Functional and Institutional Analysis

of the Secretariat of the Parliament of Moldova

Findings and recommendations

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Findings and recommendations

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Acronyms

AA	Association Agreement
CBIS	Bureau for information and services
CC	Constitutional Court
CFAEI	Committee on Foreign Affairs and European Integration
CoA	Court of Accounts
D/SG	Deputy Secretary General
DCFTA	Deep and Comprehensive Free Trade Area
ECPRD	European Centre for Parliamentary Research and Development
EI	European Integration
EU	European Union
FA	Functional Analysis
HR	Human Resources
HRM	Human Resources Management
ICJ	International Court of Justice
ICT	Information and Communication Technology
IFLA	International Federation of Library Associations and Institutions
IMS	Information Management System
IPU	Inter-Parliamentary Union
JD	Job Description
MP	Member of Parliament
N/A	Not applicable
NDI	National Democratic Institute for International Affairs
RfP	Request for Proposals
SDP	Strategic Development Program
SG	Secretary General
SOPs	Standard Operating Procedures
UNDP	United Nations Development Programme
UNSCR	United Nations Security Council Resolution

Preface

Since its establishment, the Parliament of the Republic of Moldova has taken many significant steps on the road towards becoming an efficient and modernised legislature that serves the people of Moldova effectively. The development of this report on the 'Functional and Institutional Analysis of the Secretariat of Parliament' is another important step along this road towards maturity and the institutionalisation of the Parliament of Moldova.

The constitution of the Republic of Moldova and the Rules of Procedure of its Parliament clearly outline the role, function and powers of the Parliament in terms of its composition, the legislative process, oversight of the Government and representation of the people. The Parliament of Moldova plays a central role in the governance system of the Republic of Moldova. An increasingly effective Parliament can only be of benefit to improving governance and development in Moldova.

The 'Functional and Institutional Analysis of the Secretariat of Parliament' outlines the functions, working processes, responsibilities and activities of the Secretariat as a whole and the various Departments and Sections in particular. The scope of analysis is to evaluate currently performed functions and to provide a basis for the identification of required structural changes. We are confident that the findings and recommendations of this report will guide the improvement of the administrative mechanisms of the parliament. The clarity gained through this assessment report will come to play an integral role in this process.

On behalf of the Parliament of Moldova, I would like to express my appreciation to UNDP Moldova and to its expert team which conducted the analysis. This report is the result of in-depth consultations and interviews, the review of our current practices in parliament and an extensive comparative benchmarking against the practices in other parliaments of Europe. Hence, the recommendations of this report will form the basis for preparing a new Strategic Plan for the Secretariat of the Parliament of Moldova.

The report outlines a number of key recommendations which require a clear decision by the Parliament in order to enable their implementation, such as for instance about strengthening the managerial support to the Committees staff (consultants), improving the system of political assistants to the Members of Parliaments, strengthening the transparency of Parliament and its ICT human resources, and rationalizing the allocation of human resources in some sections and Departments as proposed in this report. As Speaker of the Parliament, I intend to ensure and follow-up closely the decisions in these areas.

The 'Functional and Institutional Analysis of the Secretariat of Parliament' provides an unique opportunity for the Parliament and its Secretariat to improve and modernize its operations and to strengthen its accountability to the people of Moldova. The report will help the Parliament to become a better performing institution which is responsive to the needs of the people of Moldova for better quality services and stronger democratic accountability.

Andrian Candu,
Speaker of the Parliament of the Republic of Moldova

1 Executive Summary
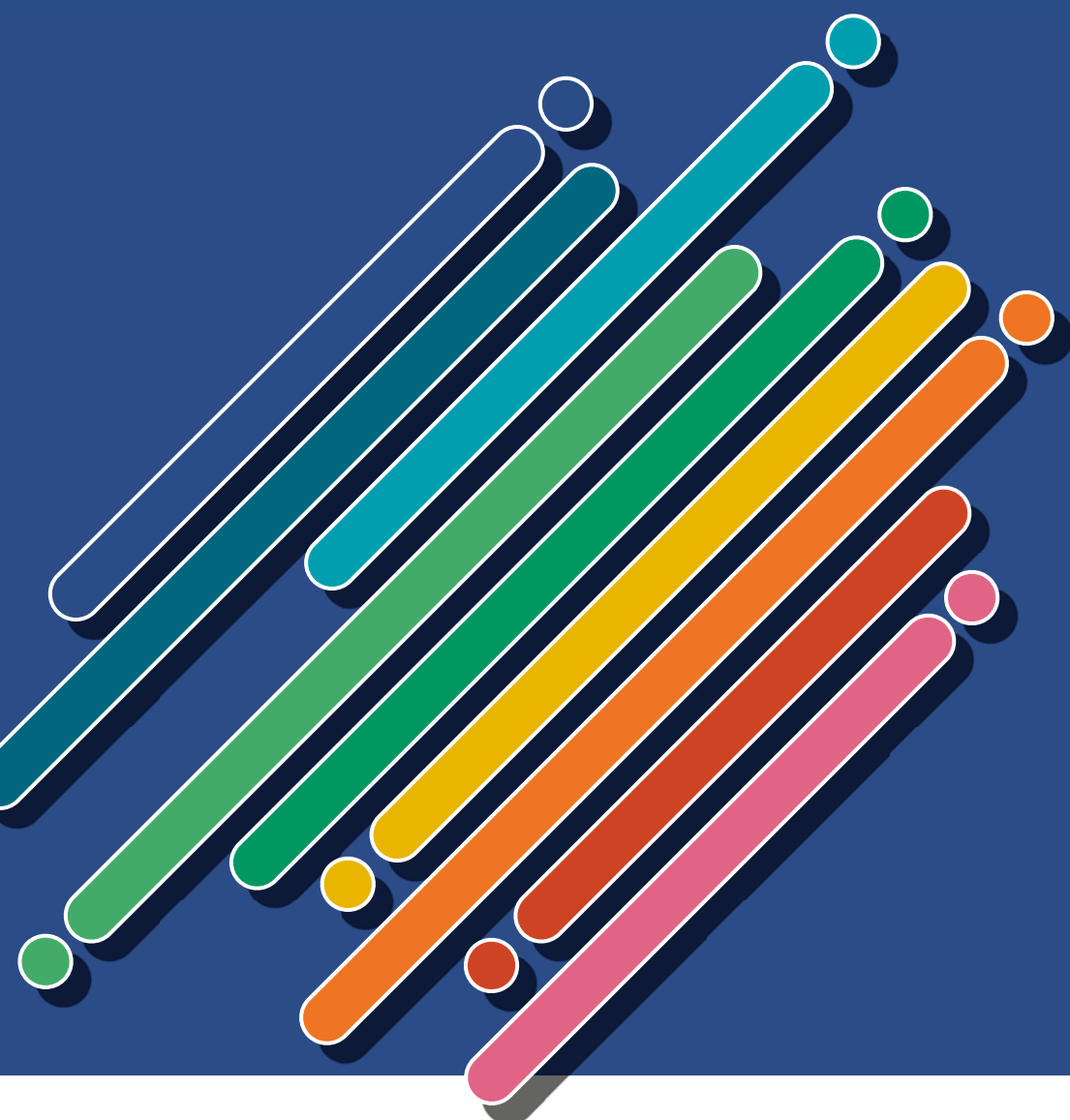
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I. Executive Summary

The Secretariat of the Moldovan Parliament has undergone several restructuring processes in the last ten years. The latest, most substantive one was organized following the 2010 Functional Analysis with the purpose of improving the efficiency of the institution. On the overall, the *organization of the Secretariat in its 14 administrative units seems appropriate* to carry on the important mandate it holds. However, the *priority setting* within the organization *remains problematic*, as the resources seem to be allocated to various departments on historic basis and not necessarily connected with the priority areas that they cover.

Internal regulations have been prepared covering all the departments and clarifying their specific responsibilities. These are now under implementation and well-acknowledged by the respective administrative units. However, the *inter-departmental relations and working procedures* for more complex processes *are still to be developed* and, since those would involve stronger communication and cooperation in-between different departments, their preparation and acceptance would be more difficult. The *involvement of the senior management* in defining the rules for these cross-cutting processes is a key success factor.

With a total of 375 non-political staff position and a ratio of 5 staff per MP, *Moldovan Secretariat of the Parliament is on the higher end of staffing*, benchmarking against other similar parliaments in Europe. The staff of the Secretariat is well-experienced, with over 40% having 20 years of experience and the same share working in the institution for more than 10 years. Given the fact that only 1% is recent graduates under 25 years of age and that there is very limited new entrances in the system, the *need for HR policies to target recruitment of new talents* bringing in innovation and adding value to the existing human resources should be noted.

The *status of the non-political staff* of the parliament is mostly *civil servants*, covered by the general rules for civil service. The previous discussions on a *special status for the parliamentarian civil servant* were stopped and the matter is *no longer considered a priority*, despite the fact that salary limitations are considered an important constrain to attract and retain some specialized personnel (e.g., ICT specialists). The Parliament' should address the *salary issue through the appropriate instrument* (i.e. salary law) while making use of the full potential of *secondment of personnel from other administrative bodies* to supplement the current capacities of its staff and allow for best practices exchange (e.g., as it is the case with the head of the Strategic Planning Service, on secondment from the State Chancellery).

Given the complexity of the tasks, the capacity of the staff is a critical success factor for the Parliament's Secretariat. The *youngest employees are more proficient in using English* language and assess their workload at higher rates. *Work satisfaction remains somehow problematic* with around 60% of the staff declaring not fully satisfied with their tasks (see annex 4 to the report). The top rated training areas, as considered by the Secretariat's employees, were English language and ICT. A *capacity building program* should be designed and implemented with a view of increasing horizontal skills (e.g., such as policy analysis, problem solving, managerial abilities, etc), English language, ICT or more specialized/ vertical ones (e.g., legislative drafting, budget management, performance audit, etc).

The *allocation of human resources to the main and to the support functions of the Secretariat is uneven*, as there is a ratio of 55% non-political staff allocated to support functions and only 45% to the main functions being performed by the organization. Basically it seems that the Secretariat has more staff allocated to support carrying on of its core functions, than to actual performance of the core func-

tions. This is to a certain extent the output of the recent reorganization that brought the administrative department back in the structure of the Secretariat, hence enlarging the number of support staff. Consequently, *HRM policies* should be *developed to reverse this trend* and ensure that main functions are properly resourced compared with support services (e.g., through re-allocation of personnel from support to main functions or through use of external service provision for some non-strategic support activities).

Moreover, *workforce planning is not realized systematically* and on strategic planning basis, hence *top priority departments remain under-staffed* compared with other parts of the Secretariat. The two main priority areas of European integration and modernization though ICT benchmark very low both for i) internal environment (e.g. 8 ICT staff as opposed to the 36 drivers of the transport division) as well as for ii) external comparison with other European parliaments (e.g. the lowest number of staff for European integration and the second lowest number of ICT staff amongst the 10 similar Parliament's Secretariats analyzed).

Overall, from this cross-cutting perspective, the most pressing identified issues include *i) the preparation of a comprehensive Standard Operating Procedures* presenting the inter-relation between departments and the working arrangements for the most complex processes, *ii) improving communication and coordination* within the institution through regular joint meetings with the senior management and close participation in the institutional strategic planning process by establishing a Secretariat Management Team, *iii)* launching a comprehensive *capacity enhancement program* targeting all levels of the organization focusing both on horizontal skills, as well as ITC and English language and *iv)* development and promotion of **new HRM policies** aimed at ensuring that *main and priority functions are properly resourced*.

The following paragraphs are summarizing our **key recommendations** for each department of the Secretariat of the Parliament while more details, explanations and arguments can be found in the section of the report designated to the analysis of the support functions and the main functions.

The **Management of the Parliament's Secretariat** is currently split between the Speaker and the Secretary General, with the first one holding the general responsibility for managing human resources (appointments and dismissals). All the administrative operations (employment contracts, approving vacation or leave period for the staff, involvement in disciplinary actions etc) require a lot of time and divert the Speaker from a more strategic input to leading the organization. Moreover, practice proves the institutional memory - generally with the professional civil servants -plays an important role when administrative issues are concerned.

We *recommend* for the *Speaker to retain a more strategic role* in steering the organization (and not being overburdened with the more operational aspects), while the *more administrative tasks to fall under the responsibility of the Secretary General*. Hence, consideration should be given to the *review of the rules of procedure* to allow for a *clearer separation of responsibilities between the political and administrative leadership of parliament*. Possible options include *assigning the responsibility of appointing the civil servants and signing the employment contracts of the political staff to the Secretary General* in the same tome with ensuring *proper delegation from the Secretary General to the Deputy Secretary General* for the departments that are assigned to him/ her.

The **General Legal Department** is the central department of any Parliament, primarily tasked with providing technical and legal advice on the draft laws under consideration in the Parliament. The main issues affecting the activity of the department include the frequent requests

for the department's opinion/ endorsement (avis) under "priority circumstances, with extremely limited time for serious assessment of the respective documentation; the workload generated by the legal support provided to the Secretariat (control on legality of internal acts, contracts, working groups of the Secretariat); or the procedure for representing the Parliament in front of the Constitutional Court allowing conflicting situation when the department has to support the constitutionality of a law despite its initial opinion of the draft breaching the Constitution.

Our *recommendations* were to continue the process of *increasing the capacity of the staff*, starting with English language and soft skills, set *clear procedures for the support legal services for the Secretariat* (or agree that a new division could be established for these tasks), *limit the requests for endorsement under "priority circumstances"* though consistent application of the existing procedures (or clarify this concept through updating the procedures), prepare and debate with stakeholders amendments to existing *procedures for representation of Parliament in the Constitutional Court* as well as *strengthen the capacity* of the Parliament related to the *legislation deriving from the EU Association Agreement*, the DCFTA and the Action Plan for the Implementation of the Association Agenda.

The **Directorate General for Parliamentary Documentation** has a central place within the functioning of Parliament and, with its 38 staffing positions, is one of the largest. The challenges it currently faces stems mostly from the absence of an electronic workflow system (E-law-system) to support the legislative process - also with significant costs implications as well since all draft laws and supporting materials have to be printed for all MPs -; the underuse of the electronic voting system generating unnecessary workload for the department (e.g., taking notes on the voting process); the poor planning of the agenda of the plenary sessions (late submis-

sion of the final items for the agenda); or the low quality of the drafts submitted to the Editing Section.

The *key recommendations* for improvement are around the *development of an electronic system to support the law making process* and gradually *replace the paper-based approach* (as part of the envisaged e-parliament system), an *in-depth assessment of the current status of managing information flows* in the Secretariat and development of a detailed set of *new Standard Operating Procedures* together with a *more consistent use* of the possibility to *return to the author a draft legal act* that does not reach the *minimum standards of linguistic or legal quality* and *promote the final reading of the substantially altered and voluminous draft acts*.

The **Information-analytical Department** is the research unit of the Parliament. It is not currently used to its full potential, having limited pro-active involvement in providing quality analysis on regular basis. There is no research strategy or regularly-scheduled research outputs. Our *recommendations* include *digitization of the library and subscriptions to relevant international electronic journals*, *transferring the attributions of media monitoring* to the *Communication department* and carry on a *feasibility study* on the *creation of a Parliamentary Research Institute*.

The **Foreign Affairs Department** is currently playing a role mostly focused on providing (administrative) support to MPs travelling abroad. The more administrative nature of these tasks represent one of the key issues, as the Foreign Affairs Department ends up being responsible for making travel and accommodation arrangements for the Moldovan delegations. It also prepares briefing notes on the countries or institutions to be visited and drafts the report of the missions. There are no clear procedures for the mission reports and, if nobody from the department accompanies the delegation, often no report is produced.

The most important **recommendations** include the **strengthening of a more strategic dimension of the department's mandate** increasing its **policy advisory role**, by pro-actively identifying opportunities for contributions by Moldova MPs to the proceedings of the inter-parliamentary institutions, and by researching organizational policies, national and regional interests. We also propose to prepare **templates and give guidance to Department staff** to ensure that an **informative report of every parliamentary mission abroad is produced**, irrespectively of accompanying of the delegation, and develop a **strategic document with the set of priorities** and objectives for Moldova's participation in the **inter-parliamentary meetings** and Parliamentary Assemblies.

Despite the progress recently registered by the **Communication and Public Relations Department** (e.g., approving of the Communication strategy, creation of the Visitors' Centre, holding Open Doors Days at Parliament, and publishing the "Parliament Info", etc), communication tasks are not fully integrated in the work of the whole Secretariat and they are not yet acknowledged as compulsory part of all departments and committees. The Moldova Parliament remains weak in the institutional processes on sharing information about committee deliberations and findings with the public and media and how the Committees can seek input from CSOs and the public before and during committee work.

We therefore **recommend** to *i)* develop an **action plan on parliamentary openness** (based on a functioning Document Management System and the new Parliament website), *ii)* prepare a **parliament social media strategy** aiming at a pro-active outreach of the parliament to citizens in order to receive timely feedback on legal initiatives and solutions for policy issues, *iii)* one of the existing staff of the Committees getting the responsibility of **communication focal point for the respective committee** and *iv)*

Develop **procedures and technical skills** of the staff on the usage of **modern electronic communication instruments**.

As far as the **Constituency Offices** are concerned, we recommend to **support the four Parliamentary Constituency and Information Offices** with **information materials and in conducting road-shows** on the work of the Parliament; **provide** the required **transport means** for staff of the Offices to be able to do its outreach work; **schedule a series of public hearings in the Offices** based upon the legislative agenda; develop **quarterly well-documented and narrative reports** on the work of the Offices and distribute the reports to all MPs.

The **Strategic Planning Service** is a crucial division for the future institutional development of the Parliament. The division is recently established, with two positions and only one being filled. The main process that currently falls under its responsibility is the preparation of the institutional Strategic Development Plan (SDP). This is a complex process, aiming at linking policy with budget following the agreed priorities. It does not currently benefit of full understanding and support across the institution as the cross-cutting, horizontal nature of the associated tasks is sometimes appreciated as creating additional burden for the departments. This constitutes the main challenge the department has to address.

Our **recommendations** for this division include **providing the overall coordination of the SDP 2016-2018 preparation** as the main framework strategic document of the organization and develop **adequate monitoring procedures**, consolidate the **role of the department** by adding **donor coordination and resource mobilization**, allow the **department to act as** the **modernizer and the "change manager"** looking at various ideas to strengthen the organization and providing timely advice to the senior management, **ensuring adequate staffing of the division**.

The **Human Resources Management Department** performs its mandate with a focus on administration of human resources and is less concerned with a more strategic dimension of development policy or workforce planning. Our *recommendations* are to *support a shift in the department's approach from an administrative role to a more strategic* one, mainly through ensuring the *department is responsible for staff development* (and analysis of training needs), developing and overseeing an annual training plan for all staff of the Secretariat, *coordinate the workforce planning* process in cooperation with all heads of departments, identify the staffing needs and define profiles for those to be recruited. The department should also *review the procedures for the staff performance appraisal* and should perform a more *proactive advisory/ methodological coordination role* throughout the appraisal process.

The **Financial, Budget and Accounting Department** has already elaborated standard operating procedures for the preparation, implementation, and reporting of the annual budget of Parliament. The current challenges are to integrate budget preparation process with the strategic planning one (the process of preparation of the Strategic Development Plan); ensure appropriate level of participation in the budget preparation process; as well as making sure that other departments are fully aware of the new budgeting procedures and their related implications.

Our *recommendations* are around *i) strengthening the transparency of the budgetary data*, both in terms of process - organizing joint meetings with all directors to debate on the proposed budgetary allocations - as well as use of meaningful budget programs associated with particular policy objectives, ii) ensure *harmonization and coordination of the parliamentary budget process with the Strategic Plan* of Parliament (ideally one integrated process), or iii) *strengthen the oversight role of the Committee on Budget, Finance and Economy* on the execu-

tion of the parliament budget throughout the year.

As far as the **Secretariat of the Permanent Committees** is concerned, the legislative and oversight work in committees is supported by staff (consultants) and by the Legal Department. The total number of staff working for the Committees is 50. The main focus of the staff of the committees is on the legislative drafting process, with limited attention being paid to the parliamentary oversight. There is no clear mechanism to ensure communication in between staff assisting different committees, there is very limited cooperation and coordination among the consultants across committees, gaps in understanding and sometimes duplication in the work between some of the Committee assistants and, for instance, the Legal Department or the General Department for Parliamentary Documentation. There is little attention to professional development opportunities for Committee staff.

There are *three options* we identified to improve the managerial supervision and support to Committee staff, including *i) establish a new Department for Committee support under a full-time Department Director*, bringing together all Committee consultants while leaving intact their professional relationship with the Committee chairpersons; *ii) assign the coordination of the Committee assistants to one senior manager such as the Deputy Secretary General*, as an additional, part-time responsibility and as delegated authority from the Secretary General; or iii) attach the *coordination of the Committee assistants to the Director* of one of the existing Departments, as an additional task. Other recommendations are around strengthening the oversight role through *preparation of a schedule of hearings*; prepare and approve the *regulation on public hearings and related manual* on organizing public hearings; further *capacity building for Committee staff*, to strengthen the skills for budget oversight with particular focus on the *spending of EU budget support*.

Following the previous Functional Analysis of the Secretariat in 2010, the **General Administration and Patrimony Department** became the largest Department of the Secretariat. The department ensures support services from transport (car park, drivers, dispatchers, etc) to managing food (catering), administering buildings (headquarters of the Parliament as well as apartment building) and inventory of goods. Some of the problems of the current arrangements are around the high ratio of cars per MP (coming from the Soviet tradition of MPs expectation to benefit from transport ensured by the Secretariat), the lack of an efficient and fully reliable system for inventory of goods or the insufficient financial resources to cover administrative expenses as well as the lack of any contingency plan for such situations (e.g., limit the use of cars when there is no money for gasoline).

Our *recommendations* for *building management* include *conducting an analysis on the estimated workload and needed staff* for supplemental heating and sanitary equipment, maintenance etc in the view of the upcoming move of the Parliament to the new building and *reduce accordingly the number of personnel*; ensure that *no staff of the parliament is residing in the apartments of the Parliament* and that *apartments which are not used by MPs* are offered on the *real estate rent market*, and that the amount gained from the rent is *part of the budget of parliament.* As long as *transport* is concerned, we recommend considering to *reduce the number of cars to a maximum of 10* and develop procedures and additional stimulus for MPs (e.g., free parking for personal cars) together with a *re-assessment of the policy for monthly transport allowance*. An *electronic inventory system of goods and assets* using barcodes and scanner machines is also recommended for the *Logistics Service*.

The **Technologies and Communication Department** holds a central position for the Parliament's Secretariat as it is the one responsible with the modernization of the institution using new ICT technologies. The department faces serious capacity issues while i) the current ICT equipment and related software are outdated and ii) the e-document management system to support a more transparent and efficient legislative process is lacking. Moreover, the current state of affairs poses serious threats to the planned E-parliament system.

The *key recommendations* for improvement include *planning for the installation of a standard set of legally purchased software* on computers; development of an in-house *training module* for MPs and staff to facilitate usage of new IT with the focus on client needs and train a group of employees from different structural units of the Parliament; develop the *Information Management System* to support main operations; contract an external actor (consultant company) to perform an *in-depth assessment of the institutional pre-requisites needed for E-Parliament system;* or consider *outsourcing of the maintenance of the IT systems/ equipments*.

As far as the **Public Procurement Service** is concerned, we *recommend* an *improvement of the working procedure* to clarify their interactions with all the other departments (their consultancy role on the preparation of the Terms of reference for procurement of particular goods and services) together with *establishing a more transparent process* through *publishing procurement notices* and the outcome of the procurement process on the parliament web-site. Consideration should be given to *transferring the task for renting out goods and assets to the General Department for Patrimony*.

The **Security and Integrity Service** has been established in 2015 with the main purpose of setting the framework for managing confidential documentation and integrity policy for the staff of the Parliament. Given the current trends in Europe and the anticorruption agenda of the public administration in Moldova, we *recommend* to *strengthen the prevention and integ-*

rity aspects of its mandate, focusing on *preparation and enactment of a Code of Conduct for all Parliament staff* and consistently apply the recently promoted regulations (e.g., Regulation on improper influence and Regulation on whistleblowers).

The **Internal Audit Service** became operational as a separate unit only recently, hence its current challenges are to make its mission of providing strategic advice to the management clear to the rest of the organization (both to political and technical staff of the Secretariat). The *recommendations* are for the *performance of an in-depth expenditures review* over the last three years and to *fully implement is audit plan* for 2016 (where seven audit missions and random audits on selected items are envisaged).

We *recommend* for the **Petitions and Hearings Department** to *start implementing the e-petition system* together with developing and implementing *updated procedures for managing petitions* (e.g., pre-defined templates for standard petitions, list with frequent questions and related responds etc) and setting *new working procedures* with the *staff of the Constituency and Information Centers*.

Another important dimension for any Parliament, contributing to increasing its capacity is the support the MPs are receiving through their **political staff.** There are *128 political staff* in the Moldovan Parliament, largely resulting from a recent policy that allows any MP to have one assistant appointed based on personal trust of the MP. It is rather early to fully assess the success of this initiative, however there are strong indications that that *the objective to create an institutional mechanism to ensure the right level of expertise to MPs has not been fully and*

equally achieved yet (e.g. the low quality of the legislative or policy input produced by most of the assistants to MPs was emphasized during the review process). There are *no recruitment procedures*, *job descriptions* or *mechanisms in place to follow the performance* of the assistants.

Given the sensitivity of this issue, as well as the different international practice, we identify *four possible options* to improve the current assistance provided to MPs, as follows: *i) preserving the current model* with parliament-contracted individual assistants to MPs but develop Job Descriptions, transparent selection procedure, a specific introduction and professional development program, *clear criteria for evaluation of the performance* of their duties and increasing the *role of Heads of parliamentary groups and their Chief of Cabinet* in overseeing and coaching the MPs assistants; *ii)* to provide a *financial allocation to each individual MP* for the purpose of hiring personal assistant(s) and/or experts in the format most useful (full time, part time, short term, etc.) -- though there is a considerable risk in terms of the accountability for the usage of the funds; iii) to provide a *financial allocation to each parliamentary group*, proportionally to the size of the parliamentary group, with the purpose of hiring a number of specialists at the required level of remuneration and in the format most useful, to assist the MP's and *iv)* to *increase the number of political advisors with the parliamentary groups*. Under this option, the existing system of individual assistant to MPs is replaced with a number of additional advisors to the fractions (between 3 to 5 persons per parliamentary group, according to the size of the group), which will have a contract with parliament.
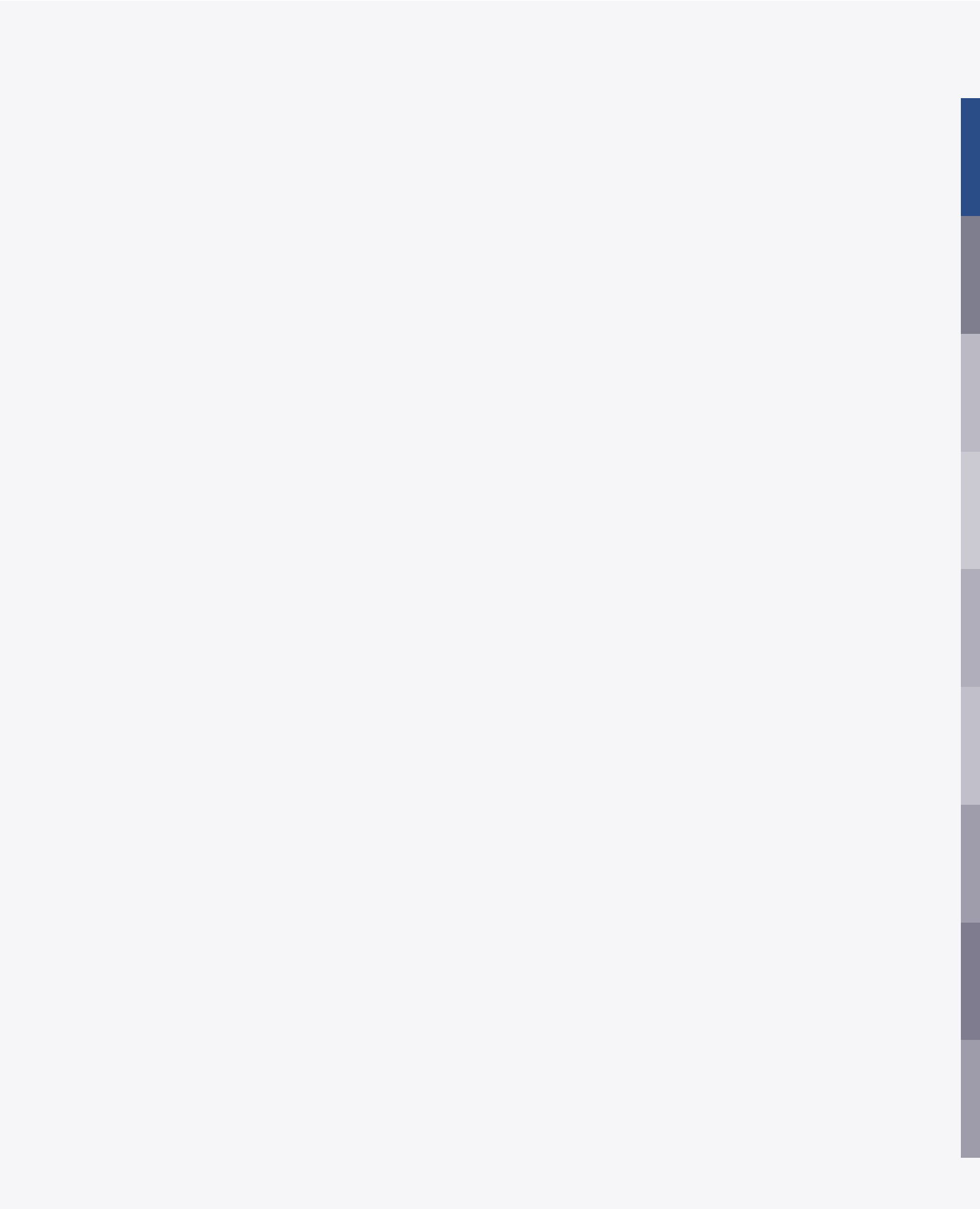
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2. Introduction

Parliament's senior management is acutely aware about the need to build the capacities of Members and staff, to make the work of committees more effective, and, in addition, to modernize the support systems in Parliament, including the ICT structure and Secretariat services.

Therefore, in autumn 2015, a functional and institutional analysis of the Parliament's Secretariat has been commissioned by UNDP in cooperation with the Moldova Parliament. The scope of the functional and institutional analysis is to evaluate currently performed functions and their efficiency, providing a basis for the identification and justification of required structural changes, a rational and even distribution of functions inside the institution, identifying new required functions and dropping of redundant, inexpedient functions and elimination of the duplication of functions.

The consortium consisting of CRPE, DADA6 and CPM Consulting and its expert team(Annex 7 includes the profile of the authors of the report) conducted the functional and institutional analysis during November-December 2015, resulting in the current Report. Following feed-back received from the Secretariat of Parliament in March 2016, the report has been fine-tuned in terms of possible factual errors and gaps in analysis. The statistical data included in this report are the once received during the team's inquiries in November-December 2015, unless a relevant update on the 2015 figures was provided by the Parliament Secretariat by March 2016.

The methodology for the Functional and Institutional Analysis includes the following approaches:

- Desk review of the relevant written documentation at hand, in particular the legal framework, staffing table and other assessment reports on the Parliament of Moldova;

- Interviews with the Speaker and Deputy Speaker of the Parliament, Secretary General and Deputy Secretary General of the Secretariat, Directors of Departments and Divisions of the Secretariat, Members of Parliament and assistants to MPs.

- Survey of all civil servants of the Secretariat, resulting in a response rate of 90 % to the questionnaire (182 responses out of 198 staff).

- Second, more detailed survey with the Directors of the Departments and Divisions.

- Comparative benchmarking with other parliaments in Europe. Nine parliaments have responded to the questionnaire sent to the Secretary General of each of the parliaments: Austria, Czech Republic, Estonia, Georgia, Kosovo[1], Latvia, Lithuania, Serbia and Slovakia.

- Financial and Functional detailed information received from the Secretariat of the Parliament of Moldova from the Parliament.

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(1) This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo Declaration of independence.

The structure of the Report is reflected in five main chapters: firstly, cross-cutting findings on the Secretariat of the parliament; secondly, analysis of the Departments related to main roles and responsibilities of parliament; thirdly, analysis of the support Departments of the Secretariat; fourthly, analysis of the management of the Secretariat; and fifthly, analysis of the political staff of the parliament.

The analysis of each of the different Departments includes four sections: legal framework, findings on the current functioning, practices in other parliaments in Europe, and recommendations.

The expert team expresses its appreciation to the senior management of Moldovan Parliament, political and professional staff of the Parliament and the UNDP parliamentary project team for their time, frank discussions, thoughtful proposals and all valuable input that supported the drafting of the Functional Analysis Report. The expert team counts that the Report will be of value for the further institutional development of the Secretariat of the Parliament of Moldova.

