



## COMPLIANCE WITH THE CONFLICT OF INTEREST REGIME BY LOCAL ELECTED OFFICERS

The purpose of this study is to assess the level of application of the conflict of interest regime for local elected officials.

For the purposes of the study, local elected officials are the following categories of dignitaries:

- councilors of village (municipal), town (municipal), district councils;
- mayors and deputy mayors;
- the Mayor General of the Chişinău municipality, Praetors and Deputy Praetors;
- district presidents and vice-presidents.

In order to achieve the objective of the study, several objectives were pursued, namely

- reviewing the national framework (regulatory and institutional) in the field;
- analyzing relevant statistics and practices;
- developing recommendations that would improve the mechanism for declaring, resolving and controlling conflicts of interest, including that applicable to local elected representatives.

Based on these objectives, the study is divided into three chapters.

The first chapter provides an overview of the national (legal and institutional) framework in this area. The chapter begins with the de rigueur references to the initial regulations in the field - Law No. 16/2008 on Conflict of Interest. This law remained in force until the establishment of the National Integrity Commission in 2012. From the very beginning of the establishment of this institution, several shortcomings were identified, which led to its reorganization into the National Integrity Agency, starting in 2016. The process of institutional reform was slow. It was only in 2018 that the control of compliance with the conflict of interest regime was resumed with the replacement of integrity inspectors. The current regulatory framework in this area consists of two special laws, Law No. 132/2016 on the National Integrity Agency and Law No. 133/2016 on the declaration of assets and personal interests

The second chapter of the study assesses the way the special laws in this area are applied. The chapter contains an analysis of statistical data and practices used in the process of declaring and resolving conflicts of interest, as well as in the process of monitoring compliance with the conflict of interest regime. The analysis nuances, in particular, the statistical data and practices concerning local elected representatives. Local elected representatives make up a large proportion of those subject to controls and of those found to be in breach of the conflict of interest regime. There may be several reasons for this, including a lack of familiarity among local elected officials with the requirements of the law.

Moreover, the regulatory and institutional frameworks in this area are not perfect. As a general conclusion, it was noted that although regulations and institutionalized law enforcement mechanisms exist in this area, they are not sufficiently effective. The third chapter of the study contains an analysis of the shortcomings and several recommendations to overcome them. The recommendations also relate to the legal and institutional framework. In particular, training and awareness-raising campaigns would be important for local elected representatives to familiarize them with the requirements of the law.

Data provided by the authorities, including in their annual activity reports, as well as data contained in similar studies were used as basic sources for the study.

In the annexes, the study contains a list of the acts of determination of violation of the conflict of interest regime issued in respect of local elected representatives from 2018 to November 2024, as well as a list of the acts of determination of absence of violation of the conflict of interest regime issued in respect of local elected representatives from 2018 to November 2024. The Annex also contains a list of local elected representatives who have been disqualified from holding the same office from 2018 to November 2024.