission for publication of the declaration of assets and personal interests on the website of the National Integrity Authority; the person responsible for the anti-corruption module; the institutional integrity plan in place; the anti-corruption and/or information hotline in place), the highest score was registered by Leova, Telenesti and Balti municipality – 4/5. Note that as regards the person in charge of the anti-corruption module, no LPA publish the information on the website.



*To ensure the transparency of local public authorities from the point of view of professional integrity, Promo-LEX monitors analysed 6 indicators. In case of 5 indicators (an Institutional Ethics Code in place; the publication of CVs of heads of the authorities monitored; publication of the declaration of assets and personal interests on the website of the National Integrity Authority (of presidents and deputy-presidents); the institutional integrity plan in place; the anti-corruption and/or information hotline in place) positive trends were registered (+16% on average) The highest increase (+ 31.42%) was registered in case of the publication of CVs of the LPA leaders on the website.*

*APLs from Leova, Telenesti and Balti municipality registered the highest score in terms of integrity. On the other extreme there are: Soroca, Ialoveni, Hincesti, Drochia, Edinet.*

*The situation concerning the placement on the website of the information about the person in charge of anti-corruption module is still alarming. All the LPAs failed to comply with this legal provisions. As regards the existence of anti-corruption telephone lines and of institutional integrity plan the picture is also worrying. However, these requirements are mandatory according to the existing legal norms stipulated in the GD No 188 on the Content of LPAs Websites. At the same time, we are aware that the capacities of LPAs to cope with the number of legal requirements in the field is reduced, and we appreciate the positive trend registered in the first semester of 2018 in aligning with the integrity criteria.*

## VI. TRANSPARENCY OF COMPETITIONS FOR CIVIL SERVICE POSITIONS

The transparency of competitions for civil service positions is another important aspect of Promo-LEX monitoring. A civil servant is an individual appointed to a civil service position under the provisions of the law, who in turn, represents all the duties and obligations established under the law in order to achieve the prerogatives of public power. The Law No 158 on Civil Service and Statute of Civil Servants and the Regulation on Competition-Based Employment in Civil Service, approved by GD No 201 Implementing the Law No 158, provide for the requirements for the employment in a civil service position.

It should be mentioned that according to Article 4 of the Law No 158, its provisions and, respectively, those of the Regulation on Competition-Based Employment in Civil Service, are applicable also to the civil servants from LPA authorities, from the autonomous territorial units with special status and their decentralized services. In other words, civil servants from the structures subordinated to the LPAs are appointed on the basis of competitions organised in accordance with the aforementioned law and regulation. Note, in this context, that district administration hires its technical staff on the basis of the Labour Code, i.e. no competition needs to be organised.

According to Article 29 of the Law No 158, the competition for employment in a vacant or temporarily vacant civil service position is based on the principles of open competition, transparency, competence and meritocracy, and on the principle of citizens' equal access to civil service. The public authority starting a competition is under the obligation to make public all the conditions of the competition on the governmental portal of public positions ([cariere.gov.md](http://cariere.gov.md)), on its website, and on the information board at the LPA's headquarters, in a visible and publicly accessible place, at least 20 calendar days before the date the competition is to take place on.

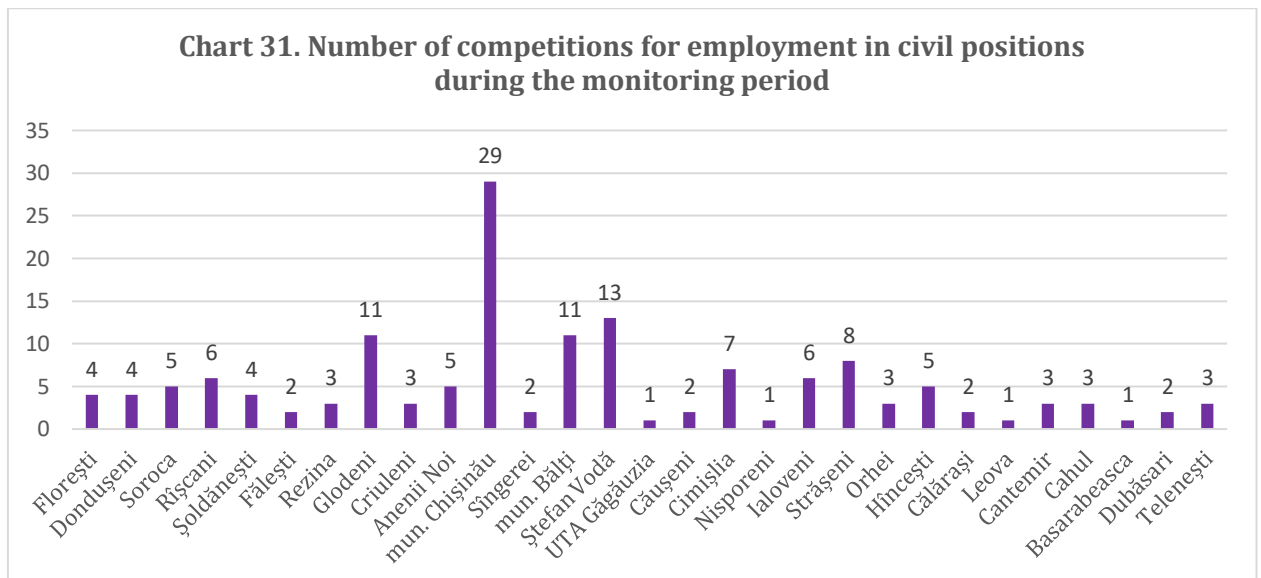
Following the modification of the Regulation on Competition-based Employment in Civil Service by Government Decision 527 of 6 June 2018, in force as of 8 June 2018, the Item 7 no longer requires to publish the announcement in the Official Gazette or to publish it in a widely circulated newspaper if there is no website. Thus, following the approved amendments, Item 7 contains a provision similar to that from the Article 29 of the Law No 158.

In order to clarify the transparency and publicity of the announcements about the organisation of competitions for employment in public positions, Promo-LEX monitors interviewed the representatives of district administrations and learned how many competitions did they organise, to what extent and by what ways the announcements about the organisation of competitions were made public. In addition, the governmental portal of public positions was scanned to identify the number of LPAs that placed announcements on the organisation of competitions for employment in vacant public positions.

Thus, the data provided by the interviewed LPA servants and included in Table 11, show that only six out of 35 LPAs did not organise competitions for employment in civil positions – Drochia, Briceni, Edinet, Ocnita, Taraclia and Ungheni. A number of 150 competitions were organised in those 29 ATU. Most of the competitions were organised in Chisinau municipality (29<sup>5</sup>), Stefan Voda (13), Balti municipality and Glodeni (11 each) (see Chart 31).

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<sup>5</sup> The interviewee was unable to provide details on the number of competitions organised, but by scanning the website of Chisinau municipality Mayoralty identified that 29 competitions for employment in civil positions were organised during the monitoring period.



As regards the dissemination of announcements about the organisation of competitions for employment in civil service, it should be noted that according to the legal provisions the former shall be published on the governmental portal, website, and on the information board at the public authority headquarters, in a visible and publicly accessible place. Public authorities may publish the conditions for conducting competition for employment in a civil service position in a periodical or other information means.

Out of 29 administrations that organised competitions all of them published the announcements on their website (see Table 11). The information boards near the headquarters of public authorities, being at first sight the simplest and most accessible method of distributing information, were used by 27 LPAs (93.10%). LPAs from Chisinau municipality and Causeni did not put announcements on information boards. Also, only 4 LPAs (13.79%) out of 29 placed the announcements on the governmental portal, namely: Cimislia, ATU Gagauzia, Causeni, Dubasari. As many as 24 out of the 29 councils (82.75%) used periodical publications (local and district newspapers) as a platform for the dissemination of the announcements. Another (Chisinau municipality, Singerei, Stefan Voda, Ialoveni and Basarabeasca) 5 ignored this tool.

Having analysed the data disaggregated by ATU on the observance of legal provisions with regards to making public the process of employment in civil service within LPAs, we found out that only 3 (10.34%) out of 29 administrations (ATU Gagauzia, Cimislia, Dubasari) that organised competitions observed the legal requirements related to employment transparency and displayed the announcements and the conditions by using all the 3 mandatory information channels and additionally in the media (see Table 11). In the case of 24 LPAs (82.75%), announcements were published on the website and on the information board, and in the case of 21 LPAs (72.41%), the announcements were published on the website, information board and in the media. Thus, we state that the governmental portal of public positions is not a popular instrument among LPAs for the dissemination of the information on the organisations of the competitions.

Table 11. Publication of announcements and conditions of employment in civil service  
(data disaggregated by ATU)

ATU	The announcement and conditions were published on the authority's website	The announcement and conditions were published on the authority's information board	The announcement and conditions were published on the governmental portal (cariere.gov.md)	The announcement and conditions were published in the local and regional media <sup>6</sup>	
North, Edinet Regional Office	Donduseni	YES	YES	NO	YES
	Drochia	Competitions were not organised	Competitions were not organised	Competitions were not organised	Competitions were not organised
	Soroca	YES	YES	NO	YES
	Riscani	YES	YES	NO	YES
	Briceni	Competitions were not organised	Competitions were not organised	Competitions were not organised	Competitions were not organised
	Edinet	Competitions were not organised	Competitions were not organised	Competitions were not organised	Competitions were not organised
	Ocnita	Competitions were not organised	Competitions were not organised	Competitions were not organised	Competitions were not organised
North-East, Balti Regional Office	Floresti	YES	YES	NO	YES
	Singerei	YES	YES	NO	NO
	Balti municipality	YES	YES	NO	YES
	Soldanesti	YES	YES	NO	YES
	Falesti	YES	YES	NO	YES
	Rezina	YES	YES	NO	YES
	Glodeni	YES	YES	NO	YES
	Telenesti	YES	YES	NO	YES
Center-South-East, Chisinau Regional Office	Criuleni	YES	YES	NO	YES
	Anenii Noi	YES	YES	NO	YES
	Chisinau municipality	YES	NO	NO	NO
	Stefan Voda	YES	YES	NO	NO
	Causeni	YES	NO	YES	YES
	Dubasari	YES	YES	YES	YES
Center-South-West, Calarasi Regional Office	Nisporeni	YES	YES	NO	YES
	Ialoveni	YES	YES	NO	NO
	Ungheni	Competitions were not organised	Competitions were not organised	Competitions were not organised	Competitions were not organised
	Straseni	YES	YES	NO	YES
	Orhei	YES	YES	NO	YES
	Hincesti	YES	YES	NO	YES
	Calarasi	YES	YES	NO	YES

<sup>6</sup> Publication in the local and regional media is voluntary and not mandatory

ATU		The announcement and conditions were published on the authority's website	The announcement and conditions were published on the authority's information board	The announcement and conditions were published on the governmental portal (cariere.gov.md)	The announcement and conditions were published in the local and regional media <sup>6</sup>
South, Comrat Regional Office	ATU Gagauzia	YES	YES	YES	YES
	Taraclia	Competitions were not organised	Competitions were not organised	Competitions were not organised	Competitions were not organised
	Cimislia	YES	YES	YES	YES
	Leova	YES	YES	NO	YES
	Cantemir	YES	YES	NO	YES
	Cahul	YES	YES	NO	YES
	Basarabeasca	YES	YES	NO	NO
<b>Total</b>		<b>29</b>	<b>27</b>	<b>4</b>	<b>24</b>

*Promo-LEX Association found that the transparency of competitions for employment in civil service is moderately positive. We note that all have placed the announcement and the conditions of contests on the website (100%). At the same time, 93.10% placed the announcements on the information boards, but the situation is worse as regards their placement on the governmental board of the public functions – only 4 (13.79%) administrations out of 29. We perceive as positive the use of media to disseminate information on the organisation of competitions – 24 APLs (92.30%) out of 29 that organised competitions used this tool. Thus, we can state that the LPAs prefer to use the dissemination instruments (website, media) that are mostly used by the general public.*

*Thus, overall, we found out that 3 (10.34%) administrations (ATU Gagauzia, Cimislia and Dubasari) out of 29 that organised competitions observed the legal requirements related to employment transparency and displayed the announcements and the conditions by using all the 3 compulsory information channels and additionally, the regional media.*

## VII. TRANSPARENCY OF PUBLIC PROCUREMENT PROCEDURES

Defined as a fundamental principle in the public procurement process (Article 6(b) of the Law No 131 on Public Procurement), the transparency is a veritable control tool, a guarantee of efficient and lawful use of the financial resources of the contracting authorities (including LPAs), a key condition for integrity and prevention of corruption in public procurement. The plenary monitoring of decision-making transparency is possible only by taking into account the extent to which people and stakeholders know about the procurement procedures and the goods purchased by the public authorities.