3 Cross-cutting findings on the Secretariat of the Parliament of Moldova
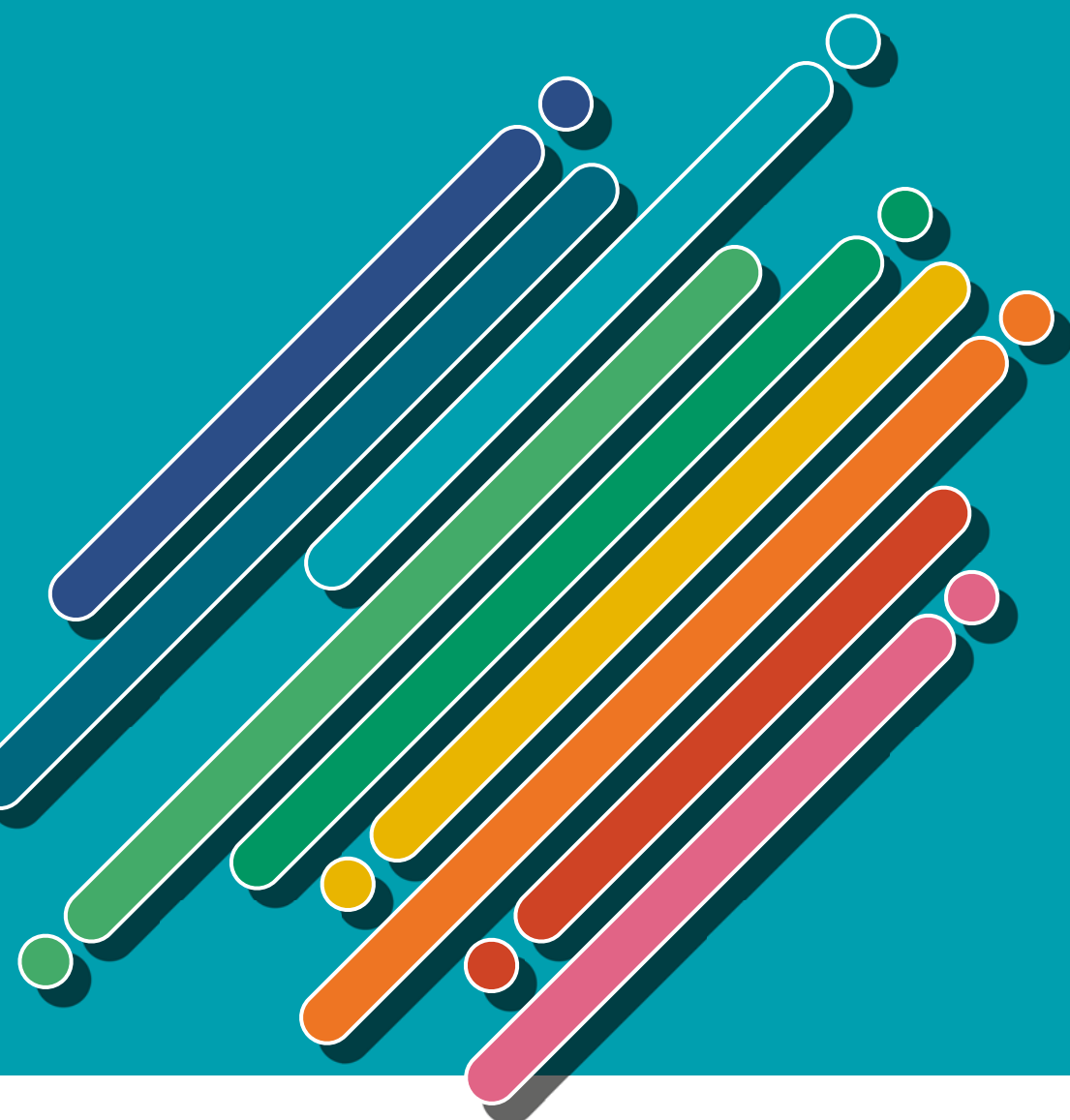
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3. Cross-cutting findings on the Secretariat of the Parliament of Moldova

▬ This chapter discusses a number of cross-cutting findings on the Secretariat of the Parliament: the structure and staffing of the Secretariat, the main and the support functions in the Secretariat, the resources assigned to the two current priorities (ICT and European integration), and the budget of parliament. The insights in these cross-cutting issues are meant to provide an overall image of the current state of affairs of the Secretariat and will enable a better informed analysis of the functioning of the various Departments of the institution, which is foreseen in the following chapters.

3.1. The structure of the Secretariat of Parliament

▬ Summary: the main departments are in place; attention should be given to the proper resourcing and development of functional working procedures.

The structure of the Secretariat is the result of several reforms and changes during the last ten years, most recently the changes enacted in 2012 following the findings and recommendations in the 2010 Functional Analysis Report and changes to the Organizational Chart in 2015. Overall, the current structure includes all departments and divisions required in a functioning Parliament Secretariat, and most responsibilities are assigned. However, resourcing in priority areas might be below what is required; and this Functional Analysis Report proposes adjustments where needed. As of today, the following structure is in place:

SECRETARIAT LEADERSHIP

Secretary General and Deputy Secretary General

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DEPARTMENTS AND SECTIONS

1. Parliamentary Documentation General Department
2. General Legal Department
3. Informational-analytical Department
4. Foreign Affairs Department
5. Communication and Public Relations General Department
6. Strategic Planning Service
7. Technologies and Communications Department
8. Patrimony Administration General Department
9. Human Resources Department
10. Financial, Budget and Accounting Department
11. Internal Audit Service
12. The Public Procurement Service
13. The Security and Integrity Service
14. Petitions and Hearings Department

....

SECRETARIATS OF THE NINE PERMANENT COMMITTEES OF THE PARLIAMENT

....

POLITICAL STAFF

1. Assistants to the MPs
2. Advisors to the political fractions
3. Advisors to the Cabinet of Speaker and Deputy Speakers.

During the last five years, important decisions were taken and implemented in relation to the institutional functioning of the Secretariat. Firstly, the Regulation of the Secretariat was elaborated and approved. The Regulation of the Departments and Units, describing their functions and responsibilities, were also elaborated and approved.[2]

Secondly, the practice of other national parliaments reveals that the regulations describing functions of every structural unit is only one group of internal regulations. The other group of regulations describes interdepartmental processes and general administrative procedures within the Parliament obligatory both for the Members and staff. The Parliament has taken first steps in elaborating such internal regulations with the objective of eliminating the ambiguities and misunderstandings in day-to-day work and to set the same rules for everyone, for instance on the process of preparing the parliament budget. Internal regulations can be issued by the Speaker, by the Permanent Bureau or by the Secretary General according to the corresponding competency, and they should be within reach of every Member and employee of the Parliament.

3.2. The staffing of the Secretariat

▬   Summary: there is a large number of experienced staff, with little recruitment of new graduates.

The Secretariat has a total of 325 non-political Secretariat positions plus 50 Committee staff (so-called 'committee consultants'). Initial findings reveal that this is a well-experienced Secretariat, since over 40 % of staff has more than 10 years of experience in the Secretariat of Parliament. Adding the 128 political staff, the total number of employees is 503 persons (without the 101 Members of Parliament).

It is to be noted that the number of staff has increased substantially in recent years as the result of two decisions. Firstly, in 2012 the Parliament decided to incorporate (most of) the staff previously employed in the state companies dealing with transport, cafeteria and building management. This decision makes the number of staff persons of the Secretariat more accurate and comparable with the staff numbers in other parliaments. Secondly, in 2014 it was decided to increase the number of political staff by assigning one personal assistant to every MP.

In comparison with selected other parliaments in Europe, Moldova has a rather high number of staff per MP (5 staff per MP). The highest number of staff per MP is in Georgia (8.66) and the lowest number is in Austria (1.55 staff per MP). Despite the fact that the number of staff does not seem extremely high (but it is on the high end of the share per MP), re-allocation in-between departments might be advisable, as discussed further in this Report.

▼ table no. 1

As mentioned in the introduction, the Functional Analysis team addressed a self-assessment questionnaire to the staff of the Secretariat. While one of the annexes of this Report presents the findings from the questionnaire, a couple of general observations on the Secretariat can be put forward here.

With respect to the gender and age structure of the Secretariat of the Parliament, it could be noted that women are in greater number and that there is a rather even distribution of workforce on three age groups (25-34; 35-44;45-54). However, one could notice that there is very limited number of very young, recent graduates in the organization (with only 1% under 25 years old). To a certain extent this could be explained by the complex nature of the tasks performed in the Secretariat, but attention should be given in attracting and retaining some of the best and

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(2) Only the Regulations of the Cabinets remain to be prepared and approved.

1. COMPARISON NUMBER OF MPS TO NUMBER OF STAFF

Parliament	Number of MPs	Total Number of staff	Non-partisan staff	Political staff	Number of staff per MP
Austria	244	380	380	N/A	1.55
Czech Republic	200	371	354	17	1.85
Estonia	101	224	192	32	2.21
Georgia	150	1300	840	460	8.66
Kosovo	120	201	168	33	1.67
Latvia	100	430	291	139	4.30
Lithuania	141	586	499	87	4.16
Serbia	250	410	400	10	1.64
Slovakia	150	407	385	22	2.71
Moldova	**101**	**503**	**375**	**128**	**5**

most talented graduates as these could bring innovation and add value to the existing human resources.

The staff of the parliament is very experienced. Over 40% of them have more than 20 years of experience, with only 1% being recently recruited (less than 2 years of work experience). When assessing their specific work experience in the Parliament, a similar picture emerges - over 40% of the current staff of the Secretariat has more than 10 years of working in the Parliament. The human resources policies should take this factor into account and make full use of the capabilities and capacities developed through a number of years of experience of the staff, but also initiate new measures to attract young staff and use mobility among different institutions to ensure appropriate exposure to new trends and approaches.

The non-political staff of parliament are mostly civil servants. Several years ago, there was a draft Law under consideration on creating a special status for the parliamentary civil servants. This draft law was adopted in first reading; but is now largely outdated. This is due to the fact that the remuneration system has been changed in the mean time for all civil servants in the Republic of Moldova, while the draft law reflects the previous salary system. Therefore, it can no longer be claimed that a special status

for parliamentary civil servants is an immediate priority. However, it should be noted that the limitations on salaries applicable to civil servants makes it very hard to recruit experts with the required level of quality in specific domains, such as ICT skills or multi-disciplinary and multi-lingual research skills.

To overcome some of the challenges in finding qualified staff, and in accordance with the applicable legislation, parliament can request a temporary detachment of government employees to parliament. Currently, the Parliament's Strategic Planning expert is detached from the State Chancellery.

3.3. Main functions and support functions

▬ Summary: the allocation of human resources seems problematic as most resources are allocated to support functions. Attention should be given to reversing this trend.

When analyzing the allocation of the human resources within the Secretariat, one needs to look at how they are assigned to different functions and priorities. One can distinguish between the number of staff assigned to the main functions and to support functions within the Secretariat.

- The main functions of the Secretariat are those functions directly related to the main roles and responsibilities of parliament, this is the legislative, oversight, budget and representative / outreach role of parliament. In terms of Departments, these are the Legal Department, Informational Analytical Department, Committees' staff, Communications Department, Foreign Relations Department, General Department for Parliamentary Documentation, and Strategic Development Division.

- The support functions of the Secretariat are related to the resources needed to provide the operational support to the functioning of the Parliament and its Secretariat. These are the Departments / divisions for Technology and Communication, Human Resources Management, Budget and Finance, Internal Audit, General Administration and Patrimony, Petitions, and Security and integrity.

Leaving aside political advisors and assistants to the MPs, there are a total of 375 non-political staff positions in the Secretariat. Next to the Secretary General, Deputy Secretary General and their personal assistants, there are 168 positions assigned to the main functions and 203 staff positions assigned to the support functions. This means that 45 % of the staff is assigned to main functions and 55 % to the support functions. One can argue that this is far from an optimal balance. This misbalance happened after dissolving the autonomous institutions responsible for transport, building management and canteen.

It seems desirable that, at least, as many non-political staff positions are assigned to the main functions as to the support functions.[3] Such change has implications for the process of

human resources planning in the Secretariat of parliament, linking human resources planning with strategic planning, job analysis and job design, recruitment and selection of employees, as well as competence development. It also implies that the Parliament's Human Resource specialists need to have ability to analyze and integrate the complex political, cultural and organizational factors influencing human resource planning and staffing in the parliamentary context.

3.4. Current parliament priorities

▬ Summary: staffing does not reflect the priorities of the Secretariat.

European integration and the modernization of the functioning of parliament through ICT are two current priorities of the Parliament of Moldova. How are these priorities reflected in the assignment of human resources? What does the comparison with other parliament learn about the choices made in the allocation of resources in the Moldova parliament?

Firstly, we analyze the number of staff positions assigned to the Committee responsible for European integration or EU affairs. The Parliament of Moldova has four staff persons, or 1 % share of staff working on European Integration to Secretariat staff. This puts Moldova at the bottom of the comparative benchmarking with other similar-sized parliaments. It is to be noted that all parliaments have an additional number of staff positions for European approximation in their respective Legal Department.

Secondly, we look at the number of staff positions assigned to the Department for ICT. The Parliament of Moldova has eight staff persons working on ICT, or 2 % share of ICT staff to Secretariat staff. Again, Moldova remains at the bottom of the comparative benchmarking with other similar-sized parliaments.

(3) In 2014, each MP got the support of a personal assistant, as political staff. If one adds the personal assistants to MPs and the political advisors in the Cabinets to the number of non-political staff supporting the 'main functions' of parliament, one can consider that there is a balance between staff assigned to main and support functions.

2. PARLIAMENT STAFF WORKING ON EUROPEAN INTEGRATION / AFFAIRS AND ICT

Parliament	Number of non-partisan staff in Secretariat	Total staff working on European Integration / Affairs	Share staff working on European Integration to Secretariat staff	Number of ICT staff	Share staff working on ICT to Secretariat staff
Austria	380	16	4.2 %	8	2.1 %
Czech Republic	354	14	3.9 %	16	4.5 %
Estonia	192	11	5.7 %	18	9.3 %
Georgia	840	11	1.3 %	20	2.3 %
Kosovo	168	13	7.7 %	6	3.5 %
Latvia	291	6	2.0 %	15	5.1 %
Lithuania	499	15	3.0 %	48	9.6 %
Serbia	400	5	1.2 %	10	2.5 %
Slovakia	385	8	2.0 %	12	3.1 %
Moldova	**375**	**4**	**1 %**	**8**	**2 %**

In comparison with other parliaments in Europe, Moldova has the lowest number of staff working on European integration (this is, staff of the Committee and staff working on legal harmonization or EU law) in absolute terms and as the percentage of staff compared to the overall non-partisan staff of the Secretariat.

As far as the number of ICT staff is concerned, Moldova has the second lowest number in absolute terms. Compared to the overall non-partisan staff of the Secretariat, Moldova is third lowest in the ranking.

Analyzing the number of positions among the support Departments of the Secretariat, the number of 8 ICT staff is low compared to, for instance, 36 drivers within the transport division.

In summary, the allocation of staff resources does not match with the two priorities of Parliament: European integration and ICT. While making this conclusion, it is important to note that the number of staff positions assigned to a particular policy area or Department is not the only indicator, though an important one, of the level of priority given to the policy area or Department. Another indicator is the amount of financial resources allocated to, for instance, the ICT sector. As discussed further in this document,

the level of investments in ICT seems to confirms the current low level of priority. Nevertheless, taking into account that human resources is a significant indicator, we can conclude that the two current priorities of the Parliament of Moldova, European integration and the modernization of the parliament through ICT, are not reflected in the human resources priorities of the Parliament.

3.5. The budget of parliament

Summary: between 2011-2015, there was a steady increase in the budget of parliament, while the share of the parliament budget within the overall state budget fluctuated over the years.

Following are some basic information on the Budget of the parliament of Moldova. Firstly, we put the budget of parliament within the context of the overall state budget. Over a period of five years, the budget is increasing in absolute number: from 71,000 lei in 2011 to 114,000 lei in 2015. In terms of percentage of parliament budget within the state budget, the parliament budget has decreased since 2012, though the 2015 budget has the same share of the state budget as was the case in 2011, which is 0.35 %.

3. BUDGET OF THE PARLIAMENT OF MOLDOVA, 2011-2015

Year	State Budget (in thousand lei)	Parliament Budget (in thousand lei)	Share of parl. budget within state budget
2011	20 315 715.0	71 509.7	0.35 %
2012	21 544 187.9	85 482.9	0.40 %
2013	24 394 796.6	104 152.8	0.43 %
2014	30 010 942.8	115 949.6	0.39 %
2015	32 724 705.7	114 162.2	0.35 %

Analyzing the budget of the Parliament of Moldova in comparative perspective with other parliaments, we notice that the Moldova's parliamentary budget is among the higher one's, in terms of the percentage of the parliament budget within the state budget.

4. PERCENTAGE OF PARLIAMENT BUDGET WITHIN STATE BUDGET

Parliament	
Austria	No info
Czech Republic	0.09 %
Estonia	0.31 %
Georgia	0.007 %
Kosovo	0.52 %
Latvia	0.34 %
Lithuania	0.34 %
Serbia	0.02 %
Slovakia	0.001 %
Moldova	**0.35 %**

It should be noted that these figures do not include the budget of the external support to the functioning of the parliament. In the case of Moldova, this is mainly the UNDP support project to Parliament.

Recommendations:

- Develop a multi-year strategy to gradually establish a balance between the number of non-political staff assigned to the main functions and non-political staff assigned to the support functions of the Secretariat. The current 45 % versus 55 % is far from an optimal balance. It is recommended that the number of non-political staff positions assigned to the main functions is comparable to the number of positions for support functions.

- Revisit the process of human resources planning in the Secretariat, linking human resources planning with strategic planning, job analysis and job design, with a view to achieve a better balance between staff assigned to main functions and support functions.

- Assign more staff resources to the two priorities of Parliament, European integration and ICT, and plan to achieve this objective within the next two years.

4 Secretariat internal organization related to main roles and responsibilities of Parliament

4. Secretariat internal organization related to main roles and responsibilities of Parliament

One of the first tasks of the Parliament Secretariat is to provide expertise and assistance to MPs related to their main roles and responsibilities as MP, these are the legislative, oversight, budgetary and representative / outreach role. Following is a preliminary analysis of the way in which the Departments of the Secretariat provide assistance in these areas, and the kind of challenges they face, as identified by the functional analysis team. Recommendations are presented for each department.

In this chapter, we will conduct a functional and institutional analysis of six Departments as well as the Secretariats of the permanent Committees. The six Departments are: Parliamentary Documentation General Department, General Legal Department, Informational-analytical Department, Foreign Affairs Department, Communication and Public Relations General Department (including the Constituency and Information Offices), and the Strategic Planning Service. Following the analysis on the Secretariats of the permanent Committees of the Parliament, we will have a separate section on the Committee on Foreign Affairs and European Integration, due to the particular importance of this Committee following the signing of the AA/ DCFTA.

5. MAIN DEPARTMENTS: STAFFING TABLE AND FILLED POSITIONS

4	4	COMMITTEE FOR NATIONAL SECURITY, DEFENSE AND PUBLIC ORDER
6	6	COMMITTEE FOR SOCIAL PROTECTION, HEALTH AND FAMILY
4	4	COMMITTEE ON FOREIGN POLICY AND EUROPEAN INTEGRATION
6	8	LEGAL COMMITTEE FOR APPOINTMENTS AND IMMUNITIES

4	4	COMMITTEE FOR COMMITTEE FOR HUMAN RIGHTS AND INTER-ETHNIC RELATIONS
9	9	COMMUNICATION AND PUBLIC RELATIONS GENERAL DEPARTAMENT
1	2	STRATEGIC PLANNING SERVICE
11	13	COMMUNICATION AND PUBLIC RELATIONS GENERAL DEPARTAMENT

13	15	FOREIGN AFFAIRS DEPARTAMENT
12	13	INFORMATIONAL-ANALYTICAL DEPARTAMENT
27	28	GENERAL LEGAL DEPARTAMENT
38	38	PARLIAMENTARY DOCUMENTATION GENERAL DEPARTAMENT

Number of staff as indicated in the Status

Number of filled positions

4.1. Parliamentary Documentation General Department

I. Legal framework

The functional attributions of the General Department on Parliamentary Documentation are reflected in the Regulation of the organization and functioning of the Parliament, approved by the permanent Bureau Decision nr.31 of December 12th, 2013[4] as well as in its own activity Regulation, approved by the Secretary General of Parliament. The working process of the General Department on Parliamentary Documentation is guided, primarily, by the Instruction on the circulation of draft legislative acts in the Parliament, approved by the permanent Bureau Decision nr.30 of November 7th 2012[5]. The Department counts 38 persons, all civil servants.

The mission of the General Department is to insure the documentation and organizational support in the realization of the legislative function, in the parliamentary control of the Parliament and maintenance of secretariat works.

Amongst the duties of the General Department on Parliamentary Documentation are the following:

- organizing and monitoring the draft legal acts' circulation in the Parliament;

- organizing and documenting the works of the Parliament plenum and of the permanent Bureau;

- organizing secretariat works and insuring the documents' circulation in the Parliament and the Parliament Secretariat;

- ensuring the implementation of the unique technical-legislative, structural and linguis-

tics policy during the finalization of the draft legal acts;

- ensuring the editing and translation of the draft legal acts, of the documents and other materials;

- ensuring the submission towards signing, publishing and inventory of legal acts adopted by the Parliament;

- ensuring documentation and organizational support in the realization of the parliamentary control.

II. Analysis

The Directorate General for Parliamentary Documentation has a central place within the functioning of Parliament. As the General Department is one of the larger Departments within the Secretariat, it has been structured in four subdivisions: Parliament plenum Section; Permanent Bureau and acts adopted by Parliament Section; Editing Section; and General Services Section.

The Parliament Plenum Section counts 12 persons, responsible for organizing the plenary sittings of Parliament, legislative procedures and parliamentary scrutiny.

- **Legislative procedures** – includes the draft legislative acts and legislative proposals on the Parliament agenda, draws up the „dossiers" of the draft legislative acts and complete them with all the necessary documentation and submitted information (reports, co-reports, opinions, syntheses, amendments); distributed the legislative materials and other materials necessary for the legislative activity of the MPs, parliamentary fractions, Government, Apparatus of the President of the Republic and the sub-divisions of the Parliament Secretariat; manages the circuit of the draft legislative acts from the phase of their introduction to the legislative

(4) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

(5) http://www.parlament.md/CadrulLegal/Instruc%C5%A3iune-privindcircula%C5%A3iaproiectelordeact/tabid/197/language/ro-RO/Default.aspx.

procedure, up to the finalization of their examination in final reading. (*3 persons*).

- **Organizes plenary meetings** – elaborates, in coordination with the permanent committees the list of the draft legislative acts which can be included in the draft agenda of the Parliament plenary sessions, in order for it to be submitted for approval to the permanent Bureau; distributes the materials necessary for carrying out the plenary sessions; insures the presence of members of the Government, Head of the Central Public Administrative Authorities, as well as other Officials to the plenary sessions of the Parliament (*3 persons);* elaborates the report on parliamentary debates, insures the steno graphing of the plenary works and preparation of the final version of the stenograph for its publishing on the website of the Parliament; insures the stenograph of the common meetings of the Parliament and Government; insures the secretariat works of the investigation and special committees, the working groups approved by Parliament decision (*6 persons*); insure the simultaneous translations of the plenary sessions (*2 persons*); insured that the „questions hour" is carried out accordingly, the interpellations and parliamentary hearings (*1 person*).

- **Parliamentary control (oversight) –** keep track of the questions and interpellation and insure their transmission according to the norms established in the Regulation of the Parliament; insures the broadcasting of the answers to the addressed questions and interpellations; insures the presence of the members of the Government, the Heads of the Central Public Administration Authorities who answer to the questions and interpellations addressed by the MPs, monitor the control on the execution of final and transitional provisions from the legal acts published in the Official Journal; monitors the presentation of activity reports and records of central specialized bodies of the

public administration and those created by the Parliament on the works carried out according to the legislation. (*1 person*).

▸ table no. 6

Currently in Moldova, there does not exist an electronic work flow system ("E-law-system") to support the legislative process. As a result, the staff is working with a mixture of hard-copies and soft-copies of legislation, amendments and other documents. This absorbs considerable time for staff in administrative and logistic tasks. Currently, staff needs to print for the MPs all the draft laws and the attached documentation.

The Moldova Parliament does not have an electronic Information System of Legal Acts, where draft legal acts and accompanying legislation can be prepared and signed electronically (e-signature) and, following the adoption, forwarded to the President of the Republic for promulgation.

Interviews suggested that, taking into account the current workload, as well as the absence of electronic systems, there is the need for additional staff to ensure the transcripts of the plenary sessions. Following further analysis, it was noted that the number of actual meeting days of the plenary session has diminished with almost 50 % between 2012 and 2015. However, it was also noted that the number of hours in plenary session has remained constant during these years (between 200 and 250 hours per year), while the number of "stenographs" in pages has fluctuated (between 4,500 and 6,700 pages per year). While the Department requests for more staff to work on transcripts, it can be expected that, in future, enhanced use of ICT in parliament will have a substantial impact on this Department and potentially contribute to reducing the workload.

▸ table no. 7

6. QUESTIONS AND INTERPELLATIONS IN THE PARLIAMENT OF MOLDOVA, JANUARY 2012–NOVEMBER 2015

Year	Number of written questions submitted to the Government	Number of oral questions during session	Number of questions both written and oral in plenary	Number of interpellations	Total
2012	22	111	-	10	143
2013	49	56	-	14	119
2014	32	19	-	7	58
2015	19	18	34	15	86

7. PLENARY SESSION SITTINGS

	2011	2012	2013	2014	2015
Actual meeting days of the plenary session	55	67	64	41	35
Number of hours in plenary sessions	249	231	294	200	233
Number of "stenographs" in pages	5,618	5,610	6,783	4,497	5,150

Currently, the electronic voting system is not used in the Parliament of Moldova and the results of the voting are not published systematically and timely on the web-site. As a consequence, the staff has to dedicate time to taking note of voting results. The reason for the non-functioning of the electronic voting system is that only the equipment was procured and installed without the required software. In addition, we noted that, as of today, there is no written policy document and no procedures on electronic voting, no contract with an external company for the maintenance / repairs of the e-voting system, and very few staff, if any, are fully knowledgeable on the technological aspects of the use of the e-voting system. It is expected that once the E-parliament project will be implemented, the electronic voting will be part of this.

The Section on the Permanent Bureau and Acts Adopted by Parliament counts three persons. They inform the members of the Permanent Bureau about the organization of the meeting, the elaboration of the draft agenda, the distribution of the relevant materials and protocol documentation of the meetings. They also keep track of the acts adopted by the Parliament, their submission for signing and publishing. During the interviews, it was mentioned that, on occasions, the Permanent Bureau approves the agenda of the plenary session the evening prior to the session. Better advance planning of the agenda of the plenary session will create more possibilities for the MPs to study the documentation and for the staff to timely prepare and distribute the files (electronically, once the system is fully operational).

The Editing Section counts 15 persons. It ensures the translation into Russian or Romanian of the proceedings of the plenary sessions, as well as the translation of all the draft acts, other materials of the Parliament and the Secretariat, either from Romanian to Russian or vice-versa. During the interviews, the high workload in the Editing Section was mentioned as an area of concern, due to the low (linguistic) quality of the draft laws submitted by the Government or prepared by the assistants to the MPs. If the Government or individual MPs would submit draft texts which are of better quality, the Editing Section would not be forced into a position of improving the basic quality of the draft law, which is the responsibility of the drafters of the texts, and instead be able to play its role on quality control of the texts submitted.

Interviews noted that, taking into account the current workload, more staff were requested for the Editing Section. At the same time, it became clear that the Editing Section has very few instruments at hand to facilitate its work or the reduce workload. For instance, there is no Glossary of Legal and Parliamentary Terminology, no check-list of issues to review and no access to legislative and EU-related databases. There are no agreed minimum standards for legislative texts; which would enable the staff to recommend to the Committee that parliament returns the draft law to its author in case the minimum standards are not in place.

Parliament very rarely conducts a final reading of the laws adopted in Parliament. Currently, the Parliament votes in second reading the text of the draft law that is submitted to the Parliament (initial version) plus the amendments/completions that are reflected in the report of the permanent committee, as well as the synthesis of the proposals (which is part of the report), plus the amendments that are voted and accepted in plenary session. As the final text is not voted by Parliament, staff is facing serious challenges at the final editing stage. To avoid complications and non-approved changes to the legislation, a final reading of the laws would be useful.

The General Services Section counts six persons.

The parliamentary leadership and Secretariat both share an interest to modernize the support systems in Parliament, including the ICT structure and the digitalization of documents.

Currently, the Parliament of Moldova has an internal regulation detailing the different steps and responsibilities of Units and Sections in the legislative review process[6] and on the Document flows[7]. In order for the e-parliament project to

have any reasonable chance of success, there is need for a comprehensive assessment on the current status of the Secretariat in managing information flows, as well as a series of training of MPs and staff in the use of the Intranet and how to effectively use the Information Management System of the Parliament.

III. Practices in other parliaments

▶ In **Austria**, an electronic work flow system ("E-law-system") to support the whole federal legislative process is in place, with authentic promulgation of laws in electronic form since January 2004.[8] The Austrian *E-Law Project* aims at a reform of legal text production, creating one continuous electronic production channel with a uniform layout prepared on the same electronic text basis from draft to publication (promulgation) on the Internet. The workflow system includes government bills, committee reports, legal enactments of the Nationalrat and decisions of the Bundesrat. The E-LAW workflow system supports the electronic production of all committee reports, of legal enactments of the Nationalrat and decisions of the Bundesrat. Parliament returns consolidated electronic texts of legal enactments to the Federal Chancellery, ready for publication. Savings potential in the Parliamentary Administration per year is more than € 1.000.000.- (60 tons of paper).

The reform of legal text production has progressed to the point where 100% of government bills are submitted to Parliament as "E-LAW" documents and in 100% of the cases Parliament returns consolidated electronic versions of the legal enactments adopted by the Nationalrat once parliamentary procedures have been completed. The legal authenticity of electronic promulgation made an amendment of the Austrian Federal Constitution necessary, which re-

(6) http://www.parlament.md/LinkClick.aspx?fileticket=l%2fXtRu GkbTY%3d&tabid=197&language=ro-RO

(7) Instruction on the Secretariat works in the Parliament of the Republic of Moldova, Permanent Bureau Decision nr.7 of March 20th 2013.

(8) https://www.parlament.gv.at/ZUSD/PDF/2006-04-18_Publika-tion-Englisch.pdf

quired a two-third majority in the Nationalrat and the Bundesrat. In October 2003 the Nationalrat adopted this bill (amendment of article 49 of the Federal Constitution and amendment of the Federal Law on the Federal Law Gazette). From 1 January 2004 on, the Federal Law Gazettes digitally published on the Internet have been the only authentic versions. It is to be noted that the Austrian Parliament first fully implemented the e-law project, as basis for a fully-fledged paper-less 'e-parliament'.

▶ In **Lithuania**, legislative documents are managed in the Information System of Legal Acts, where draft legal acts and accompanying legislation can be prepared and signed electronically (e-signature) and, following the adoption, forwarded to the Register of Legal Acts. The Seimas also has the information system, which stores the documents concerning Seimas sittings and Seimas bodies (committees and commissions), public comments and proposals, analysis of these comments and proposals, etc. The flows of other internal and external documents are managed in the information system, where documents are registered, described, scanned, and transferred to executors. The system enables to link and send documents and file them for storage as well as to enter assignments into documents and control execution of assignments. It also allows a quick search and compilation of necessary reports. The information system has a subsystem of electronic document management, which enables to efficiently deal with electronic documents. Access to data is restricted by user rights.

▶ In **Estonia**, the majority of documents (and nearly all the official documents) arrive electronically, either by e-mail or via the Document Exchange Centre (DEC). Very few documents arrive on paper. The documents are managed from start to finish in the document management system (DMS): registration of metadata, adding a file, approval, signing, assigning to a performer, notification, and sending out an electronic reply. If a document arrives on paper,

it is deposited with the performer designated by the DMS, and is later archived.

In relation to the issue of electronic voting, a number of relevant practices in other parliaments can be highlighted.

▶ In **Czech Republic**, the electronic voting system is used for all types of voting, including procedural voting. It presents about 4,000 votes per year. The results of each voting are archived. The results of each voting are presented on the web page instantly. Also in Slovakia, the results of voting are automatically published directly on the Internet.

▶ In **Estonia**, every MP has a voting unit on the desk in the plenary hall. Voting system is separated from the other networks. Voting unit has mainly 4 functions - cast a vote (for, against, impartial), request a speech in front of the hall, request to speak from the place, call for secretary. Microphones are opened by the Voting System Operator according to the speaker arrangements. Cameras are moved automatically according to the predefined positions and voting system metadata. Voting results and speech queue are displayed on the large screen. All information is published on the parliamentary web-site.

▶ In **Latvia**, the Philips (Bosch) DCN Classic electronic voting system, which was installed in the Plenary Chamber of the Saeima in 1997, provides the following functions: voting by open and secret ballot, registration of presence, registration of quorum, requesting the floor and monitoring of the number of requests for the floor. Simultaneous interpretation is provided. The electronic voting panel can only be operated when an MP identification card has been inserted. The voting procedure is stipulated in the Rules of Procedure of the Saeima. Before the vote, the chair of the sitting announces the voting procedure and states the subject of the vote, which is also displayed on the monitors in the Plenary Chamber. The chair of the sitting requests the bell, thus inviting the MPs to vote.

Upon the chair's request for the voting regime, the MPs can begin voting. Following the notification sound, yellow buttons light up under the options "For", "Against", "Abstain". The MP may then press the relevant button. The selection can only be changed during the voting regime by pressing a different button. Upon the chair's request for the result of the vote, it is displayed on the monitors in the Plenary Chamber and on the chair's personal monitor. Print-outs of the results can be obtained from the secretariat. Voting results are immediately published on the intranet and public web-site of the Saeima. In order to request the floor from the rostrum or from their seat, MPs activate the microphone on their voting panels. The monitors in the Plenary Chamber display which MPs have requested the floor. During a speech the monitors display the remaining speaking time.

IV. Recommendations

- In terms of preparing the transcripts of plenary sessions, we recommend to explore the possibility of generating automated basic versions of the transcripts through the e-parliament project.

- As far as the document flow of legislation and the proceedings of the plenary session is concerned, and in order to be able to meet the high expectations for modernization through the e-parliament project, we recommend to conduct a comprehensive and detailed assessment of the current status of managing information flows in the Secretariat. Following this assessment, we recommend the development of a detailed set of new Standard Operating Procedures on how to effectively use the information and database of the Parliament, and manage the electronic document flows.

- Once the e-parliament system is in place and as is the case in other parliaments, we recommend that the preparation of electronic versions of documents for distribution is the responsibility of the General Department for Parliamentary Documentation, in particular the Section of the Plenary Sittings in cooperation with the ICT Department.

- In relation to the work of the Editing Section, we recommend that the Parliament makes use of the provision in the Rules of Procedure to return to the author a draft text which is of insufficient linguistic and legal quality.

- To facilitate the work of the Editing Section, we recommend to foresee in a couple of useful tools, such as a Glossary of legal and parliamentary terminology, a check-list of issues to review and access to legislative and EU-related databases.

- In addition, we recommend that the parliamentary rules for a final reading of substantially altered and voluminous draft acts are applied more regularly.

- In relation to the issue of electronic voting, and in line with the relevant practices in other parliaments, we recommend the systematic use of electronic voting and the immediate publishing of voting results on the public web-site of the Parliament of Moldova.

4.2. General Legal Department

I. Legal framework

The functional attributions of the General Legal Department are reflected mainly in the Regulation of the Parliament, approved by Law nr.797-XIII of April 2nd 1996 (with subsequent amendments)[9], in the Law nr.780-XV of December 27th 2001[10] regarding the legislative acts, the Regula-

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(9) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=322831.

(10) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=313239.

tion on the organization and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[11], Instruction on legal acts circulation within the Parliament, approved by Decision of the permanent Bureau of the Parliament nr.30 of November 7th 2012, as well as in its own activity Regulation, approved by the Secretary General of the Parliament.

The General Department has the following subdivisions: Public Law Section; Private Law Section; *Communautaire* Law and legislation approximation Section; and the Service on representation to the Constitutional Court and other judicial bodies. The Legal Department counts 28 staff, all of them are civil servants.