The procurement process is regulated by Law No 131 of 03 July 2015 on Public Procurements, GD No 667 of 27 May Approving the Regulation on the Activity of the Procurement Working Group, GD No 1419 of 28 December 2016 Approving the Regulation on Planning of the Public Procurement Contracts, GD No 665 of 27 May 2016 Appvying the Regulation on Low-value Public Procurements, as well as by other regulatory acts approved in order to enforce this law.

According to the legal provisions mentioned above, public procurements can be grouped into two categories:

- high-value public procurements (contracts whose estimated value of goods and services is above MDL 80 000, and of works – above MDL 100 000);
- low-value public procurements (contracts, the estimated value of which is under MDL 80 000 for goods and services and under MDL 100 000 for works).

During the first semester of 2018, Public Procurement Agency (PPA) was the authority which ensured the monitoring, ex-post control, and inter-sectoral coordination in the field of public procurements. The Public Procurement Newsletter (PPN) and the 'State Register of Public Procurements' Automated Information System (SRPP AIS) are among the important working tools PPA uses in the procurement process. The announcements/invitations to participate the high-value procurements are published both in PPN and SRPP AIS. In addition, the contracts of high-value procurements concluded following the procurement procedures, and the status of each procedure are published in the SRPP AIS. In addition, PPA supplements systematically (daily update) the register of contracts awarded by contracting authorities.

PPA monitors the low-value public procurements through annual reports received from the contracting authorities. The reports are not published on PPA's website. They are to be published on the websites of the contracting authorities, along with other information relevant for the procurement process (procurement plans, announcements of intent, etc.)

According to the monitoring methodology, the degree of transparency of the following documents specific to procurement procedures was identified: *the annual procurement plan; ad/invitation to participate; procurement contracts; annual reporting; reports of the working group*. The following working methods were used: review of websites of the LPAs, and of PPA, and communicating with LPAs' civil servants, as needed.

As regards LPAs, the current law requires them to approve annually/quarterly the *Procurement Plan*,<sup>7</sup> with the possibility to periodically review it, and to publish it on their website<sup>8</sup>. Subsequently, when procurements start, institutions are also required to publish the announcements/invitations to participate in the planned and initiated procurement procedures.

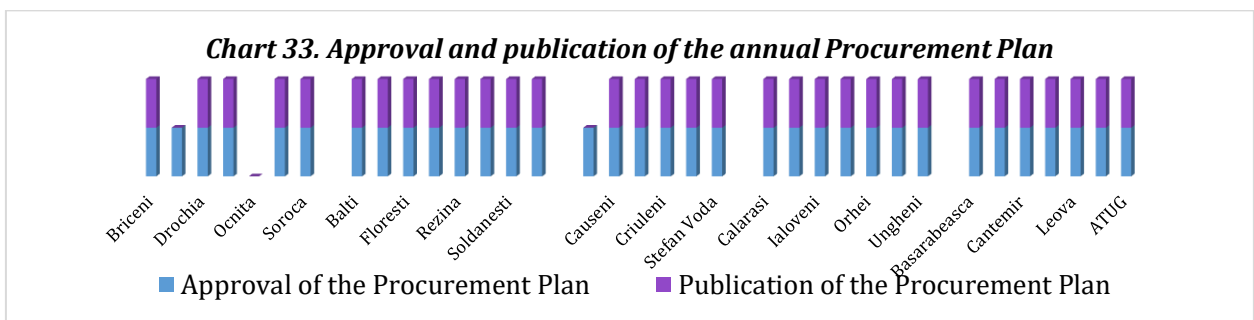
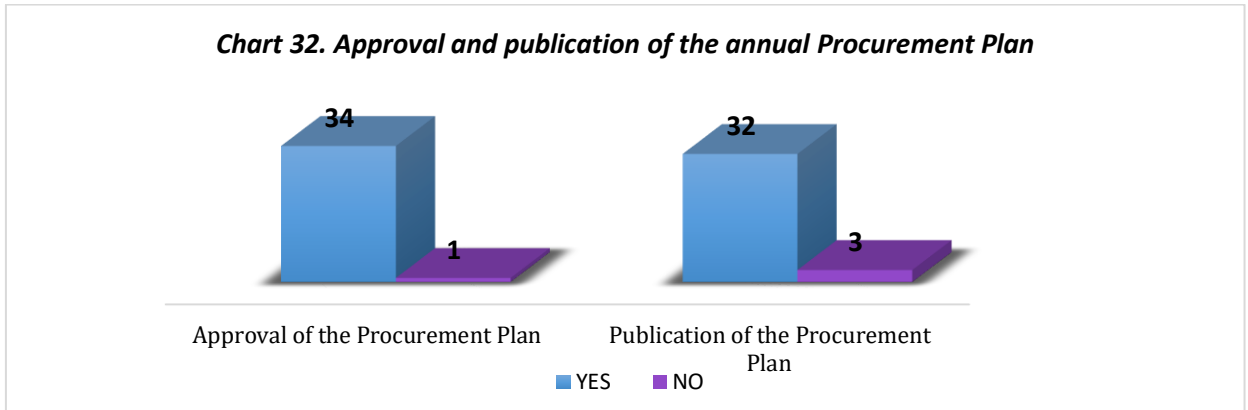
According to Promo-LEX monitors, only 34 of 35 LPAs approved their *Procurement Plans* for 2018 (Ocnita district did not approved a plan). Of these, 32 institutions published these Plans on their

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<sup>7</sup> Government Decision No 1419 of 28 December 2016 Approving the Regulation on Planning of the Public Procurement Contracts, Item 11.

<sup>8</sup> Government Decision No 188 of 3 April 2012 on the Official Websites of Public Administration Authorities on the Internet, Item 201.

official website (LPAs from Ocnita, Donduseni, Anenii Noi districts did not publish the plans) (see Charts 32 and 33). Compared to the second semester of 2017 we note a significant increase of the number of LPAs that approved (from 29 to 34 LPAs) and published (from 22 to 32 LPAs) *the annual procurement plans*.



We found, with regards to the same matter that although some LPAs complied with the legal provisions by publishing the procurement plans, as well as other documents, their content is dispersed. Thus, for example, in case of Chisinau LPA, the procurement plan is published by sections (Divisions, enterprises, etc.), without developing and publishing a joint document comprising all the procurements that are to be made by the Chisinau Mayor’s Office. The same situation was also observed in the monitoring reports of public procurement contracts, etc.

Given the above, we recommend to the contracting authorities to collect the data and publish the complete documents concerning LPAs and not by fragments of subdivisions.

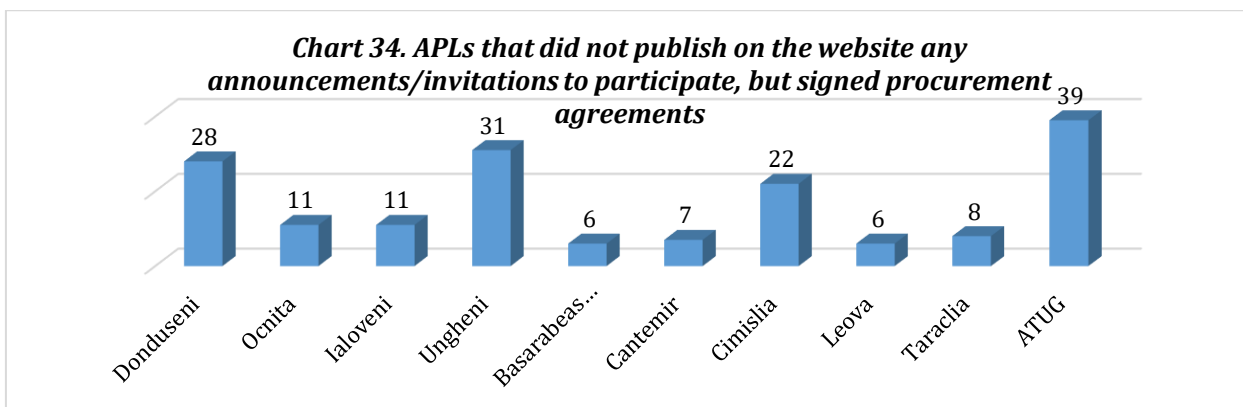
Based on the information provided by the Promo-LEX monitors, we note that in the second semester of 2018 only 25 LPAs published on their official websites at least one *announcement/invitation to participate in the initiated procurement procedures* (see Table 12). Compared to the second semester of 2017, we found that the number of LPA that published on their websites at least one announcement/invitation to participate in the initiated procurement procedures increased during the monitoring period (from 19 to 25 LPAs).

Table 12. Ratio between the announcements of participation and the procurement contracts concluded

Region	LPA	Announcements published on the website of LPA	Total No of signed contracts <sup>9</sup>
North, Edinet Regional Office	Briceni	1	37
	Donduseni	0	28
	Drochia	4	20
	Edinet	10	13
	Ocnita	0	11
	Riscani	6	26
	Soroca	5	20
North-East, Balti Regional Office	Balti	12	49
	Falesti	6	18
	Floresti	2	28
	Glodeni	1	1
	Rezina	8	22
	Singerei	1	24
	Soldanesti	1	10
	Telenesti	3	17
Center-South-East, Chisinau Regional Office	Anenii Noi	1	4
	Causeni	10	22
	Chisinau	189	495
	Criuleni	8	8
	Dubasari	8	10
	Stefan Voda	7	11
Center-South-West, Calarasi Regional Office	Calarasi	8	15
	Hincesti	1	35
	Ialoveni	0	11
	Nisporeni	1	11
	Orhei	12	32
	Straseni	10	22
	Ungheni	0	31
South, Comrat Regional Office	Basarabeasca	0	6
	Cahul	6	32
	Cantemir	0	7
	Cimislia	0	22
	Leova	0	6
	Taraclia	0	8
	ATUG	0	39
<b>Total</b>		<b>321</b>	<b>1151</b>

Therefore, we note that 10 LPAs, did not publish on their official websites the announcements/invitation to participate in the procurement procedures initiated by the Authority despite the fact that the procurement contracts were signed (see Chart 34).

<sup>9</sup> <https://tender.gov.md/ro/contracte-atribuite>



According to data published by PPA, those 35 LPAs have signed 1,151 *procurement contracts* during the first semester of 2018 (see Table 13 and Annex 9 – per each LPA) According to the object of procurements, we find that:

- 50.66% of purchases implied construction/repair and maintenance works (buildings, land, parks, stations, schools, roads, railways, etc.);
- 13.96% of purchases implied hotel, restaurant services and retail sale;
- 12.49% of purchases implied food products, beverages, tobacco

*Table 13. Contracts entered into by LPAs during the first semester of 2018*

<i>Object of the procurement</i>	<i>Contracts</i>	<i>Amount</i>	<i>% Amount</i>
Printed materials and related products	1	807 840.00	0.09%
IT services: consultancy, software development, internet and support	14	1 362 182.10	0.15%
Veterinary services	28	1 645 727.75	0.18%
Cleaning and sanitation services	5	2 387 727.01	0.26%
Law, marketing, consultancy, recruitment, printing and security services	13	2 676 123.94	0.30%
Transport services	17	6 579 184.06	0.73%
Cars, vehicles	18	7 769 450.00	0.86%
Architecture, construction, engineering and inspection services	28	8 226 907.17	0.91%
Furniture, furniture accessories, household appliances and cleaning products	68	11 392 781.08	1.26%
Different procurements	21	14 940 165.83	1.65%
Installation, repair and maintenance services	38	23 333 035.42	2.58%
Construction structures and materials; auxiliary products for constructions	19	24 139 811.86	2.67%
Oil products, fuels, electricity and other energy sources	98	37 096 703.09	4.11%
Different equipments, cleaning products, office supplies	60	64 510 007.64	7.14%
Food products, beverages, tobacco and related products	303	112 832 001.72	12.49%
Hotel, restaurant services and retail sale;	111	126 136 740.91	13.96%
Construction/repair works	207	219 685 156.18	24.31%
Works for the repair and maintenance of roads	102	238 075 174.28	26.35%
<b>Total</b>	<b>1151</b>	<b>903 596 720.04</b>	<b>100.00%</b>

Compared to the second semester of 2017, we found a decrease in the procurements for repair works (from 70.21% in the second semester of 2017 to 50.66% in the first semester of 2018), as well as a decrease in the procurement of hotel, restaurant services and retail sale (drom 9.41% in the second semester of 2017 to 13.96% in the first semester of 2018).

At the same time, it was found that the existing contracts were amended 60 times – by 284 less than in the second semester of 2017 (see Table 14). Of these, 97% were about diminishing the initial value of the concluded procurement contracts.

Table 14. Amendments made in the first semester of 2018 to the contracts concluded by LPA

<i>Amendments made</i>	<i>Total No of contracts</i>	<i>Total amount</i>
Additional agreement of increase	2	30 086.79
Additional agreement of reduction/termination	58	-13 226 407.87
<b>Total</b>	<b>60</b>	<b>-13 196 321.08</b>

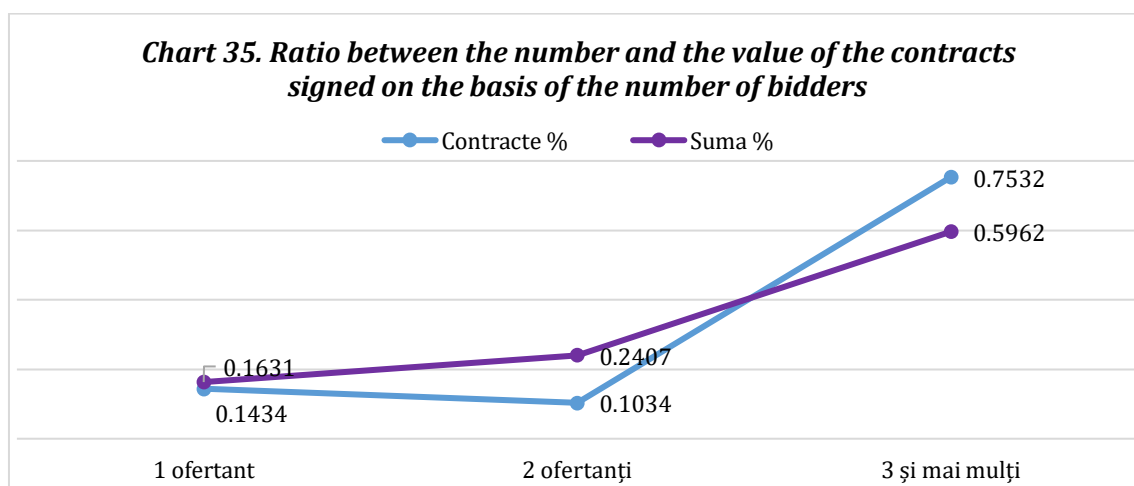
Depending on the applied procurement procedure, it was found that 45% of the procurement contracts were signed as a result of the Request for Price Quotations, and 42% – as a result of public tenders (see Table 15).

Table 15. Type of procurement procedures applied to the procurement procedures of LPAs

<i>Type of procurement procedure</i>	<i>Contracts</i>	<i>Amount</i>	<i>% Contracts</i>
Request for Price Quotations without publication	98	15 750 034.71	9%
Negotiation without publication	52	45 887 522.16	5%
Public tender	485	714 150 019.62	42%
Request for quotations	516	127 809 143.55	45%
<b>Total</b>	<b>1151</b>	<b>903 596 720.04</b>	<b>100%</b>

According to the data published by the PPA, the following situation was found according to the number of bidders who participated in the procurement procedure, which resulted into the signing of a procurement contract:

- 14,34% contracts (165) signed on the basis of a single bid submitted to the procurement procedure (see Chart 35). The total value of these contracts is MDL 147.04 million or 16.31% of the total value of procurements made by LPAs;
- 10,34% contracts (119) signed on the basis of two bids submitted to the tender. The total value of these contracts is MDL 217.47 million or 24.07% of the total value of procurements made by LPAs;
- 75.33% contracts (867) signed on the basis of three or more bids participating in the tender. The total value of these contracts is MDL 538.71 million or 59.62% of the total value of procurements made by LPAs.



Therefore, like during the previous periods (2017) we found a high number of cases when procurement contracts were awarded on the basis of a small number of bids participating in the tender, which does not ensure an effective competition in the procurement process. Thus, note that in the second semester of 2017 the contracts signed on the basis of a single bid represented a share

of 14.95% (by 0.61% more than in the first semester of 2018), and their value was 15.86% of the total value of the procurements made by LPAs (by 0.45% less than in the first semester of 2018).

Table 16 reflects the details of the procurement contracts and their value entered into by each LPA according to the number of bidders participating in the procurement.

Table 16. Procurement contracts entered into according to the number of bids during the first semester of 2018 (data disaggregated by ATU)

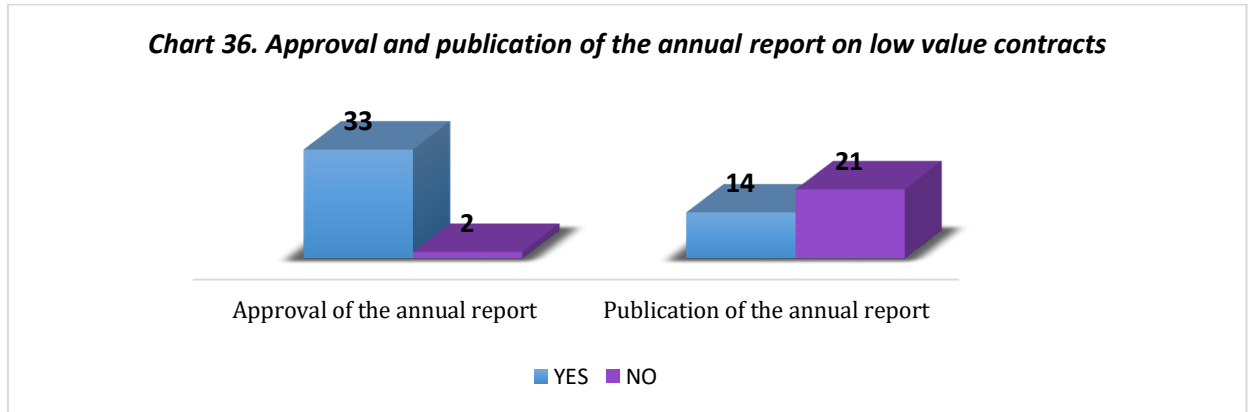
Region	LPA	Contracts with 1 bidder				Contracts with 2 bidders				Contracts with 3 or more bidders			
		No	%	Amount	%	No	%	Amount	%	No	%	Amount	%
North	Briceni	6	0.52%	5 970 418.81	0.66%	1	0.09%	472 268.00	0.05%	30	2.61%	18 345 993.81	2.03%
	Donduseni	2	0.17%	599 000.18	0.07%	1	0.09%	208 800.00	0.02%	25	2.17%	6 196 773.74	0.69%
	Drochia	1	0.09%	139 400.00	0.02%	5	0.43%	8 682 682.54	0.96%	14	1.22%	4 791 180.90	0.53%
	Edinet	3	0.26%	800 000.00	0.09%	4	0.35%	9 483 805.80	1.05%	6	0.52%	1 068 961.97	0.12%
	Ocnita	1	0.09%	6 730 000.00	0.74%	2	0.17%	655 605.00	0.07%	8	0.70%	864 306.92	0.10%
	Riscani	2	0.17%	859 254.00	0.10%					24	2.09%	1 818 654.32	0.20%
	Soroca	2	0.17%	700 970.50	0.08%	5	0.43%	1 628 712.00	0.18%	13	1.13%	26 737 529.61	2.96%
	Balti	17	1.48%	11 006 874.87	1.22%	13	1.13%	4 575 711.11	0.51%	19	1.65%	11 946 730.99	1.32%
North-East	Falesti	4	0.35%	9 758 398.55	1.08%	1	0.09%	4 437 052.96	0.49%	13	1.13%	5 553 535.92	0.61%
	Floresti	1	0.09%	42 300.00	0.00%					27	2.35%	13 928 143.80	1.54%
	Glodeni					1	0.09%	403 480.00	0.04%				
	Rezina	3	0.26%	513 277.32	0.06%	1	0.09%	264 655.00	0.03%	18	1.56%	4 312 093.37	0.48%
	Singerei	3	0.26%	1 222 117.40	0.14%	4	0.35%	1 058 108.80	0.12%	17	1.48%	7 707 660.41	0.85%
	Soldanesti	6	0.52%	5 197 390.39	0.58%	1	0.09%	396 562.62	0.04%	3	0.26%	2 261 220.92	0.25%
	Telenesti					3	0.26%	2 974 078.00	0.33%	14	1.22%	7 973 406.09	0.88%
	Anenii Noi	1	0.09%	375 580.80	0.04%	2	0.17%	17 778 820.50	1.97%	1	0.09%	149 697.00	0.02%
Center-South-East	Causeni	3	0.26%	2 409 964.38	0.27%	1	0.09%	258 847.00	0.03%	18	1.56%	13 869 220.35	1.53%
	Chisinau	57	4.95%	77 132 756.02	8.54%	36	3.13%	119 961 635.89	13.28%	402	34.93%	293 889 291.75	32.52%
	Criuleni	3	0.26%	808 771.76	0.09%	1	0.09%	7 691 758.19	0.85%	4	0.35%	2 962 432.00	0.33%
	Dubasari	5	0.43%	1 050 732.00	0.12%	2	0.17%	220 000.00	0.02%	3	0.26%	698 017.50	0.08%
	Stefan Voda	3	0.26%	901 880.00	0.10%	3	0.26%	10 144 846.45	1.12%	5	0.43%	1 234 063.62	0.14%
	Calarasi	3	0.26%	1 514 265.97	0.17%	3	0.26%	437 964.64	0.05%	9	0.78%	4 500 109.05	0.50%
Center-South-West	Hincesti	3	0.26%	1 893 115.15	0.21%	1	0.09%	133 954.65	0.01%	31	2.69%	14 513 508.41	1.61%
	Ialoveni					5	0.43%	461 920.36	0.05%	6	0.52%	8 604 774.16	0.95%
	Nisporeni	4	0.35%	4 064 732.82	0.45%					7	0.61%	1 626 723.36	0.18%
	Orhei	3	0.26%	499 160.61	0.06%	2	0.17%	2 018 288.00	0.22%	27	2.35%	15 610 052.16	1.73%
	Straseni	4	0.35%	3 524 480.51	0.39%	1	0.09%	132 000.00	0.01%	17	1.48%	18 576 067.61	2.06%
	Ungheni	4	0.35%	3 135 873.79	0.35%	7	0.61%	2 795 573.00	0.31%	20	1.74%	10 643 475.42	1.18%
	Basarabesca	3	0.26%	714 955.00	0.08%	3	0.26%	2 564 359.10	0.28%				
	Cahul	5	0.43%	1 590 804.71	0.18%	5	0.43%	2 322 089.46	0.26%	22	1.91%	3 210 418.44	0.36%
South	Cantemir	3	0.26%	1 126 912.28	0.12%					4	0.35%	1 052 878.17	0.12%
	Cimislia	3	0.26%	1 176 567.75	0.13%	1	0.09%	3 478 603.00	0.38%	18	1.56%	5 763 241.23	0.64%
	Leova	2	0.17%	447 225.00	0.05%	3	0.26%	11 664 569.62	1.29%	1	0.09%	1 591 231.25	0.18%
	Taraclia	1	0.09%	295 000.00	0.03%	1	0.09%	162 815.00	0.02%	6	0.52%	3 242 128.45	0.36%

	ATUG	4	0.35%	1 207 510.00	0.13%					35	3.04%	23 473 940.08	2.60%
<b>Grand Total</b>		<b>165</b>	<b>14.34%</b>	<b>147 409 690.57</b>	<b>16.31%</b>	<b>119</b>	<b>10.34%</b>	<b>217 469 566.69</b>	<b>24.07%</b>	<b>867</b>	<b>75.33%</b>	<b>538 717 462.78</b>	<b>59.62%</b>

\*27 contracts were signed with the state-owned/municipal enterprises/companies.