The Mission of the General Department, according to its Regulation, is to insure legal assistance in the realization of the duties of the Parliament and in the activity of the Parliament Secretariat. Amongst the functional attributions of the General Department we can mention the following:

- Legal support (assistance) to the Parliament in the process of performing the established legislative process;

- Opinion (*avis*) on draft legal acts submitted to the legislative procedure, participation to the finalization and editing of the adopted draft legal acts that are to the presented for signing;

- Opinion (*avis*) to the objections of the President of the Republic of Moldova on the legal acts submitted for re-examination;

- Legal assistance to the permanent committee in the process of exercising parliamentary control;

- Consulting the Parliament permanent committees for insuring the well-defined and uniform application of the legislation;

- Contributing to the adjustment of the national legislation in line with the EU legislation (*aquis communautaire)* and legislative informing;

- Representing the Parliament in the Constitutional Court, representing the interests of Parliament and of the Secretariat in the judicial courts;

- Legal support to the current activity of the Parliament and of the Parliament Secretariat, including in finding solutions to the juridical problems which surveyed throughout their activity;

- Participation in the elaboration of draft legal acts according to dispositions of the Parliament, of the permanent Bureau and of the President of the Parliament.

Basic activities and functional attributions are divided between the subdivisions of the Department, depending on the nature of legislation and their activity profile.

II. Analysis

The Legal Department is the Department in charge of providing technical and legal advice on the draft laws under consideration in the Parliament. As of April 2015, the Legal Department consists of four sections: public law, private law, community law and approximation of legislation, which includes a sub-section on representation of the Parliament to the Constitutional Court and the judicial bodies. During the interview, the Department representatives expressed the opinion that the recent changes to the internal structure of the Department are a step back in regards to the functionality of the Department. On the other hand, the new sub-division responsible for elaborating impact

(11) http://parlament.md/CadrulLegal/Regulamentula SecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/ Default.aspx.

8. LEGAL DEPARTMENT TECHNICAL EXPERTISE TO DRAFT LEGISLATION, 2013-2015

Avis by Legal Department	2013	2014	2015
"ordinary" circumstances	378	275	357
"urgent" circumstances	0	0	0
requested by "priority"	71	86	59
Total nr of aviser (opinions)	449	361	427

studies on legislation can also be considered an asset. So far, performing the *ex-ante* and *ex-post* evaluation of legislation was only partly implemented due to the fact that a sub-division with such responsibilities had not yet been created. The creation of this sub-division within the General Legal Department, which will perform the ex-ante and ex-post evaluations, will contribute to the increase of the number of legal acts to which impact studies, elaborated according to strict requirements and procedures, are conducted.

During the interviews, a number of challenges and issues were raised. Firstly, it was highlighted that the Department is regularly confronted with requests to present an *avis* (notification, opinion) under "priority" circumstances, which is actually a procedure not reflected in the Law; as the legal provisions only foreseen are the presentation of the *avis* under "ordinary" and "urgent" circumstances. The below overview table confirms that in the recent years, there has been a substantial number of requests for priority opinions on draft legislation.

▲ table no. 8

Secondly, it was said that the activities of the special and investigation committees are not sufficiently institutionalized and they require a lot of time and resources of the Legal Department. The figures seem to suggest an increase in the number of Special Committees / working groups.

▶ table no. 9

Thirdly, the Legal Department considers that the legal support to the Secretariat (control on legality of internal acts, contracts, working groups of the Secretariat) should fall under the responsibility of a new, separate entity rather than the Legal Department. Currently, both legislative work and legal support to the Secretariat are part of the responsibilities of the Legal Department.

Fourthly, the process of representation of the interests of the Parliament to the Constitutional Court (CC) is an area of concern. There were occasions when the Legal Department, even after having presented their opinion (*avis*) on the unconstitutionality of a draft act, was requested to represent Parliament in the Constitutional Court and to support the constitutionality of the draft act. In such circumstances, an alternative and more appropriate solution would be that the Legal Committee represents Parliament in front of the Constitutional Court. The below overview table confirms that there has been a substantial number of cases, during the recent three year(s), where Parliament's presence in front of the Constitutional Court was requested.

▶ table no. 10

In terms of the overall functioning of the Parliament and the Secretariat, the Legal Department considers that the parliamentary control function, in particular oversight on the implementation of legislation, is exercised in a very limited way only. According to Art. 111 of the parliamentary Rules of Procedure, Parliamentary committees need to present recommendations to

9. LEGAL DEPARTMENT AND INVESTIGATIVE AND SPECIAL COMMITTEES, 2013-2015

Support by Legal Department	2013	2014	2015
Number of special committees created	0+1[12] working group	0+6 working groups	1+7 working groups
Number of investigative committees established	2	0	2
Number of meetings of the Special Committee(s)	Cannot be established[13]	Cannot be established	Cannot be established
Number of meetings of the investigative committees	Cannot be established	Cannot be established	Cannot be established

10. REPRESENTATION OF THE PARLIAMENT IN THE CONSTITUTIONAL COURT OF MOLDOVA

	2013	2014	2015
Number of cases in front of the CC where Parliament presence was required	37	32	30
Number of cases where the Parliament was represented by the Legal Department	27[14]	22	22
Number of sittings / hearings at the CC for each of the cases	27	22	22

the Government, other public authorities and Parliament on enforcement of the laws, usually within six months from entering into force of the respective law. According to Legislative acts law (law 780), after two years the ministry needs to submit a report to Parliament on the implementation of the law, and committees need to review this. In practice, Parliament does not seem to pay a lot of attention to its oversight role on the implementation of legislation. We consider this to be an important area of work of the Committees. At the same time, there seems to be a need for more systematic training to the staff of the Parliament Legal Department and Committee staff on the issue of post-legislative scrutiny.

Another way to improve the work of parliament is to develop the system of "rapporteur" on draft laws. This means that for each draft law an MP from the committee will be assigned to present the report on the draft law during sessions, instead of the chairperson of the Committee only, as is currently the case. This MP should also be responsible for the follow-up to the implementation of the respective legal act, meaning that he/she should regularly request reports on the implementation from the responsible ministry and present the report to the committee). Eventually, when performing the control on the application of the Law, the MP/rapporteur can be assisted by a secondary rapporteur, potentially from the opposition.

(12) The difference between the activity of a working group and a "special committees" is basically only in the denomination; in rest, the work/responsibilities performed are similar.

(13) The number of the meetings is neither relevant or important, mostly because their basic acitivity is actually carried out "outside" the actual meetings and it regards the elaboration of different documentation, reports, projects, drafts etc.

(14) The difference between the number of opinions and number of court sessions stands in the fact that there are court sessions when the presence of the parties is not required. This means that the Court examines the case in the absence of the parties, and only based on the written opinions.

III. Practices in other parliaments

The Legal Department is a central department in the administration of most parliaments in Europe. The internal organization of the Department varies in different countries. For instance, in the Parliament of Lithuania, the Legal Department has five units: Labour and Social Law Unit; Criminal and Administrative Law Unit; Public Law Unit; Civil Law Unit; European Union and International Law Unit.

On the question if the Legal Department should be in charge of the legislative process only and whether the legal support of the Secretariat should fall under the responsibility of a separate entity, there exist different practices in different parliaments. In the Austrian Parliament, the Service for Legal Matters of the Parliamentary Administration is one of the five services within the Legal, Legislative and Research Department of Parliament. In the Czech Republic, the Legal Affairs Department consists of two Divisions: the Legislative Division and the Legal Division. There is no specific best practice established in other parliaments on the best organizational structure to ensure legal support to the functioning of the Parliament Administration; as each national practice has emerged from the institutional development of the parliament throughout the years.

IV. Recommendations

- Build further the capacity of the Legal Department in terms of foreign languages, especially English.

- Conduct further consultations among all stakeholders to reach consensus on who takes the workload for providing legal support to the functioning of the Secretariat.

- Clarify or establish the legal basis for requests to present an *avis* (notification, opinion) on a draft law under "priority" circumstances.

- Clarify the procedures and required resources for the Secretariat's support to special and investigation committees.

- Clarify in which circumstances the Legal Department, the Legal Committee on Appointments and Immunities or another section of the Secretariat will represent the Parliament at the Constitutional Court hearings.

- Strengthen the capacity of the Parliament related to the legislation deriving from the EU Association Agreement, the DCFTA and the Action Plan for the Implementation of the Association Agenda; and more specifically organize a "summer university"-style two or three weeks intensive program for selected MPs, Committee staff and staff of Legal Department on the legal harmonisation process, analysis of the conformity of registered drafts with EU legislation and how to improve *ex ante* compatibility checks with the *acquis.*

4.3. Information-analytical Department

I. Legal framework

The functional attribution of the Information-analytical Department reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[15] as well as in its own activity Regulation, approved by the Secretary General of the Parliament.

The Department consists of a total of 13 positions (all civil servants) and encompasses the following subdivisions: Parliamentary study and research Section; and Informational Resources

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(15) http://parlament.md/CadrulLegal/Regulamentula SecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

Section, which includes: the Parliament Archive and the Parliament Library.

The mission of the Department is to ensure the informational support to the Parliament and Secretariat activity, transparency of the legislative process and the development of cooperation mechanisms between the Parliament and the civil society.

Amongst the duties of the Department are the following:

- Elaboration of comparative Law studies, informational studies, analytical and synthesis studies, that are necessary for the Parliament activity, both internally and externally;

- Insuring the transparency of the legislative process and the monitoring of the communication process between the Parliament and the civil society;

- Insuring the integrity and security of the documentation from the Parliament Archive, the Books Fund and the Parliament Library information.

The Department collaborates with similar subdivisions from other public authorities, with national and international consultants with the purpose to study the experience and practice in the parliamentary research and documenting field, of the management of informational resources, etc.

II. Analysis

The Information-analytical Department is the research department of Parliament. As such, it has the potential to become a central department within the Secretariat, providing in-depth analysis on regular basis, upon the request of MPs and also in a pro-active way and upon its own initiative, relying on academic, scientific and international and national quality sources of information and analysis.

The Department provides analysis when requested, by individual MPs and Committees. The Department compiles information materials, depending on the topics addressed in the parliament's agenda. Sources of its information are other studies in particular the ECPRD, mass-media, internet, etc. However, interviews for this report indicated a number of challenges to achieve the vision of a fully functioning Research Department.

Currently, the Department has no specific research strategy nor regularly-scheduled research outputs. There is no quarterly work plan for its analytical and research work. The recent study visit to the Czech Republic highlighted the need to establish an institutionalized cooperation with Universities and think-tanks. As far as the interviews could identify, the Department provides no specific guidance to research staff nor quality control mechanism in conducting the analytical and research work and drafting the reports. The studies and analysis are internal to parliament and not made public on the parliament's web-site yet. The Department is not in a position to follow-up on the finality of the performed analysis, meaning, they have no information whether the studies have been considered in reviewing a particular draft Law or if, based on the study, a draft Law was elaborated. Some time ago, the Department has conducted a survey of MPs and staff on their expectations and needs towards the Research Division.

In many parliaments the Library is an important source of information for MPs, assistants to MPs and staff of the Secretariat. In Moldova, the library is responsible for the management of the collections (books, periodicals and unpublished materials), loans to users of the library from its collections for use in the reading room / reading table, bibliographic processing of all the publications in conformity with contemporary library standards, maintenance of statistics on the number of individual readers and mate-

11. PARLIAMENT STAFF WORKING IN LIBRARY AND RESEARCH DEPARTMENTS

Parliament	Number of non-partisan staff in Secretariat	Number of Library Staff	Staff in Research Department	Total of Library and Research staff	Share Library and Research staff to Secretariat staff
Austria	380	N/A	17	17	4.4 %
Czech Republic	354	15	26	41	11.5 %
Estonia	192	33	15	48	25 %
Georgia	840	3	28	31	3.6 %
Kosovo	168	4	4	8	4.7 %
Latvia	291	8	N/A	8	2.7 %
Lithuania	499	4	26	30	6 %
Serbia	400	3	10	13	3.2 %
Slovakia	385	N/A	10	10	2.5 %
Moldova	**375**	**3**	**10**	**13**	**3.5 %**

▲ table no. 11

rials.[16] In practice, the Library infrastructure is very basic, located in a very limited space, lacking financial means to purchase new books or publications. There is no approved strategy for the development of the Library, though there are ideas regarding its digitalization and the creation of a digital literature register. These ideas are on hold until the Parliament has fully moved to the new Building. The Library keeps track of the books borrowed in a hard copy note-book. So far, external users (for instance students) are allowed to access the Parliament Library only after writing to the Secretary General.

The Department for Library and Research consists of 13 persons or 4 % of the non-partisan Secretariat staff. Compared with nine other parliaments in Europe, the Parliament of Moldova has the third lowest number of non-partisan Library and Research staff, in absolute numbers and as the share of the Library and Research staff to the overall Secretariat staff. A majority of below listed parliaments provide more human resources to the library and research work, as indicated in the table.

The institutional memory of Parliament is taken care of by the Archives Division.[17] In line with the applicable legislation[18], all main documentation of the Secretariat is stored for a number of years (up to 75 years). The documents that have national value are handed over to the National Library. The internal, outgoing and incoming electronic correspondence are kept during five years at the work-place, but not archived.

One of the additional tasks of the Department is strengthening the links between Parliament and civil society. On annual basis, the Department is required to organize two conferences with civil society. In addition, the Department may organize other consultations on major issues. In 2015 the Department organized two conferences and five other consultations.

(16) William H. Robinson and Raymond Gastelum, *Parliamentary Libraries and Research Services in Central and Eastern Europe*, IFLA Publications 87, Munchen, 1998, 237 p.

(17) The Archive is a functional compartment from the Parliament Secretariat of the Republic of Moldova, coordinated by the National Archive. In its activity, the Archive is guided by the Law nr. 880-XII from 22.01.1992 on the archive capital of the Republic of Moldova; the Decision of the Government of the Republic of Moldova on the approval of the archive capital of the Republic of Moldova nr.352 from 27.05.1992; the Regulation regarding the organization and functioning of the Archive of the Parliament of the Republic of Moldova nr.15 from 16.06.2015.

(18) Chapters II and III from the Instruction on the secretariat works in the Parliament of the Republic of Moldova (Permanent Bureau Decision nr.7 of March 20th 2013).

III. Practices in other parliaments

Relevant practices in other parliament point at the existence of a parliamentary institute in, for instance, the Czech Republic. Since 1993, the Parliamentary Institute is the only analytical and research centre attached to the Parliament of the Czech Republic. The work of the Parliamentary Institute consists of: (1.) answering MPs' and Senators' questions on any matter related to EU Law; (2.) submitting opinions on MPs' and Senators' bills concerning the extent of their conformity with EU Law; (3.) taking presentations on specific EU policies; (4.) undertaking special studies and analyses for MPs and Senators of the Czech Parliament; (5.) comparing foreign legal regulations on various issues.

The Parliamentary institute very closely supports the Committee for European Integration. The Parliamentary Institute - Centre for European Law is obliged to elaborate an information concerning compatibility with Community law as regards all non-government bills, and, in pursuance of a request of the Committees, also as regards government bills. The opinions are available electronically in the intranet of the Chamber of Deputies of the Parliament of the Czech Republic and in Electronic database of Approximation of Law (ISAP). Similar information is provided on request on compatibility for amendments of the MPs.

The Department of EU Affairs of the Parliamentary Institute is responsible for expert support to members of the Chamber of Deputies in EU matters. The Department deals with information, analysis and projects related to EU legal acts, other EU documents and EU policies. The Department consists of the seven employees. It elaborates weekly and monthly reviews of EU dossiers that serve to fast orientation within EU documents issued in relevant period of time. These materials are prepared predominantly for the purposes of Committee of EU Affairs that deals with selected materials during their sessions

The Department further elaborates supporting documents for the Chamber of Deputies for the purpose of review procedure of the governmental activities. The documents are used namely for processing of EU documents in Committee for European Affairs and they do represent a starting point for then submitted resolutions of the Committee

The Department produces documents for the preliminary consultations of government drafts taking into account issue of compatibility with enacted EU act. These consultations are always accessible in e-archive of the Chamber database along with the relevant government draft. Additionally the department reviews compatibility of non- governmental drafts with EU law. For this purpose department processes compatibility opinions on MPs drafts and provides consultations during the course of preparations of drafts.

The department staff provides consultations to MPs within their respective field of expertise either in writing or personally by appointment, the focus is obviously given on EU issues.

The Department provides larger papers on main European topics (amendments of founding treaties, EU functioning, long term politic EU strategy, fundamental amendments or re-examinations in essential EU policies). The department experts participated on consolidated edition of EU Treaty and the Treaty on functioning of EU in version of Lisbon treaty in Czech language.

All staff participate in their respective fields of expertise in many conferences or seminars, they publish in professional periodicals and lecture at various academic institutions.

Also the Slovak has a Parliamentary Institute.

In 2014, the Macedonian Parliament established its Parliamentary Institute.[19] It is an impartial

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(19) http://www.sobranie.mk/default.asp?ItemID=FC55F463E8E-AF44EB33DAB416491A46C

and professional body within Parliament, established on the principles of impartiality, accessibility and credibility, that provides information, research and analysis, in-house training and conducts public relations. Its premises include a research, educational and informative center, a library and reading room, the parliamentary archives, as well as completely modernized rooms and equipment.

IV. Recommendations

- Prepare a research strategy, including regularly-scheduled research outputs and a quarterly work plan for analytical and research work

- The state of the parliamentary Library is currently too basic to play a meaningful role in the parliamentary research and analysis work. The digitization of the Library is highly recommended.

- There is need to provide means for subscriptions to international electronic Journals, which can be accessed from the Library as well as from the Information-analytical Department, Legal Department and the Committee secretariats.

- In case the parliament management shares the need for in-depth research to strengthen the role of the Committees and of the parliament in general, a Feasibility Study on the creation of a Parliamentary Research Institute is recommended. Once established, such Institute will be able to call upon national and international advisors with expertise on specific topics (such as economy, banking, budget), replace the Information-analytical Department and provide expertise support to the work of the Committees.

4.4. Foreign Affairs Department

I. Legal framework

The functional attributions of the Foreign Affairs Department are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[20] as well as in its own activity Regulation, approved by the Secretary General of the Parliament.

The Department consists of a total of 15 positions, all civil servants, and has the following subdivisions: Inter-parliamentary relations Section; Parliament Ceremonial Events and Consular Support Section; Linguistics assistance Service.

The mission of the Department is to support organizing and carrying out foreign affairs activities and Parliament ceremonial events.

Amongst the duties of the Department are the following:

- Ensuring the efficiency, diversifying and intensifying the relations of the Parliament and the Parliament Secretariat with International Bodies and similar institutions from abroad.

- Organizing protocol activities of the Parliament and the Parliament Secretariat and insuring Parliament ceremonial events;

- Facilitating consular assistance for the Parliament and the Parliament Secretariat;

- Monitoring the technical foreign assistance process in building institutional capacities of the Parliament and the Parliament Secretariat;

(20) http://parlament.md/CadrulLegal/Regulamentula SecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/ Default.aspx.

- Ensuring consecutive and simultaneous interpreting during protocol activities, the translation of official documentation, external and diplomatic correspondence, as well as maintaining the data base of the translated documentation in the relation with international organizations.

The Department collaborates with similar subdivisions from other Public Authorities, the diplomatic and consular missions accredited in the Republic of Moldova, with similar structures from Parliaments of other states, the international organizations and entities, parliamentary Assemblies, including at Secretariat level, the diplomatic missions of the Republic of Moldova to other countries, as well as with national and international consultants, in order to study relevant practices and experience from the domain.

II. Analysis

The Foreign Affairs Department is supporting MPs in international affairs in a practical-organizational way and by preparing briefing notes for MPs. The Inter-parliamentary Relations Unit of the Department is involved in planning and coordinating the relationships with regional and international Assemblies and Bodies, including with the institutions and structures of the European Union, as well as the Parliaments of other countries. It follows the relevant political events at national and international which are relevant for inter-parliamentary co-operation.

The Department considers that the responsibilities are not clearly divided with the public procurement division, and that this division should be able to develop the rationale for the proposed hotels, restaurants and itinerary for flights rather than the Foreign Affairs Department.

Between 2011 and 2014, the number of international air travel has increased, for MPs and staff alike, with the highest numbers in 2013. The number of business class tickets has increased from 0 tickets in 2011 to 9 tickets in 2014.

▼ table no. 10

The Department prepares briefing notes for delegations travelling abroad, providing information on the country or institutions which will be visited. In most cases, the delegation is accompanied by staff of the Foreign Affairs Division, who is responsible for the report of the mission. In case no staff is accompanying the MPs, no report of the mission is produced. For these cases, the Department didn't manage yet to develop a mechanism to ensure that a basic, informative report is being produced, based upon the agenda or meeting documents, upon the return of the delegation. This is important to strengthen the institutional memory of inter-parliamentary relations.

There are no specific criteria established for the composition of delegations traveling abroad. The Permanent Delegations to Parliamentary

12. NUMBER OF PURCHASED AIR TICKETS

	2011	2012	2013	2014
MPs	111	149	168	129
Incl. Business class tickets	0	3	5	9
Staff of Secretariat	26	48	56	62
Total	**137**	**197**	**224**	**191**

Assemblies are composed by representatives of the different parliamentary groups, and are officialised by parliament decision in plenary session. For other delegations, the composition depends on the topic of the mission and the interest of MPs. There are no gender requirements for delegations travelling abroad.

When requested by the Speaker, the Department compiles information on a particular foreign relations or inter-parliamentary relations issue and asks the opinion of the Ministry of Foreign Affairs.

While the Department provides practical-logistical support and prepares briefing notes to delegations traveling abroad, there is room to strengthen the policy advisory role of the Department, by pro-actively identifying opportunities for contributions by Moldova MPs to the proceedings of the inter-parliamentary institutions, and by researching organizational policies, voting records, national and regional interests with a view that MPs have more possibilities to position the Parliament of Moldova at the inter-parliamentary meetings.

So far, the Parliament of Moldova has no agreed set of priorities and objectives for its participation in the inter-parliamentary meetings and Parliamentary Assemblies; and the Department could play a useful role in making proposals in this direction.

III. Recommendations

- Prepare a template and give guidance to Department staff to ensure that an informative report of every parliamentary mission abroad is produced, also in cases when no staff is accompanying the MPs. In these cases, Department staff will prepare a basic report taking into account the agenda and meeting documents and an interview with the MPs upon their return to Moldova.

- Strengthen the policy advisory role of the Department, by pro-actively identifying opportunities for contributions by Moldova MPs to the proceedings of the inter-parliamentary institutions, and by researching organizational policies, voting records, national and regional interests.

- Draft a set of priorities and objectives for Moldova's participation in the inter-parliamentary meetings and Parliamentary Assemblies, to be discussed with the Committee on Foreign Affair and to be approved by the Permanent Bureau of the Parliament.

4.5. Communication and Public Relations General Department

I. Legal framework

The functional attributions of the Communication and Public Relations General Department are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[21] as well as in its own activity Regulation, approved by the Secretary General of the Parliament.

In performing its activities, the Department is also guided by the Law nr.982-XIV of May 11th 2000 regarding the access to information[22], Law nr.239-XVI of November 13th 2008 on the transparency in the decision-making process[23], Law nr.190-XIII of July 19th 1995 regarding petitioning[24], the Concept on the cooperation between

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(21) http://parlament.md/CadrulLegal/RegulamentulaSecre-tariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

(22) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311759.

(23) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=329849.

(24) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=313313.

the Parliament and the Civil Society[25], the Strategy for the development of the Civil Society for 2012-2015 and the Action Plan for the implementation of the Strategy[26], as well as other normative and legislative acts. It is important to mention that throughout 2011-2014 the Communication Strategy of the Parliament for 2011-2014 was implemented[27].

The Department consists of a total of 22 positions, all civil servants, and includes the following subdivisions: Mass-media relations Section; Visits and Public Relations Section; and the Territorial Information Division, which includes the four constituency and information offices in Edinet, Orhei, Leova and Comrat. The first two sections count 9 persons. The territorial information offices section counts 13 persons.

The mission of the Department, according to its Regulation, is to insure the support in the communication and information process regarding the Parliament activity, to establish the relations with the media institutions and the development of the public relations.

Amongst the tasks (duties, attributions) of the General Department are the following:

- Ensuring the delivery of information to the public and the mass informing means (media) in regards to the parliamentary activity and the legislative process;

- Ensuring the representation of the activity of the members of Parliament, communication with citizens and promotion of the parliamentary activity at territorial level;

- Ensuring the relationship with the media institutions and the accreditation of the media representatives for participation to the plenary sessions of the Parliament;

(25) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=314906.

(26) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=346217.

(27) http://parlament.md/LinkClick.aspx?fileticket=HmeC61F-BHMQ%3d&tabid=212&language=ro-RO.

- Ensuring the interaction and communication of representatives of the mass-informing means with the leadership of the Parliament, with parliamentary fractions, permanent committees and members of Parliament;

- Ensuring the activity domains of the visiting and information Centre;

- Elaboration of holidays and special greetings, speeches and declarations of the leadership of the Parliament and the Parliament Secretariat.

II. Analysis

Based on the recommendations from the Functional Review report of 2010, the Communication Strategy for 2011-2015 was developed by a consultant, hired through UNDP. At that time, in 2011, three separate strategies were designed: Strategic Development Program, Communications Strategy and ICT Strategy. It was the first year when strategic planning was introduced in the Secretariat of the Parliament. One of the challenges during the implementation was the coordination of the implementation of the three strategies. It was noted that no designated budget allocations were foreseen for the implementation of the Communication Strategy and no additional human resources were made available at the start. There has been a good cooperation with the ICT Department, in particular for establishing the Media Centre.

As a result of the initiatives under the Communications Strategy, more persons within parliament, in particular at the senior level, realize the importance of parliamentary communication. While the Communications section counted three persons in 2011, this has now increased to nine persons.

The Communications and Public Relations Department made significant progress in strengthening the parliamentary outreach, for instance by the creation of the Visitors' Centre, holding

Open Doors Days at Parliament, and publishing the "Parliament Info" which is the information Bulletin on the parliament (alongside an internal Bulletin, in electronic format). One of the challenges of the Department is the absence of an expert in graphic design, who would ensure the technical graphic editing of all materials.

However, from the interviews, it has become clear that most staff perceive communications as a task of the Communications Department only; and the task is not fully integrated in the work of the Secretariat as a whole. There exist more opportunities to promote the parliament, in particular the work of the Committees. Currently, the cooperation of the Communications Department with the Secretariats of Committees is sporadic. There are no regular meetings with the chairperson or staff of the Committees in relation to communication, and there is no advance planning on the outreach of the work of the Committees. Although some Committee staff have requested information on the functioning of the Constituency and Information Offices, this interaction is only now starting to pick up.

The work of the Moldova parliament to strengthen the outreach and communication takes place in a context of an increased international practice of parliamentary openness, responsiveness to public concerns and institutional transparency. Taking into account the Declaration on Parliamentary Openness[28] launched at the World e-Parliament Conference 2012 in Rome, the current gabs in the transparency of the Moldova Parliament become more clear. The Moldova Parliament is weak in the institutional processes on sharing information about committee deliberations and findings with the public and media and how the Committees can seek input from CSOs and the public before and during committee work. As of today, the Secretariat provides information about the work of

Parliament on the web-site only up to a certain extent. Although Committee meetings are open to the public and media, there is no live streaming of Committee meetings. While Committee agenda's are published on the web-site, that is not the case for reports of Committee meetings. Although draft laws are published on the web-site, parliament data are not published in machine-readable and open data formats. While the web-site is updated regularly, it does not include the parliamentary voting records. There is thus a clear need for a policy and action-plan on parliamentary openness, based upon a comprehensive policy for a functioning Document Management System and a new parliamentary web-site (currently under preparation).[29]

The Moldova parliament has taken good steps in the area of social media. Parliament has an active Facebook page, with more than 13,000 followers. There is no Twitter account or own You-tube channel yet. Citizens are not offered on-line opportunities to provide feedback and comments using social media tools. There is a clear need for a parliament social media strategy aiming at a pro-active outreach of the parliament to citizens in order to receive timely and prompt feedback on the legal initiatives and consult on solutions for policy problems.

One of the obstacles impeding the further transparency and outreach of the parliament, is the lack of clear operational guidelines about which information can and should be made available to the public through the parliament's web-site. There is need for Standard Operating Procedures (SOPs) to define the type of documents that should be made available to the public and the timeframe for the preparation of proceedings and minutes to guarantee the transparency of the institution. Although there is general recognition of how important parlia-

mentary information is, both internally for the Members and staff and externally for the public and media, the procedures for effective information and data management services are not modernized yet to the extent required.

Compared with nine other parliaments in Europe, the Parliament of Moldova has a low number of non-partisan communications staff, in absolute numbers, and the third lowest number as the share of the communications staff to the overall Secretariat staff. As indicated in below table, most other parliaments provide more human resources to the communications work of the parliament.

The staff at the four constituent and information offices have not been included in this comparison. The reasons to do so are the offices' distinct role for MPs' outreach to the constituents, the specific electoral system of Moldova (one electoral zone) and the need, as we argue further in this Study, to establish a separate section for the constituent and information offices, once the pilot phase has been evaluated. The number of communication staff from other parliaments, such as Lithuania, does not include the staff in the constituency offices either; which makes the data comparable to each other.

III. Practices in other parliaments

Developments in several parliaments deserve special mentioning, in particular Austria and the Baltic States.

▸ In the **Austrian Parliament**, the Department for Digital Media and Corporate Design is responsible for social media platforms. Two persons administrate the Facebook and Twitter profiles part time.

▸ In **Lithuania**, the Division of the Seimas Office which is responsible for external communication explores those channels of social media: Flicker, Facebook, Twitter and YouTube. Currently four staff members are in charge of the information in social media. The efficiency of social media is tested by measuring quantity: number of like's, sharing's, re-tweets etc. Some Members of Parliament also use social networks on an individual basis, most of all Facebook and Twitter.

▸ In **Estonia**, the parliament has an account in Facebook, Twitter and You-tube. Posting information in social media is the responsibility of the Public Relations Department. A social media strategy has been developed to manage the social media accounts. This helps to ensure that

13. STAFF OF COMMUNICATION AND PUBLIC RELATIONS DEPARTMENTS

Parliament	Number of non-partisan staff in Secretariat	Number of non-partisan communications staff	Share communications staff to Secretariat staff
Austria	380	30	7.8 %
Czech Republic	354	2	0.5 %
Estonia	192	13	6.7 %
Georgia	840	No info	–
Kosovo	168	8	4.7 %
Latvia	291	17	5.8 %
Lithuania	499	17	3.4 %
Serbia	400	10	2.5 %
Slovakia	385	12	3.1 %
Moldova	**375**	**9**	**2.4 %**

the posts are uniform in style, and it also regulates the principles of posting as well as their frequency.

▶ In **Latvia**, the parliament has created the Saeima Public Relations Department, which consists of two units - the Visitor and Information Centre and the Press Service. The Visitor and Information Centre participates in external communication as it enhances the parliamentary dialogue with the society by informing it about the work of the Saeima and encourages involvement of individuals in the work of the Saeima. The Centre organizes a variety of informative and educational activities. It participates in organizing conferences for representatives of civil society, organizing student competitions and work exhibitions as well as implementing various projects and programs aimed to educate youth about parliamentary work.

The Latvian Parliament actively implements communication in social networks. Saeima has created profiles in many social media channels - Twitter, YouTube, Flickr, Instagram and Foursquare. These accounts inform the public about the affairs of Saeima, the Saeima Presidium and Saeima committees and delegations. Saeima Press Service is responsible for parliamentary communication in social media, however the Visitor and Information Centre also provides communication in the accounts of Instagram and Foursquare. Relatively informal communication is implemented in the Saeima Instagram account, where Saeima publish photos and videos that show the unusual angles and informal look at the daily life in Saeima. Latvian parliamentary profile Instagram has nearly 1,000 followers, while the Twitter profile is followed by more than 13,000 people. Similarly, the parliament web-site www.saeima.lv creates an opportunity for everyone in its sole discretion to share information on social networks (Facebook, Twitter Draugiem.lv), which allows the Members of Parliament share and disseminate materials prepared by the Public Relations Department in their private social networking accounts.

IV. Recommendations

- Develop an action-plan on parliamentary openness, based upon comprehensive policy for a functioning Document Management System and a new parliamentary web-site (currently under preparation) -- reference the recent 'Open Parliament Action Plan' of the Parliament of Georgia.

- Prepare a parliament social media strategy aiming at a pro-active outreach of the parliament to citizens in order to receive timely feedback on legal initiatives and solutions for policy issues. The social media strategy for the Moldova Parliament can be developed based upon the *Social Media Guidelines for Parliaments* published by the Inter-Parliamentary Union (IPU) in 2013.[30]

- Conduct open data activities such as the release in machine readable format of information on individual profiles of MPs, with the full information for an MP, parliament group, committee, data on the external consultants for each parliament entity, transcripts, individual MP votes, agendas coupled with support to civil society for utilizing the data, and production of visualization / analysis of MPs activities which is easily accessible by the general public.

- Develop Standard Operating Procedures (SOPs) to define the type of documents to make available to the public, responsibilities, document flow and timeframe.

- Develop procedures and technical skills on the usage of modern electronic communication instruments, like e-consultation on legislation, online discussions and social media.

- Assign one of the existing staff within each of the Committee Secretariats the additional

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(30) Andy Williamson, *Social Media Guidelines for Parliaments*, IPU, Geneva, March 2013, 37 p.

task to be the focal point and responsible person for Committee communication and outreach. All committee focal points will regularly meet and liaise with the coordinator for Committee outreach within the Communications Department, a new position proposed.

- Create a platform of parliamentary journalists, as an instrument of periodical training for media about the parliamentary procedures, legal priorities and discuss the quality of parliamentary reporting in line with international standards on professional journalism.

4.6. Constituency and Information Offices

I. Establishment of the Offices

According to the Rules of Procedure of the Parliament, MPs are expected to regularly meet with citizens, in particular on Mondays. However, because Moldova is one electoral zone, MPs are not directly linked to a specific district or constituency. As a result, the MPs' link to the voters is weak. The weak connection with citizens is also, in part, due to inadequate, inaccessible facilities for MPs to meet with voters. Information about the work of the Parliament and the MPs is limited and often fails to reach many of the rural areas and towns where a majority of Moldova's population lives.

In order to bring MPs closer to their constituents, in 2013 an UNDP-commissioned Feasibility Study[31] suggested the establishment of Constituency and Information Offices. In such offices, MPs and their staff meet with citizens, handle constituent problems, and learn about local concerns and policy issues to raise in the

Parliament. Regional and local initiative groups and NGOs have the possibility to interact with the MPs more regularly and to discuss issues of interest with them.

In line with practices in other European countries, a pilot project was suggested to the Moldovan parliament in establishing a limited number of constituency offices in regions. The regional offices were proposed as a 'hub' for information and education on parliamentary and democracy issues while offering a space for decentralized committee meetings, public hearings or consultations. The offices aimed to strengthen the MPs in their legislative, oversight and representative role; and ensure that citizens' information becomes a relevant input for policy development and the review of legislation.

The Parliament of Moldova has endorsed the findings and recommendations of the Feasibility Study. Within the Communication and Public Relations General Department, in 2014 there has been created the Territorial Information Division, which includes the four constituent and information offices of the Parliament, residing in the municipalities Orhei, Leova, Edinet, and Comrat. Each of them has a total number of two or three staff positions.