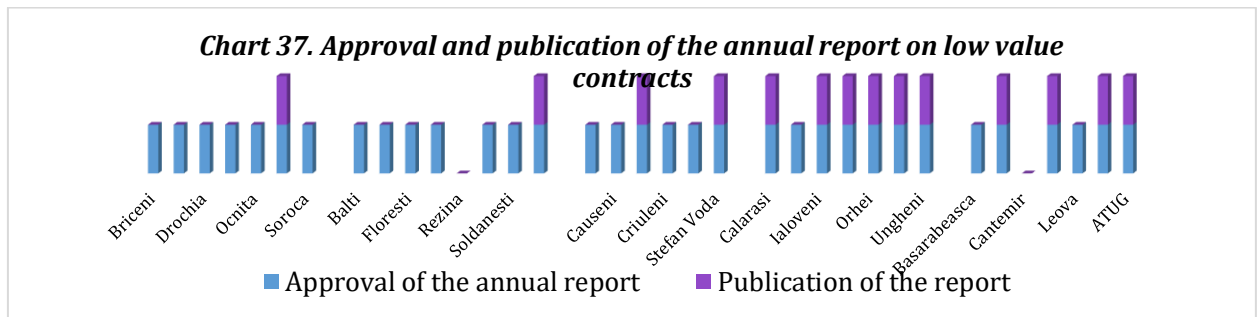
According to Item 24 of the GD No 665 of 27 May 2016 Approving the Regulation on Low-value Public Procurements, LPAs are required to develop and submit annually to the PPA, by the 1<sup>st</sup> February of the following year, including in an electronic version, a *report on the low-value public procurement contracts* entered into and registered during the reference period.

According to Promo-LEX monitors, 33 LPAs developed and approved the report. Of them, only 14 published these reports on the official website of the institutions (see Chart 36).



Given the above, Promo-LEX Association found that the transparency of low-value public procurements made by the LPAs is low. However, compared to the second semester of 2017, when the report was approved by only 26 LPAs (7 less) of which 8 published it (6 less), we note an increase in the number of LPAs that complied with the legal provisions.

Figure 37 reflects the information on the approval and publication of the report per each LPA.



With regards to the same matter, note that even if certain LPAs (for example, ATUG) ensured the publication of annual reports on low-value contracts signed, for unclear reasons, they removed from the reports the information on the value of low-value contracts (limited transparency).

Table 17 reflects the business entities that have the most contracts signed with the LPAs on the basis of a single bid participating in the public procurement procedure.

Table 17. – Top business entities contracted on the basis of a single bid

Business entity	Balti	Basarabasca	Briceni	Cahul	Calarasi	Cantemir	Causeni	Chisinau	Donduseni	Drochia	Dubasari	Hincesti	Leova	Nisporeni	Riscani	Singerei	Soldanesti	Soroca	Taraclia	ATUG	Total
DAAC Autotest S.R.L.										1					1	1					3
ME Tirez Petrol S.A.		1					1										1				3
Drumuri-Soroca S.A.																	4				4
Nord-Universal S.R.L.								5													5
Autoprezent S.R.L.					1						1		1	1					1		5
Moldtelecom S.A.	1		1					3													5
Lukoil Moldova S.R.L.				2		2		2	1		2	1		1	1	2		1		1	16
<b>Total No of contracts</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>10</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>41</b>

According to Item 34 of the Regulation on the Activity of Procurement Working Group approved by GD No 667 of 27 March 2016, WG must monitor the implementation of public procurement contracts and develop *quarterly/biannual and annual reports* to this end. These reports – that must include information about the implementation phase of the contractual obligations, the causes of the failure to do so, the complaints submitted and the penalties applied, references to the quality of contract implementation, etc. – will be published on the contracting authority’s website, and in the absence thereof on the official website of the central authority to which it is subordinated or of the level-two local public administration, including the ATUG.

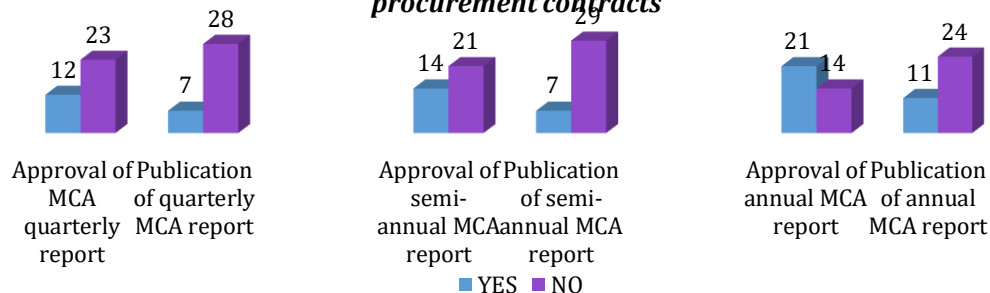
According to the information submitted by Promo-LEX monitors, it was found the following (see Chart 38):

12 LPAs developed quarterly reports on monitoring the implementation of public procurement contracts. Of these, only 7 published the reports on their websites;

- 14 LPAs developed semi-annual reports on monitoring the implementation of public procurement contracts. Of these, only 7 published the reports on their websites;
- 21 LPAs developed annual reports on monitoring the implementation of public procurement contracts. Of these, only 7 published the reports on their websites.

The detailed description of the situation concerning each ATU is reflected in the Annex 7.

**Chart 38. Development and publication of reports on monitoring public procurement contracts**



As a result, we note a low transparency of the monitoring and reporting of the implementation of public procurement contracts concluded by the LPAs. However, compared to the second semester of 2017, we notice a major increase in the number of LPAs that approved those reports (from 1-5 LPAs in the second semester of 2017 to 12-21 LPAs in the first semester of 2018). A slight increase was also recorded in the publication of these reports on the website (1-4 APLs in the second semester of 2017 – to 7 APLs in the first semester of 2018).

With regards to same matter, concerning the compliance/correctness of the monitoring reports with the legal provisions, we mention that even if certain LPAs (Basarabasca, Edinet, Soldanesti, Cahul districts, etc.) published on their websites such reports, they do not contain the correct information, which is mandatory for a monitoring, such as: implementation phase of the contractual obligations, the causes of the failure to do so, the complaints submitted and the penalties applied, references to the quality of contract implementation, etc. Therefore, the reports are not relevant in relation to their objective.

With regards the most frequent business entities contracted by LPAs, it was found that in the first semester of 2018, 22% of the procurement contracts were awarded to 14 business entities (see Table 18 and Annex 11). The total amount of these contracts accounted for 19% of the total amount of procurements made by LPA during the first semester of 2018.

*Table 18. – Top 14 business entities contracted by LPA in the first semester of 2018, including the number of bidders who participated in the procurement procedure*

<b>Business entity</b>	<b>Contracts</b>	<b>Amount</b>	<b>1 bidder</b>	<b>2 bidders</b>	<b>3 and more bidders</b>
Credoprim S.R.L.	10	22 778 166.50	0	2	8
Anreal Cons S.R.L.	10	7 691 310.97	0	1	9
Vlados Com SRL	11	2 281 185.95	0	0	11
Riscani SC SOE	11	23 614 508.90	1	1	9
Fabrica de unt Floresti (Butter Factory from Floresti)	11	8 037 386,28	0	0	11
Vanro-Com S.R.L.	12	3 368 943.28	0	1	11
SOE Cantina Liceist	12	24 087 767.30	3	1	8
SOE Bucuria-EI	13	23 721 120.80	2	1	10
Slavena Lux S.R.L.	14	2 096 228.07	0	1	13
Datario S.R.L.	14	2 578 228.20	1	2	11
Alim-Total S.R.L.	18	3 839 145.37	0	0	18
Lovis Angro S.R.L.	20	8 381 199.42	0	1	19
Baguette S.R.L.	40	7 031 733.78	0	3	37
Lukoil Moldova S.R.L.	55	28 193 566.22	16	19	20
<b>Total</b>	<b>251</b>	<b>167 700 491.04</b>	<b>23</b>	<b>33</b>	<b>195</b>

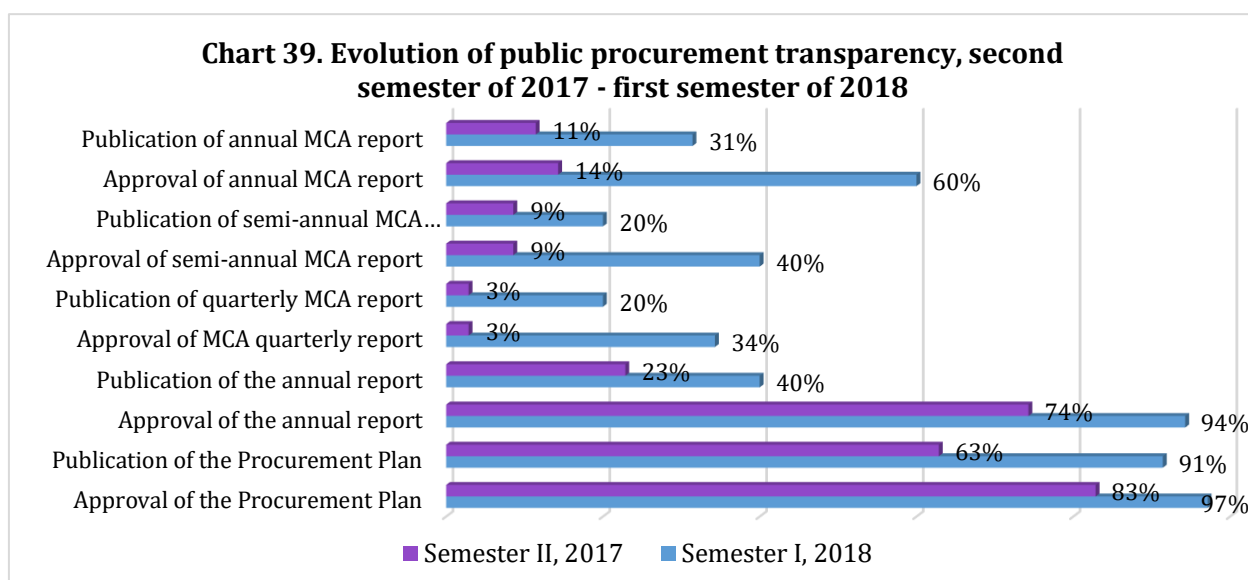
As regards the business entities contracted by LPAs with most valuable procurement contracts, it was found that 14 business entities were contracted on the basis of procurement contracts the value

of which represents 43% of the total volume of procurements made by LPAs in the first semester of 2018 (see Table 19 and Annex 10)

*Table 19. Top 14 business entities with highest amounts and contracts signed with LPAs in the first semester of 2018, including the number of bidders who participated in the procurement procedure*

<b>Business entity</b>	<b>Contracts</b>	<b>Amount</b>	<b>1 bidder</b>	<b>2 bidders</b>	<b>3 and more bidders</b>
Sadina S.R.L.	3	12 583 339.00	0	0	3
Magistrala-Nord S.R.L.	6	13 328 482.53	0	4	2
Drumuri-Balti S.A.	3	14 350 099.53	1	1	1
Drumuri Ialoveni S.A.	6	15 062 902.39	1	0	5
Informbusiness S.R.L.	2	15 121 959.40	2	0	0
Group One S.R.L.	2	17 778 820.50	0	2	0
Credoprim S.R.L.	10	22 778 166.50	0	2	8
Riscani SC SOE	11	23 614 508.90	1	1	9
SOE Bucuria-EI	13	23 721 120.80	2	1	10
SOE Cantina Liceist	12	24 087 767.30	3	1	8
Lukoil Moldova S.R.L.	55	28 193 566.22	16	19	20
Nouconst S.R.L.	5	33 059 224.18	0	2	3
Drumuri-Soroca S.A.	8	39 842 662.68	4	0	4
Exfactor-Grup S.R.L.	1	102 030 682.08	0	1	0
<b>Total</b>	<b>137</b>	<b>385 553 302.01</b>	<b>30</b>	<b>34</b>	<b>73</b>

On the basis of the data provided, we conclude that the constant transparency of LPAs' procurement process is the result of the use of information published by the Public Procurement Agency. LPAs' official websites ensure a low transparency of the procurement process, this being limited to the publication of the Procurement Plans (32 of 35 LPAs), announcements/invitations to participate in the procurement process (25 of 35 LPAs). In addition, the LPAs do not publish the reports on low-value public procurements (only 14 out of 35 LPAs published these reports) and, respectively, the quarterly/biannual and annual reports on the monitoring of the implementation of public procurement contracts (11 out of 35 LPAs) on their official website. However, compared to the second semester of 2017, we note an increase in the number of LPAs that complied with the legal provisions (see Chart 39).



At the same time, Promo-LEX Association found a high number of cases when procurement contracts were awarded on the basis of a very small number of bids participating in the tender, which does not ensure an effective competition in the procurement process. Thus, 14.34% of the procurement contracts (total amount – MDL 147 million), concluded by the LPAs were signed on the basis of a single bid participating in the tender (one business entity submitted the bid).

## **RECOMMENDATIONS**

### **To the Local Public Authorities (general recommendations)**

1. Focus the efforts of LPAs to inform about their work through social networks.
2. Conduct public consultations through on-line surveys given the interest of citizens for this type of communication.
3. Observe the legal provisions ensuring the decision-making transparency:
  - a. Increase the communication between LPAs and local and national civic associations by using the targeted information mechanism by LPAs. Send the information about decision-making in public authorities to the specified stakeholders in the ways indicated by the stakeholders (via email or sending letters to the address of stakeholders or to the one indicated by the requester of such information);
  - b. Identify enough financial and human resources;
  - c. Focus the efforts of LPAs to inform about their work through national and local media (TV, radio, newspaper);
  - d. Ensure a higher degree of accessibility to and comfort in LPAs' headquarters for citizens from certain categories of citizens: persons with special needs, the elderly, parents with small children, etc. In this context, it is important to pay attention to the following aspects: the possibility that persons with disabilities and parents with children in strollers could access and move around inside the buildings, placing a sufficient number of chairs on the hallway; fitting out a separate room for breastfeeding children; fitting out user-friendly WC, etc.
4. Publishing the declaration of income and personal interest on the APL website to make information more accessible and increase the degree of transparency.
5. Publish the announcements/invitations to participate in the public procurement process on the websites in order to ensure effective competition.

### **To the Local Public Authorities (practical recommendations)**

6. The headquarters of following level-two LPAs should be provided with access ramps: Soldănești, Floresti, Glodeni, Singerei, Telenesti, Donduseni, Briceni, Chisinau municipality, Dubasari, Stefan Voda. Ensure sufficient artificial indoor lighting in the headquarters of Causeni District Council. The following LPAs should have sufficient number of chairs on the hallways: Soldanesti, Singerei, Nisporeni, Ialoveni, Drochia, Edinet, Briceni, Ocnita, Anenii Noi, Causeni. Every level-two LPA should have a special room for mothers with small children and user-friendly WC for persons with special needs.
7. The following LPAs should publish on their website the internal rules of the procedures of informing, consulting and participation in the decision-making process: Briceni, Donduseni, Drochia, Edinet, Ocnita, Soroca, Floresti, Glodeni, Rezina, Soldanesti, Telenești, Anenii Noi, Causeni, Chisinau, Criuleni, Dubssari, Stefan Voda, Calarasi, Hincesti, Ialoveni, Nisporeni, Orhei, Cimislia, Leova, Taraclia, UTAG.
8. The following LPAs should publish on their website the information about the first name, last name, position and contact number of a person responsible for the decision-making process: Briceni, Donduseni, Drochia, Edinet, Ocnita, Riscani, Soroca, Balti, Falesti, Floresti, Glodeni, Rezina, Singerei, Soldanesti, Telenesti, Anenii Noi, Causeni, Criuleni, Dubasari, Stefan Voda, Calarasi, Hincesti, Ialoveni, Nisporeni, Orhei, Ungheni, Basarabasca, Cantemir, Cimislia, Taraclia, UTAG.
9. The following LPAs should publish on their website the draft decision development schedules, specifying the drafts that will be subject to public consultations: Briceni, Donduseni, Drochia, Edinet, Ocnita, Soroca, Floresti, Glodeni, Singerei, Soldanesti, Telenești, Anenii Noi, Causeni, Chisinau,

Criuleni, Dubssari, Stefan Voda, Calarasi, Hincesti, Ialoveni, Nisporeni, Orhei, Ungheni, Basarabasca, Cantemir, Cimislia, Leova, Taraclia.

10. The following LPAs should publish on their website the announcements about starting the process of decision drafting: Briceni, Donduseni, Drochia, Ocnita, Soroca, Balti, Falesti, Floresti, Glodeni, Rezina, Singerei, Soldanesti, Telenesti, Anenii Noi, Causeni, Chisinau, Criuleni, Dubasari, Stefan Voda, Calarasi, Hincesti, Ialoveni, Nisporeni, Orhei, Basarabasca, Cahul, Cantemir, Cimislia, Leova, Taraclia, UTAG.

11. The following LPAs should publish on their website the announcements regarding the organisation of public consultations: Anenii Noi, Causeni, Ialoveni, Briceni, Donduseni, Drochia, Edinet, Soroca, Floresti, Telenesti, Basarabasca, Cahul, Cantemir, Leova, Taraclia, Briceni, Donduseni, Drochia, Edinet, Ocnita, Floresti, Rezina, Soldanesti, Telenesti, Anenii Noi, Causeni, Dubasari, Stefan Voda, Calarasi, Hincesti, Ialoveni, Nisporeni, Orhei, Ungheni, Basarabasca, Cantemir, Cimislia, Leova, Taraclia.

12. The following LPAs should publish on their website the draft decisions and related documents, as well as the decisions adopted: Briceni, Calarasi, Ialoveni, Nisporeni.

13. The following LPAs should publish on their website the results of public consultations: Briceni, Donduseni, Drochia, Edinet, Ocnita, Soroca, Falesti, Floresti, Rezina, Singerei, Soldanesti, Telenesti, Anenii Noi, Causeni, Criuleni, Dubssari, Stefan Voda, Calarasi, Hincesti, Ialoveni, Nisporeni, Orhei, Ungheni, Basarabasca, Cahul, Cantemir, Cimislia, Leova, Taraclia.

14. The following LPAs should publish on their website the annual report of the public authority on transparency in decision-making: Briceni, Donduseni, Drochia, Ocnita, Soroca, Floresti, Glodeni, Rezina, Singerei, Telenesti, Anenii Noi, Causeni, Criuleni, Dubasari, Calarasi, Hincesti, Ialoveni, Nisporeni, Orhei, Basarabasca, Cimislia, Taraclia, UTAG.

15. Provide responses, complete and within the legal time limit, to the requests for official information received from the citizens of: Rezina, Singerei, Taraclia, Criuleni, Chisinau municipality, Anenii Noi.

16. All the level-two LPAs should publish on their website the data of the person responsible for the anti-corruption module.

17. ATU Gagauzia, Cantemir, Ungheni, Orhei, Nisporeni, Ialoveni, Hincesti, Calarasi, Soroca, Drochia, Edinet, Briceni, Ocnita, Anenii Noi, Dubasari and Causeni should publish on their websites the institutional Integrity Plan.

18. All LPAs should publish the anti-corruption hotline on their websites, except for Telenesti, Leova, Nisporeni, Chisinau municipality and Balti municipality.

19. The CV of the following LPAs leaders should be published on the website: Soldanesti, Taraclia, Cantemir, Cahul, Nisporeni, Ialoveni, Hincesti, Soroca, Drochia, Donduseni, Edinet and Chisinau municipality.

20. LPAs of Chisinau municipality and Causeni should put on the information boards in their neighbourhood the announcement and conditions of the competition for employment in civil services.

21. The following LPAs should publish the announcements and the conditions for the competition for employment in civil service on the governmental portal [cariere.gov.md](http://cariere.gov.md): Floresti, Donduseni, Soroca, Riscani, Soldanesti, Falesti, Rezina, Glodeni, Criuleni, Anenii Noi, Chisinau municipality, Singerei, Balti municipality, Stefan Voda, Nisporeni, Ialoveni, Straseni, Orhei, Hincesti, Calarasi, Leova, Cantemir, Cahul, Basarabasca and Telenesti.

22. The following LPAs should observe the deadline for publishing the announcements on the conduct of all meetings: Donduseni, Ocnita, Ialoveni, Orhei, Ungheni, Hincesti, Nisporeni, Straseni, Leova, Cantemir and Cimislia.

23. LPAs of Balti municipality, Nisporeni, Hincesti and orhei should provide arguments for the introduction of urgent projects on the agenda, without consulting the stakeholders.
24. The following deliberative authorities should publish on their website the information on the decisions adopted at all meetings conducted: Soldanesti, Glodeni, Drochia, Donduseni, Briceni, Cimisia, Nisporeni, Calarasi and Ialoveni.

**To the Stakeholders**

25. Develop and implement projects concerning the organisation of campaigns to inform citizens about the rights they have in ensuring the transparency of LPAs' decision-making process.
26. Involve more actively in the process of consulting draft decisions, not only by informing, but also by providing a feedback to the LPAs.
27. Participate more actively in the working groups' activity on public procurements.