II. Analysis

The Offices exist for one year only, and the project is still in its pilot phase. It is thus too early to make any preliminary evaluation. However, from the point of view of the Functional and Institutional Analysis of the Secretariat, a number of observations can be made.

Four offices have been established and are currently up and running. The staff provides information on the legislative work of Parliament, for instance through the distribution of new information materials on parliament. In 2015, the Offices organized 106 regional events / activities

(31) Franklin De Vrieze and Liuba Cuznetova, *Parliamentary Constituency and Information Centres (PCICs) in Moldova - Feasibility Study*, published by UNDP Moldova, Chisinau, April 2013, 118 p.

with the purpose to inform the citizens and civil society on the activities of parliament. In 2015, there were also five regional parliamentary forums on dialogue with citizens, in cooperation with UNDP and UN Women. Informational materials on Moldova's EU integration process were distributed, as was suggested in the Feasibility Study.

Staff meets citizens in the offices and listens to their complaints and concerns. The staff assists citizens in writing petitions, or discuss with them what other initiatives they can take to remedy their concerns. A template for "localities profiles" (profiles of the 36 rayons) has been prepared.

Most offices are hosted in public property (municipal building), and office staff has established a good working relationship with the local authorities. In Comrat, no office space was provided by the authorities and Parliament is thus obliged to rent private office space. The annual costs for 2015 is 47,864 lei.

The staff in the Offices was recruited through an open and competitive process. The staff has participated in a number of trainings proposed by UNDP, though more training and coaching would be useful.

As mentioned in the Feasibility Study, the size of each of the Offices in terms of the number of staff organizing outreach initiatives and assisting MPs is a critical factor for the success of the project. While two or three staff per Office was considered a rather limited option, the authors of the Feasibility Study envisaged the best possible option of four staff working in one Office.

In the current context, with limited human resources available, the effectiveness of the Offices then depends on the availability of financial support and assistance. During the interviews, it became clear that the staff in the offices has very few additional resources at hand. The lack of, for instance, transport means for the staff is a considerable handicap to be able to conduct

outreach activities to communities and to visit schools, citizens and local media, which is one of the tasks of the Offices.

During 2015, the four Offices hosted 90 meetings of MPs with citizens (involving approximately 1,300 citizens). This is a good start, but more interaction between MPs and citizens through the Offices is clearly possible. The Offices have a role to play in organizing and hosting public hearings in the town where they are based. In 2015, the Committee on Agriculture and Food Industry organized two working meetings / public hearings at the Offices. In order to strengthen the outreach of the Committees, the Division for Territorial Offices needs to have an insight into the legislative agenda and conduct consultations with the chairpersons of the Committees and staff of the Committees. This is an area of growth.

The Division for Territorial Offices has established contact with the Common Bureau for Information and Services (CBIS) that was created adjacent to the local public administration of 2nd level. The objective of this contact is to explore possible cooperation on optimizing the process of delivering services to the citizens, and studying the possibility of joint travel to the rayons by staff of the Division for Territorial offices and the CBIS. Such synergies will be very useful for the further institutional strengthening of the Offices.

So far, very few reports on the work of the Constituency Offices are available. As far as we were informed, by 1 December 2015, MPs, parliamentary groups or Committee chairs didn't received any substantive report on the work of the Offices yet. Distributing well-documented and narrative reports will raise the interest of the MPs and increase the prospects of conducting more Committee and other MPs' activities in the Offices.

The Division for Territorial Offices is currently part of the Department for Communications

and Public Relations. As a result, it is understood that the time for communication with and feed-back on proposed decisions by the Secretariat senior management is longer than useful. To enhance efficiency, it is proposed that the Division for Territorial Offices will report directly to the Secretary General, as was envisaged in the Feasibility Study.

III. Practices in other parliaments

Constituency offices have been created in several European countries with diverging electoral systems: either an electoral system consisting of one nation-wide constituency or an electoral system composed of various multi-member constituencies. The offices in Moldova have been established taking into account the experiences of the parliaments of Poland, the Netherland, Lithuania, Macedonia and Slovakia, as was explained in the Feasibility Study. Each of these countries have a party list system, as is the case for Moldova. Some countries, such as Slovakia and the Netherlands, have a similar electoral system as Moldova: one nation-wide constituency with proportional representation. Other countries such as Poland or Macedonia have multiple constituencies in which several MPs are elected.[32] The review of the way in which the constituency offices are functioning in the mentioned countries enables to identify a number of best practices. Following is a summary of the identified best practices from the mentioned countries.

While some countries have created constituency offices used by a single MP, several other European countries foresee in constituency offices shared by more than one MP. The experience in Poland, Macedonia and Slovakia indicate an efficient concept of constituency offices used by multiple MPs.

In most European countries it is considered important to locate the constituency offices in a neutral venue such as municipal buildings instead of locating them in political party premises. This enables citizens to interact with MPs without being perceived as aligned to a specific political party. In addition, the Lithuanian legal framework obliges municipal authorities to provide office space for members of parliament.

While in some countries it is the individual responsibility of an MP to negotiate the scale of financial and in-kind support from the local public authorities, in other countries such as Macedonia and Lithuania, the Association of Municipal Authorities ensures an important support role in creating an efficient constituency relations offices system. These Associations of Municipal Authorities provide input on policy and budget questions related to the constituency offices and ensure consistency in how local authorities assist to the creation and functioning of the constituency offices in those countries.

The recruitment of staff working in Constituency Offices has been regulated differently in different countries. While the above mentioned countries foresee in the status of temporary contractual staff, the value of a competitive and transparent selection process for the Constituency Office staff has been much appreciated in countries like e.g. Macedonia.

To encourage the best possible use of the Constituency Offices, there is need for comprehensive training of staff as well as an appropriate introduction and conceptual support to the MPs. Organizations external to parliament, such as UNDP, NDI or a national capacity building institution, can perform this role, as shows the experience in Macedonia and Slovakia. The best possible use of the Constituency Offices also requires the creation of a Senior position at the Parliament Secretariat, to manage and develop the pilot program and its future nationwide implementation.

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(32) Office for Promotion of Parliamentary Democracy (OPPD), *Electoral systems: The link between governance, elected members and voters*, European Parliament, Brussels, 2011, 100 p.

The most efficient constituency relations systems have been created and broadened in countries where there is a clear commitment of all parliamentary groups and the leadership of parliament. The commitment in Lithuania, Poland, Macedonia and Slovakia resulted in the allocation of sufficient financial means and the timely recruitment of the required human resources. The commitment was established across party-lines which guaranteed the continuity of the existence and functioning of the constituency relations offices well beyond regular elections.

IV. Recommendations

- Support the four Parliamentary Constituent and Information Offices with information materials and in conducting road-shows on the work of the Parliament, its members, and key policy areas discussed at committees;

- Provide the required transport means for staff of the Offices to be able to do its outreach work

- Schedule a series of public hearings in the Offices based upon the legislative agenda and in consultations with the chairpersons of the Committees, and document the interaction with and information of citizens

- Provide further training and coaching to the staff of the Constituency Offices

- Foresee at the new web-site of parliament a specific page for each of the Offices, and enable easy updating and uploading by the Head of the Office

- Develop semester well-documented and narrative reports on the work of the Offices and present the reports to all MPs

- Implement the Guide on the Constituency and Information Centres and the Standard Operating Procedures.

- Ensure more efficient communication and decision making by putting the Division for Territorial Offices directly under the SG, instead of being subordinated to the Communication Department, as was envisaged in the Feasibility Study.

- Assign additional responsibilities to the newly established Centre of Visitors and Information in Chisinau so that it can take a similar role as the other four Constituency and Information Centres

- Discuss with the People's Assembly of Gagauzia, possibly in the framework of the current political dialogue, a closer cooperation with the Constituency Office in Comrat and the proposal to provide public office space for the Office, as is the case for the three other Offices.

4.7. Strategic Planning Service

I. Legal framework

The functional attributions of the Strategic Planning Service are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[33] as well as in its own activity Regulation, approved by the Secretary General of the Parliament.

The Service is the main coordinator of the implementation process of the Strategic Development Plan (SDP) of the Parliament Secretariat for 2012 – 2014[34]. The Service consists of two positions, both civil servants.

(33) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.
(34) http://parlament.md/LinkClick.aspx?fileticket=oAwkoOWI-kNY%3d&tabid=212&language=ro-RO.

The mission of the Service is to ensure assistance to the top management in the process of strategic development of the Parliament and Secretariat. The following are found amongst the duties of the Service:

- supporting the (top) management in the planning process, implementation, coordination, reporting and evaluation of the strategic development of the Parliament and the Secretariat;

- supporting the Secretary General in the organizing, coordination, reporting and evaluation of the activity of the Parliament Secretariat;

- ensuring that public policy documents are implemented at Parliament Secretariat level, including the implementation of the FMC (Financial Management and Control) system in the Secretariat.

The Service collaborates with similar subdivisions from other Public Authorities as well as with national and international consultants, in order to study relevant practices and experience from the domain.

II. Analysis

The Strategic Development Division is an important division for the future institutional development of the Parliament, in particular in terms of identifying resources and strategies to meet the new challenges that the Parliament is facing. However, it was noted that strategic planning is not viewed as an important process by the Heads of most Departments or Divisions and sometimes considered as an extra burden. According to the staffing table, the Division has two staff; but in practice only one position has been filled.

The Strategic Development Plan (SDP) 2011 – 2015 was the first strategic planning document at the level of the entire Parliament Secretariat. Shortly after its adoption, other strategic documents have been elaborated, such as the Communication and Public Relations Strategy and the ICT Strategy.

The next SDP should attempt to bring together other, departmental strategic documents and function as the umbrella strategic document for the entire Parliament. This will also enable a comprehensive reporting on progress in implementing the strategy throughout the various Departments of the Secretariat. In recent months, the Division has prepared a new draft Strategic Plan for the period 2016-2018. The findings and recommendations of the current Functional and Institutional Analysis of the Secretariat of the Parliament will enable the Division to finalize the SDP and forward it to the Permanent Bureau for approval.

The Strategic Development Division needs to be fully in charge to oversee and coordinate the effective implementation of the Strategic Plan. The Departments need to prepare progress reports on the sections of the SDP related to their mandate and send them in a timely fashion to the Strategic Planning Division, which prepares a comprehensive progress report on the SDP for the Permanent Bureau.

One of the most important moments in the institutional life of an organization is the preparation of the annual budget. So far, the budget process of parliament is separate from the priorities of the SDP. This tends to make the strategic planning in the Secretariat rather obsolete. Resources for the implementation of the SDP should not exclusively depend on external donor support but also, to a certain extent, include resources from the Secretariat budget. Therefore, it makes sense to closely involve the Strategic Planning Division throughout the whole budget process for the Parliament, in particular at the initial stage when priorities are set and at the final stages when resources are

WHAT IS A "CHANGE MANAGER" ?

Change management jobs are specialist positions with a key role in ensuring development-related projects meet specified objectives, schedules and budgets. The change manager works on a person-to-person basis with the employees initiating the project, helping to minimize workers' resistance and maximize their engagement with the new structures. The major task is to improve worker uptake of the changes, leading to more proficiency and better business results. Basically, this job is all about efficient communication at all levels.

Change managers work at all levels within the company, including executives and higher management responsible for sponsoring the changes. Direct support and coaching of those involved in the front line of managing the new projects is a core activity, requiring excellent inter-personal communications skills as well as strategy management. The ability to correct employee and client resistance to changes is a key requirement, as is experience of change management methodologies. A relevant degree is mandatory and previous experience in the field is a definite plus.

The primary job responsibilities of a change manager are to develop change management plans around communications, training and coaching. From these plans, a successful change manager is also expected to develop strategies for the groups impacted by these plans--all while reducing the risk of business roadblocks.

A change manager may also prepare readiness tests before going live to the broader business. This is another key step that ensures a smooth transition from one process to the next. Generally, a change manager works with business managers and not the employee population at large. This allows for the business managers to claim leadership of the new structure and creates a direct line of communication for those employees affected by the change. The successful candidate for a change management role is expected to work closely with communications, human resources and organization development teams to support the implementation of the plans set forth.

Most change managers are also seen as coaches to senior leaders who will have employees affected by the newly announced processes and structure; therefore, the ability to interact with high-level executives and clearly communicate what is expected of them and their organization is a key responsibility.

allocated. The priority setting and resource allocation of the Parliament's budget need to be linked to the priorities of the SDP. In addition, one can add resource mobilization and donor consultation to the areas of responsibility of this Division.

All of the above requires a different type of attitude, a shift in approach and a change process within the secretariat. During the interviews for the Report, some reservations and resistance to change among parts of the staff and Departments have been identified. These reservations and resistance will need to be addressed, in order for any functional and institutional reform to succeed. To do so, a Change Plan, based upon the findings and recommendations of this Report, can be finalized and agreed by the Permanent Bureau. Implementing the Change Plan is more likely to succeed if a dedicated Reform Group is established with the task to discuss and agree on the steps to modernize the institution. The Division for Strategic Planning will be well placed to guide and support the Reform Group. As part of the Change Plan, the parliament senior manage-

ment may wish to request the assistance of a "change manager".[35]

The written questionnaires among Directors of Departments and Heads of Units indicated that part of them have no clear understanding of the oversight role of parliament. Some Directors consider that it is about monitoring the activity of the parliament, others that it is about developing and approval of legal acts; few link it to the parliamentary oversight over the activities of the government. In the framework of the preparations of the new Strategic Development Plan, a more in-depth discussion on the roles of parliament among parliament staff might be appropriate.

Next to the Strategic Development Plan, one of the key activities of the Strategic Planning Service is to elaborate annual reports of the Parliament Secretariat, the elaboration of annual action plans of the Parliament Secretariat, revising the actions plan of each subdivision of the Parliament Secretariat in order to see to what extent these correspond to the annual action plan of the Secretariat, examining the biannual reports of the subdivisions that are elaborated during the evaluation of the professional performance, examining the bi-annual action plans of the UNDP and ensuring that they correspond and are according to the needs of the Secretariat, examining the job descriptions of the experts that will be contracted for the Parliament with the support of the UNDP, permanent monitoring of the process of realization, as well as examining and comment on all the products that should be delivered to the Parliament Secretariat by the experts hired by UNDP, training the Secretariat personnel in the Strategic Planning field and ensuring their involvement in the process of the elaboration of the SDP, examining the procedures and work processes within the Secretariat, monitoring the implementation of the strategic

documents of the Parliament Secretariat (the Communication Strategy of the Parliament, the Training Strategy, the Integrated Informational Space Concept of the Parliament, the e-Parliament Concept), implementation of the Financial Management and Control System. As well, the Service contributes to the facilitation of the access of the experts contracted for the Parliament Secretariat to the information and persons that are needed in order to realize the activities for which they were contracted, elaboration of the biannual reports regarding the implementation of the UNDP action plan (elaboration of the position of the Parliament Secretariat vis-à-vis the UNDP support), elaboration of the informative notes for the management of the Secretariat on all the requested issues, collaboration with other projects which provide support (such as the UN Program "Women in Politics").

III. Recommendations

- Recruit a second staff person for the Strategic Planning Division, as foreseen in the staffing table.

- Finalize the new SDP 2016-2018 as an integrated and umbrella strategic planning document for the Parliament of Moldova

- Ensure bi-annual reporting by the Departments to the Strategic Planning Division on the progress in SDP implementation in their area of responsibility; resulting in a comprehensive quarterly report for the Permanent Bureau prepared by the Division

- Involve the Strategic Planning Division in the budget process of the Parliament, in particular at the start, when priorities are defined, and at the final stages when resources are allocated. In this way, the budget process and the strategic planning process will be better aligned.

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(35) http://www.changedesigns.net/public/organisation/change/The-role-of-a-change-master.html

- Add resource mobilization and donor consultation to the areas of responsibility of the Division.

- Adopt a "Change Plan", based upon the findings and agreed recommendations deriving from the Functional and Institutional Analysis Report.

- Establish a dedicated Reform Group to discuss and agree on the steps to be taken to modernize the institution, supported by the Division for Strategic Planning

- Request the assistance of a "change manager" to accompany the implementation of the agreed recommendations from the Functional Analysis Report and the activities of the Strategic Development Plan, as outlined in the above-box on the role of the 'change manager'.

4.8. Secretariats of the permanent Committees of the Parliament

I. Legal framework

According to art.16 par.(1) from the Regulation of the Parliament, approved by Law nr.797-XIII of April 2nd 1996 (with subsequent amendments)[36], the permanent committees are working bodies of the Parliament, created in order to carry out parliamentary activity. The permanent committees examines draft legal acts and legislative proposals so as to elaborate reports or notifications (memos), carry out parliamentary investigations, debate and decide on other issues.

The permanent committees are supported in their activity by the secretariat. The committee secretariats are structural subdivisions of the Secretarial, functionally subordinated to the permanent committees. The mission of the

committee's secretariat is to provide specialized assistance within the legislative procedure, as well as to realize the function of parliamentary control.

According to art.15 from the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[37], the permanent committees' secretariat have the following main duties:

- provide specialized assistance to the standing committees when examining and promoting draft legislative acts during the legislative procedure, including the harmonization of the drafts with the communitarian legislation;

- organize the working meetings of the standing committees;

- ensure the organization of public consultations, debates, and public hearings;

- finalize the draft legislative acts according to the established procedure; together with other structures of the Secretariat, approved legislative acts to be sent for signature;

- provide assistance to the standing committees for analyzing the objections to the laws, issue consultative endorsements, initiate and develop rectifications to be made for some legislative acts;

- provide assistance to the standing committees for developing the viewpoints to be voiced in the Constitutional Court, provide opinions and information for examining the problems which directly refer to the profile of the committee;

- provide specialized assistance to the standing committees in organizing and exercising the parliamentary control over the law enforcement;

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(36) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=322831.

(37) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

- ensure the presentation and publication of the information on the web page of the Parliament, according to the area of competence;

- participate in the process of developing and implementing strategic development policies and documents of the Parliament Secretariat, as well as in developing the Organization and Operation Regulation of the Parliament Secretariat, the individual activity regulations and job descriptions, as well as other norms regulating the working procedures.

According to Parliamentary Decisions nr.48-XVIII from October 29th 2009 regarding the activity fields of the permanent committees of the Parliament[38], there are 9 permanent committees, divided based on their competency domains, as follows:

1. *Committee for agriculture and food industry*, which's secretariat consists of 3 main consultant and one superior consultant positions;

2. *Committee for culture, education, research, youth, sport and mass-media*, which's secretariat consists of 5 main consultant and one superior consultant positions;

3. *Committee for economy, budget and finance*, which's secretariat consists of 7 main consultant and one superior consultant positions;

4. *Committee for human rights and inter-ethnic relations*, which's secretariat consists of 3 main consultant and one superior consultant positions;

5. *Committee for national security, defence and public order*, which's secretariat consists of 3 main consultant and one superior consultant positions;

6. *Committee for public administration and regional development*, which's secretariat consists of 5 main consultant and one superior consultant positions;

7. *Committee for social protection, health and family*, which's secretariat consists of 5 main consultant and one superior consultant positions;

8. *Committee on Foreign Policy and European Integration*, which's secretariat consists of 3 main consultant and one superior consultant positions;

9. *Legal Committee for appointments and immunities*, which's secretariat consists of 7 main consultant and one superior consultant positions.

II. Analysis

The legislative and oversight work in committees is supported by staff (consultants) and by the Legal Department. The total number of staff working for the Committees is 50. As indicated above, staff per Committee varies between 4 staff (Committee on National Security, Defence and Public Order; Committee on Human Rights and interethnic relations) and 8 staff (Legal Committee on Appointments and Immunities; Committee on Economy, Budget and Finance).

Workload of Committee staff

The workload for the staff is considerably different across the nine committees. A potential assessment of the outputs of the Committees, which goes beyond the scope of this assignment, would need to look at the number of laws reviewed, the number of reports produced, number of amendments proposed, the number of agenda items discussed, and the number of field visits and international activities. The

(38) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=332539.

assessment of the outputs of the Committees would be a very extensive review, which is not possible within the scope and timeframe of this assignment.

However, for the purpose of the Functional Analysis of the Secretariat, the number of Committee meetings does give a relevant indication of the workload for the Committee staff. The following table provides the overview of the number of meetings of the Committees during the last five years. The correlation of the number of Committee meetings to the number of staff per Committee (last column in next table) provides the possibility to make a tentative comparison of workload between the committees.

Oversight role of Committees

During the interviews, it became clear that Committee staff is almost exclusively focused on its work in the legislative process. Staff of most Committees has limited awareness, knowledge and initiative in the area of parliamentary oversight. Most Committee chairperson do not give clear guidance to the staff on the need to prepare oversight hearings by identifying topics, researching stakeholders and suggesting priority political issues requiring oversight. A Regulation on Public Hearings is not in place yet. A draft Manual on Public Hearings (prepared by UNDP) has not been approved yet. As a result, Committee staff have very little understanding about their role in the area of parliamentary control.

14. COMMITTEE MEETINGS

| | | MPs | Staff | Number of meetings | | | | | | |
				2011	2012	2013	2014	2015	TOTAL	CORR.
1.	Committee on Legal Affairs, Appointments and Immunities	11	8	34	38	58	31	55	206	25.7
2.	Committee on Economy, Budget and Finance	13	8	39	36	37	32	37	181	22.6
3.	Committee on National Security, Defence and Public Order	10	4	34	31	33	27	37	162	40.5
4.	Committee on Foreign Affairs and European Integration	11	4	32	37	39	31	38	177	44.2
5.	Committee on Human Rights and Ethnic Relations	11	4	34	32	38	27	29	160	40
6.	Committee on Public Administration, Regional Development, Environment and Climate Change	11	6	29	35	37	22	37	160	26.6
7.	Committee on Culture, Education, Research, Youth, Sports and Media	10	6	44	38	38	27	38	185	30.8
8.	Committee on Agriculture and Food Industry	12	4	34	37	39	28	39	177	44.2
9.	Committee on Social Protection, Health and Family	11	6	41	41	42	28	41	193	32.1
10	Committee on Environment and climate changes			35	36	42	24	-	137	-
Totals		**N/A**	**50**	**356**	**361**	**403**	**277**	**341**	**1738**	**34.7**

Need for expertise and research focus

The kind of work performed by Committee consultants varies considerably across Committees. Some of the committee staff is engaged in assistance and administrative work, while other committee staff are focused on advisory work. Often there is need for more in-depth research work, such as for instance on the topic of the Parliament's interaction with independent and regulatory agencies. From the interviews it emerged that on several occasions the in-depth research work is neither covered by the Information-Analytical Department nor by the Committee staff. In view of the post-2015 global development agenda[39] and the ambitious commitments of Moldova under the AA/DCFTA, the oversight function of the Parliament need to be strengthened significantly. The level of expertise among Committee staff and Research Department needs to increase.

Facing common challenges across Committees

Interviews with staff from several Committees indicated that staff is often faced with similar challenges, but with no opportunity to discuss the issues in a structural way with each other or with the management of the Secretariat. Some staff of committees communicate with each other informally, based upon personal connections; though they expressed the wish for a platform where staff can share and discuss with each other the professional challenges and experiences.

Management of Committee staff

Interviews with staff from several Committees and Departments raised concerns about the manner of applying the dual relationships of the committee consultants: relationship to Committee chairperson and to the rest of the Secretariat. While the committee staff work under the supervision of the chairperson of the

Committee, they are staff of the Secretariat of parliament and have functional interactions with other Departments and divisions, such as the Legal Department, ICT, HRM, Finance Department.

The current situation seems to harm the proper management of the committee staff. On the one hand, there are cases when the consultants' capacities are undervalued or ignored, reducing the role of the consultant to be the "mailman" between the Legal Department, the Documentation Department and the author of the draft acts. On the other hand, there is a risk that the consultants of the committees are influenced to perform certain activities that derive from the political affiliation of the committee chairperson.

In addition, interviews revealed that there is very limited cooperation and coordination among the consultants across committees, gaps in understanding and sometimes duplication in the work between some of the Committee assistants and, for instance, the Legal Department or the General Department for Parliamentary Documentation.

In addition, interviews revealed that there is little attention to the professional development of the Committee consultants, no real supervision on daily performance and workload and a very formal practice of applying the appraisal system.

Interviews indicate the need for a more clear managerial supervision of the committee consultants, to address these areas of concern.

Legal Committee on Appointments and Immunities

There was an extensive interview with the staff of the Legal Committee on Appointments and Immunities. Considering the specific role of the Legal Committee to give its opinion on draft laws from a juridical point of view, each consultant has developed a specific area of spe-

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(39) https://sustainabledevelopment.un.org/index.html

cialization. Staff of the Legal Committee takes responsibility for reviewing one specific draft law or project and reports to the Committee on his/her findings. This approach is different from other committees, where committee staff and one designated MP work together and provide an opinion to their Committee. There is no specific rationale for the difference in practice, and hence responsibility and workload.

During the discussions, there were diverging views from staff of the Legal Committee and staff of the Legal Department on possible cases of duplication and overlap. However, there was broad understanding that, in general terms, the Legal Department performs a legal expertise, verifying the compliance of draft laws with the Constitution and the applicable law, while the Legal Committee analyzes the appropriateness of the draft laws, based on several sources and opinions (including the assessment of the Legal Department).

Committee on Budget, Finance and Economy

There was also an extensive interview with the staff of the Committee on Budget, Finance and Economy. In particular the cooperation between the Court of Accounts (CoA) and the Parliament was discussed, with emphasis on the role of the Committee staff. Currently the degree of cooperation between the Parliament and the CoA is rather basic. The CoA invites the Parliament to all of its hearings with budget organizations. In 2013 the CoA had 44 hearings (and reports) and the Parliament's presence was limited to two committee staff attending two meetings. In 2014 there were 38 CoA meetings with only four Parliamentary staff present at the four meetings. The Committee on Social Protection occasionally participates at the CoA meeting when the report on the Health Care Insurance Fund is being examined.

When Parliament staff attend a CoA hearing, they can only take notes and not speak on behalf of the Committee (which is the role of MPs).

As a result, the actual involvement of Parliament in CoA hearings is very limited, while the workload for the staff increases. It would thus be more beneficial for MPs to actively participate in the hearings of the CoA with the budget organizations.

The CoA sends its reports to the Committee on Economy, Budget and Finance and sometimes also to other committees as considered useful. The current practice is that Parliament only looks at CoA reports when it has to do with the state budget, social and health budget and local authorities budget. This means that the Parliament looks as CoA reports once a year, at committee level and in plenary. Committees don't examine CoA audits of entities or official budget organizations. Therefore, the CoA considers that currently its reports, observations and recommendations on the usage of public funds have no real impact on the preparations or approval of the next year's budget. It would thus be more beneficial if the Committee, with the support of the Committee staff, will analyze, discuss and follow-up to the reports of the CoA with budget organizations and entities.[40]

III. Practices in other parliaments

Some of the committee staff is engaged in assistance work, some in advisory work. There is often need for more in-depth research work. From the interviews it emerged, that on several occasions, the in-depth research work is not covered by the Information-Analytical Department nor the Committee staff. In other

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(40) The Action Plan for 2014-2015 on the implementation of the National Anticorruption Strategy for 2011-2015 sets out that the Parliament consider and adopt a draft law amending and supplementing the Law on the Court of Accounts, to provide for an efficient mechanism of cooperation, as well as to report and monitor the fulfillment of recommendations included in the audit reports of the CoA. The proposals currently being discussed in the framework of the EC-funded twinning project with the CoA mention the need for the establishment of a Parliamentary subcommittee to deal with all CoA reports, and amendments to the RoP of Parliament as currently the RoP does not stipulate that Parliament committees need to examine the CoA reports and oversee their follow-up.

parliaments, such as in the Czech Republic and Slovakia, a Parliamentary Institute or Research Institute has been created.

The managerial supervision and support to Committee staff is organized differently in different countries. The two-chambers Austrian Parliament has a Department for Committee Support and Internal Rules in the National Council and a Department for Committee Support in the Federal Council. In the Estonian Parliament, the Deputy SG is in charge for supervising the Committee support.[41] In Georgia, the Director of the Legal Department (who is also one of the two Deputy Secretary Generals) is in charge for the coordination of the Committee staff.

IV. Recommendations

- The need to improve the managerial supervision and support to Committee staff has been identified. This can be applied in three possible ways:

  - A first option is to establish a new Department for Committee support, bringing together all Committee consultants while leaving intact their professional relationship with the Committee chairpersons. This option requires to adjust the Organizational Chart of the Secretariat, create a new position of Director accountable to the Secretary General, review the Job Descriptions of Committee staff and the Regulations on the Committees. (ref. Austria). The advantage of this option is that one person will be available on full-time basis to provide the needed managerial support to the Committee consultants, and thus be able to develop and implement a comprehensive multi-year plan for professional de-

velopment of Committee staff, facilitate exchange of knowledge and experience between staff working for different Committees, standardize working practices and outputs, strengthen cooperation between Committee consultants and other Departments.

  - A second option is to assign the coordination of the Committee assistants to one senior manager such as the Deputy Secretary General, as a delegated authority from the SG. This option can be implemented in the short-run, without the need to establish a new Department or Director position. (ref. Estonia). The coordination of the Committee assistants will be an additional task for the senior manager.

  - A third option is to attach the coordination of the Committee assistants to the Director of one of the existing Departments. While this option does not require the establishment of a new Director position, it does require changes to existing Job Descriptions and regulations. (ref. Georgia). Also under this option, the coordination of Committee assistants will be an additional task.

- It is recommended that Committee consultants take a more active role in making proposals on strengthening the oversight role of the Committees and preparing a schedule of hearings, in Chisinau as well as in the Territorial Offices; suggesting a concrete work planning with regards to the Committees' obligation to realize parliamentary control, and ensure further capacity building of the secretariats. This can be achieved by proposing oversight activities on quarterly basis and including it in the Committee Annual Work Plan.

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(41) http://www.riigikogu.ee/wpcms/wp-content/uploads/2015/02/RKK_struktuur_ENG_2015.pdf

- It is recommended that the Secretariat prepares a Regulation on public hearings and approves the draft Manual on organizing public hearings (prepared by UNDP), followed by training of committee staff on committee management and the efficient documentation of the results of hearings and field visits, including the follow-up actions.

- In case the parliament management shares the need for in-depth research to strengthen the role of the Committees and of the parliament in general, a Feasibility Study can be conducted on the possible creation of a Parliamentary Research Institute. Once established, such Institute will be able to call upon national and international advisors with expertise on specific topics, replace the Informational-Analytical Department and provide high-level technical support to the work of the Committees.

- We recommend establishing the instruments for enhanced cooperation between Parliament and the Court of Accounts (CoA), such as the establishment of a Parliamentary subcommittee to deal with all CoA reports, and amendments to the RoP of parliament as currently the RoP does not stipulate that Parliament committees need to examine the CoA reports and oversee their follow-up.

- We recommend that, instead of Committee staff, the Members of the Committee on Economy, Budget and Finance attend the hearings of the CoA in preparation of the CoA audit reports more frequently.

- We recommend that all Parliamentary Committees, not only the Committee on Economy, Budget and Finance, examine and follow up on the recommendations of the reports related to institutions and agencies within the area of responsibility of the Committees, including by organizing oversight hearings on measures taken by the budget organiza-

tions to address the issues reported by the CoA following its audit of the execution of the state budget, state social insurance budget and mandatory health insurance funds in the expired budgetary year.

- We recommend the organization of regular staff meetings with Committee staff to exchange experiences, challenges and discuss common approaches.

- We recommend further capacity building for Committee staff, to strengthen the skills for budget oversight with particular focus on the spending of EU budget support.

- We recommend the development of an e-tool (portal) for the efficient monitoring and transparency of the budget process; and the appropriate training of Committee staff to use the e-tool.

- We recommend continued opportunities for MPs and staff participating in regional or international conferences related to the work of parliamentary committees.

4.9. Committee on Foreign Affairs and European Integration (CFAEI)

Since European integration is one of the key priorities for Moldova and the Parliament of Moldova, we have dedicated one specific section of this report to the Committee on Foreign Affairs and European Integration.

I. Legal Framework

The Committee on Foreign Affairs and European Integration (CFAEI) works under the provisions of the art.14-30 of the Rules of Procedure of the Parliament of the Republic of Moldova, adopted by Law no.797-XIII of 2 April 1996, with the subsequent amendments and Art.1, para.4, of the Decision of the Parliament of the Republic of Moldova no.48-XVIII of 29 October 2009 in the

fields of activities of the standing committees of the Parliament.

According to Art. 1 (4) of the Decision mentioned above, the CFAEI exercises its authority in parliamentary oversight over the Government of the Republic of Moldova in matters of foreign policy and European integration, in coordinating the process of approximation of national legislation to European standards, in issuing opinions and endorsing treaties and other international agreements, in cooperating with the parliaments of other states and with inter-parliamentary bodies, in hearings of the candidates to be appointed as ambassadors abroad.

Since the ratification of the AA and DCFTA in 2014, a new phase in the relationship of Moldova with the EU has begun. Whereas the government is in charge of implementing the AA and DCFTA, the Parliament has the mandate to oversee the implementation.

It is expected that the Parliament will strengthen its monitoring capacities for the implementation of the AA and DCFTA. The CFAEI will be the main actor in this respect. To do so, there is need for amending Rules of Procedure, in order to specify the tasks of the CFAEI, specific provisions for the involvement of the CFAEI in the adoption of the EU-related legislation as well as specific reporting lines by the Government to the CFAEI and to Parliament.

II. Analysis

The documents and files on specific sectoral EU matters are in the responsibility of the Government of Moldova. These documents are sent to the main sectoral Committee of the Parliament specialized in that particular matter, but not necessarily specialized on the EU aspects of that particular matter, as well as sent to the other committees in the Parliament that are considered to have relevance on that particular EU matter, including to the CFPEI. The main

responsible Committee gives its endorsement, after having opinions or consultative endorsements from the sectoral committees. These subsequent committees formulate opinion and/or give consultative endorsements on EU matters, even if in their object of activities of the sectoral committees from the Parliament there is no specification that they have the authority to express opinions and give endorsements on EU matters. In its turn, the CFPEI gives opinions and/or consultative endorsement on international, European and EU treaties.

The background documentations on EU matters that are sent from the Chancellery of the Government of Moldova to the Parliament of Moldova for opinion, endorsement and/or adoption are in a summary manner, not always having the full motivations, explanations necessary in order for the committees to assess the in-depth view of the political, economic social, cultural, financial and environmental implications of the document that is sent to the Parliament for opinion, endorsement or adoption.[42] Therefore, it is our understanding that the CFPEI is limited in its official and functional role and influence of coordination of the legislative process on the European integration process and on EU matters. It is also limited in the oversight over the activities of the Government in the European integration process and in EU matters.

The CFAEI organizes public communications towards civil society, in the capital and throughout the country, such as seminars and explanatory meeting, where it explains the European integration process and the EU matters in which the Parliament and the CFAEI is involved. These public communications are infrequent and not planned in advance.