## **LIST OF ABBREVIATIONS**

PPA – Public Procurement Agency

para. – paragraph

NIA – National Integrity Agency

NGO – Non-Government Organization

CPA – Central Public Administration

LPA – Local Public Administration

Art. – Article

PPN – Public Procurement Newsletter

Mr – Mister

WG – Working Group

GD – Government Decision

let. – Letter

mun. – Municipality

No – Number

t. – Town

p. – Item

d. – district

RM – Republic of Moldova

v. – Village

sem. – Semester

SRPP IS – ‘State Register of Public Procurement’ Information System

ATU – Administrative Territorial Unit

ATUG – Administrative Territorial Unit of Gagauzia

## ANNEXES

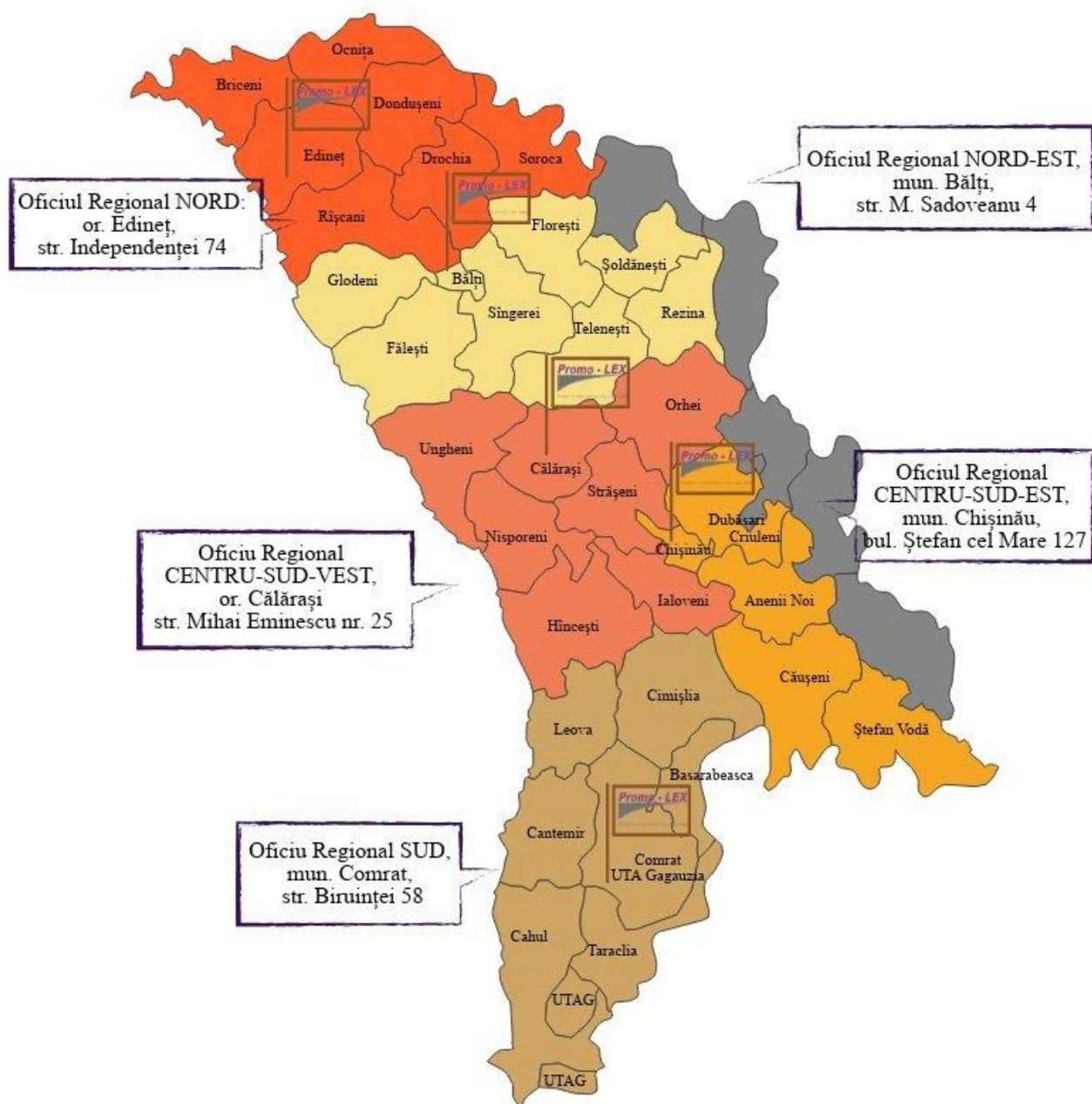
### Annex 1. Legal Framework

- Law No 239 of 13 November 2008 on Transparency in the Decision-Making Process.
- Law No 982 of 11 May 2000 on Access to Information.
- Law No 436 of 28 December 2006 on Local Public Administration.
- Law No 764 of 27 December 2001 on the Administrative-Territorial Organisation of the Republic of Moldova.
- Law No 158 of 4 July 2008 on Civil Service and Statute of Civil Servants.
- Law No 847 of 24 May 1996 on Budgetary System and Budgetary Process.
- Law No 181 of 25 July 2014 on Public Finances and Budgetary Fiscal Accountability.
- Law No 397 of 16 October 2003 on Local Public Finance.
- Law No 25 of 22 February 2008 on the Code of Conduct for Civil Servants.
- Law No 133 of 17 June 2016 on the Declaration of Assets and Personal Interests.
- Law No 252 of 25 October 2013 Approving the Regulation on the Functioning of Anti-corruption Hot-lines System.
- Law No 131 of 3 July 2015 on Public Procurement.
- Law No 121 of 25 December 2012 on Equality.
- Government Decision No 967 of 9 August 2016 on the Mechanism for Public Consultations with the Civil Society in Decision-Making Process.
- Government Decision No 188 of 3 April 2012 on the Official Websites of Public Administration Authorities on the Internet.
- Government Decision No 201 of 11 March 2009 Implementing the Law No 158 of 4 July 2008 on Civil Service and Statute of Civil Servants.
- Government Decision No 667 of 27 May 2016 Approving the Regulation on the Activity of the Procurement Working Group.
- Government Decision No 1419 of 28 December 2016 Approving the Regulation on Planning of the Public Procurement Contracts.
- Government Decision No 665 of 27 May 2016 Approving the Regulation on Low-value Public Procurements.

**Promo - LEX**

*Promovarea democrației și a drepturilor omului*

## Oficiile regionale Promo-LEX



### Annex 3. Questionnaire for interviewing LPAs representatives

Last name, first name (interviewed) \_\_\_\_\_

Position \_\_\_\_\_

District/Municipality/ATUG \_\_\_\_\_

Contacts \_\_\_\_\_

Interview date \_\_\_\_\_

1. What public consultation methods did you use to ensure the transparency of decision-making while organising the meetings during the monitored period?<sup>10</sup>

Consulting activity	Please tick the activity you conducted (YES/NO)	Please provide details (date, venue, participants)
asking civil society, experts, professional associations for their opinions		
organising public debates;		
conducting public hearings;		
conducting public surveys;		
other public consultation methods, please indicate: _____		

2. What information sources did you use to transmit information to citizens or to other stakeholders about the conduct of decision-making within level-two LPA during the monitored period?

Information source	Please tick the activity you conducted (YES/NO)	Please provide details (date, publication name)
Newsletter		
Information board		
Authority's website		
Social media		
Newspapers		
Radio		
TV		
E-mail		
Other		

3. How do you appreciate the degree of citizens' participation in decision-making during the monitored period?

Significant	Relative	Insignificant
-------------	----------	---------------

4. What are the reasons for this attitude? Please explain.

\_\_\_\_\_

5. During this semester, have actions or decisions of level-two LPAs been contested because of violations of the Law on Transparency in Decision-Making and the Law on Access to Information? If YES, please specify.

\_\_\_\_\_

<sup>10</sup>The monitor will ask level-two LPAs' representatives to provide evidence supporting their statements.

YES	NO
-----	----

If YES, please provide details:

---

6. Please provide information on the organisation of competitions for employment in civil service:

Were competitions organised during the monitored period?	YES	NO
How many competitions were organised during the monitored period		
The announcement and conditions were published in the Official Gazette	YES/NO	Details_____
The announcement and conditions were published on the authority's website	YES/NO	Details_____
The announcement and conditions were published on the authority's information board	YES/NO	Details_____
The announcement and conditions were published in the local and regional media	YES/NO	Details_____

7. Are you familiar with the concept of participative budgeting? If YES, please specify.

YES	NO
-----	----

Provide details:

---

8. List the consultation tools used to ensure a participative budgeting.

Consultation tool	Used (YES/NO)	Please provide details (date, venue, participants)
Written materials sent to citizens/received from citizens		
Use of the website to make proposals and suggestions		
Working group, workshops, seminars		
Focus group		
Surveys		
Public hearings		
other public consultation methods, please indicate:		

9. Do you work with local or national NGOs in order to ensure the transparency of level-two LPAs' activity? If YES, please specify which one.

YES	NO
-----	----

Provide details: \_\_\_\_\_

10. State why the provisions on full transparency of decision-making are not fully respected by LPA authorities (multiple answer).

- poor knowledge of the legislation by the LPAs;
- insufficient funding of LPAs;
- need for an LPA reform;
- exaggerated legal provisions, in terms of number and content;
- lack of real policies and actions of the state in the field of decision-making transparency;
- Other (please specify)

**Annex 4. Questionnaire for interviewing stakeholders' representatives  
on the appraisal of transparency of LPAs' activity**

Last name, first name (interviewee) \_\_\_\_\_

Organisation, position \_\_\_\_\_

District/Municipality/ATUG \_\_\_\_\_

Contact data \_\_\_\_\_

Interview date \_\_\_\_\_

1. Which ways of public consultation were used by LPAs to ensure transparency of the decision-making process during the monitored period?<sup>11</sup>

<b>Consulting activity</b>	<b>Please tick the activity you conducted (YES/NO)</b>	<b>Please provide details (date, venue, participants)</b>
asking civil society, experts, professional associations for their opinions		
organising public debates;		
conducting public hearings;		
conducting public surveys;		
other public consultation methods, please specify: _____		

2. What kind of information sources did you use get to know the information disseminated by level-two LPAs on ensuring the transparency of the decision-making process during the monitored period?

<b>Information source</b>	<b>Please tick the activity you conducted (YES/NO)</b>	<b>Please provide details (date, publication name)</b>
Newsletter		
Information board		
Authority's website		
Social media		
Newspapers		
Radio		
TV		
E-mail		
Other		

3. Did you participate in public consultations during the monitored period?

YES	NO
-----	----

Please provide details: \_\_\_\_\_

4. How do you appreciate your role / organisation in the decision-making process at the district/city/ATUG level?

Significant	Relative	Insignificant
-------------	----------	---------------

Provide details: \_\_\_\_\_

5. Have you attended the meetings organised by the District Council?

\_\_\_\_\_

<sup>11</sup> The monitor will ask level-two LPAs' representatives to provide evidence supporting their statements.

YES	NO
-----	----

Provide details: \_\_\_\_\_

6. Second level-two LPAs inform citizens about the draft decisions to be discussed on the agenda of the District Council?

YES	NO
-----	----

Provide details: \_\_\_\_\_

7. Are you familiar with the concept of participative budgeting? If YES, please specify.

YES	NO
-----	----

Provide details: \_\_\_\_\_

8. Have you participated in the public consultation of the second-level ATU bill in/for the monitored period?

YES	NO
-----	----

9. If you participated in the budgeting, please list the consultation tools used to ensure a participative budgeting with your participation.

Consultation tool	Used (YES/NO)	Please provide details (date, venue, participants)
Written materials sent to citizens/received from citizens		
Use of the website to make proposals and suggestions		
Working group, workshops, seminars		
Focus group		
Surveys		
Public hearings		
public consultation methods, please specify: _____		

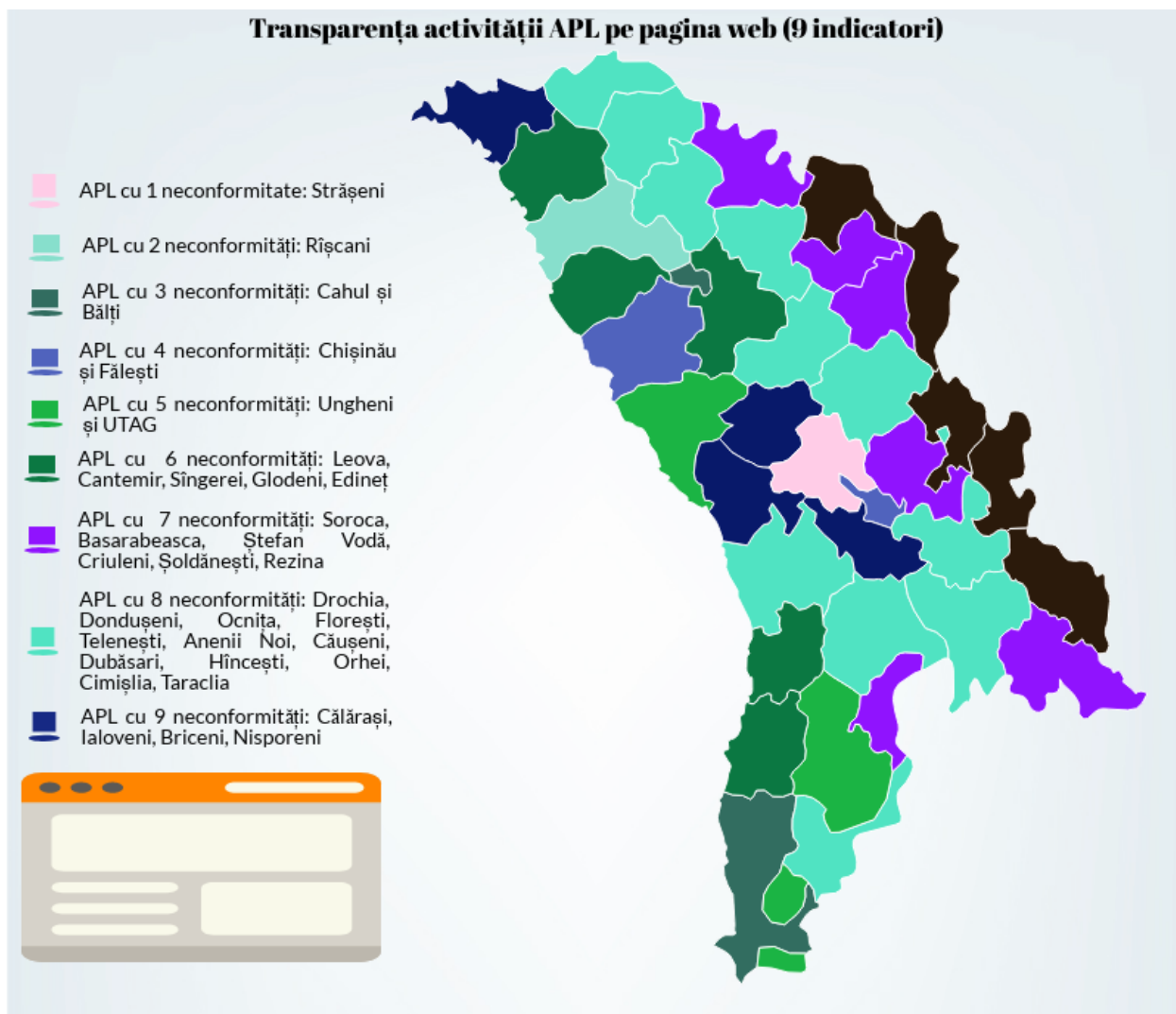
10. State why the provisions on full transparency of decision-making are not fully respected by LPA authorities (multiple answer).

- poor knowledge of the legislation by the LPAs;
- insufficient funding of LPAs;
- need for an LPA reform;
- exaggerated legal provisions, in terms of number and content;
- lack of real policies and actions of the state in the field of decision-making transparency;
- Other (please specify)

## Annex 5. Disaggregation of data on the decision making transparency of the level-two APL website

Region	LPA	Internal rules of decision-making process	Person responsible for decision-making process	Decisions development schedules	Starting the decisions development	Withdrawal of draft decisions	Conducting public consultations	Drafts and decisions approved	Results of public consultations	Annual report on decisional transparency	According to Item 9
North	Briceni	No	No	No	No	No	No	No	No	No	0
	Donduseni	No	No	No	No	No	No	Yes	No	No	1
	Drochia	No	No	No	No	No	No	Yes	No	No	1
	Edinet	No	No	No	Yes	No	No	Yes	No	Yes	3
	Ocnita	No	No	No	No	No	No	Yes	No	No	1
	Riscani	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	7
Soroca	No	No	No	No	No	Yes	Yes	No	No	2	
North-East	Balti	Yes	No	Yes	No	No	Yes	Yes	Yes	Yes	6
	Falesti	Yes	No	Yes	No	No	Yes	Yes	No	Yes	5
	Floresti	No	No	No	No	No	No	Yes	No	No	1
	Glodeni	No	No	No	No	No	Yes	Yes	Yes	No	3
	Rezina	No	No	Yes	No	No	No	Yes	No	No	2
	Singerei	Yes	No	No	No	No	Yes	Yes	No	No	3
	Soldanesti	No	No	No	No	No	No	Yes	No	Yes	2
Telenesti	No	No	No	No	No	No	Yes	No	No	1	
Center-South-East	Anenii Noi	No	No	No	No	No	No	Yes	No	No	1
	Causeni	No	No	No	No	No	No	Yes	No	No	1
	Chisinau	No	Yes	No	No	No	Yes	Yes	Yes	Yes	5
	Criuleni	No	No	No	No	No	Yes	Yes	No	No	2
	Dubasari	No	No	No	No	No	No	Yes	No	No	1
	Stefan Voda	No	No	No	No	No	No	Yes	No	Yes	2
Center South-West	Calarasi	No	No	No	No	No	No	No	No	No	0
	Hincesti	No	No	No	No	No	No	Yes	No	No	1
	Ialoveni	No	No	No	No	No	No	No	No	No	0
	Nisporeni	No	No	No	No	No	No	No	No	No	0
	Orhei	No	No	No	No	No	No	Yes	No	No	1
	Straseni	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	8
	Ungheni	Yes	No	No	Yes	No	No	Yes	No	Yes	4
South	Basarabasca	Yes	No	No	No	No	No	Yes	No	No	2
	Cahul	Yes	Yes	Yes	No	No	Yes	Yes	No	Yes	6
	Cantemir	Yes	No	No	No	No	No	Yes	No	Yes	3
	Cimislia	No	No	No	No	No	No	Yes	No	No	1
	Leova	No	Yes	No	No	No	No	Yes	No	Yes	3
	Taraclia	No	No	No	No	No	No	Yes	No	No	1
	ATUG	No	No	Yes	No	No	Yes	Yes	Yes	No	4
<b>Total</b>	<b>9</b>	<b>4</b>	<b>7</b>	<b>4</b>	<b>0</b>	<b>11</b>	<b>31</b>	<b>6</b>	<b>12</b>		

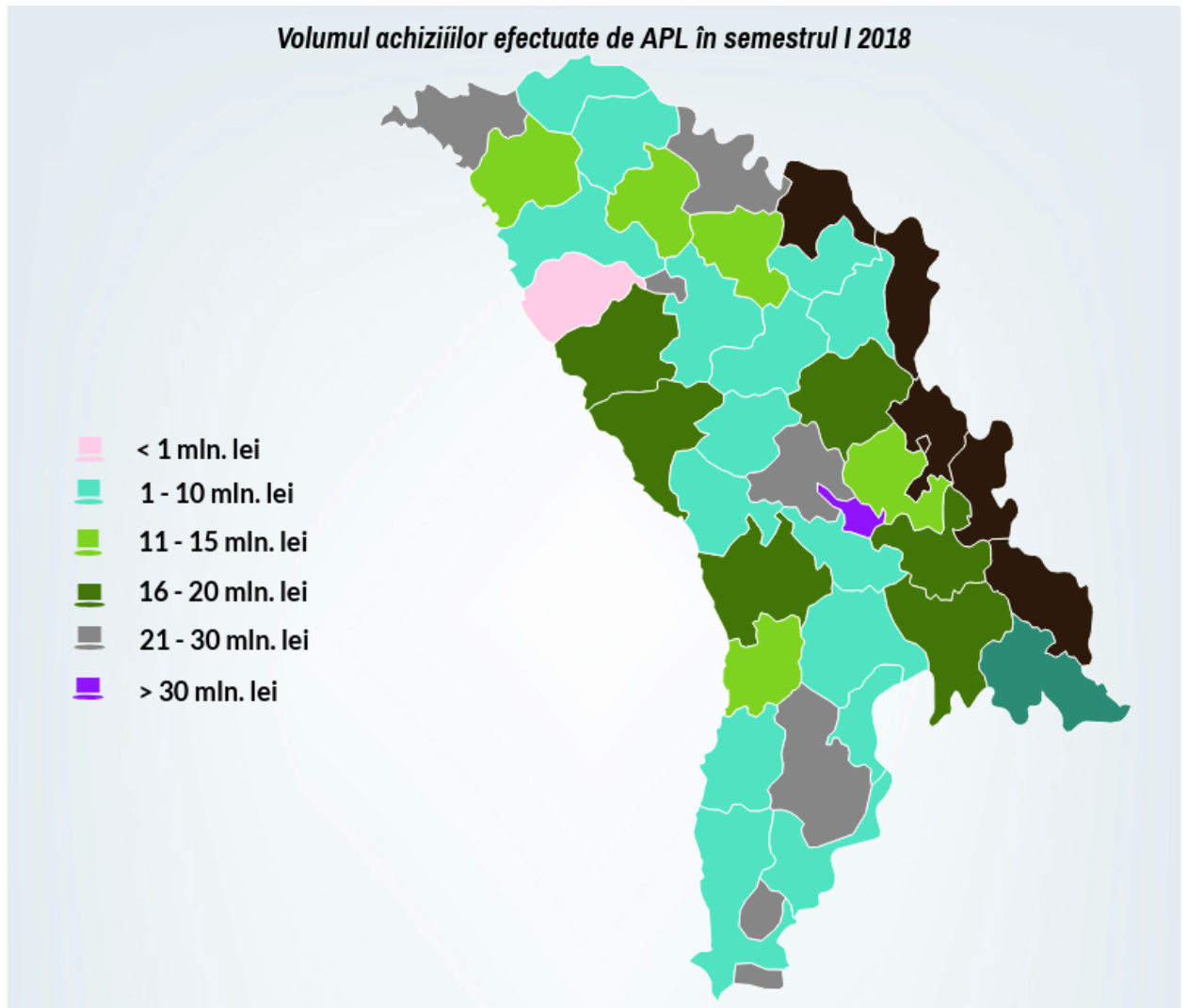
## Annex 6. Performance of level-two LPAs in complying with the transparency indicators on website



## Annex 7. Transparency of public procurement based on 10 assessed aspects

Region	LPA	Approval of the Procurement Plan	Publication of the Procurement Plan	Approval of the annual report	Publication of the report	Approval of MCA quarterly report	Publication of quarterly MCA report	Approval of semi-annual MCA report	Publication of semi-annual MCA report	Approval of annual MCA report	Publication of annual MCA report	According to Item 10
North	Briceni	Yes	Yes	Yes	No	No	No	No	No	No	No	3
	Donduseni	Yes	No	Yes	No	No	No	No	No	No	No	2
	Drochia	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	7
	Edinet	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes	Yes	7
	Ocnita	No	No	Yes	No	No	No	No	No	No	No	1
	Riscani	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	8
	Soroca	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	9
North-East	Balti	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	9
	Falesti	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes	5
	Floresti	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes	5
	Glodeni	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	9
	Rezina	Yes	Yes	No	No	No	No	No	No	Yes	No	3
	Singerei	Yes	Yes	Yes	No	No	No	No	No	Yes	No	4
	Soldanesti	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	7
	Telenesti	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	8
Center-South-East	Anenii Noi	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	5
	Causeni	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	No	7
	Chisinau	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	No	7
	Criuleni	Yes	Yes	Yes	No	Yes	No	Yes	No	Yes	No	6
	Dubasari	Yes	Yes	Yes	No	Yes	No	Yes	No	Yes	No	6
	Stefan Voda	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	No	7
	Center South-West	Calarasi	Yes	Yes	Yes	Yes	No	No	No	No	No	No
Hincesti		Yes	Yes	Yes	No	No	No	No	No	No	No	3
Ialoveni		Yes	Yes	Yes	Yes	No	No	No	No	No	No	4
Nisporeni		Yes	Yes	Yes	Yes	No	No	No	No	No	No	4
Orhei		Yes	Yes	Yes	Yes	No	No	No	No	No	No	4
Straseni		Yes	Yes	Yes	Yes	No	No	No	No	No	No	4
Ungheni		Yes	Yes	Yes	Yes	No	No	No	No	No	No	4
South	Basarabasca	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes	5
	Cahul	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	9
	Cantemir	Yes	Yes	No	No	No	No	No	No	No	No	2
	Cimislia	Yes	Yes	Yes	Yes	No	No	No	No	Yes	No	5
	Leova	Yes	Yes	Yes	No	No	No	No	No	Yes	No	4
	Taraclia	Yes	Yes	Yes	Yes	No	No	No	No	No	No	4
	ATUG	Yes	Yes	Yes	Yes	No	No	No	No	No	No	4
<b>Total</b>		<b>34</b>	<b>32</b>	<b>33</b>	<b>14</b>	<b>12</b>	<b>7</b>	<b>14</b>	<b>7</b>	<b>21</b>	<b>11</b>	

**Annex 8. Map of the procurements made by the LPA in the first semester of 2018**



### Annex 9. Procurement contracts by objects of procurements of LPAs in the first semester of 2018

LPA	Cars, vehicles	Different procurements	Different equipments, cleaning products, office supplies	Printed materials and related products	Construction/repair works	Works for the repair and maintenance of roads	Furniture, furniture accessories, household appliances and cleaning products	Food products, beverages, tobacco and related products	Oil products, fuels, electricity and other energy sources	Architecture, construction, engineering and inspection services	Cleaning and sanitation services	Installation, repair and maintenance services	Transport services	Hotel, restaurant services and retail sale;	IT services: consultancy, software development, internet and support	Services for enterprises: law, marketing, consultancy, recruitment, printing and security	Veterinary services	Construction structures and materials; auxiliary products for constructions	Total No of contracts	% contracts
Anenii Noi						2			1				1						4	0.35%
Balti		2	6		5	1	2	6	1	5		4	1	5	7	2		2	49	4.26%
Basarabasca					2	1			1					2					6	0.52%
Briceni			3		14	1	5	6	2	1		3		1				1	37	3.21%
Cahul			2		8		5	12	3	2									32	2.78%
Calarasi					3	2		5	2			2				1			15	1.30%
Cantemir					1	1			2	1				1				1	7	0.61%
Causeni	2	1			2	3			4					1			9		22	1.91%
Chisinau	2	15	29	1	106	6	53	141	20	6		16	5	74	7	1		13	495	43.01%
Cimislia					1	11			9					1					22	1.91%
Criuleni					1	1	1		1		1			3					8	0.70%
Donduseni					4	2		11	3		1		1	1			5		28	2.43%
Drochia	2				1	6		5		5				1					20	1.74%
Dubasari									2			3		5					10	0.87%
Edinet	1				2			3	2			1	1			3			13	1.13%
Falesti					3	4	1	5	2							2		1	18	1.56%
Floresti					7	1		16	2	2									28	2.43%
Glodeni									1										1	0.09%
Hincesti	1				4	17			5	3				5					35	3.04%
Ialoveni					1	2			5					3					11	0.96%
Leova	1				2				1			1		1					6	0.52%
Nisporeni					2				1			2		1		1	4		11	0.96%
Ocnita					1	1		6	2		1								11	0.96%
Orhei		1	7		2	6		10	2		1	3							32	2.78%
Rezina					1	5		14	1				1						22	1.91%
Riscani	1				2			12	1								10		26	2.26%
Singerei	1				1	2		16	2					2					24	2.09%
Soldanesti					1	6			2					1					10	0.87%
Soroca	2		3		3	2		2	1				5			2			20	1.74%

Stefan Voda					5			3	1					1			1			11	0.96%
Straseni					5	1	1	11	2			2								22	1.91%
Taraclia					1	4			2			1								8	0.70%
Telenesti					1	2		11	1				2							17	1.48%
Ungheni	3			1	2	10		4	7		1			2					1	31	2.69%
ATUG	2	2		9	15			4	4		3									39	3.39%
<b>Grand Total</b>	<b>18</b>	<b>21</b>	<b>60</b>	<b>1</b>	<b>207</b>	<b>102</b>	<b>68</b>	<b>303</b>	<b>98</b>	<b>28</b>	<b>5</b>	<b>38</b>	<b>17</b>	<b>111</b>	<b>14</b>	<b>13</b>	<b>28</b>	<b>19</b>	<b>1151</b>	<b>100.00%</b>	