The staff of the Secretariat of the CFAEI is actively involved and provide administrative-secretarial, technical and documentary support to

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(42) Razvan Buzatu, *Assessing the role of the Parliament of the Republic of Moldova in the European Integration Process*, UNDP Moldova, Chisinau, June 2015, 44 p.

15. PARLIAMENT STAFF WORKING ON EUROPEAN INTEGRATION / AFFAIRS

Parliament	Number of non-partisan staff in Secretariat	Staff of Committees on EU integration / relations	Staff for legal harmonization or EU law	Total staff working on European Integration / Affairs	Share staff working on European Integration / Affairs to Secretariat staff
Austria	380	9	7	16	4.2 %
Czech Republic	354	7	7	14	3.9 %
Estonia	192	11	N/A	11	5.7 %
Georgia	840	10	1	11	1.3 %
Kosovo	168	4	9	13	7.7 %
Latvia	291	5	1	6	2.0 %
Lithuania	499	9	6	15	3.0 %
Serbia	400	5	-	5	1.2 %
Slovakia	385	8	N/A	8	2.0 %
Moldova	**375**	**4**	**-**	**4**	**1 %**

the Chairman and the members of the CFAEI. Due to the fact that the documentation received for opinion or endorsement on EU matters and European integration is diversifying and growing as a consequence of the National Action Plan for the implementation of the Association Agreement of the Republic of Moldova with the European Union, the workload for the staff of the Secretariat of the CFAEI will increase.

In comparison with other parliaments in Europe, the number of staff for the CFAEI in Moldova is the lowest. If one adds the legal staff working on legal harmonization or EU law, Moldova still has the lowest number in absolute terms and as the share of staff working on European integration / affairs compared to the overall non-partisan staff of the Secretariat. It will thus be justified to increase the number of staff working for the Committee and legal staff working on harmonisation with the EU Acquis.

▲ table no. 15

Taking on board the findings underlined through the *Assessing the role of the Parliament of the Republic of Moldova in the European Integration Process* report, mentioned above, it can

be said that the staff of the Secretariat of the CFPEI has consistent professional experience, openness and availability to move further and deepen their EU sectoral knowledge and expertise. Currently, the four staffers have shared their responsibilities on sectoral EU issues of economic-financial, social, defence, industry etc., and are interested in developing a comprehensive understanding of the coordination process of the EU matters in the Parliament and in the CFAEI, without impeding on their day-to-day Committee activities.

The relevant departments from the General Secretariat of the Parliament with which the staff of the CFAEI interact on EU matters are: the Community Law and Legislation Approximation Section of the Directorate General for Law, the External Relations Directorate and the Directorate for Information and Analysis. The staff of the CFAEI are personally acquainted with each staff member of the Legal Department, and there is most collaboration with the International Law Section. However, because the procedure of the parliamentary cooperation in EU matters and in European integration is not clearly defined, the coordination and cooperation line between the staff of the CFAEI and the directorates with-

in the General Secretariat mentioned is also not clearly defined. There are no meetings organized/carried out with the staff from other Committees.

A far as parliamentary oversight on foreign affairs is concerned, the Ministry of Foreign Affairs and European Integration are invited to the hearings organized by the Committee. This is basically the parliamentary control performed at the moment. Also, the Committee provides their advisory opinion on the appointment of Moldova's Ambassadors abroad.

The Committee's activities on outreach to the general public about European integration matters is very limited. So far, the Committee didn't organize any hearings or briefings in the four municipalities where the Parliament has a Constituency and Information Office. The staff of the Committee hasn't established any communication with the Secretariat's coordinator for the Constituency Offices yet.

As far as participation in trainings, seminars and conferences is concerned, the staff expressed an interest in practical coaching, rather than general theoretical introductions to the functioning of the EU institutions, as well as courses in "legal English". The training needs have been written down in various questionnaires received from the Secretariat, and was discussed with the UNDP by the previous chairperson of the Committee. Apparently, the issue has not been discussed with the HRM Department. The English language courses offered by the HRM one year ago were considered at a rather basic level and did not address the needs of this specific group for more advanced "legal English" language courses.

III. Practices in other Parliaments

The role and responsibilities of the Committees for European integration or European affairs in different countries are slightly diverging. The

practices in Lithuania and Estonia are most relevant to mention here.

▸ **Lithuania**. Since the Republic of Lithuania joined the European Union on 1 May 2004, the Seimas has chosen a model of active parliamentary involvement in debating European Union matters with the powers of the Seimas embedded in the Constitution of the Republic of Lithuania to participate in deliberating EU matters and the right to receive all information related to EU matters. According to the model for the parliamentary scrutiny of the consideration of EU matters, parliamentary scrutiny is understood not only as assessment of completed activities but also as monitoring of activities conducted by the Executive.

The Committee on European Affairs was set up on 18 September 1997 under the Resolution No VIII-416 of the Seimas on the Establishment of the Committee on European Affairs with an aim to ensure parliamentary scrutiny of Lithuania's readiness for EU membership. During Lithuania's preparation for its membership of the EU, the Seimas facilitated the conditions for Lithuania's active and efficient engagement in the EU legislative process. The model of deliberation of EU matters is based on the provisions of the Constitutional Act of the Republic of Lithuania on Membership of the Republic of Lithuania in the European Union adopted on 13 July 2004 and on the Statute of the Seimas.

Since the Treaty of Lisbon entered into force, national Parliaments may within eight weeks submit a reasoned opinion on whether a draft legislative act of the EU complies with the principle of subsidiarity. The Statute of the Seimas establishes that the specialised committees of the Seimas, within their remit, are responsible for due and timely control of the principle of subsidiarity. If necessary, the specialised committees submit conclusions on compliance of a draft legislative act of the European Union with the principle of subsidiarity within five weeks from the receipt of a draft legislative

act or within ten days from the receipt of the Government's position on compliance of a draft legislative act of the EU with the principle of subsidiarity. The Legal Department of the Office of the Seimas on the request by the specialised committee drafts conclusion on compliance of a draft legislative act of the EU with the principle of subsidiarity prior to the meeting of the specialised committee.

Also, in September 2002 the European Information Office was established. The European Information Office of the Seimas was established in order to provide information on EU related issues and to provide assistance to those who are lost in EU-related information flow. The main goal of the office is to help to find a clearer, more precise and correct answer for those asking questions, as well as to give as much information as possible for those, who are trying to find an answer on their own using the internet or EU documentation.

▶ **Estonia**. The European Union Affairs Committee (EUAC), which is a standing committee of the Riigikogu, has a deciding and coordinating role in the issues of the European Union in the Riigikogu. The positions of the EUAC are observed as directions by the Government of the Republic in the issues connected with the EU. The Government of the Republic forwards the initiatives of the European Commission to the Board of the Riigikogu who, with its resolution, appoints one or several specialised committees to provide an opinion on them to the EUAC. After that the EUAC will form its position on behalf of the Riigikogu on the basis of the opinions of other standing committees. The primary task of the EUAC is to observe that the positions of the Riigikogu would take into account both the general context of the EU – political situation, relations and agreements between Member States – and Estonia's priorities in EU politics.

The EUAC also follows the activities of the Council of the European Union and the European Council. The Government of the Republic submits its positions on the issues dealt with at the meetings and discussions to the Riigikogu. At the meetings of the EUAC, the ministers present these positions. After discussion, the EUAC forms its position or gives a mandate for the meeting of the Council of the European Union. Before the European Council meetings the Prime Minister meets with the EUAC.

The positions of the European Union Affairs Committee are binding for the Government. The Government proceeds from them in the discussions held in Europe. In case the Government has not proceeded from the positions of the EUAC, it has to provide the reasons for it to the Committee.

IV. Recommendations

- Plan a series of hearings and briefings on European integration matters in the four municipalities where the Parliament has a Constituency and Information Office, and plan public communication and consultation activities with civil society in accordance with the provisions of Art 442 of the AA.

- Over the next three years, increase the number of the CFPEI staff by at least three persons, due to the fact that the information received from the EU is constantly increasing and the number of legal documents, based on the National Implementation Plan of the AA 2014-2016, that have to pass through the bodies of the Parliament is also increasing.

- Organize practical trainings on specific EU issues for the staff members of the CFAEI.

- Create a functional system of coordination, communication and cooperation between the staff of the CFAEI and the consultants from the Community Law and Legislation Approximation Section of the Directorate General for Law, the External Relations Directorate and the Directorate for Information and Analysis.

- Prepare a guide for the Committee staff and assistants of the MPs of legislative technique on EU matters and institutional cooperation.

- Organize trainings on EU integration jointly for staff from Parliament and staff from the Centre for Approximation at the Ministry of Justice, as well as the relevant staff of the Ministry of Foreign Affairs and European Integration. This will contribute to create knowledge and enhance relationships among peers from different institutions working towards the same objective.
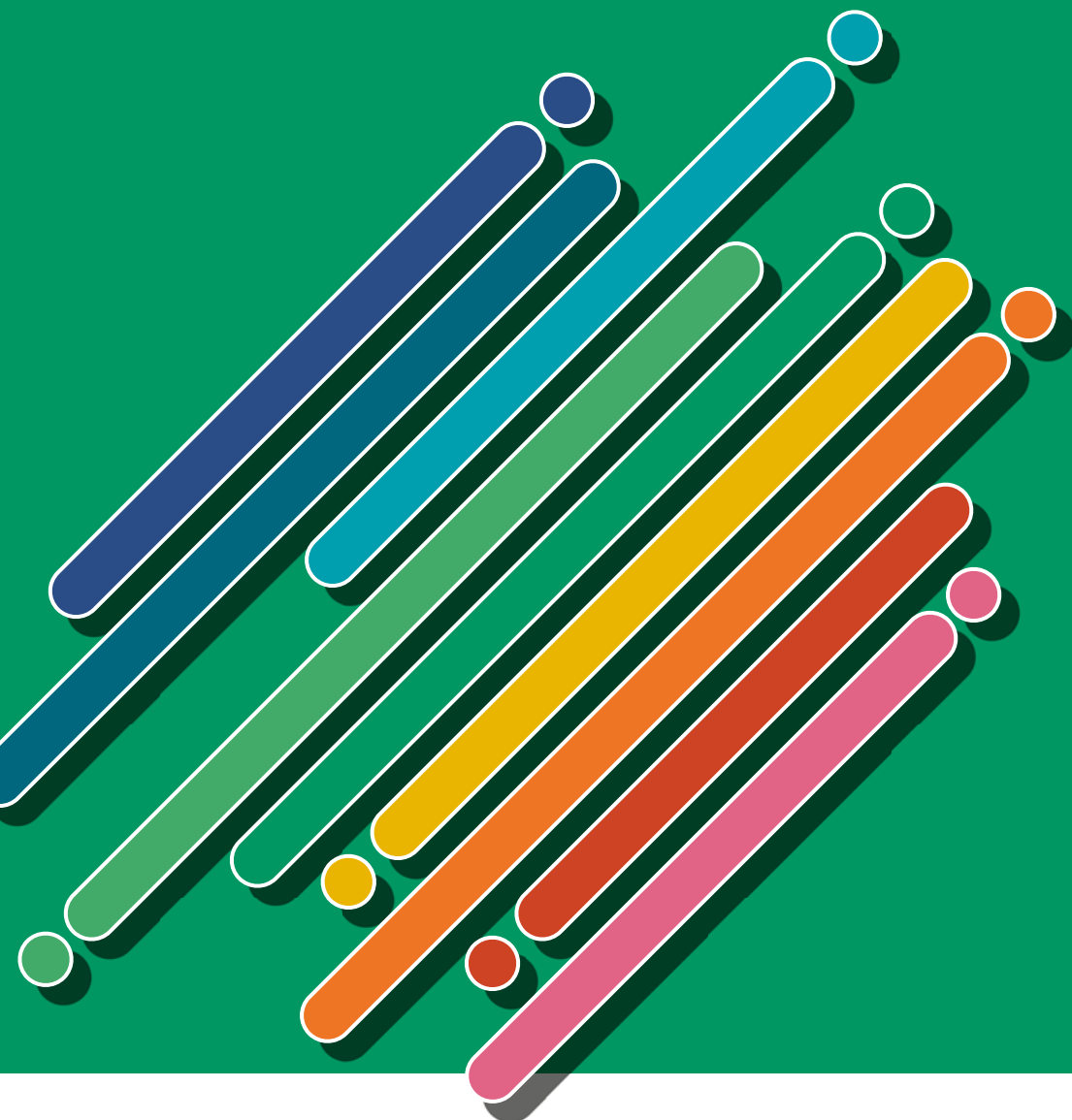
5 Secretariat internal organization related to the support departments

5. Secretariat internal organization related to the support departments

▬ In addition to providing expertise to assist MPs in exercising their legislative, oversight, budgetary and representative / outreach role, the Secretariat also needs to foresee in a number of support Departments, which provide the technical instruments to the organization of the Secretariat. Following is an analysis of the way in which the support Departments of the Secretariat function, and the kind of challenges they face, as identified by the functional analysis team. Recommendations are presented for each department.

In this chapter, we will conduct a functional and institutional analysis of eight Departments. These are the Departments on Technologies and Communications, Patrimony Administration, Human Resources Management, Financial, Budget and Accounting, Internal Audit, Public Procurement, Security and Integrity, and Petitions and Hearings.

▶ chart no. 16

5.1. Technologies and Communications Department

I. Legal framework

The functional attributions of the Technologies and Communications Department are reflected in the Regulation on the organizing and functioning the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.3 of December 12th 2012[43] as well

as in its own activity Regulation, approved by the Secretary General of the Parliament.

The Department consists of a total of 13 positions, all civil servants, and includes the following units: Informational Technologies Section; and Equipment and Communications Section.

The mission of the Department is to insure informational and technical support to the activity of the Parliament and the Parliament Secretariat, in order to insure the transparency of the legislative process.

The main duties of the Department are the following:

• Ensuring the functionality and development of the integrated informational Space of the Parliament and its subsystems;

• Managing, ensuring the functionality, distribution and inventory of the ICT equipment and assets which are administered by the Parliament Secretariat;

• Elaboration and ensuring of the implementation of the Strategies and Programs on the informatization of the activity of the Parliament and the Parliament Secretariat.

The Department collaborates with similar subdivisions from other Public Authorities, with national and international consultants, in order to study the practices and experience on ICT.

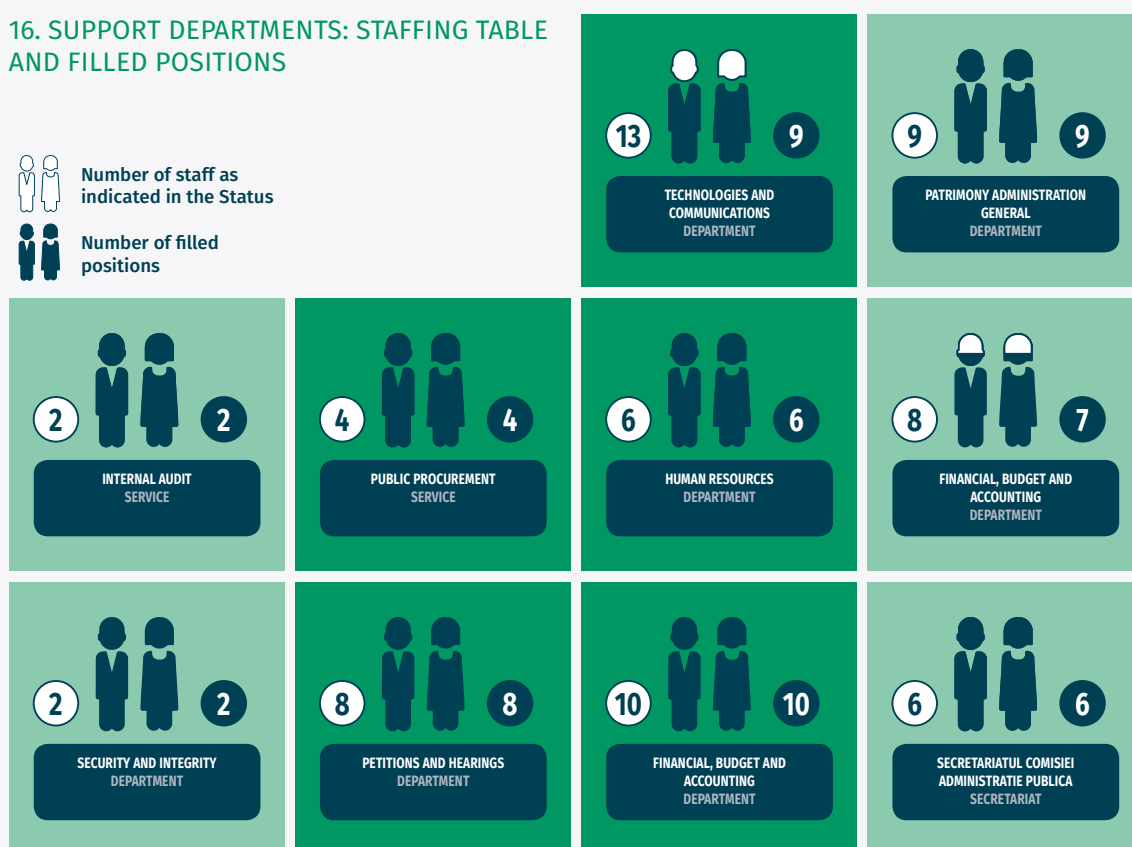### II. Analysis

The Department for Technology and Communication includes the Division for ICT (8 persons) and the Division for communication equipment (4 persons). Together with the Director position (which is currently vacant), this Department counts 13 persons.

A modern organization can't function without an informational system which corresponds to the current needs to make its activities elec-

16. SUPPORT DEPARTMENTS: STAFFING TABLE AND FILLED POSITIONS

Number of staff as indicated in the Status

Number of filled positions

13 **9**
TECHNOLOGIES AND COMMUNICATIONS
DEPARTMENT

9 **9**
PATRIMONY ADMINISTRATION GENERAL
DEPARTMENT

2 **2**
INTERNAL AUDIT
SERVICE

4 **4**
PUBLIC PROCUREMENT
SERVICE

6 **6**
HUMAN RESOURCES
DEPARTMENT

8 **7**
FINANCIAL, BUDGET AND ACCOUNTING
DEPARTMENT

2 **2**
SECURITY AND INTEGRITY
DEPARTMENT

8 **8**
PETITIONS AND HEARINGS
DEPARTMENT

10 **10**
FINANCIAL, BUDGET AND ACCOUNTING
DEPARTMENT

6 **6**
SECRETARIATUL COMISIEI ADMINISTRATIE PUBLICA
SECRETARIAT

tronically compatible and ensure an efficient mechanism to assist the processes of communication, information flow and decision-making. The role of ICT is critical for the Parliament. The Technologies and Communication Division is one of the most strategic units in the structure of the Secretariat of the Parliament, as making the legislative process more transparent, cost-effective and efficient can be possible only with the use of information technologies. Thus, in order to implement the E-Parliament project aimed at improving decision-making and lowering bureaucracy through information systems that enable access to information, strong ICT capacities should be in place.

However, based upon our interviews in November 2015, one can conclude that the current state of ICT equipment and procedures is alarming. This conclusion is based on the limited security measures in place, the use of different software, no generalized use of licenses, the

absence of adherence to a clear security policy, the rare use of the intranet, the limited use of the common drive and hence a backup system which allegedly covers 50% of the files only; the firewall at end-of-life; and the ICT budget not fully used for ICT purposes. The ICT network in the Moldova Parliament is reportedly vulnerable to attacks from outside and damage from inside. In addition, the position of Head of ICT Division is vacant, and for a long time there is an acting Head of the Division, which is the Director of the Informational-analytical Department. In March 2016, the experts were told that the ICT Department is in the process of installing on all computers a standard set of software that is fully licensed and that the ICT Department has suggested the purchase of new ICT security tools.

Though personal computers and e-mail are an integral part of daily routines in the Parliament of Moldova, a huge potential of ICT is still un-

used. The systemic approach to computerize the working process in the Parliament – draft laws, legal proposals, information notes, documents produced for Members correspondence with citizens and organizations outside the Parliament etc. - is still to be developed and become the applied standard policy.

All documents relevant to Parliament's work must be entered in the databases of the information system of the Parliament of Moldova with adequate searching potential, not just saved on the hard disk of personal working station. The creation and maintenance of common system of servers with security and back-up support will ensure the integrity and authenticity of parliamentary documents, which is impossible when using mainly individual workstations.

The parliamentary work can benefit a lot from developing and making use of the internal electronic communication system, the intranet. The intranet has to become the Parliament's central information platform which is used by the MPs and staff. Using such system will give the opportunity to all in-house authorized users to access all necessary documents in a common and user-friendly environment, enabling fast and simple insight into different databases, registers, and other services.

As already mentioned in the 2010 Functional Analysis Report, through the intranet all Members and staff will benefit from special national and international databases (*Moldlex, Eurolex,* legislative databases of different countries, press agencies, dictionaries, encyclopaedias, etc.) which can be subscribed and accessed through the intranet on the equal basis and without violation of copyright.

Such ambitious, but necessary and inevitable goal has two main obstacles – the budget limitations and human factor. The time factor has to be taken into account as well; creation of such system demands a deliberative judgment, based on professional ICT knowledge and in-house experience and know-how. The develop-

ment of such project can take several years. In reality, the development of Information System of such organization as Parliament is a continuous process.

An ICT audit was conducted in 2011 and showed that the ICT system used at that time complied with the requirements in 30% of functioning procedures of information system only. Base upon the 2010 Functional Analysis Report and 2011 ICT audit, in 2011 the Permanent Bureau of the Parliament approved the Strategic Development Plan on Parliament's Integrated Information Space for 2011-2015. Some of the recommendations have been implemented while other observations made in the 2011 ICT audit are still relevant today, such as: (1.) the provisional character of the current parliament premises in the Ministry of Agriculture building hinders the full development of the Parliament's ICT infrastructure; (2.) the Parliament's ICT Division is poorly developed and unable to manage the Parliament's Integrated Information Space based on full use of ICT technologies; (3.) there are no recruitment, advanced training and evaluation policies and practices in place with regards to knowledge and skills on use of parliament's ICT; (4.) the salaries of civil servants in the Parliament Secretariat are not compatible with the requirement for highly qualified ICT staff, as good ICT specialists find more attractive jobs in the private sector; (5.) A part of the MPs and staff shows reluctance towards full implementation of information technologies in their activity or do not have sufficient computer and modern technology user skills.

In addition, our recent staff questionnaire revealed that developing ICT skills is the second most wanted training topic across all staff according to the responses to the questionnaire (top rated training topic being English language).

To deepen our analysis of the ICT sector in parliament, we have attempted to look into the financial aspects, and requested to receive information on the planned budget and actual expenditures dedicated to ICT investments and

17. PARLIAMENT OF MOLDOVA ICT BUDGET AND EXPENDITURES IN 2011-2015

Year	ICT annual budget (in thousand lei)	ICT investments (equipment, licences,..) (in thousand lei)	ICT maintenance costs (in thousand lei)	Total ICT expenditures (in thousand lei)	Share of ICT expenditures within parliament expenditures
2011	No info	1 516.5	No info	No info	2.1 %
2012	No info	718	No info	No info	0.8 %
2013	No info	3 892.8	No info	No info	3.7 %
2014	No info	1 946.6	No info	No info	1.7 %
2015	No info	2 415.0	No info	No info	2.1 %

maintenance expenditures during the last five years. Unfortunately, the information received was incomplete. As indicated in below table, we received information on expenditures but not on the annual planned budget for ICT during 2011-2015. It is thus not possible to analyze if the planned ICT budget had been fully utilized in this period. We received the amounts of expenditures for ICT investments but not for ICT maintenance. It is thus not possible to know whether there exist other expenditures related to ICT maintenance or whether no maintenance costs have occurred during these years. As far as the share of ICT expenditures within parliament expenditures is concerned, the figures show strong fluctuations. The information available does not enable us to assess the financial dimension of the implementation of the ICT Strategic Plan.

▲ table no. 17

This is the overview of percentage of the ICT budget within parliament's budget in selected other countries.

18. PERCENTAGE OF ICT BUDGET WITHIN PARLIAMENT BUDGET (2015)

ICT budget	
Austria	4 %
Czech Republic	3.65 %
Estonia	3 %
Kosovo	2 %
Lithuania	1.7 %
Moldova	**2.1 %**

III. Practices in other Parliaments

In preparation for this report, we have asked a number of other parliaments in Europe to describe how the ICT use has been incorporated in the parliaments internal procedures. The responses describe some interesting practices which can be considered for Moldova as well.

* In the Austrian Parliament, an electronic work flow system ("E-law-system") to support the federal legislative process is in place. It enables the authentic promulgation of laws in electronic form, since January 2004.[44]

The reform of legal text production has progressed to the point where 100% of government bills are submitted to Parliament as "E-LAW" documents and in 100% of the cases Parliament returns consolidated electronic versions of the legal enactments adopted by the Nationalrat once parliamentary procedures have been completed.

The E-LAW project was a core project with regard to a shift of paradigms in law-making. Law-making is a highly formalized process, traditionally embedded in a paper environment that in Austria has continuously developed since the early beginnings of constitutional government in 1861. Thus, replacing this "paper culture" by a contemporary "electronic culture" making use of the opportunities of the new information and

(44) https://www.parlament.gv.at/ZUSD/PDF/2006-04-18_Publikation-Englisch.pdf

communication technologies was a step requiring not only an appropriate technical solution but also accompanying psychological measures to convince the actors in the legislative process of the advantages of the new system.

▶ In **Lithuania**, the tasks of the ICT department are clearly described and reach beyond the boundaries of the own institution. In case the regulation for the ICT Division will be reviewed, this description can be useful.

- To shape IT and digital information management strategy of the Office of the Seimas and organize its implementation;

- To establish and develop Seimas' information system, ensure its functioning, information availability, security, integrity;

- To ensure functioning of the Seimas web-site and the protection of information contained therein, choose and implement modern digital instruments for information provision;

- To ensure the proper functioning of ICT equipment (hardware, software, audio and video equipment, office equipment, communications, security technologies), its renewal and development; implement innovations and provide users with ICT tools that enable the efficient, timely and safe use of digital information;

- To organize and manage the exchange of digital information between the information systems of the Seimas and other institutions of Republic of Lithuania, European Union member states and other countries, international organizations, also to ensure the interoperability of systems and reliability and functioning of ICT equipment.

▶ In **Estonia**:

- The documents addressed to the parliament and its chancellery are sorted and distributed in the Sittings Department. The mail addressed to the parliament, its chancel-

lery, the President of the parliament (the Speaker), or the committees is opened in the Sittings Department and registered in the DMS. The documents that arrive on paper are scanned in the DMS, where they are managed further.

- The mail that arrives by e-mail to the general address is also registered in the DMS by an employee of the Sitting Department. The mail that arrives in the mail box of a structural unit is registered by an employee of the unit or forwarded for registration to the Sittings Department.

- Documents addressed to a specific recipient are first registered and then forwarded via DMS to a structural unit for performance or for information. The documents addressed to the parliament, its chancellery or the President of the parliament are forwarded by an employee of the Sittings Department to the Secretary General who will issue a resolution and assign a performer. Documents are forwarded via DMS by workflows.

- The term for replying depends on the provisions of the legislation. Usually the term is 30 days, while requests for information are answered in 5 working days. It is up to the performer to keep to this term because the system does not give reminders. The reply document is registered and signed in the system and then sent out. Paper documents are signed by hand and sent out by mail. The reply is registered in the DMS.

▶ In **Latvia**, correspondence is registered and entered in the Electronic Document Information System (ELDIS). The system ensures automated record keeping for structural units, centralised circulation of documents, cross-referencing across incoming, outgoing, internal and archived documents, filing of documents and creation of registries.

In order to organise the circulation, systemisation and archiving of internal, outgoing and

incoming correspondence, the Saeima has elaborated a document classification scheme detailing storage periods, and this scheme has been approved by the State Archive. The classification scheme establishes the procedure for document filing by function of the parliament (e.g. legislation, international cooperation, parliamentary scrutiny etc.). Based on the principles of the classification scheme, the nomenclature of Saeima files is created; this is then approved by the Secretary General of the Saeima Administration for the duration of the term of office of the convocation – 4 years. The nomenclature stipulates in detail the filing requirements for each structural unit. A document goes through its lifecycle and is also archived with the nomenclature number that it is assigned.

Incoming documents are received at the Saeima Mail Office. The documents are opened (except letters marked "Personal"), registered in ELDIS and scanned copies are attached to the registration card. Electronically signed documents are also registered in the system and circulated according to common rules. At the moment, these documents are printed and marked as copies of electronically signed documents.

Internal documents of the Saeima are created and registered (attaching an electronic copy of the text in Word, Excel or PDF format) in ELDIS by structural units (offices of the members of the Presidium, committees, parliamentary groups, administrative units).

After registration within the structural unit the documents are forwarded in the system to the Saeima Mail Office and a hard copy is also submitted. The Mail Office marks the documents as received both in the system, as well as on the hard copy and forwards them to the addressee. Upon receiving a document each structural unit processes it in the system and marks the required next step in processing; if necessary, the unit forwards the document by a resolution to another structural unit. After execution the document is marked in the system as completed.

Outgoing documents are created and registered in ELDIS by structural units (offices of the members of the Presidium, committees, parliamentary groups, administrative units). The structural units format the documents according to national postal service requirements – documents are placed in envelopes, sealed and the recipient is indicated. Formatted letters are passed on to the Saeima Mail Office, which processes them (labels them, calculates postal fees and forwards the letters to the national postal service for dispatch).

Document **control** is carried out in accordance with the law, as well as rules passed by the Presidium of the Saeima. When registering a document, the Mail Office or the Public Relations Bureau of the Saeima, which deals with submissions from natural persons, places a control stamp on the document and enters into the system the deadline by which processing of the document must be completed. The document is then processed similarly to internal and incoming documents.

Correspondence addressed to the Saeima or the Presidium of the Saeima (the majority of incoming documents) without a specific recipient is forwarded to the Deputy Secretary of the Saeima, who is a member of the Presidium. The Deputy Secretary examines the document and based on its content, forwards it by a resolution for further processing to a structural unit or an official of the Saeima.

Circulation of legislative documents is an exception to the rule. Legislative proposals, draft laws for readings and supporting documents are submitted to the Documents Department. These documents are registered in the Legislation Management System, whereupon they are immediately published on the legislation data base on the Saeima web page and thus made available to MPs. At the same time, the document is also photocopied and handed out to those MPs who have not declined from receiving hard copies. Currently 77 out of the 100 MPs

have declined from receiving paper documents. In accordance to the Rules of Procedure of the Saeima the Documents Department includes received draft laws in the draft agenda of the Saeima sitting, which is then approved by the Presidium of the Saeima.

Common general principles apply to the circulation of documents, however, each document is unique, therefore the necessary procedure of circulation is selected for each document on a case by case basis.

The ICT related functions are divided between the Information Department and the Technical Services Department. The Information Department consists of 15 IT specialists (deputy head of the department, information system analyst, information system security manager, 5 information system administrators, 5 computer system specialists, and 2 database programmers). The main functions of the Information Department include the following:

- Structuring and developing of the Saeima information system (IS) in cooperation with other departments of the Saeima;

- Ensuring smooth functioning and regular maintenance of the Saeima IS infrastructure and resources;

- Procuring, updating and developing software and applications required for functioning, security, and maintenance of the Saeima IS;

- Providing technical solutions for data exchange with the general public, state institutions and NGOs in Latvia and abroad;

- Developing and updating of the Saeima IS security regulations based on current developments in the sector;

- Monitoring IS security and investigation of security breaches;

- Developing and maintaining of shared databases required for the functioning of applications within the Saeima IS, in cooperation with other departments, where necessary;

- Providing consultations to the Saeima IS users;

- Organising training courses for the Saeima IS users on security issues;

- Providing technical support for development of the Saeima web-site, intranet, as well as web-sites of departments or structural units of the Saeima, as required;

- Planning the development of the IS infrastructure based on current trends in the sector;

- Preparing information and documentation pertaining to procurements for the department and participating in the work of the procurement committee;

- Participating in domestic and international professional associations within the scope of the department's competence;

The Technical Services Department includes two Information System (IS) administrators with the following main functions:

- Administration and maintenance of the IS installed in the Plenary Chamber of the Saeima;

- Maintenance of servers, data arrays and network equipment installed in the Plenary Chamber of the Saeima;

- Ensuring smooth functioning of the voting system and registration system during Plenary Sittings, as well as ensuring confidentiality of specific data;

- Ensuring smooth functioning of the simultaneous interpreting system in the Plenary Chamber, advising on its use;

- Ensuring smooth functioning of the computerised CCTV system.

In which way is ICT use incorporated in internal procedures and structures of the Secretariat? The Saeima IS is comprised of a set of structured ICT systems and databases, which ensure creation, compiling, storing, processing, archiving, and accessibility of information and deletion of temporary data required for functioning of the parliament. Main functions of the Saeima IS are:

- Creation of electronic copies of legislative documents, entering documents in databases, saving back-up copies, restoring data from back-up files;

- Storing information on the circulation of the aforementioned documents in databases, ensuring uninterrupted and smooth functioning of databases;

- Providing support during Plenary Sittings, including drafting and updating agendas, registering voting results and information about MPs participating in debates;

- Management of Saeima correspondence;

- Providing MPs and staff of the Saeima with the necessary information (pertaining to the work of MPs in committees, parliamentary groups, inter-parliamentary cooperation groups; services of the Saeima library – online databases, electronic catalogue, databases on the intranet; web-sites of the Saeima standing committees and other structural units;

- Ensuring uninterrupted and smooth functioning of the Saeima databases and protection of the information contained therein;

- Ensuring integrity of electronic documents until they are transferred for archiving;

- Ensuring live broadcasts (streaming) from Saeima sittings and other events; archiving and maintaining recorded files, ensuring public access to live broadcasts and archived recordings;

- Protecting data from unauthorised access and computer viruses/malware;

- Providing computerised workstations to all MPs and staff who require the use of computers;

- Ensuring secure e-mail services to MPs and staff;

- Ensuring an uninterrupted internet connection to all users of the Saeima intranet;

- Ensuring wireless internet connections in all buildings of the Saeima.

IV. Recommendations

- Plan (financially and operationally) for the installation of a standard set of legally purchased software on computers, allocated to users – MPs and staff. To limit the risk of infection and inappropriate use of the system it is advisable not to give any user the administrator rights on allocated computer. The rights to administer should be conferred to the ICT specialist of the respective structural unit.

- Approve and implement a set of regulations ensuring the authenticity, confidentiality and integrity of information available in the system. These regulations describe rights and obligations for every user of the Information system – IT administrator, hardware and software specialist, parliamentary information provider, the MP, regular user. It is advisable to make short 'User rules' which could be signed by Member and employee when he/she becomes a user of Information system.

- Develop the in-house user training program for MPs and staff to facilitate usage of new IT with the focus on client needs and train a group of employees from different structural units of the Parliament so they will be able

to take responsibility for daily information support and further development of the intranet to adjust web information in line with recent legislative, political and organizational developments.

- Develop the Information Management System (IMS) based on the actual needs of the Parliament of Moldova, as well as on the best practice accumulated in other Parliaments (as mentioned above). It is advised that the IMS be included in the e-parliament.

- Elaborate SOPs for the implementation of the IMS, such as e-documents, paper and documents flow, digital signature, etc.

- Elaborate a multi-year training plan of the MPs and parliament's staff on the use of the IMS.

- Hire a competent external actor (consultancy company) - possibly with UNDP support - to analyze all business-processes in Parliament, to develop the analysis AS IS and TO BE and the transformation plan from AS IS to TO BE, which will be the answer to the question what should be done in order to implement the E-Parliament concept. This analysis needs to include a detailed assessment of ICT equipment, ICT working practices and use of the ICT budget so far.

- Review the internal structure of the ICT Department. There is no need for different sections and subdivisions.

- Appoint as soon as possible a Head of ICT Department, or identify a qualified ICT Department Head who can be transferred to parliament in the very short term.

- Outsource maintenance for ICT systems/equipment as much as possible in case the remuneration of ICT staff remains at the current level and there is no possibility to hire required expert staff.

5.2. Patrimony Administration General Department

I. Legal framework

The functional attributions of the Patrimony Administration General Department are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[45] as well as in its own activity Regulation, approved by the Secretary General of the Parliament.

The General Department has the highest number of staff from the Secretariat. It consists of a total of 158 positions (both civil servants as well as contractual staff) and included the following subdivisions: (1.) The Logistics Service; (2.) The Building Administration Department, which consists of the Heating and equipment supervisions Section, which also includes Heating and Sanitation Equipment Service; Energy Equipment Supervising Service; Dispatching and Elevator Maintenance Service; and Property Management and Maintenance Service; (3.) Transportation Department; (4.) Food Coordination Department.

The mission of the Department is to ensure the administration of goods and auxiliary services necessary for the activity of the Parliament, as well as provide logistic support to the parliamentary activities.

Some of the main attributions of the Department are, as follows:

- Management, exploitation, repairs and inventory of the real estate, equipment and goods that are administered by the Secretariat, except for the ICT assets.

- Providing the Parliament and the Parliament Secretariat with transportation and maintenance offices services;

- Logistic support to the Parliament and Secretariat activity;

- Providing catering services for the activity of the Parliament and Secretariat.

II. Analysis

Following the previous Functional Analysis of the Secretariat in 2010, the General Administration and Patrimony Department became the largest Department of the Secretariat. The reason is the 2012 Parliament decision to dissolve three public institutions: the Auto base of Parliament, the Department for Parliamentary buildings and the State Enterprise „Cafeteria of the Parliament Apparatus". The responsibility for the patrimony of the dissolved entities was transferred to the Parliament Secretariat.[46] The structure and the staff list of the Parliament Secretariat were amended. New sub-divisions responsible for the maintenance and management of the Parliament buildings, transportation and food (catering) coordination were created within the Parliament Secretariat.

Internal coordination. Every Monday, the Department conducts internal meetings to discuss the problems, issues and activity of each unit. Coordination via phone is done on daily bases. The internal coordination works well.

In order to enable the senior leadership of the Secretariat to take decisions or approve the requests of the Department, more detailed information and justification is needed, as compared to the time when the Department operated on its own as a State Enterprise. The interviews indicated that the Department considers as cumbersome the need to justify in more detail its requests.

This Department works together with various other Departments and divisions, in particu-

lar the Foreign Affairs Division (coordination of logistics for delegations), Division for Finance an Accountability (planning the budget of Parliament) and the Public Procurement Division (planning the procurement and executing the contracts). The Department management is satisfied with the division of roles with the Public procurement division. The Department is preparing the ToRs based on their necessities, while the public procurement division organizes the tender and prepares the contract. After the contract is signed, this Department is executing it and monitors its implementation.

The main issue this Department is faced with is the lack of financial resources. At the time of interviews in November 2015, there were no resources to pay the bills for fuel.

There is no contingency plan nor specific discussion with the management what to do in case of these circumstances (such as limiting the use of cars to the leadership of parliament only).

Following are the observations for the main Units of this Department.

Building Administration

Within the Division for Building Administration, there is a section on supplemental heating and sanitary equipment (14 persons), on surveillance of the power equipment (8 persons), on the operations and repairs of elevators and adjacent equipment (8 persons). The Division on 'Service and maintenance' includes 42 staff for housekeeping, 9 engineers for repair of goods, 5 gardeners and persons cleaning the access to the roads.

In view of the upcoming move of parliament to the new building, the workload and number of needed staff for maintenance, cleaning sanitary and heating system in the new building will need reassessment.

In the past, consideration has been given to the idea of potentially outsourcing the cleaning ser-

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(46) The Decision of the permanent Bureau of the Parliament nr.19 from 17.07.2012 on the creation of the Committee for the monitoring and control of the dissolution procedures of certain institutions subordinated to the Parliament.

vices. According to information received from the Financial Department, outsourcing of the cleaning services can only be done for a price which is 10 times higher than the amount currently paid for the parliament's own cleaning staff. Hence, outsourcing seems not recommendable. Nevertheless, the number of cleaning staff needed in the new Parliament Building will need to be reassessed, once all parliament operations and staff have been moved; taking into account the regulations of the Labour Code which stipulates one cleaning person for each 400 sq.m

The Parliament Secretariat owns and manages a building block „Hotel – housing residence" with a total of 28 apartments, destined for housing of MPs. For the implementation of the Law on the status of the Members of the Parliament[47], the permanent Bureau of the Parliament approved a Regulation (nr.8 from 08.06.2011) which foresees that the MPs who do not have their own housing available in Chisinau, have the possibility to reside in one of the apartments of the „Hotel-living residence" building, together with members of their families (wife/husband, underage children).

Alternatively, those MPs can claim a monthly accommodation allowance, the amount of which takes into account the number of family members.

The Parliament's Apartment Building consists of 2 blocks. One of these two blocks no longer belongs to the Parliament; it was transferred to the Ministry of Construction and Regional Development, who, in turn, has transferred these apartments to the war veterans.

The second block of the building is used by the Parliament. It has a total of 28 apartments, out of which only 25 are occupied, and other 3 are free. Mostly, MPs are living there. Three apartments are distributed to staff of the Parliament.

The Speaker decides to allocate apartments to the MPs, based upon the applicable legislation. Because some apartments are not used by MPs, the Speaker has decided to offer these remaining apartments to staff of Parliament.

Persons who reside there pay by the utilities (heat, water, electricity, etc.), along with an amount for rent as determined by the Permanent Bureau.

▶ table no. 19

For the purpose of this Report, we intended to do a trends-analysis of the use of the parliament's accommodation facilities over a period of five years. Such trends-analysis would identify an increase / decrease in the number of MPs who live in the apartments; in the number of MPs who receive a monthly living allowance, and in the number of apartments not used. Despite repeated requests, we didn't receive the data on these issues; hence the multi-years trends-analysis won't be possible.

Transport

The Transport division counts 44 persons, including 36 drivers, 4 dispatchers who distribute the received orders from the MPs or the Secretariat staff, 1 engineer, 2 locksmiths, and 1 doctor who checks the health status of the drivers.

The Parliament has 54 cars, out of which 46 are currently being used. The distribution for cars is as follows: Speaker of Parliament: 1 car; Deputy Speakers: 2 cars; parliament factions: 5 cars; Standing Committees: 9 cars; Other Members: 9 cars; Common use for protocol and household services: 28 cars.

One of the challenges of the Division is related to the services that the Secretariat purchases in terms of repair services. Currently, different services are procured for different brands of cars. Regarding maintenance, there are currently a total of 5 contracts, out of which 3 are main

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(47) Law on the status of the Member of Parliament nr.39-XIII from 07.04.1994.

19. ANALYSIS ON PARLIAMENT ACCOMMODATION

	2011	2012	2013	2014	2015
Number of MPs which have no housing available in Chisinau	No info	No info	No info	No info	No info
Number of MPs which live in the parliament's 'hotel housing residence'	No info	No info	No info	No info	22
Number of MPs who receive a monthly living allowance	No info	No info	No info	No info	No info
Number of apartments not used	No info	No info	No info	No info	3
Number of staff in charge for the housing section (administration, maintenance,…)	No info	No info	No info	No info	No info
Amount of the monthly living allowance, in case when MP from outside Chisinau does not make use of the apartments				No info	
Do MPs pay a contribution for living in the apartment, or is the apartment provided to them for free?					MPs pay for utilities
If they pay, what is the minimum and maximum monthly amount received from MPs as rent for the apartment?			Minimum	No info	No info
			Maximum	No info	No info

contracts. We were informed that it would be less cumbersome in the administrative sense if maintenance services are charged on hourly-based fees.

Cars assigned to specific MPs have an annual maximum mileage covered by parliament. According to the Decision of the Permanent Bureau of the Parliament nr.4-XVII from 15.05.2009[48], the amount of travel above this limit needs to be paid by the MPs themselves. However, there is no evidence that this regulation is adhered to consistently, and that a monitoring system to ensure its implementation is in place.

The Parliament's parking lot is a five-floors building. The first and second floor are taken by the administration of the Division, cars' maintenance and cleaning. The third and fourth floors are the parking place for parliament cars. The fifth floor foresees in 40 parking places which are rented to private persons or organizations. Each parking lot is rented for 1,200 lei per month.

Analyzing in a comparative perspective the number of MPs and the number of cars in other parliaments in Europe, it becomes clear that the Parliament of Moldova has a very high number of cars, in absolute terms and also in relative terms for the average number of MPs making use of one car.

At one end of the spectrum, the Serbian Parliament foresees in 5 official cars for 250 MPs; in Estonia there are 7 official cars for 101 MPs and in Austria there are 7 cars for 244 MPs. At the other end of the spectrum, the Latvian parliament has 74 cars for 100 MPs, followed by Moldova with 53 cars for 101 MPs, Lithuania with 63 cars for 141 MPs, and Georgia with 50 cars for 150 MPs. One might point at an established tradition and expectation in the ex-Soviet area that MPs are entitled to transport support by the parliament's secretariat. The clear exception is Estonia, which has only 7 cars for 101 MPs.

▼ table no. 20

(48) The Decision of the permanent Bureau of the Parliament nr.4-XVII from 15.05.2009 on the establishment of the distance limitations for the automobiles of the Parliament.

20. PARLIAMENT CARS AND NUMBER OF MPS

Parliament	Number of MPs	Number of cars	Number of MPs / car
Austria	244	7	34.8
Czech Republic	200	50	4
Estonia	101	7	14.4
Georgia	150	50	3
Kosovo	120	28	4.2
Latvia	100	74	1.3
Lithuania	141	63	2.2
Serbia	250	5	50
Slovakia	150	11	13.6
Moldova	**101**	**53**	**1.9**

Moldova MPs who don't make use of a parliament driver and car are entitled for an monthly fee as compensation for using own transport for parliamentary duties. Since 2011, the amount for the monthly compensation has been multiplied by 10, from 500 lei in 2011 to 5,000 lei by the end of 2014. The number of MPs who received the transportation fee has also increased.

During our interviews, we learned that some MPs who receive the monthly fee also regularly request the use of official cars, thus making use of the system in two ways. As far as the interviews could identify, staff was not aware of any administrative mechanism in place to identify potential double usage of transport options, to flag this issue when it occurs and to ensure compliance with the regulation.

▸ table no. 21

As part of the analysis, we attempted to make a calculation of total average costs of 100 km driving with cars of the parliament fleet (incl. vehicle depreciation / purchasing new cars, salaries and overtime of staff, social insurance and social benefits for staff, fuel, maintenance and repairs, insurance, costs of the parking venue, heating, electricity). As indicated in the next table, the amount is 1,098 lei or 50 Euro. From the parliaments of Latvia and Lithuania, we received the calculation for the average costs

for 100 km driving with parliament car: 81 Euro in Latvia and 184 Euro in Lithuania. The higher amounts in these countries can be explained due to the higher salaries and overall higher utilities costs.

▸ table no. 22

On the other hand, the calculation of the annual amount of transport expenditures for 2015 was calculated, as indicated in above table. All costs together add up to the amount of 10 million lei for 2015.

Next to expenditures, the Transport Division has (limited) incomes. These are the amounts received from renting out parking places at the Parliament's parking lot. In the previous years, the revenues constituted: 676,800 lei in 2012; 539,400 lei in 2013 and 523,200 lei in 2014. The Parliament could increase its revenues by renting out more parking places once they become available following the reduction of the number of parliament cars, as per our recommendations.

As part of the analysis, we attempted to make an overview of the total annual amount of costs of Transport Department during the years 2011 to 2015 (cars purchases, salaries, fuel, maintenance, insurance, parking, heating, electricity, meals and social benefits for drivers), with the

21. MONTHLY TRANSPORT ALLOWANCE FOR MPS

Year	Monthly transport allowance for MPs	Total annual amount for all MPs' transportation allowances (in thousand lei)	Number of MPs receiving the monthly allowance
2011	500	390,8	No info
2012	500 -- then 4,000	1 138,0	No info
2013	4,000	2 534,1	No info
2014	4,000 -- then 5,000	3 600,5	No info
2015	5,000	No info	No info

22. EXPENDITURES FOR DRIVING 913 000 KM, THE ANNUAL NUMBER OF KILOMETRES FOR 2015 IN MOLDOVA

Expenditures type	Total annual amount	Amount for 100 km
Fuel expenditures	2 042 100 lei	224 lei
Car parts, maintenance, repairs	2 915 400 lei	319 lei
Insurances	49 600 lei	5,4 lei
Thermal energy (heating)	525 800 lei	57,6 lei
Electric energy	88 800 lei	9,7 lei
Costs of roadworthiness test	58 206 lei	6,4 lei
Vehicle depreciation	861 950 lei	94,4 lei
Personnel expenditures of the Transport Department	3 490 000 lei	382,2 lei
Total costs	**10 031 856 lei**	**1 098,8 lei**

purpose to identify potential trends. The information received was partial and incomplete; hence such multi-years trends analysis couldn't be conducted.

In view of the practice in other parliaments in Europe, the constraints on the budget of the Moldova Parliament and the need to prioritize the scarce resources (for instance, on the e-parliament), it would make sense to substantially reduce the transport costs within the Secretariat budget. Our recommendation is to reduce the number of cars and drivers to the level of e.g. Estonia, Austria and Slovakia, and keep 10 cars maximum.

Under this proposal, one official car would be allocated to Speaker, Deputy Speakers and the factions. In addition, there would remain two cars for common use for protocol and household services. The total would thus be 10 cars.

In addition, Parliament keeps its parking lot, where MPs can put their private car, free of charge and in a safe location. The Secretariat will provide a guard at the entrance of the parking.

The current managerial challenges with different contracts for repair services and some MPs reportedly misusing the system by accepting the transport fee while also requesting official transport will be overcome.

We also recommend to re-assess the monthly transport allowance for MPs, which has been multiplied by 10 between 2011 and 2014. During our interviews, we haven't heard any justification for the sharp increase of this monthly fee. We recommend to limit the eligibility to the transport fee to those MPs which live at least 20 km away from Chisinau. The administrative management of this fee should be the respon-

sibility of the Secretary General rather than the Speaker of Parliament.

Consideration has been given to another option, which is to re-establish a private company which provides transport services to parliament while also offering transport services to other official and private clients. However, taking into account experiences in other parliaments, we believe it would be more practical to have a contract with one or two taxi companies, as a provision in case there is need for any additional transport services above the small fleet kept at the parliament.

Food Services

In 2010, the staff of the State Enterprise „Cafeteria of the Parliament Apparatus" counted 21 persons. There were three cafeteria venues in use: (1.) the Cafeteria (III category) from the premises of the Parliament, with two commerce halls for 104 places; (2.) the central Cafeteria (I category) from 37 Sfatul Tarii Street, with three commerce halls for 98 places; (3.) "Rubin" Cafeteria placed on 159, Stefan cel Mare Avenue with 40 places. In 2010, the food, pastries, and culinary products were cooked within the premises of the Cafeteria.

Based upon the recommendations of the 2010 Functional Analysis, the State Enterprise was dissolved and the food services were outsourced to a private company. The Parliament manages the premises but as of today, the Food Services still has 10 staff: department head (1 person), deputy head (1), supplies administrators (5), dishwashers (2), worker (1). The need for a total of 10 persons in this Service is not clear. The food services are limited to lunches at the canteen premises. The services on serving the delegations are contracted from other restaurants.

The management model to outsource the restaurant services of parliament is common practice in the majority of the parliaments surveyed. Only the Parliament of the Czech Republic and Slovakia manage their own restaurant.

23. MANAGEMENT MODEL FOR PARLIAMENT RESTAURANT SERVICES

Parliament	Own restaurant	Outsourced
Austria		×
Czech Republic	×	
Estonia		×
Georgia		No info
Kosovo		×
Latvia		×
Lithuania		×
Serbia		No info
Slovakia	×	
Moldova		×

Logistics Service

The Logistics Service is a unit with 5 persons.

During the interviews, it emerged that the Parliament Secretariat has no efficient and fully reliable system for inventory of goods. The inventory process currently takes up to two-three months. There is a working group with staff from various departments, which dedicate quite a lot of time to the annual inventory process. In addition, the accuracy of the current practice seems to be an issue.

An electronic evidence/register of goods (using barcodes and scanner machines) would make working practices much easier. Moreover, an electronic register would allow the procurement unit to better plan procurements for the next year and subsequently this contributes to a more reliable budget planning process. The senior management needs to know how many computers, servers, printers, parliament has and at which time a certain guaranty period expires. This information is currently not available at a central registry.

Currently, the Department is responsible for the reservation and distribution of flight tickets for parliamentary delegations traveling abroad. Selecting the flight itineraries requires prior consultation with the concerned MP, a task which

falls with the Foreign Affairs Department, that coordinates and organizes the official travel abroad.

III. Practices in other parliaments

Transport

▸ In **Belgium**, the Parliament has its own auto park (6 cars for the Members of the Permanent Bureau and one car for the Speaker). When necessary, taxi services are contracted. As well, the Members of Parliament benefit from free public transportation, anywhere within the national borders, on all public transportation means. They receive a (free) permit/pass for trains, busses, metro and tramway.

▸ In **Estonia**, the transportation services are regulated by internal provisions. The Parliament Chancellery rent 9 cars. The transportation with professional drivers services are foreseen only for the members of the Parliament Bureau (the President and the two deputy Presidents). Other members of the Parliament used either taxi services, or personal cars, and the re-imbursement for such expenditures is insured by the monthly allowance of the Parliament members (15% of the salary). The members of Parliament prefer to use taxi services. The Parliament Chancellery has contracts with two different taxi companies, and the deputies receive „taxi cards" in case they use the respective services (of the contracted companies). As well, the technical and maintenance services (like cleaning, repair works) is realized based on outsourced contracts, since the Parliament Chancellery does not have it own auto base.

▸ In the **Finnish Parliament**, only the president and the two deputy President have the right to use the Parliament cars (with drives). The Parliament has 4 cars and 6 drivers available for this service. There is no Parliament auto base for the members of the Parliament. Other transportation services are covered by the Chancellery of the Finnish Parliament.

▸ In **Lithuania**, the Transport Department from the Parliament Secretariat is responsible for delivering the utilization of official cars services. According to the Parliament Regulation, the official cars are to be used by the leadership of the Parliament, parliamentary committees and political fractions, divisions and the leadership of the Secretariat and for official delegations. In all of the above-mentioned cases, a annual budget is allocated to cover the expenses of the Transport Department – auto-repairs, fuel, insurance, equipment and other needs. In the Transport Department there is available car-wash equipment, auto-repairs workhouse, etc. Presently, the Secretariat has a total of 85 cars available: 59 automobiles, 6 mini-buses (8 seats), 2 greater buses and 4 smaller buses (approximately 25 passenger seats). The Transport Department of the Secretariat also has „special destination". In the cases of big delegations, supplementary, there are cars rented.

Canteen

▸ In **Austria**, the restaurant services in the Austrian Parliament are outsourced to a private partner, on the basis of a lease contract. This contract regulates in particular the scale of operation, the infrastructure to be provided by the Parliamentary Administration, the opening hours, the sharing of operating costs. Scale of operation and opening hours were prescribed by the Parliamentary Administration. The infrastructure is largely provided by the Parliamentary Administration, while raw materials and supplies have to be purchased by the leaseholder. The quality level has not been determined by contract, but the Parliamentary Administration has a right of intervention if legal or hygiene standards are violated. As to operating costs, the contract specifies the percentage share to be covered by the leaseholder.

▸ In **Lithuania**, Parliament has no costs for running parliament canteen / restaurant because catering services are provided by private provider that rents from the Office of the Seimas

required facilities and equipment. This private provider also pays for used electricity, heating and water; and is in charge for staff for cleaning, washing dishes and waiters.

IV. Recommendations

Building Management

- Conduct a detailed and realistic assessment -- in view of the upcoming move of parliament to the new building -- on the workload and needed staff for supplemental heating and sanitary equipment, surveillance of the power equipment, operations and repairs of elevators and adjacent equipment, housekeeping, engineers for repair of goods, gardeners and persons cleaning the access to the roads.

- Assign the administrative decisions on the allocation of apartments to the Secretary General

- Ensure that no staff of parliament is residing in the apartments of Parliament

- Ensure that apartments which are not used by MPs are offered on the real estate rent market, and that the amount gained from the rent is part of the budget of parliament.

Transport

- Reduce the number of official parliament cars and drivers to the level of other European countries such as Estonia, Austria and Slovakia and keep 10 cars maximum.

- Offer the Parliament parking lot to MPs to put their private car, free of charge and in a safe location; and provide a guard at the entrance of the parking.

- Re-assess the monthly transport allowance for MPs and limit the eligibility to those MPs which live at least 20 km away from Chisinau.

Logistics Service

- Organize an electronic inventory system of goods and assets using barcodes and scanner machines; and assign the responsibility for the inventory to one staff person rather than a working group.

- Transfer the responsibility for the reservation and distribution of flight tickets for parliamentary delegations traveling abroad to the Foreign Affairs Department.

Food Services

- Review the needed number of staff in this Service.

5.3. The Human Resources Department

I. Legal framework

The functional attributions of the Human Resources Department are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[49] as well as in its own activity Regulation, approved by the Secretary General of the Parliament.

In performing their duties and attributions, the Department is mainly guided by Law nr.158-XVI of July 4th 2008 on the public office and the status of the civil servant[50], Government Decision nr.201 of March 11th 2009 regarding the implementation/application of the above-mentioned Law[51], as well as by a series of legal acts approved by the permanent Parliament Bureau:

(49) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

(50) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=330050.

(51) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=331023.

the Regulation on the recruitment and selection of the civil servants for employment to the Parliament Secretariat[52], the Regulation on the professional integration of the civil servants within the Parliament Secretariat, the Regulation regarding the continuous professional development of the civil servants from the Parliament Secretariat, the Regulation on the performance appraisal of the civil servants from the Parliament Secretariat, the Strategy on the Training of Civil Servants from the Parliament Secretariat, 2013-2015[53].

The Department consists of six positions, all of them are civil servants. The mission of the Department is to insure the promotion and implementation of the Human Resources Management, the administration of functions (positions) and the personnel of the institution. Amongst their main attribution are the following:

- Insuring the implementation of the HR Management policy;

- Organizing, coordinating and realizing the personnel procedures, providing informational and methodological support in this domain;

- Insuring the continuous professional development of the personnel, organization of internship programs at the Parliament;

- Administration and inventory of the functions (positions) and the personnel.

The Department collaborates with the HR Services from other Public Authorities, with educational institutions and training centres, national and international consultants, in order to study the practices and experience on HR Management.

(52) http://www.parlament.md/LinkClick.aspx?fileticket=vWXX-Jnu9skE%3D&tabid=171&language=ro-RO.

(53) http://www.parlament.md/LinkClick.aspx?fileticket=SWjW-ZMj%2Bnws%3D&tabid=212&language=ro-RO.

II. Analysis

The Human Resource Management (HRM) Department is mainly focused on the organization of staff recruitments and basic trainings.

According to the 2014 implementation report on the Strategic Development Plan, the procedures on the selection, recruitment and employment to the vacancies within the Secretariat are organized through transparent and competitive procedures. Hence, all the announcements regarding personnel recruitment for the Parliament Secretariat have been published on the website of the Parliament, as well as in the media. However, according to the same report, the results of the recruitment competitions have not been published online, due to the lack of space of the web-site. This explanation is surprising. If there is space on the web-site to publish the vacancy, then it is not convincing to argue that there is no space to add the information about who was selected. The lack of transparency on the outcome of recruitment process, already highlighted in the 2014 internal audit report on the HRM Department, is potentially damaging to the reputation of the parliament and tends to undermine the credibility of the work of the HRM in organizing recruitments based on transparent and competitive procedures.

As is the case in other parliaments in Europe, the HRM Department is responsible for the professional development of the staff. According to the 2014 implementation report on the Strategic Development Plan, the HRM organized skills training in the HR management domain at all levels of management of the Secretariat. This included the process of professional development: needs identification, professional development planning, coordination and tracking of staff participation of professional development. To advise the heads of department in the identification of staffing confirms the leading role of the HRM Department in ensuring that professional development opportunities are offered to the staff.

However, the interviews with heads of department, units and staff provided a different picture. None of them was inclined to address the identified training needs to the HRM Department and instead were searching for outside assistance (UNDP, international opportunities) without any coordination with the HRM Department. Many interviewees perceived the role of the HRM Department in the area of staff development as limited to the induction of new staff and organizing basic English language courses.

The 2014 implementation report on the Strategic Development Plan provides information on a number of important trainings organized by the HRM Department, but it also points at the limited participation or attendance: training on the elaboration and evaluation of public policy (1 participant); creation of legislative acts (4 participants), documentation management (2 participants).

Discussing the low participation with heads of units and with staff, two potential explanations were provided: 1/ some of the proposed training require a big time investment (up to 40 h. or 80 h.) which is difficult due to the work load; and 2/ the notification for some of the trainings are received on short notice. These explanations raise two potential concerns. If some of the trainings are considered too long, in which way have they been designed in cooperation with the heads of Departments including the proposed length? If the information on training is received on too short notice, has the HRM Department an annual and quarterly training program for the Secretariat, with agreed dates, topics and target groups? As of today, it seems that the professional development initiatives are proposed and implemented unevenly; and with an insufficiently well planned approach by the HRM Department.

The approach and the implementation of the performance appraisal system can be considered an area of concern. The professional performance appraisal of the civil servants from the Parliament Secretariat is foreseen in the Law on the Public Office and status of the civil servants (nr.158/4.07.2008) and the Regulation on the professional performance appraisal of the civil servants from the Parliament Secretariat. The annual performance appraisal is designed to play an important role to determine the professional development needs of the civil servants. However, most interviewees pointed at the fact that the performance appraisal is carried out very formally, without really distinguishing in the level of performance of the staff. Most staff are concerned about achieving the highest possible evaluation rating; and we were told that many supervisors go a long way in this direction. Often, the self-evaluation report as drafted by the individual staff person is signed off by the supervisor in a very formal way, without any discussion on the performance, training needs and areas of improvement. The statement (in the 2014 implementation report on the Strategic Development Plan) that recommendations in the individual performance appraisal fiche *"have contributed to a better encompassing of the training needs within the Secretariat, as well as to an improvement of the knowledge and skills of the personnel, a qualitative increase of the attributions and responsibilities, for each position accordingly"* seems overly optimistic. There is need to review the principles and procedures of performance evaluation, in coordination with the heads of the Departments and Sections.

From the interviews, it also emerged that the HRM Department is not involved in workforce planning since the identification of the staffing needs is conducted by the Heads of Departments only. It will thus make sense to strengthen the role of the HRM Department by adding the responsibilities for managing and coordinating staff development and workforce planning. This implies that the HRM Department needs shift its focus from an administrative role to a more strategic approach to HR policy.

▶ table no. 24

24. STAFF RESOURCES FOR HUMAN RESOURCES MANAGEMENT

Parliament	Number of non-partisan staff in Secretariat	Number of staff in Human Resources Management	Share HRM staff to Secretariat staff	Parliament staff covered by civil service legislation	HRM Dep. responsible for professional development
Austria	380	8	2.1 %	yes	yes
Czech Republic	354	4	1.1 %	no	yes
Estonia	192	4	2 %	Partly	yes
Georgia	840	17	2 %	No info	yes
Kosovo	168	5	2.9 %	yes	yes
Latvia	291	6	2 %	no	yes
Lithuania	499	11	2.5 %	yes	yes
Serbia	400	No info	-	yes	yes
Slovakia	385	8	2 %	yes	yes
Moldova	**375**	**6**	**1.6 %**	**yes**	**yes**

With the aim to analyze the outputs of the HRM Department, information has been collected on how much staff professional development the Department has organized, in terms of the number of training days and the number of staff attending, over a period of three years, and how that relates to the contributions in staff professional development by other actors.

The results are quire remarkable. During the period 2013-2015, the HRM Department provided training for 77 persons, while UNDP provided training for 855 persons and the State Chancellery and the Training Academy provided training for 215 persons. In other words, the Department's trainings reached only 9 % of the number of trainees of UNDP and 35 % of the number of trainees of the State Chancellery and the Academy. On the other hand, the HRM Department organized more training days (254) as compared to UNDP (186) and slightly less than the State Chancellery and the Training Academy (316).

25. HRM IN PARLIAMENT OF MOLDOVA

	2013	2014	2015	TOTALS
Budget of staff professional development				
Amount budgeted (in thousand lei)	200	300	300	800
Amount spent (in thousand lei)	3.2	122.0	102.5	227.7
Staff professional development activities				
Number of staff persons trained by HRM	12	30	35	77
Number of training days organized by HRM	44	117	93	254
Number of staff persons trained by UNDP	171	473	211	855
Number of training days organized by UNDP	93	40	53	186
Number of staff persons trained by State Chancellery, Academy	30	131	54	215
Number of training days organized by State Chancellery, Academy	97	126	93	316
Staff recruitments				
Number of staff persons recruited by HRM	9	17	12	38

We collected information on the annual budget and actual expenditures for staff professional development between 2013 and 2015, with a view to verify if all budgeted amounts for professional development had been used. During 2013-2015, an amount of 800,000 lei was available for staff professional development. The amount spent in this period is 227.700 lei or 28.4 % of the available resources. Hence, the utilization of the financial means planned for professional development activities is not realized, as was already noted in the 2014 internal audit report on the HRM Department.

III. Practices in other parliaments

▸ **Lithuania**: The Personnel Unit of the Office of the Seimas helps the Secretary General of the Seimas shape the targeted policy of professional development and training of civil servants and contract staff members of the Office of the Seimas. The Personnel Unit also helps staff members to improve administrative skills. Therefore, every year the Personnel Unit gives a lot of attention to the targeted professional development of the staff. The Office of the Seimas organises active internal trainings, i.e., staff members of the Office give lectures on relevant topics (e.g. Writing of Press Releases; Prevention of Corruption; Changes in the Drafting Procedure of Legal Acts; Drafting and Formalisation of International Correspondence; Signing of Electronic Documents, etc.). Moreover, staff members are provided with opportunities to take part in conferences including eminent speakers, trainings, discussions, internships, and international seminars abroad as well as open trainings in Lithuania. Consistently growing level of education of staff members alongside other factors ensure high professional qualification of civil servants and staff members of the Office.

▸ In **Latvia**, Professional development of the staff is planned, organised, supervised and controlled according to the internal Professional Development Regulation, taking into account

the annual budget allocations for these purposes. Professional development of the staff is managed by the Personnel Department in collaboration with heads of departments and staff members.

▸ In the **Czech Republic**, the HRM Department is responsible, according to the Organizational Rules of the Secretariat of the Chamber of Deputies, for the professional development of the staff in cooperation with the Parliamentary Institute. Parliamentary Institute is the analytical and research center attached to the Parliament of the Czech Republic.

IV. Recommendations

• Enhance transparency of the recruitment process by publishing on the web-site of parliament the results of the recruitment competitions.

• Ensure that the HRM Department is responsible for managing and coordinating staff development; develop and agree with the heads of Departments and Units the Annual and Quarterly training plan for the Secretariat, and publish the annual and quarterly training plan at the beginning of each year and each quarter.

• Ensure that HRM Department and Finance Department develop a planning and evaluation mechanism of financial resources for professional development activities.

• Ensure that the allocated budget for professional development is also used.

• Discuss with heads of departments and divisions the way how the performance evaluation system is being applied, and adjust internal regulations accordingly if necessary (as included in the 2016 Action Plan for the HRM Department).

• Ensure that the HRM Department is involved in workforce planning and in the process of

identification of the staffing needs in consultation with the Heads of Departments and divisions.

- Discuss and agree with HRM Department the steps to achieve a shift in focus from an administrative role to a more strategic approach to Human Resources policy.

5.4. Financial, Budget and Accounting Department

I. Legal framework

The functional attributions of the Financial, Budget and Accounting Department are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[54] as well as in its own activity Regulation, approved by the Secretary General. The Department consists of a total of 10 positions, all civil servants.

The mission of the Department is to manage the budgetary resources and the realization of the financial-accounting activities of the Parliament. Amongst the duties of the Department, we can count the following:

- Managing the financial resources necessary for the Parliament and Parliament Secretariat activity and to ensure the elaboration of the draft budget of the Parliament;

- Elaborate the annual financing plan of the Parliament and to insure its execution (implementation);

- Organizing and realizing the financial-accounting activities of the Parliament and Secretariat;

- Ensure accounting inventory of the Parliament Secretariat Patrimony.

The Department collaborates with similar divisions from other Public Authorities, including the Ministry of Finance, State Treasury, Public Procurement Agency, and other institutions, as well as with national and international consultants, in order to study relevant practices and experience from the domain.

II. Analysis

The Budget, Finance and Accounting Division deals with the management of financial resources, including planning, implementing and monitoring the budget execution as well as accounting for the Parliament. The Division participates in a series of working groups such as on public procurement or inventory.

According to the information received during the interviews, the process of budget planning is organized in a partially participatory manner, meaning that proposals are collected from all the Departments and units. It would be fully participatory if a joint discussion with all heads of Departments is organized on the parliament budget, either by the Secretary General or by the Permanent Bureau. Following such meeting, heads of Departments can then make amendments because not all proposals can be fully taken into account due to the limited resources. Currently, the proposals of the Departments are reviewed and adjusted in the final budget proposal without further joint discussion.

With the help of the UNDP project, draft Standard Operating Procedures (SOPs) were developed for the preparation, implementation and reporting of the annual budget. Pending approval of the SOPs, there is need for trainings using these SOPs. Interviews with Directors of other Departments revealed that they are not aware of the new SOPs. The Functional Analysis team was told that the development of a new Regulation on the internal organization of the budget development process within the Parliament Secretariat will be completed by mid 2016.

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(54) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

According to estimates of the Division, about 60-70% of the Secretariat's budget is dedicated to salaries, the remaining part is used for utilities (electricity, heating) and recurrent expenditures (paper, water).