**Annex 10. Amount of procurement contracts by objects of procurements of LPAs in the first semester of 2018 (MDL million)**

LPA	Cars, vehicles	Different procurements	Different equipments, cleaning products, office supplies	Printed materials and related products	Construction/repair works	Works for the repair and maintenance of roads	Furniture, furniture accessories, household appliances and cleaning products	Food products, beverages, tobacco and related products	Oil products, fuels, electricity and other energy sources	Architecture, construction, engineering and inspection services	Cleaning and sanitation services	Installation, repair and maintenance services	Transport services	Hotel, restaurant services and retail sale;	IT services: consultancy, software development, internet and support	Services for enterprises: law, marketing, consultancy, recruitment, printing and security	Veterinary services	Construction structures and materials; auxiliary products for constructions	Total amount	% amount
Anenii Noi						17.78			0.15				0.37						18.30	2.03%
Balti		0.20	2.30		8.06	0.18	0.12	3.09	0.13	1.59		0.43	0.15	8.40	0.50	0.38		1.94	27.47	3.04%
Basarabasca					1.26	1.31			0.17					0.54					3.28	0.36%
Briceni			0.42		8.67	7.68	2.60	2.28	0.70	0.51		0.76		0.70				0.47	24.80	2.74%
Cahul			0.64		2.50		0.46	2.05	0.65	0.83									7.13	0.79%
Calarasi					0.44	3.97		0.52	0.78			0.63				0.12			6.46	0.71%
Cantemir					0.19	0.40			0.73	0.18				0.20				0.49	2.19	0.24%
Causeni	1.14	0.20			3.90	8.03			0.59					2.09			0.60		16.55	1.83%
Chisinau	1.70	13.50	59.70	0.81	137.62	25.71	7.29	94.28	18.31	3.76		4.01	1.66	101.12	0.86	0.22		20.44	491.00	54.34%
Cimislia					0.20	8.02			1.62					0.57					10.41	1.15%
Criuleni					0.04	7.69	0.32		0.48		0.50			2.43					11.46	1.27%
Donduseni					1.01	3.58		0.64	0.46		0.48		0.15	0.38			0.30		7.00	0.77%
Drochia	0.43				0.18	12.24		0.15		0.11				0.50					13.61	1.51%
Dubasari									0.52			0.41		1.04					1.97	0.22%
Edinet	0.30				0.35			0.56	0.27			9.10	0.14			0.63			11.35	1.26%
Falesti					5.96	10.65	0.47	0.59	1.18							0.48		0.42	19.75	2.19%
Floresti					1.57	10.66		1.26	0.34	0.13									13.96	1.54%
Glodeni									0.40										0.40	0.04%
Hincesti	0.34				1.50	10.53			0.72	0.39				3.10					16.58	1.83%
Ialoveni					0.24	7.02			0.46					1.34					9.06	1.00%
Leova	0.30					12.51			0.14			0.14		0.60					13.70	1.52%
Nisporeni					1.26				0.32			3.45		0.29		0.14	0.22		5.68	0.63%
Ocnita					0.24	6.73		0.17	0.66		0.45								8.25	0.91%
Orhei		0.26	0.18		0.43	12.73		1.06	0.86		0.22	2.39							18.13	2.01%
Rezina					0.24	3.67		0.79	0.26				0.14						5.10	0.56%
Riscani	0.31				0.77			0.52	0.55								0.52		2.67	0.30%
Singerei	0.44				0.17	7.09		0.87	0.78					0.63					10.00	1.11%

Soldanesti					0.19	6.68			0.62					0.37					7.86	0.87%
Soroca	0.97		0.57		0.45	23.96		0.70	0.67				1.21			0.55			29.08	3.22%
Stefan Voda					10.61			0.77	0.20					0.55		0.15			12.28	1.36%
Straseni					9.96	8.71	0.13	1.24	0.46			1.72							22.22	2.46%
Taraclia					0.25	2.68			0.47			0.29							3.70	0.41%
Telenesti					0.14	7.12		0.71	0.22				2.75						10.94	1.21%
Ungheni	0.91		0.01		0.82	10.75		0.32	1.35		0.74			1.28				0.38	16.56	1.83%
ATUG	0.92	0.78	0.68		20.46			0.26	0.87	0.72									24.69	2.73%
<b>Grand Total</b>	<b>7.76</b>	<b>14.94</b>	<b>64.50</b>	<b>0.81</b>	<b>219.68</b>	<b>238.08</b>	<b>11.39</b>	<b>112.83</b>	<b>37.09</b>	<b>8.22</b>	<b>2.39</b>	<b>23.33</b>	<b>6.57</b>	<b>126.13</b>	<b>1.36</b>	<b>2.67</b>	<b>1.64</b>	<b>24.14</b>	<b>903.59</b>	<b>100.00%</b>

**Annex 11. – Top 14 contracted business entities per LPA**

<i>Business entity</i>	<i>Anenii Noi</i>	<i>Balti</i>	<i>Briceni</i>	<i>Cahul</i>	<i>Calarasi</i>	<i>Cantemir</i>	<i>Causeni</i>	<i>Chisinau</i>	<i>Cimistia</i>	<i>Donduseni</i>	<i>Drochia</i>	<i>Dubasari</i>	<i>Edinet</i>	<i>Falesti</i>	<i>Floresti</i>	<i>Glodeni</i>	<i>Hincesti</i>	<i>Ialoveni</i>	<i>Leova</i>	<i>Nisporeni</i>	<i>Ocnita</i>	<i>Orhei</i>	<i>Rezina</i>	<i>Riscani</i>	<i>Singerei</i>	<i>Soroca</i>	<i>Stefan Voda</i>	<i>Straseni</i>	<i>Taracia</i>	<i>Telenesti</i>	<i>Ungheni</i>	<i>ATUG</i>	<i>Total</i>	<i>Amount</i>	
Credoprim S.R.L.								7											1								1	1						10	22 778 166.50
Anreal Cons S.R.L.								10																										10	7 691 310.97
Vlados Com SRL			1							2	1		1		2						1			2	1									11	2 281 185.95
Riscani SC SOE								11																										11	23 614 508.90
Fabrica de unt Floresti (Butter Factory from Floresti)								2		1	1		1		2																1	1		11	8 037 386.28
Vanro-Com S.R.L.								12																										12	3 368 943.28
SOE Cantina Liceist								12																										12	24 087 767.30
SOE Bucuria-EI								13																										13	23 721 120.80
Slavena Lux S.R.L.				3	1			2						1							1		2	1	2						1			14	2 096 228.07
Datario S.R.L.								1	9												2								1					14	2 578 228.20
Alim-Total S.R.L.		1		1	1			12						1													1							18	3 839 145.37
Lovis Angro S.R.L.				2				4		1					2							1	2		3				2		2	1		20	8 381 199.42
Baguette S.R.L.			1	2	1			12		2	1			1	3						1	1	3	2	3	1	1	2		2	1			40	7 031 733.78
Lukoil Moldova S.R.L.	1		2	3	2	2	2	9		2		2		2	1	1	3	5	1	1		2	1	1	2	1		1	2	1	3	2	55	28 193 566.22	
<b>Total</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>11</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>107</b>	<b>9</b>	<b>8</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>5</b>	<b>10</b>	<b>1</b>	<b>3</b>	<b>5</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>5</b>	<b>10</b>	<b>6</b>	<b>11</b>	<b>2</b>	<b>3</b>	<b>7</b>	<b>2</b>	<b>7</b>	<b>7</b>	<b>2</b>	<b>251</b>	<b>167 700 491.04</b>	

## Annex 12. Communication between the level-two LPAs and the stakeholders in the decision-making process

Region	ATU	Diversity of communication sources <sup>12</sup>	Stakeholders involved in public consultations per LPA <sup>13</sup>	LPA with significant degree of involvement of citizens <sup>14</sup>	Accessibility <sup>15</sup>	Participation of stakeholders in LPA's meetings <sup>16</sup>	Significant role of IP <sup>17</sup>	Total
North-East, Balti Regional Office	Rezina				1		1	2
	Soldandesti							0
	Floresti					1		1
	Falesti				1			1
	Balti municipality				1		1	2
	Glodeni		1					1
	Singerei						1	1
	Telenesti						1	2
South, Comrat Regional Office	Basarabasca				1			1
	Leova				1			1
	Gagauzia ATU				1			1
	Cimislia	1			1			2
	Taracalia				1			1
	Cantemir				1			1
	Cahul				1			1
Center-South-West, Calarasi Regional Office	Ungheni				1	1		2
	Straseni			1	1			2
	Orhei				1			1
	Nisporeni							0
	Ialoveni							0
	Hincesti				1			1
	Calarasi				1			1
North, Edinet Regional Office	Soroca	1			1	1	1	4
	Drochia	1	1			1	1	4
	Riscani	1			1		1	3
	Donduseni	1				1	1	3
	Edinet	1	1			1	1	4
	Briceni	1						1
	Ocnita	1						1
Center-South-East, Chisinau Regional Office	Chisinau municipality			1				1
	Anenii Noi							0
	Dubasari							0
	Criuleni				1			1
	Causeni							0
	Stefan Voda							0

<sup>12</sup> APL with a diversity of communication sources between 7-9.

<sup>13</sup> LPA with the highest number of persons involved in public consultations, calculated on the basis of interviews with the stakeholders

<sup>14</sup> Calculated on the basis of LPA interview.

<sup>15</sup> APL with the highest score registered in terms of headquarters' accessibility.

<sup>16</sup> APL the meetings of which registered the highest number of participants among stakeholders

<sup>17</sup> APL to which stakeholders have their significant role in the decision-making process.

### Annex 13. Transparency of meetings

Region	ATU	Announcement published on all three monitored sources	Announcement made public within legal terms for all the meetings	Inclusion of urgent drafts on the agenda with justification	Publish of decisions of all meetings	Publication of decisions within 5 days	Total
North-East, Balti Regional Office	Rezina		1		1		2
	Soldanesti		1				1
	Floresti		1		1		2
	Falesti	1	1				2
	Balti municipality	1	1	1	1		4
	Glodeni		1		0		1
	Singerei		1		1		2
	Telenesti		1		1		2
South, Comrat Regional Office	Basarabeasca		1		1	1	3
	Leova				1		1
	Gagauzia ATU		1		1		2
	Cimislia						0
	Taracalia		1		1		2
	Cantemir				1		1
	Cahul		1		1		2
Center-South-West, Calarasi Regional Office	Ungheni				1		1
	Straseni				1		1
	Orhei				1		1
	Nisporeni						0
	Ialoveni			1			1
	Hincesti				1		1
	Calarasi		1				1
North, Edinet Regional Office	Soroca		1		1		2
	Drochia		1				1
	Riscani		1		1		2
	Donduseni						0
	Edinet		1		1		2
	Briceni		1				1
	Ocnita				1		1
Center-South-East, Chisinau Regional Office	Chisinau municipality		1		1		2
	Anenii Noi		1		1		2
	Dubasari		1		1		2
	Criuleni		1		1	1	3
	Causeni		1		1		2
	Stefan Voda		1		1		2

### Annex 14 Assessing the degree of decisional transparency of LPA per indicator

Region	ATU	Communication between LPAs and stakeholders	Decisional transparency of the website	Attitude of LPA towards the request of official information	Transparency of meetings	Integrity	Transparency of competition for public positions	Transparency of public procurement	Total
North-East, Balti Regional Office	Rezina								0
	Soldanesti			1					1
	Floresti			1					1
	Falesti			1		1			2
	Balti municipality		1		1	1		1	4
	Glodeni			1				1	2
	Singerei								0
	Telenesti			1		1			2
North, Edinet Regional Office	Soroca	1		1				1	3
	Drochia	1		1					2
	Riscani		1	1		1			3
	Donduseni			1					1
	Edinet	1		1					2
	Briceni			1					1
	Ocnita			1					1
Center-South-East, Chisinau Regional Office	Chisinau municipality								0
	Anenii Noi								0
	Dubasari						1		1
	Criuleni				1	1			2
	Causeni			1					1
	Stefan Voda			1					1
Center-South-West, Calarasi Regional Office	Ungheni			1					1
	Straseni		1	1					2
	Orhei			1					1
	Nisporeni								0
	Ialoveni								0
	Hincesti			1					1
	Calarasi			1					1
South, Comrat Regional Office	Basarabasca				1	1			2
	Leova					1			1
	ATU Gagauzia						1		1
	Cimislia					1	1		2
	Taraclia								0
	Cantemir								0
	Cahul			1					1