The Strategic Plan of the Parliament is one of the most important documents for the institutional development of the institution, covering all Departments of the Secretariat. In order to be fully effective, the financial estimates related to the implementation of the Strategic Plan needs to be reflected in the parliament's annual budget. There is no evidence that the process of strategic planning and the budget process are fully harmonized and coordinated.

In preparing for this Functional Analysis Report, we requested a number of financial data related to different budget years, departments and transactions. Collecting part of the information required reviewing hard-copy documents due to the apparent absence of a sufficiently detailed Accounting Management System which is able to generate detailed analytics for transactions, operations, costs, assets and liabilities.

III. Practices in other parliaments

The process of preparing and the decision making on the draft parliament budget within the Secretariat of Parliament is organized in slightly different way in other parliaments.

▸ In **Lithuania**, the draft Parliament budget is being prepared and submitted to the Secretary General of the Seimas by the Finance Department or the Office of the Seimas. The Secretary General reviews it and submits to the Board of the Seimas which makes the final decision.

▸ **Estonia**. After the Riigikogu budget request, prepared by the Chancellery of Riigikogu, has been examined by committees and approved by the Board of Riigikogu, it shall be submitted to the Minister of Finance, who shall incorporate it usually without any substantial amendments into the draft of the State Budget Law. Until submission of the draft of the State Budget Law of the Riigikogu, the Riigikogu budget request shall not be subject to amendments without consent of the Board. If any amendments are required in the process, those will be prepared by the Chancellery of Riigikogu.

▸ In **Latvia**, the process of decision making on the parliament budget is set by the Saeima Presidium. The draft parliament budget request is developed by Saeima Administration. According to the objectives, directions and tasks in the Administration strategy, the Departments conduct a mutual exchange of information and submit filled budget request forms to the Finance Department. The Finance Department prepares budget request summaries, grouping requests according to budgetary expenditure classification procedures. Afterwards, a discussion is organized to negotiate the parliament budget draft with heads of Administration Departments. If necessary, corrections are made to complete the Saeima budget draft. The Secretary General of the Saeima Administration submits the completed draft to the Saeima Presidium. If necessary, the Saeima Presidium calls for a sitting, where Heads of Departments have an opportunity to substantiate their requests for planned expenditure. Proposals for amendments in the budget draft must be submitted to the Saeima Administration in a time of one month after the draft was submitted to Saeima Presidium. Amendments are embedded in the draft and once again submitted to the Saeima Presidium during one-month period for final approval. After the final approval of the budget request in the Saeima Presidium, it is submitted to Minister of Finance for inclusion in the Law on the State Budget without any amendments. The Saeima budget request is not to be amended till the Law on the State Budget has been submitted to Saeima without consent of Saeima Presidium.

IV. Recommendations

- Strengthen the participatory aspect of the preparations of the parliament budget by a joint discussion with all heads of Departments on the parliament budget proposals, enabling the heads of departments to make amendments to their proposal, prior to final decisions on the parliament budget by the Permanent Bureau.

- Conduct trainings for MPs and staff on the new SOPs related to the preparation, implementation, and reporting of the annual budget of Parliament.

- Strengthen the oversight role of the Committee on Budget, Finance and Economy on the execution of the parliament budget throughout the year.

- Ensure harmonization and coordination of the parliamentary budget process with the Strategic Plan of Parliament.

- Develop an electronic Accounting Management System which is able to generate detailed analytics for transactions, operations, costs, assets and liabilities in accordance with the structure of programs and projects initiated for the purpose of Financial and Management Reporting.

5.5. Internal Audit Service

I. Legal framework

The functional attributions of the Internal Audit Service are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[55] [art.29], as well as in the Law

nr.229 from September 23rd 2010 on the Public Internal Financial Control[56].

The Service consists of two positions – head of Service and main consultant – both civil servants.

The mission of the service is to advise the Secretariat on the financial management and control systems and to offer recommendations for its improvement.

The duties of the Service count the following:

- Planning and performing internal audit according to national public sector internal audit standards;

- Evaluation and development of the financial management and control system within the Secretariat.

The internal audit activity, according to the law, comprises the following types of audit:

- System audit, that examines all the systems of the entity, including the financial management and control system in order to evaluate the efficiency of its functioning;

- Conformity audit, that check whether all systems are functioning according to the normative framework, the policy and applied procedures and, if necessary, the need to improve the internal control procedures in order to ensure that legislation is respected;

- Financial audit, that evaluates the adequate and efficient functioning of the internal control procedures applied to financial systems;

- Performance audit, that examines the use of resources within a program, functions, operations and management system in order to determine whether the resources are used in the most economic, efficient and effective way so as to reach the public entity's objectives;

(55) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

(56) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=336794.

- The IT audit, that examines the effectiveness of the financial management and the control of informational systems.

II. Analysis

The Internal Audit section, though a small section, is an important instrument for the leadership of the Secretariat to manage efficiently the available resources and to make the internal processes more effective. As a separate entity, the section became effectively operational in mid-2015, as a result of the change in the structure of the Secretariat and of the employment of the necessary staff.

The section has its annual action plan that foresees the evaluation missions planned, which is coordinated and approved by the Secretary General. The section is planning about seven evaluation missions per year (four assurance missions and three missions to follow the implementation). The section has conducted two missions so far, during the second half of 2015: on the Public Procurement Section and the Human Resources Department. There were no challenges in terms of getting access to the persons or to the data requested. The section intends to track the implementation of the recommendations from the audit reports.

The main challenge as identified by the section is related to the fact that not all the recommendation of the internal audit section are implemented. At the same time, the section is still at its initial establishing phase and its role needs to grow further, including by taking a more muscular approach.

Monitoring the implementation of the execution of the annual budget of parliament rests with the Secretariat of Parliament, amongst others with the Internal Audit Section. So far, the Internal Audit Section didn't conduct a comprehensive audit of the parliament's budget implementation yet.

The Court of Accounts reviewed the budget of parliament in 2012 and released a report on the Parliament in 2013. The Internal Audit Section is familiar with the content of this report, though plays a slightly different role as a body within parliament aimed at strengthening internal processes of accountability and transparency, rather than conducting an external review.

The Committee on Budget, Finance and Economy has a limited role in monitoring the execution of the budget of the Parliament. The Committee presents to the plenary session the proposed budget of the parliament for the next year, based upon the observations of the budget implementation of the previous year. The Committee on Budget, Finance and Economy does not play a role in following the execution of the parliament budget throughout the year.

III. Practices in other parliaments

▸ In the **Czech Republic**, the internal audit section is a part of the Secretariat of the Chamber of Deputies responsible for audit management. The existence of the internal audit is obligation coming from the relevant law. The internal audit section is responsible to provide ex-ante control of compliance of planned and prepared operations with general financial rules legislation, to ascertain adherence with other rules, including rules stated by the public procurement legislation. The section is also responsible to verify the correctness of economical operations and compliance of operations with the internal regulations of the Secretariat of the Chamber of Deputies. The number of staff is one. The performance of the Budget of the Chamber of Deputies is also supervised by the Economical Department of the Secretariat, whose number of staff is ten.

▸ In **Latvia**, accounting, legality and effectiveness of expenditure as well as annual reports of Saeima are audited by the Public Expenditure and Audit Committee. Currently, there are 17 MPs in this committee. During the year of annual re-

port, the Public Expenditure and Audit Committee plans and performs the audit of the financial items in random order in the Saeima. After conducted random audits the Public Expenditure and Audit Committee submits conclusions to the Saeima Presidium. An annual report audit is carried out in the end of each accounting year. Conclusions on annual report audit are submitted to Saeima Presidium by the Public Expenditure and Audit Committee no later than six months after the end of the accounting year.

IV. Recommendations

- We recommend an in-depth review of expenses of the Secretariat's budget during the last three years (spending review). As the Internal Audit Section is still in its starting phase, and in follow-up to the findings in the current Functional Analysis report, we recommend a budget and spending review for the Secretariat of Parliament, possibly to be outsourced.

- For 2016, the Internal Audit Section is planning seven evaluation missions. We recommend the full implementation of this annual plan.

- Plan and perform audits on certain expenditure items selected randomly.

5.6. The Public Procurement Service

I. Legal framework

The functional attributions of the Public Procurement Service are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[57] as well as in its own

activity Regulation, approved by the Secretary General of the Parliament.

In its activity, the Service is guided, mainly, by the provisions of the Law on Public Procurement nr.96 from April 13th 2007[58] (valid until May 30th 2016), the Law on Public Procurement nr.131 from July 3rd 2015[59] (*en force* from May 1st 2016), as well as the normative acts subsequent to them.

The Service consists of four positions; all civil servants.

The mission of the Service is to ensure the realization of the public procurement, works and services for the needs of the Parliament and its Secretariat. Amongst the main duties of we can count the following:

- organizing, coordinating and realizing, according to legal provisions, the public procurement procedures of goods, works and services that are necessary for the activity of the Parliament and the Parliament Secretariat;

- ensuring the transparency of public procurements, providing informational and methodological support in their specialisation field.

The Service collaborates with similar subdivisions from other Public Authorities as well as with national and international consultants, in order to study relevant practices and experience from the domain.

II. Analysis

The Public Procurement Service is responsible for the coordination of the public procurement process in the Parliament. The Public Procurement Service prepares the Secretariat's annual procurement plan.

(57) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

(58) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=324662.

(59) http://lex.justice.md/md/360122/.

The 2013 Court of Account report on the Parliament highlighted the absence of an (annual or) quarterly action plan for public procurement.

The Public Procurement Working Group prepares the annual plan based upon the information and data received from the Financial Department on the available resources. For the purpose of this Functional Analysis Report, we reviewed the 2015 Annual Procurement Plan.

The content of the 2015 Annual Plan reflects the goods that are to be procured for maintenance of the buildings and cars, such as gasoline, heating, electricity, paper, water, security, ICT equipment and licenses, etc. The Plan mentions the type of goods, type of procurement procedure to be used, the estimated amount and the date when the ToR should be presented and by whom. From the Plan, it is not clear how many goods do need to be procured. Hence, the justification for the stated amounts is also not clear.[60] In addition, the rationale why these goods are included in the Plan is lacking. There seems to be one direct link to the Parliament Strategic Plan only, this is the ICT licenses that were bought in 2015. Everything else is related to maintenance and is recurrent annually. No other links to the priorities of the Strategic Plan of parliament were clear in the Procurement Plan.

Each subdivision is responsible for the elaboration of the ToR (technical proposal) for each public procurement, taking into account the own competences. The technical proposal is discussed within the working group for public procurement. The working group consists currently of 13 persons, which are the representative of different departments of the Secretariat. Members of the working group are, amongst others, a representative of the Legal Department (responsible for the legality of the contract), representative of the Financial Department (responsible to ensure that the value of the contract is within budget limits), the Foreign Relations Department, the Transports Department, the Administrative Department, the ICT Department, etc. According to the 2015 Internal Audit Report on the public procurement service, the functions and responsibilities of the procurement working group, as well as for each member of it, are not set.[61]

The size of the working group can be considered big; however it is understood that not all members are required to be present at all meetings. Invitations are based upon the competencies of the Department. Nevertheless, interviews indicated that it requires a considerable time-investment by the Departments to participate in the procurement working group. In 2015, there were 28 auctions and 38 competitions. For each of these cases, three to four meetings of the working group have been organized. There is need to ensure that the size of and participation in the working group reflect a rational use of the time allocation of parliament staff.

Over the last couple of years, there were no registered cases of conflict of interest. Cases of conflict of interests may potentially occur mainly when the ToR is elaborated and the persons responsible for one procurement request have relatives which are active on the market of the respective goods and services.

The departments receive the goods/services which they have requested in the technical proposal. One of the problematic aspects highlighted in the interviews was the fact that the control of delivered goods/services or works is conducted by one person only. This approach does not provide sufficient guarantees for the integrity of the process and for the accuracy

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(60) The amounts of the Annual Procurement Plan are mentioned in the requests of the Parliament Secretariat's divisions submitted to the Department on Finance, Budget and Accounting, in which are indicated the object of procurement, the amount requested and the calculation of the estimated value. However, the Annual Procurement Plan itself does not incorporate these justifications as such.

(61) The Functional Analysis team learned that the 'Decision on Establishing the Procurement Working Group' of 28 October 2015 sets out the tasks and duties of each member of the working group.

that the good delivered do meet all specifications of the contract. The 2013 Court of Account report highlighted the insufficient monitoring of the degree of the implementation of contractual clauses and it seems that this issue hasn't been fully remedied yet. It would make sense that more than one person reviews the accuracy of the goods delivered in line with the specifications of the contract, as recommended by the Internal Audit Section.

During the interviews, it was mentioned that the transparency of the procurement process is performed in accordance with legal provisions. This means that all procurement announcements and the results of the competitions are published in the "Bulletin of Public Procurements" and the Automated Information System "State Register of Public Procurement". Only the persons which have subscribed to the Bulletin have access to it. While the participants to the public competitions are personally informed on the outcome of the public procurement, this information is not published on the web-site of the Parliament. The transparency of the public procurement process and the credibility of the institution of parliament can be enhanced by publishing procurement notices, the outcome of the procurement process and awarding of contracts on the parliament's web-site.

Also according to the 2015 Internal Audit Report on the Public Procurement Service, the requirements on transparency and advertising are not fully satisfied, as the annual procurement plan is not public, and no advertising was done for unplanned/new procurements.

In addition, according to the Internal Audit Report, the single source selection procedure is not always applied based upon a proper justification.[62] According to the Internal Audit Report, the ToRs are sometimes developed to select one single operator, and seem too ambiguous. Moreover, amendments to the contracts are

done in favour of the contractor; the value of the contract is increased without a sufficient justification and sometimes the payments don't correspond with the amount/quality or specifications of goods and services. It goes without saying that these findings of the Internal Audit Service require full attention and follow-up by the Secretariat.

One of the additional tasks of the Procurement Service is renting out goods or assets of the parliament. It was proposed that the General Department for Patrimony would be better placed to conduct this task.

III. Practices in other parliaments

Different parliaments have organized the public procurement function in different ways within the Secretariat organizational structure. In Lithuania, the Seimas has an entirely independent Public Procurement Unit. In Latvia, there exists the Public Procurement and Legal Assistance Department. In Austria, there is a Service for Maintenance and Purchase.

IV. Recommendations

- Clarify the internal procedures regarding justification, development and approval of the Annual Procurement Plan, as well as its periodical update;

- Develop a standard form for the subdivisions in order to have the requests for Procurement Plan in similar format; and strengthen the capacity of persons who are in charge to prepare proposals for the Annual Procurement Plan;

- Assign to a particular person the task to develop and update the Annual Procurement Plan;

- Re-assess the composition and the size of the public procurement working group with

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(62) The procedures for selecting a single source are mentioned in article 53 of Law no. 96 of 13 April 2007 on public procurement.

a view to use the time of parliament staff in a more rational way, and determine the role and responsibility of each member of the working group;

- Develop an analytical note for estimating the value of the contract, in which all the amounts related to the contract execution are mentioned;

- Ensure that a group of persons, rather than a single person, does the quality control of the goods/services delivered according to contract provisions;

- Enhance the transparency of the public procurement process and the credibility of the institution of parliament by publishing procurement notices and the outcome of the procurement process on the parliament's web-site;

- Set up a check-list for contract awarding;

- Ensure that no contract can be awarded for a higher price without a proper justification;

- Set up internal procedures and internal controls of contract management;

- Transfer the task for renting out goods and assets to the General Department for Patrimony.

5.7. The Security and Integrity Service

I. Legal framework

The functional attributions of the Security and Integrity Service are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[63] as well as in its own activity Regulation, approved by the Secretary General

(63) http://parlament.md/CadrulLegal/RegulamentulaSecretari-atuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

of the Parliament. The Service consists of two civil servants.

The mission of the Service is to ensure the implementation of the security of Parliament information, the professional integrity of the personnel and the protection of state secrets (qualified information of the state). The duties of the Service are the following:

- ensuring the implementation of the informational security policy within the Parliament;

- ensuring the protection of the information attributed to „state secret" (qualified information), organizing secretariat works and the circulation of qualified (secret) correspondence in the Parliament and the Parliament Secretariat;

- ensuring the professional integrity of the personnel, respecting the legislation on the conflict of interest, evaluation of corruption risks within the Secretariat;

The Service collaborates with similar subdivisions from other public authorities as well as with national and international consultants, in order to study relevant practices and experience from the domain.

II. Analysis

The Security and Integrity Service became operational in May 2015. The service has the duty to ensure the security of information, protection of state secrets, integrity of parliamentary staff and personal data protection. During the first months of activity, the Service focused on developing special regulations, such as: the Regulation of the ISS activity, the Regulation on keeping record of cases of improper influence in the Parliament Secretariat, the Regulation on integrity whistle-blowers within the Parliament Secretariat, the Regulation on the processing and protection of personal data, and on finalising the Policy on security of information in the Moldovan Parliament."

There is regular interaction with the HRM Department and the Legal Department, the Department of Information Technologies, secretariats of parliamentary committees and other divisions within the Parliament Secretariat as well as with other external institutions related to the area of work, such as the National Integrity Commission, the Centre for Special Telecommunications, the Intelligence Service and the Centre for Personal Data Protection.

Being a new division, the main challenge in coordination with other divisions is the physical separation of staff over different buildings. The lack of knowledge and awareness of MPs and staff on the new policies needs to be addressed in 2016. A Code of Conduct for all Parliament staff would be useful. A particular challenge is that there seems to be no financial means available to implement the new policies.

III. Practices in other parliaments

Different parliaments have assigned the function of the Security and Integrity Service in different ways within the Secretariat's organizational structure. In Lithuania, it seems this function is placed within the Legal Department; and in Latvia within the Personnel Department.

The European Parliament has a Directorate on security and risk assessment. Some of its duties are similar to those of the Security and Integrity Service (protection of personal data, security of information, and investigation of security incidents). Similar subdivisions are in the UK Parliament, U.S. Congress and in other parliaments of other countries as well.

IV. Recommendations

- Plan for training and awareness raising of MPs and staff on the new policies

- Strengthen the integrity dimension of the Service by including it in consultations on the Parliament's Anti-Corruption Action Plan 2016-2018.

- Prepare a Code of Conduct and Ethics for all parliamentary staff, in cooperation with the Human Resources Department

- Allocate in the parliament's budget the required financial means to implement the new policies.

5.8. Petitions and Hearings Department

I. Legal framework

The functional attributions of the Petitions and Hearings Department are reflected in the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[64] as well as in its own activity Regulation, approved by the Secretary General of the Parliament. In its activity, the Department is also guided by the Law nr.982-XIV of May 11th 2000 regarding the access to information[65] and Law nr.190-XIII of July 19th 1995 regarding petitioning[66].

The Department consists of a total of 8 positions; all civil servants.

The mission of the Department is to insure technical-organizational support in the everyday works with the natural persons and the legally constituted bodies, examines petitions and organizes hearings.

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(64) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

(65) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311759.

(66) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=313313.

Amongst the main duties of the Department, we can count the following:

- organizing and carrying out the process of examination of petitions addressed to the Parliament by natural persons and the legally constituted bodies;

- organizing the hearings of natural persons and legally constituted bodies with the Parliament and Parliament Secretariat Leadership;

- advising the natural persons and representatives of the legally constituted bodies, within the frame of the *en force* regulatory provisions;

- elaboration of analytical reports on the issues addressed in the petitions, by submitting relevant and necessary proposals.

The Department collaborates with similar subdivisions from other Public Authorities as well as with national and international consultants, in order to study relevant practices and experience in the domain.

II. Analysis

The Parliament of Moldova is paying considerable attention to the question of petitions. The Secretariat's Department on Petitions and Hearings has the task to contribute to the fulfilment of the citizens' constitutional right to petitions and to organize citizens' hearings with the parliament.

The authors of the Report have learned that petitions addressed to parliament (and to other central level institutions[67]) are a widely used

tool in Moldova society to request remedy, assistance or clarification on various issues. Since 2012 the responsibilities of the Department were extended by adding the registration of petitions from legal entities. As a result, over the last couple of years, the number of petitions which were received and processed by the Department has increased with 40 %; from 3,200 petitions in 2009 to 4,600 petitions in 2014.

According to the Law on Petitions, the petitions shall be examined by the competent bodies within a deadline of 30 days, and those that do not need additional examination and study, immediately or within a deadline of 15 days since the registration of the petition. The result of the examination shall be communicated to the petitioner in written or electronic form.

People often submit petitions to parliament and to other central level institutions simultaneously. Selecting which petitions need to be answered by parliament and which petitions need to be forwarded to other state institutions requires substantial efforts by this Department. People who are not satisfied with the responses to the petitions or in case they are not responded timely, have the possibility to initiate a case in court. In recent years, the number of cases in Administrative Court increased, but none was lost.

The Petitions Department interacts with all parliamentary committees and Secretariat Departments, but more frequently with those examining a larger number of petitions, such as the Human Resources Department, the Department on Communications and Public Relations, the Department on Information and Analytics, the Department on Technologies and Communications, the Legal Department, Financial Department, the Parliamentary Documentation Department and the Secretariats of the Legal Committee on Appointments and Immunities,

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(67) In a way similar to the role of the Parliament's Secretariat Section on Petitions and Hearings, the State Chancellery deals with petitions sent to Government. The role of the State Chancellery is: 1. Examination of petitions from citizens and legal organizations; 2. Organizing audience of the citizens at the Prime minister, Deputy Prime Minister and General Secretary of the Government; 3. Analysis of the petition examination results and formulation of the proposals on work improvement within the public administration authorities and amendments to the law;

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4. Monitoring of the petition examination by other central public administration authorities; 5. Methodological and consultative assistance to other public administration authorities on the petition issues.

the Committee on Economy, Budget and Finance, and the Committee on Social Protection, Health and Family.

The role of the four Constituency and Information Centres has been considered carefully. Rather than encouraging people to send more petitions by offering the possibility to submit petitions at the Constituency and Information Centres, staff of the centres are discussing with people ways to resolve the issues and direct them to the authorities in charge for the issue, in this way trying to reduce the number of petitions. In case the person wants to send a petition to parliament, the staff of the constituency centres provides advise on the right format and wording. This practice is in line with the recommendations of the Feasibility Study which preceded the establishment of the Constituency and Information Centres. When the pilot phase of the centres will be reviewed, an evaluation of the time and resources dedicated to petitions should be conducted.

During the last year, the Department for Petitions participated in three trainings for the staff of the constituency centres, and staff of that Division visited the Petitions Department once. The main means of communication is through telephone and e-mails.

Currently, petitions are registered in the Information System for Petitions Management (E-Petitions). The staff receives, files, scans, preliminary examines petitions, analyses the content of petitions and proposes ways of resolving them, forwards the petitions to the Speaker and Secretariat management, sends the petitions to relevant bodies according to the resolutions, informs petitioners about the progress of examination of petitions, and, where appropriate, keeps under control the examination of petitions. The Petitions Department prepares the draft reply letter for the Speaker to petitions submitted to the Speaker during the hearings with citizens, and/or to petitions that are within Department's competence. The Cabinet of the

Speaker analyses and submits for approval to the Speaker resolutions related to the competence of petitions examination, and, where appropriate, prepares appropriate replies. The Speaker approves thousands of resolutions per year.

It was noted that about 50% of the petitions are coming from citizens living in Chisinau. In 2013, 30% of petitions were sent in Russian and 70% in the Romanian language.

A new e-petition system is now in the process of testing and finalization. The new system provides the possibility for citizens to send the petition electronically, by using the e-signature, and to monitor the phase of resolving the petition (where it is at different point of time). Taking into account that not all the people can and have the possibility to receive the electronic signature, the responses on paper will still be needed.

Once the e-petition system is operational, staff of the Petitions Department will have less workload with the administrative tasks of receiving, scanning, filing, forwarding and tracking the petitions. Staff of the Petitions Department will then have more possibilities to prepare substantive answers to the issues raised in the petitions and rely less on requesting inputs from other Departments and Units. Further coaching and training in this area might be appropriate.

The team conducting this Functional Analysis did a preliminary review of the workload in the Department. A basic calculation of the workload related to 4,600 petitions (in 2014) divided over 8 staff persons over 11 working months results in an average and standardized workload of 52 petitions per person per month. This means that at an average and standardized calculation, each person of the Department is responsible for the administrative tasks of receiving, scanning, filing, forwarding and tracking 13 petitions per week, or 2.5 petitions per day. At the same time, it is noted that petitions vary by volume and complexity, that staff needs to answer

phone calls of petitioners, and that the Department needs to draw up semi-annual and annual reports on petitions examination and thematic analysis of petitions' results.

One of the challenges which the Department identified is related to the (basic) premises where the Petitions Department has been located.

III. Practices in other parliaments[68]

▸ The **Scottish Parliament** played a pioneering role in Europe, as it created in 1999 a petition system largely based on electronic means. Irrespective of the way petitions are submitted (by e-mail or by regular mail), all petitions are published on the internet and their exam (decision-making process) can be followed and monitored on the Scottish Parliament web-site. The key information related to the petition is available online, such as the number of signatures, documents related to the petition and the minutes of meetings where the petition is discussed. Electronic functionalities include the possibility to table petitions or sign already tabled petitions on-line, as well as to hold on-line discussions on the petitions. Although not mandatory, debates and hearings of the petitioners are common practice, independently of the number of signatures on the petition (there are no thresholds), and can be watched on the Internet. The site also includes a wide variety of information material, such as text, brochures and animated videos, available in several languages (including Arabic, Bengali, Punjabi, Simplified Chinese/Mandarin, or Urdu) explaining to the public how the petition system works, from submission, consideration to the final decision.

▸ The **German** Parliament (Bundestag), in 2005, largely inspired by the Scottish example, initiated a reform to introduce Internet-related

functionalities into the petition system. This reform included the possibility for petitions to be submitted by E-mail and, under certain conditions, to publish on the Internet the petition texts (so-called Public Petitions). If a petition is accepted by the Bundestag as a Public Petition, "supporting" signatures can be collected on the e-petition platform of the German Bundestag. These petitions can also be discussed on the Internet in public online forums. This reform included also other features aiming at improving the system, such as a possible hearing and a public debate in the Petitions Committee for petitions that reached 50.000 signatures. While most of these electronic features are available for "Public Petitions", conventional petitions are still in place, but are almost not affected by this modernization process and remain not public (including their processing).

▸ The **Portuguese** e-petition system was approved in 2003 and implemented in practice in 2005. All petitions, also those submitted by regular mail, are published on the Internet. Besides the petition text, the Parliament publishes several documents related to the petition process (admissibility note, questions to the government and respective answers, final report). Not all of these documents were made available on the Internet when the new e-petition system was introduced, but the Parliament progressively improved the functionalities. Petitioners can freely collect signatures on the Internet, although there is no Parliamentary platform to specifically support this.

▸ **Ireland** (2012) and **Luxembourg** (2014) are more recent examples of the modernization of the petition systems. In the Irish case, petitions can be submitted by electronic or conventional means to a Joint sub-Committee on Petitions composed of Members of the two Houses of Parliament. Details on the procedure (status, name of the petitioner and some historical details) are provided on the Internet, but not the text, not the final report. The very recent case of the Chamber of Representatives of Luxem-

bourg has, like the German system, two kinds of petitions. Conventional petitions (pétitions ordinaires) and Public Petitions (pétitions publiques). The latter can be publicly debated, with hearing of the petitioners, if the petition collects more than 4.500 signatures on the petition platform. However, all petitions (conventional and Public Petitions) are published on the Internet, as well as information regarding the petitions developments.

▸ In **Lithuania**, as the result of the E-Parliament project, there is a possibility to submit e-petitions using electronic signatures via Seimas' web-site. There is also a possibility for the applicant to observe on-line the proceedings of his/her e-petition consideration and receive information on changes to the proceedings.

▸ In **Latvia**, written submissions to the Saeima can be sent via regular mail, submitted in person at the Visitor and Information Centre or dropped in a mailbox of the main building of Parliament, sent by e-mail or fax; filed online by filling out the form on the Saeima web-site. Following the initiative of the web-based platform ManaBalss.lv (translates as MyVoice.lv), the Saeima broadened the society's involvement in the legislative process by means of a collective submission that can be filed with the Saeima by not less than 10,000 citizens. It is also possible to collect signatures electronically as long as the possibility to identify signatories and protect personal data is ensured. The Saeima provides a response on the essence of the question within a month from the day the submission is registered. If the content of the submission does not require an answer, the Saeima informs the submitter within seven weekdays that the submission has been received. If the submission is intended for another institution, the Saeima forwards the submission to the relevant institution and within seven weekdays informs the submitter thereof. Electronically filed collective submission must be supplemented with technical information confirming the signing of the collective submission and enabling

verification of the number of signatories, their full names and ID numbers. The Saeima may request the submitter to clarify the submitted documents to ensure that they are in compliance with statutory requirements. The Public Relations Department of the Saeima gathers information, prepares a monthly overview on submissions received by the Saeima and submits it to the Mandate, Ethics and Submissions Committee of the Saeima.

IV. Recommendations

- Provide coaching and training to staff of the Petitions Department to prepare substantive answers to the issues raised in the petitions and rely less on requesting inputs from other Departments and Units, in particular once the e-petitions system is operational.

- Review the number of required staff for the Department, in particular in light of the e-petition system becoming operational and after the implementation of the final e-petitions Information System.

- Improve working practices by locating the Petitions Department in the same building as other Departments and Divisions of Parliament.

- Strengthen the frequency and quality of interaction between the Petitions Department and the staff of the Constituency and Information Centres.

6 Management of the Secretariat of Parliament
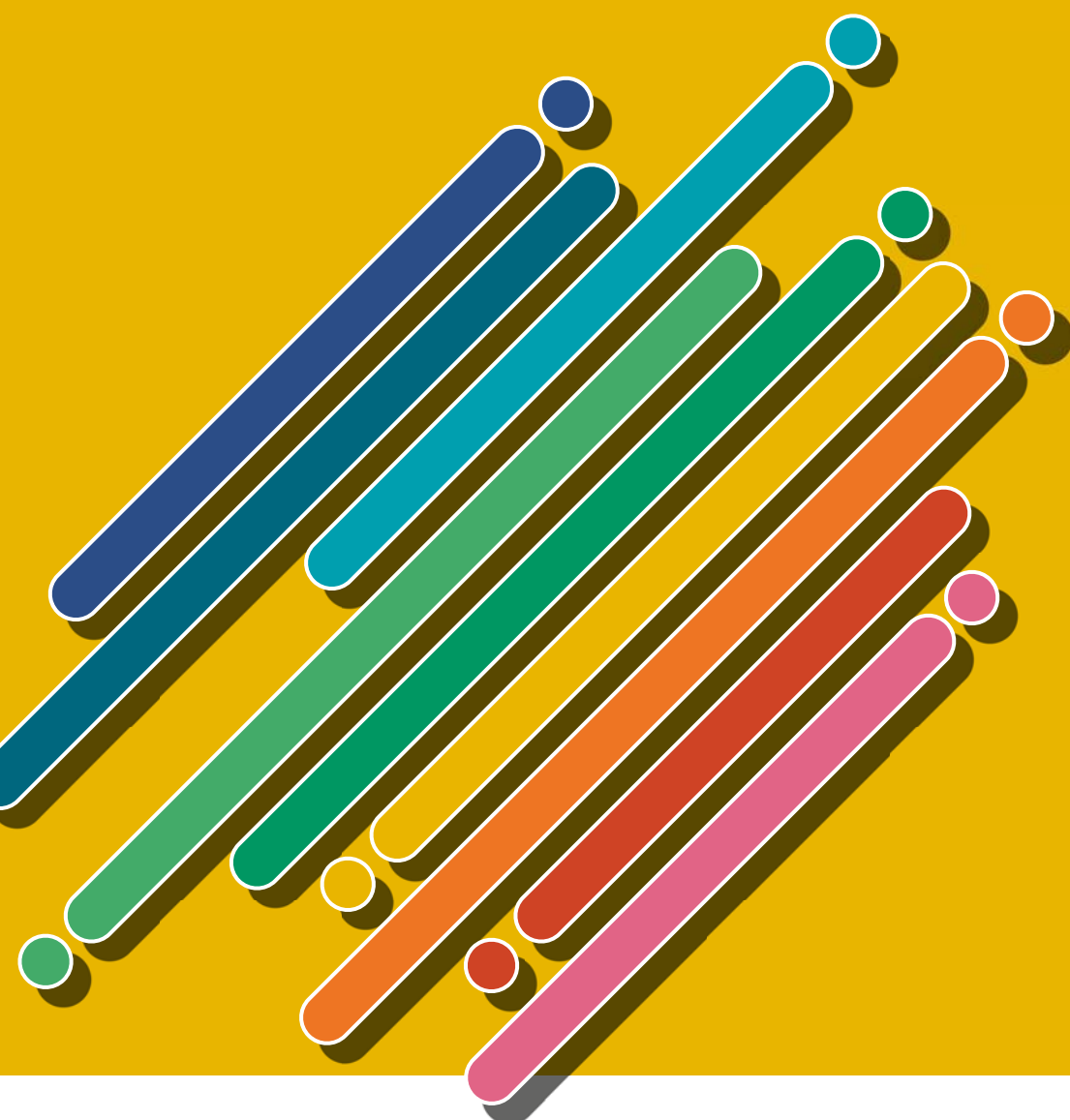
6. Management of the Secretariat of Parliament

I. Legal framework

The attributions of the Permanent Bureau of the Parliament, the Speaker, the General Secretary and the deputy General Secretary are established in a series of legislative and normative acts, including the following: the Regulation of the Parliament, approved by Law nr.797-XIII of April 2nd 1996 (with subsequent amendments)[69], the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[70], the regulation on the Recruitment and Selection of civil servants for the Parliament Secretariat, approved by Disposition of the Speaker DRU-1 nr.106 of 24.06.2013[71], the Regulation on the collective performance appraisal of the structural subdivisions from the Parliament Secretariat, approved by Disposition of the Speaker DRU-1 nr.29 from 25.02.2013.

Thus, the *Permanent Bureau*:

- approves the organisational structure and the limit-number of the units of personnel for the Parliament Secretariat, as well as the specific remuneration and compensation specific circumstances regarding the fulfilment of functional attributions for the civil servants and other employees of the Secretariat;

- approves the Regulation on the organisation and functioning of the Parliament Secretariat;

- approves the Strategic Development Plans of the Parliament Secretariat.

The Speaker:

- hires and dismisses the civil servants from the Parliament Secretariat (including the General Secretary and the Deputy General Secretariat) and the personnel from the cabinets of dignitaries from the Parliament, in the established way;

- approves the staff list and the position framing of the Secretariat;

- Carries out preliminary consultations on the organisational structure and the personnel limit of the Secretariat prior to their approval by the Permanent Bureau, at the proposal of the Secretary general for the Parliament;

- approves the activity Regulations of the cabinets of the dignitaries and the job descriptions for the personnel from the cabinets of the dignitaries;

- approves the nominal constituency of the competition commission and of the disciplinary commission;

- applies, at the proposal of the disciplinary commission, disciplinary sanctions to the civil servants of the Secretariat;

- in the field of individual performance appraisal of the civil servants:

- issues the disposition on the constituency of the evaluation commission, including for appointment of the president and secretary of the commission;

- carries out evaluator attributions for the Secretary General and deputy Secretary General of the Parliament, in the established way;

(69) http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=322831.

(70) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

(71) http://www.parlament.md/LinkClick.aspx?fileticket=vWXX-Jnu9skE%3D&tabid=171&language=ro-RO.

- examines the information regarding the results of the evaluation and makes the final decision, based on the submitted proposals.

- approves the results of the collective performance appraisal and the increase of the collective performance allowance, calculated individually for each civil servant.

Secretary General of the Parliament:

- organises and coordinates the activity of the Secretariat and is accountable for the realisation of its attributes;

- insures the collaboration between subdivision, the cabinets of the dignitaries and secretariats of the Permanent Committees, inure proper working environment within the Parliament;

- represents the Secretariat in its relationship with other public authorities and state institutions, legal and natural persons, including abroad;

- organises the elaboration of the organisational structure and the personnel limit, the staff list and the position framing of the Secretariat and submits them for approval, in the established way;

- organises the elaboration of the Regulation on the organisation and functioning of the Secretariat, the activity Regulation of the structural subdivision and the job description and submits them for approval, in the established way;

- approves the activity Regulations of the distinct structural subdivisions of the Secretariat and permanent Committees' Secretariats;

- approves the job descriptions for the civil servants from the distinct structural subdivisions of the Secretariat and the permanent Committees' Secretariats;

- organises the elaboration of Strategies, concepts, regulations and instructions which regulate the specific procedures on the activity of the Secretariat, the elaboration of policies in the field and submits them for approval, in the established way;

- finalises, modifies, suspends and ceases work relations, stimulates and applies sanctions to the Secretariat personnel, within the limits of its competences (technical and auxiliary personnel);

- having the role on budget execution, a delegated quality, insures the financial-economic activity and organises the elaboration of draft annual budgets of the Parliament, insures their presentation to the Permanent Bureau for approval;

- signs public procurement contracts;

- signs, on behalf of the Secretariat, the official correspondence;

- presents to the Permanent Bureau activity reports as well as reports on the implementation of strategic documents of the Secretariat;

- in the field of individual performance appraisal of the civil servants:

  - issues the Disposition regarding the establishment of the evaluation period, as well as the list of evaluators, the list of signatory parties identified for each civil servant that is subject to performance appraisal;

  - insures the realisation of the performance appraisal process by analysis, monitoring and the performance evaluation of the structural subdivisions in the framework of the overall performance of the Secretariat;

  - approves the objectives and performance indicators of the civil servants from the Secretariat;

– carries out evaluator attributions for the head of distinct structural subdivisions, as well as for the high level civil servants or civil servants in execution positions, in case their activity is not coordinated by a high level civil servant;

– examines the appeals submitted by the evaluated civil servants;

– examines the information on the results of the evaluation and presents it to the Speaker for informing and for the final decision to be made.

• carries out attributions that result from Parliament Decisions, from the Decisions of the Permanent Bureau and from the Dispositions of the Speaker.

The Deputy Secretary General:

• coordinates the activity of the Secretariat from the perspective of goods' administration and insuring proper logistic support for the activity of the Parliament;

• monitors the activity of the General Administrative Department and insures efficient collaboration in the field with all the subdivisions of the Secretariat;

• exercises other attributions which result from the Decisions of the Parliament, the Decisions of the permanent Bureau and from the dispositions of the Speaker.

II. Analysis

The daily management of the Secretariat of the Parliament of Moldova is a shared responsibility of the Speaker and the Secretary General.

In analysing the managerial responsibilities for the Secretariat, one can distinguish between four categories: determining the organizational framework, appointments and dismissals, staff performance and evaluation, and financial management.

As far as Moldova is concerned, the responsibility for determining the organizational framework can be analyzed as follows. The Permanent Bureau determines the organizational chart or structure of the Secretariat. The statues or regulations of the Units and the Job description of positions are approved by the Secretary General. The Permanent Bureau approves „specific remuneration conditions". The „degree" (fixed amount, which depends on the position) on remuneration/salarization are established by Law. The level of remuneration/salarization (variable amount, which depends on the person) is approved by the Speaker when the appointment is made.

The appointments and dismissals is a responsibility of the Speaker, to a large extent, and of the Secretary General, to a smaller extent. The Speaker is responsible for the appointment and dismissal of SG, Deputy SG, Heads of Departments and Divisions, civil servants and political staff. The SG is responsible for appointment and dismissal of contract staff only.

The area of staff performance and evaluation is a responsibility with the Secretariat. The evaluation is actually carried out by the „direct" supervisor of the civil servants (head of unit or division), while the head of the Department is a signatory party on the document, which means that he/she is responsible for verifying that the evaluation procedure is duly respected by the head of unit or division. Disciplinary actions and sanctions are applied by order of the Speaker, at the proposal of the disciplinary committee, constituted by the Speaker.

The Secretary General signs the procurement contracts for goods and services and is responsible for the overall financial management, which is performed by delegation (to the Financial and Accounting Department).

As part of this Study, we requested information from several other European Parliaments. The comparison of the responsibility for the management of the Secretariat of Parliament between Moldova, Georgia and the Baltic States shows clear differences. In Georgia, Estonia and Lithuania the Secretary General has considerably more managerial responsibilities as is currently the case in Moldova.

From the point of view of comparison with other parliaments as well as from a practical and managerial point of view, it makes sense to review the separation of responsibilities between the political and administrative leadership of parliament. This means that the Speaker will provide strategic guidance to the Parliament Secretariat and the Secretary General will be responsible for the managerial and administrative aspects of the Secretariat.

▼ table no. 26

Following careful consideration, we propose a number of changes, preliminary in the field of personnel appointments. To implement the proposed changes, the Rules of Procedure of Parliament need to be revised. Currently, the Speaker appoints the Secretary General and the Deputy Secretary General. As is the case in Estonia, one can argue that it makes sense that the Speaker's appointment of the Deputy Secretary General takes place following consultations with the Secretary General.

As far as the appointment of the civil servants in Parliament is concerned, it is advisable that the SG is fully responsible for this, as is the case in other parliaments in Europe. This will strengthen the managerial authority of the SG and increase the acceptance of a merit-based and politically-neutral civil service.

In the same way, the appointment of the Heads of Departments and Divisions can best be done by the Secretary General, as is the case in - for

instance - Lithuania. The appointment will be done following an open and transparent recruitment process, as is applicable for all other civil servants.

While the political staff is nominated by either the MPs, heads of political fractions or Speaker/Deputy Speaker (for his/her advisors), it is advisable that the SG does the administrative act of signing the parliament's employment contracts with the political staff, as is the case in those countries which have political staff in parliament.

The disciplinary actions for staff are currently a responsibility of the Speaker. This practice deserves reconsideration, taking into account the practice in other parliaments where the SG is responsible.

The procurement contracts for goods and services are the result of a specific procurement procedure executed by the Secretariat. The signing of the procurement contracts is vested in the SG, as is the case in the other parliaments. This is a good practice to remain, and a precondition to take away any suspicion or perception of political influence over the procurement process.

For a well-functioning Secretariat, the good cooperation between the Secretary General and the Deputy Secretary General is very important. According to his Job Description, the Deputy Secretary General has responsibilities for transportation, buildings (real estate), and general services. While executing his responsibilities, the Deputy Secretary General can take very few decisions on his own, as the Secretary General is the final signature authority for the Secretariat. In order to avoid that staff tries to take advantage of this situation and 'picks and chooses' between the SG and Deputy SG in advocating for its proposals, close consultation and joint decision making between the SG and the Deputy SG related to the areas of responsibility of the Deputy Secretary General are required, in-

26. RESPONSIBILITY FOR THE MANAGEMENT OF THE SECRETARIAT OF PARLIAMENT

Areas of managerial responsibility	Secretary General	Speaker	Permanent Bureau/ Presidium	SG with Speaker, Bureau or Presidium	Parliament
Organizational Framework					
Organizational Chart / structure of Secretariat			Estonia **Moldova**		
Statutes / regulation of units	Lithuania Estonia **Moldova**	Georgia			
Job descriptions of positions	Lithuania Estonia **Moldova**	Georgia			
Salary rules and incentives			Estonia **Moldova**		
Appointments and dismissals					
Secretary General		**Moldova**	Latvia Estonia		Lithuania
Deputy Secretary General		**Moldova**		Estonia	
Heads of Departments and Divisions	Lithuania	Georgia **Moldova**	Latvia	Estonia Latvia	
Civil servants	Georgia Lithuania Estonia Latvia	Moldova			
Contract staff	Georgia Estonia Latvia **Moldova**				
Political staff	Georgia Latvia	**Moldova**			
Staff performance and evaluation					
Performance evaluation of staff	Georgia Lithuania Estonia **Moldova**				
Disciplinary actions for staff	Georgia Lituania Estonia	**Moldova**			
Financial management					
Sign procurement contracts for goods and services	Georgia Lithuania Estonia **Moldova**				
Management of Parliament Budget	Georgia Lithuania Estonia **Moldova**				

cluding signing authority for the Deputy SG on the areas of responsibility of the deputy SG.

Another key issue for the well-functioning of the Secretariat is the organization of regular and interactive meetings with all staff as well as joint meetings of the Directors with SG and Deputy SG. These meetings are important to advance an organizational culture where concerns, challenges and problems can be raised, discussed and jointly resolved. During several interviews, it was said that each division tries to resolve its problems on its own with the capacities and personal relationships it has. In most interviews, the need of working towards a joint goal and as part of a joint team was mentioned as an area of growth. Therefore, the creation of a Secretariat Management Team is proposed, bringing together at two-weekly basis the Secretary General, Deputy Secretary General and Directors of the Departments.

III. Practices in other parliaments

▶ In **Georgia**, the Head of staff of Parliament (Secretary-General) coordinates and supervises the activities of the structural units of the staff of parliament; recruits new civil servants as s/he is the head of the recruitment commission; appoints and relieves for the posts the civil servants of parliament, parliamentary committees' staff and fraction's staff as well, except heads of departments and services; concludes the contracts and agreements on behalf of Parliament; disposes the financial assets and recourses, as well the property of Parliament and is responsible for spending the financial resources; supervises the performance of the staff and provides the disciplinary sanctions as well.

The President of Parliament is appointing the heads of departments and services, as well as the head of the Budgetary Office. He/she approves the statutes of staff of Parliament and statutes of structural units. During the plenary session or during the Bureau Meeting, the

Speaker can give the direct instructions to the head of the Legal Department and of the Organizational Department (which are attending the Plenary and Bureau sittings).

▶ In **Lithuania**, the Secretary General of the Seimas is a civil servant, appointed to office for the period of five years, and dismissed from office by the Seimas on the recommendation of the Speaker of the Seimas. A Seimas member may not be Secretary General of the Seimas. The position of Secretary General of the Seimas is incompatible with participation in the activities of political parties or political organisations.

The Secretary General of the Seimas shall, in the manner prescribed by law, appoint to office and dismiss civil servants of the Office of the Seimas; approve regulations, job rules, workers' job descriptions and instructions for clerical work of the divisions of the Office of the Seimas; carry out the functions of the manager of budgetary appropriations for the Office of the Seimas.

The Secretary General of the Seimas shall 1) supervise the drafting of documents of the Seimas and the Board of the Seimas; 2) supervise the consideration of issues, inquiries and interpellations submitted to the Government members and heads of other State institutions and furnish related information to Seimas Members; 3) consider the issues raised by the Seimas Members concerning the functioning of the Office of the Seimas; ensure the implementation of the decisions of the Board of the Seimas; 4) ensure the preparation of a draft work programme of a session, draft agendas for week- and day-long sittings, draft agendas of the Assembly of Elders and the material related to all the issues subject to consideration, which are prepared by the Speaker of the Seimas and his Deputies; 5) endorse official documents prior to their being submitted to the Speaker of the Seimas for signing and, within the limits of his competence, sign official documents; 6) be responsible for the use and keeping of the Seimas Seals bear-

ing the State Emblem; 7) regularly submit to the Seimas summarised data concerning proposals, wishes and letters addressed by voters to the Seimas; 8) together with the representatives of the parliamentary groups, arrange the seats in the chamber for the members of the parliamentary groups and for those members of the Seimas who do not belong to any parliamentary group and allocate premises for meetings of the parliamentary groups.

▶ In **Estonia**[72], the Chancellery of the Riigikogu is headed by the Secretary General of the Riigikogu who is appointed to office by the Board of the Riigikogu following a public recruitment procedure for a term of five years. The Secretary General appoints to office and releases from office the civil servants of the Chancellery of the Riigikogu and enters into and terminates the employment contract of employees. The authority and principal functions of the Chancellery of the Riigikogu, its management arrangements and the competences of its units are set out in the statutes of the Chancellery of the Riigikogu that are established by the Board of the Riigikogu. The Board of the Riigikogu determines the structure of the Chancellery of the Riigikogu, its roster of service positions and its salary rules and may establish a classification of service positions into functional groups . (The Board of the Riigikogu consists of the President and 2 Vice Presidents of the Riigikogu.)

The Statutes of the Chancellery of the Riigikogu set out the main tasks of the Secretary General of the Riigikogu as follows:

- determining the functions of the departments of the Chancellery, setting out the statutes of the departments, and checking that the departments and the employees under their direct leadership fulfil their tasks;

- reporting to the Board of the Riigikogu on the activities of the Chancellery;

- appointing officials of the Chancellery and releasing them from office;

- signing, changing and terminating the employment contracts of the staff of the Chancellery;

- applying incentives and imposing disciplinary punishments;

- coordinating with the Board of the Riigikogu the appointment or the release from office of the Deputy Secretary General and the Administrative Director, as well as the heads of the departments;

- establishing the job descriptions of the staff of the Chancellery;

- establishing the Statutes of the Chancellery of the Riigikogu, the accounts, as well as the other internal legal instruments regulating the organisation of work in the Chancellery;

▶ In **Latvia**, the Presidium (consisting of five MPs - the Speaker, two Deputy Speakers, the Secretary and the Deputy Secretary) establishes and terminates the work relationship with the Secretary General of Saeima Administration, other heads of Saeima structural units (except the heads of Presidium members' bureaus), as well as basing on Secretary General's suggestion establishes or terminates work relationship with the heads of Saeima Administration units. The work relationship with the heads of Presidium members' bureaus, advisors and consultants are established and terminated by the Secretary General of Saeima Administration, basing on proposal by the relevant member of the Presidium.

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72 Riigikogu Rules of Procedure and Internal Rules Act: https://www.riigiteataja.ee/en/eli/512032015002/consolide

IV. Recommendations

We recommend to review the separation of responsibilities between the political and administrative leadership of parliament, and adjust the Rules of Procedure of Parliament accordingly. More specifically:

- Ensure that the Speaker's appointment of the Deputy Secretary General takes place following consultations with the Secretary General;

- Assign to the Secretary General the responsibility for the appointment of all civil servants of parliament, including the Heads of Departments and Divisions, and the contract staff;

- Assign to the Secretary General the administrative responsibility of signing the parliament's employment contracts for political staff;

- Assign to the Secretary General the responsibility for the disciplinary actions of staff ;

- Establish close consultation and joint decision making between the Secretary General and the Deputy Secretary General related to the areas of responsibility of the Deputy Secretary General, including signing authority for the Deputy SG for those areas delegated by the SG;

- Organize regular and interactive meetings with all staff of the parliament and establish the Secretariat Management Team, meeting at two-weekly basis;

- Organize regular and open meetings with the Directors, Secretary General and Deputy Secretary General with a view to strengthen the team coherence and cooperation within the Secretariat.

7 Political staff in Parliament
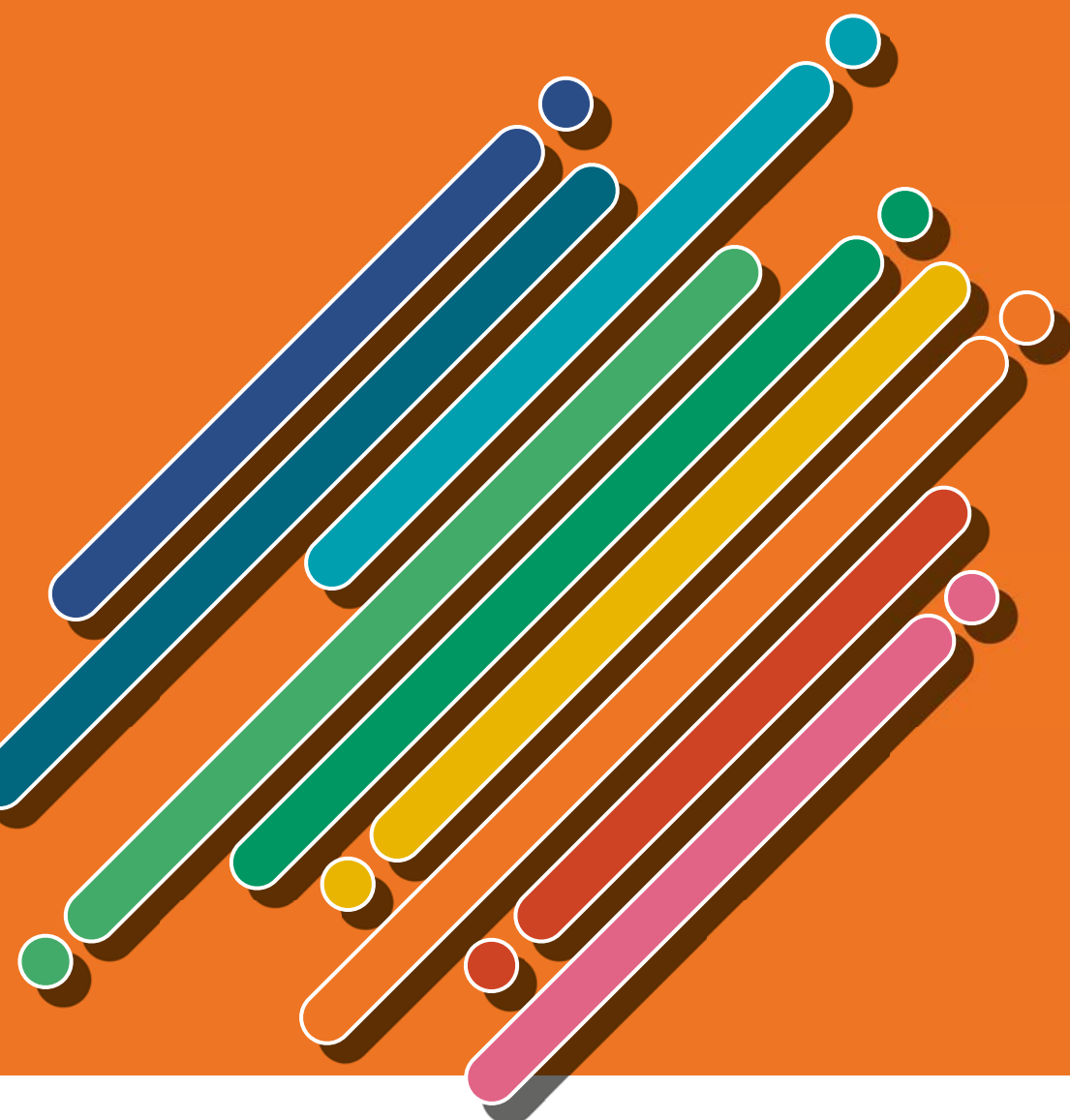
7. Political staff of the Parliament of Moldova

The political staff in the Parliament of Moldova consists of 128 persons: political advisors to the Speaker (6 persons) and to the two Deputy Speakers (2 x 4 persons), advisors to the parliamentary groups (21 persons, between 5 and 3 persons per parliamentary group including one Chief of Staff of the Cabinet of each parliamentary group), and an individual assistant to MPs who don't have a political advisor (93 persons).[73]

I. Legal framework

According to Law nr.8/2011 on the amendment and completion of certain legislative acts[74] [art. VII], enacted as of January 1st 2012, the Cabinets of the MP were instituted, which include one personal assistant. The staff at the MP Cabinet is appointed based on personal trust criteria (trust by the MP). The loss of personal trust leads to the cancellation of the labour contract of the assistant of the MP.

According to art.14 from the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the Permanent Bureau of the Parliament nr.31 of December 12th 2012[75], the Assistant of the MP realizes the following attributions:

- organizes the activity of the MP and provides counselling for carrying out MP's service duties;

- provides the MP the necessary materials for the parliamentary activity in the plenary session, as well as for his/her participation in debates and in the working bodies of the Parliament;

- provides assistance to the MP in exercising his/her right to legislative initiative, de develop and revise draft legislative acts included in the legislative procedure;

- organizes the MP's communication with the public authorities, with the representatives of the civil society, and mass-media;

- provides technical-organizational assistance and advise to MP in his/her activity with the citizens;

- promotes the public image of the MP;

- grants assistance in examining claims and correspondence addressed to the MP.

In addition to the 93 individual assistants to MPs, there exist also the Cabinets of the Speaker, Deputy Speakers and of the Heads of parliamentary fractions.[76] The Cabinet of the Speaker consists of 6 advisers, and the Cabinets of the deputy Speakers include a Head of Cabinet and 3 personal advisers.

The Cabinet of the Presidents of parliamentary fractions are created according to the proportional representation of the fraction within the Parliament. Thus, the Cabinet of the Socialist Party fraction and of the President of the Liberal Democratic Party fraction from Moldova include a Head of Cabinet and 4 personal advisers. The Cabinet of the President of the Communist Party and of the President of the Democratic Party fraction from Moldova include a Head of cabinet and 3 personal advisers. The Cabinet of the Liberal Party fraction include a Head of Cabinet and 2 personal advisers.

According to art.13 of the Regulation on the organizing and functioning of the Parliament Secretariat, approved by Decision of the permanent Bureau of the Parliament nr.31 of December 12th 2012[77], the personal Cabinet are structural sub-

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(73) The Speaker, deputy Speaker and the Presidents of the Parliamentray fractions do not benefit from a personal assistant. They benefit from a Cabinet with a more numerous personnel.

(74) http://lex.justice.md/md/337627/.

(75) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

(76) According to the Law nr.80 from May 7th 2010 on the status of the personnel from the public dignitaries cabinet [art.2], the Speaker, deputy Speaker and the Presidents of parliamentary fractions are assisted by own cabinets. http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=335147

(77) http://parlament.md/CadrulLegal/RegulamentulaSecretariatuluiParlamentuluiRM/tabid/201/language/ro-RO/Default.aspx.

divisions of the Secretariat, subordinated to the respective dignitaries and offer support and advisory services in the process of realization of parliamentary functions.

The Cabinets of the Speaker, deputy Speakers and Head of fraction Presidents have the following duties:

- organize the activities of the dignitary and provide advice to the dignitary in the exercise of duties;

- develop studies, analyses, releases, messages, and other support material, which are necessary for developing and supporting the respective dignitary's activity, according to the established areas of competence;

- monitor and control the fulfilment of the indications and tasks set forth by the dignitary;

- grant assistance for the collaboration with public authorities, representatives of civil society, and mass-media;

- promote the public image of the respective dignitary;

- grant assistance in revising the claims and correspondence addressed to the dignitary.

II. Analysis

The political staff is selected by the MPs and offered a temporary contract with the Parliament for the entire mandate of the parliament, though can be changed by the MP during the course of the mandate.

The objective of establishing the position of individual assistants was to ensure the right level of expertise to MPs in performing their tasks and to enable a more active role for the MPs in the parliamentary proceedings. Across the board, assistants perform one or more of the following tasks: reviewing draft legislation scheduled to be discussed in parliament, drafting amendments to draft legislation, preparing parliamentary questions, compiling background information on issues of relevance to the MPs, printing and copying documents and conducting administrative and logistical tasks for the MP.

The practice of individual assistants to MPs exists for a short period only and any evaluation is still very preliminary. Nevertheless, interviews with some of the assistants and with staff of the Secretariat reveal a rather mixed picture on the performance and impact of the individual assistants to the MPs. Among civil servants of the Secretariat, there are strongly expressed views on the limitations of the current system of individual assistants to the MPs; emphasizing the low quality of the legislative or policy input produced by most of the assistants to MPs. While some of the assistants do provide quality input to the work of Parliament, that is not the case for all of them. It seems that the objective to create an institutional mechanism to ensure the right level of expertise to MPs has not been fully and equally achieved yet.

At the structural level, it has to be noted that there are no Job Descriptions and there is no evaluation system for the political staff. In addition to the expectation that the political staff has the confidence of the individual MP, there is no specific procedure for the selection and no explicit requirements in terms of expertise or relevant working experience.

There exists no mechanism to verify the actual presence in the office, nor to verify any work conducted. There is no mechanism to ensure proper conduct in the interaction with other staff of parliament (the Code of Conduct for civil servants is not applicable to the politically appointed assistants to MPs). It can thus be said that the positive impact of the personal assistants to the MPs is not at the expected level yet.

The personnel from the Cabinet of the Speaker, the deputy Speakers and the fractions' Presidents is appointed to the Cabinet based on personal trust criteria, respectively, of the Speaker, the deputy Speakers and fractions' Presidents,

and the withdrawal / cease of personal trust leads to the cease of the individual labour contract of the person appointed to the Cabinet.

To complete the analysis on the political staff of the Parliament, we collected the information on the annual total amount dedicated to all political staff during the last 4 years. The amounts in below table include the salary, social security contributions and medical insurances.

The Financial Department further analyzed the cost of one position of „MP assistant" based on the expenditures for 2014. Taking into account the personnel expenditures (remuneration plus social and medical insurance contributions) and maintenance expenditures, the costs of one position of „MP assistant" are estimated at a total of 9,202 thousand lei per month, or 110,424 lei annually. The total amount is then 10,269,432 lei annually for 93 persons. This is a considerable amount; and the "value for money" is not undisputed among Members of Parliament and staff, as mentioned above.

During several interviews, suggestions have been made to change the current system of parliament-contracted individual assistants to MPs and replace it with a system of financial allowances to MPs or parliamentary groups. The potential advantage of such system of allowances is that the MP or parliamentary group can decide for themselves which political staff or expertise they need and on what basis: long-term, short-term, full-time, part-time, local or international. In such system, the person will not have a contract with parliament but with the MP, parliamentary group or political party. If such funds are allocated from the Parliament's budget, proper accounting and justification on the use of the funds by the MPs or parliamentary groups will be required; and the Internal Audit Office of Parliament will be expected to conduct verification missions.

However, given the previous experience and the current state of affairs in Moldova, the risk of miss-using the funds to cover other expenses (related to party politics, own political circumscription or other personal matters of the MP) remains high and could highjack the main objective of the measure, which is better performance in parliament through quality support provided to MPs.

27. COSTS OF POLITICAL STAFF IN THE PARLIAMENT OF MOLDOVA

Position	Total amount	23%	Medical insurance	total
2012				
Cabinets (25 pers.)	1883488,94	415781,33	62425,75	2361696,02
MP assistant (80 pers.)	3163258,69	725201,96	110132,33	3998592,98
Total 2012				**6360289,00**
2013				
Cabinets (32 pers.)	2658824,20	585019,77	87028,34	3330872,31
MP assistant (80 pers.)	4969042,80	1084925,25	163057,06	6217025,11
Total 2013				**9547897,42**
2014				
Cabinets (35 pers.)	3189607,73	704186,07	119926,43	4013720,23
MP assistant (88 pers.)	6193391,88	1349655,74	232904,05	7775951,67
Total 2014				**11789671,90**
2015 (January-November)				
Cabinets (34 pers.)	2628469,38	575138,94	110359,02	3313967,34
MP assistant (90 pers.)	4408312,61	948303,50	185537,64	5542153,75
Total 2015 (January-November)				**8 856 121,09**

Special consideration should be given to the new legal context following the adoption of the law on financing of political parties and campaign financing in April 2015.[78] This Law is in force as of January 1st, 2016; and the political parties will start to receive financial allocations from the State Budget. Art. 28 of this Law foresees that: "By decision of the managerial bodies of the political parties, the allocations from the State Budget will be used for the following purposes:

a) Expenditures for headquarters maintenance;

b) personnel expenditures;

c) press and promotional materials expenditure;

d) travelling (national and international) expenditures;

e) telecommunications expenditures;

f) welcoming foreign delegations expenditures;

g) paying for membership fees for the international organizations where the party is a member;

h) investments in movables and immovable's necessary for party activities;

i) bureaucratic expenditures;

j) audit expenditures (external/mandatory);

k) expenditures for the organization of meetings, public manifestations, seminars and other training courses for party members, carried out at national level (within the country territory).

Since this law foresees in a financial allocation to political parties for personnel expenditures, there is a real risk of "double financing" if the Parliament would create a new system of financing of MPs or parliamentary groups for personnel expenditures. The law is not very clear what is meant with „personnel expenditure". One can interpret this as it regards the

administrative personnel (secretary, assistant), but also as it regards the personnel that carries out responsibilities similar to the ones currently carried out by the MPs' assistants.

III. Practices in other parliaments

Comparison with selected other parliaments in Europe indicate that there exist different practices to provide support to individual MPs. In addition to the system of individual assistants or advisors to MPs (selected by MPs, with contract of Parliament), there are parliaments which foresee in a budgetary allocation to either the MP of to the parliamentary group. The budgetary allocation enables the MP or parliamentary group to recruit expertise in the format and timing as desired.

Comparison with selected other parliaments in Europe shows that Lithuania and Latvia have a similar system as Moldova: individual assistants with a parliament contact. In Austria, Estonia, Kosovo and Serbia Parliament provides a financial allocation to the MPs or to the parliamentary groups, and they use the amount to hire staff or experts, which implies that the recruited personnel has an employment contract with either the MP or with the parliamentary group / party and not with the Parliament. Both options are possible in Czech Republic, Georgia and Slovakia. This comparison indicates that there is no single best practice among the parliaments included in this comparison. A specific system is chosen based on considerations most relevant to the MPs and the parliamentary groups.

▼ table no. 27

IV. Recommendations

Based upon above information and analysis, we propose reviewing the system of political staff of the Parliament of Moldova. There are four possible options.

(78) http://lex.justice.md/md/358046/

28. COMPARISON ON ADVISORY SUPPORT AND ASSISTANCE TO INDIVIDUAL MPS

Parliament	Number of MPs	Number of political staff	MPs can recruit individual assistants or advisers, with parliament contract	Budgetary allocation to the parliamentary group or MP, contract with MP or parliamentary group
Austria	244	No info		×
Czech Republic	200	17	×	×
Estonia	101	32		×
Georgia	150	460	×	×
Kosovo	120	33		×
Latvia	100	139	×	
Lithuania	141	87	×	
Serbia	250	10		×
Slovakia	150	22	×	×
Moldova	**101**	**128**	**×**	

The first option is to keep the current system of parliament-contracted individual assistants to MPs and advisors to the fractions. Under this option, there is need for more guidance on requirements and performance of the individual assistants; and there is need for training and professional development of the assistants. The Heads of parliamentary groups and their Chief of Cabinet needs to play a stronger role in co-ordination and coaching of the MPs' assistants. The Secretariat will need to take measures to:

- Define more clearly the requirements for the assistants to MPs and political advisors to Cabinets, in terms of expertise and prior relevant professional experience;

- Establish a Job Description for the assistants to MPs and political advisors to Cabinets;

- Ensure a transparent recruitment and selection process;

- Foresee in a documented system of evaluation of political staff of parliament;

- Prepare a Code of Conduct for all staff in parliament, which is also applicable to the political staff;

- Establish a mechanism to verify the actual presence in the office or on duty outside the office for the political staff.

The second option is to provide a financial allocation to each individual MP for the purpose of hiring personal assistant(s) and/or experts in the format most useful (full time, part time, short term, etc.). The recruited person(s) will have a contract with the individual MP, who is responsible for payment of salary, social and medical insurances. Proper documentation and justification on the usage of the public funds will be needed, requiring staff at the Parliament Secretariat for verification. Parliament will be entitled to set the benchmarks on the qualification of the persons hired, as well as limitations on who can and cannot be hired (e.g. close relatives). The Internal Audit Office will conduct verification missions.

The third option is to provide a financial allocation to each parliamentary group, proportionally to the size of the parliamentary group, with the purpose of hiring a number of specialists at the required level of remuneration and in the format most useful, to assist the MP's. In such case, the parliamentary group experts will have a contract with the parliamentary group (not with the parliament); and the head of the parliamentary group and its chief of cabinet will need to develop a functioning system to ensure that the assistance is available to the MPs when needed, possibly based on thematic areas of

interest and expertise. Following the adoption of the law on financing of political parties and campaign financing in April 2015, there is a risk of "double financing" of personnel expenditures if the Parliament creates a new system of financing of MPs or parliamentary groups for this purpose.

A fourth option is to increase the number of political advisors with the parliamentary groups. Under this option, the existing system of individual assistant to MPs is replaced with a number of additional advisors to the fractions, though a smaller number than the current number of individual assistants (between 3 to 5 persons per parliamentary group, according to the size of the group). The number of MPs' assistants will be reduced from 93 to 21 persons; and they will continue to have a contract with parliament. If applied properly, this system will result in a reduced number of political staff (from 109 to 56 political staff)) and potentially an increased quality of the legislative output of the MPs. The measures mentioned under the first option also apply here: more clearly defined requirements in terms of expertise and prior relevant professional experience; clear Job Description; a documented system of evaluation; Code of Conduct for all staff in parliament and mechanism to verify the actual presence in the office or on duty outside the office. The financial cost of the political staff of parliament will decrease from 11,789,671 lei to 6,332,624 lei per year, as indicated in the next table.

29. FINANCIAL COMPARISON OF CURRENT MODEL AND THE FOURTH OPTION OF POLITICAL STAFF

Description	Number of persons	Financial cost
Current Model of Cabinet advisors and MPs individual assistants (2014 figures)		
Cabinets	Speaker : 6 Deputy Speaker : 4 Deputy Speaker : 4 Socialist Party: 5 Liberal Democratic Party: 5 Communist Party: 4 Democratic Party: 4 Liberal Party: 3	4,013,720 lei
Individual assistants to MPs	88 persons	7,775,951 lei
Totals 2014	**109 persons**	**11,789,671 lei**
Proposed Model of Cabinet advisors and MPs advisors through parliamentary groups		
Cabinets	Speaker : 6 Deputy Speaker : 4 Deputy Speaker : 4 Socialist Party: 5 Liberal Democratic Party: 5 Communist Party: 4 *[79] Democratic Party: 4 Liberal Party: 3	4,013,720 lei
MPs' advisors through parliamentary groups	Socialist Party: 5 Liberal Democratic Party: 5 Communist Party: 4 * Democratic Party: 4 Liberal Party: 3 Total: 21 persons	2,318,904 lei
Totals proposed model	**56 persons**	**6,332,624 lei**

(79) Numbers need adjustment in view of recent political developments and re-groupings in parliament.
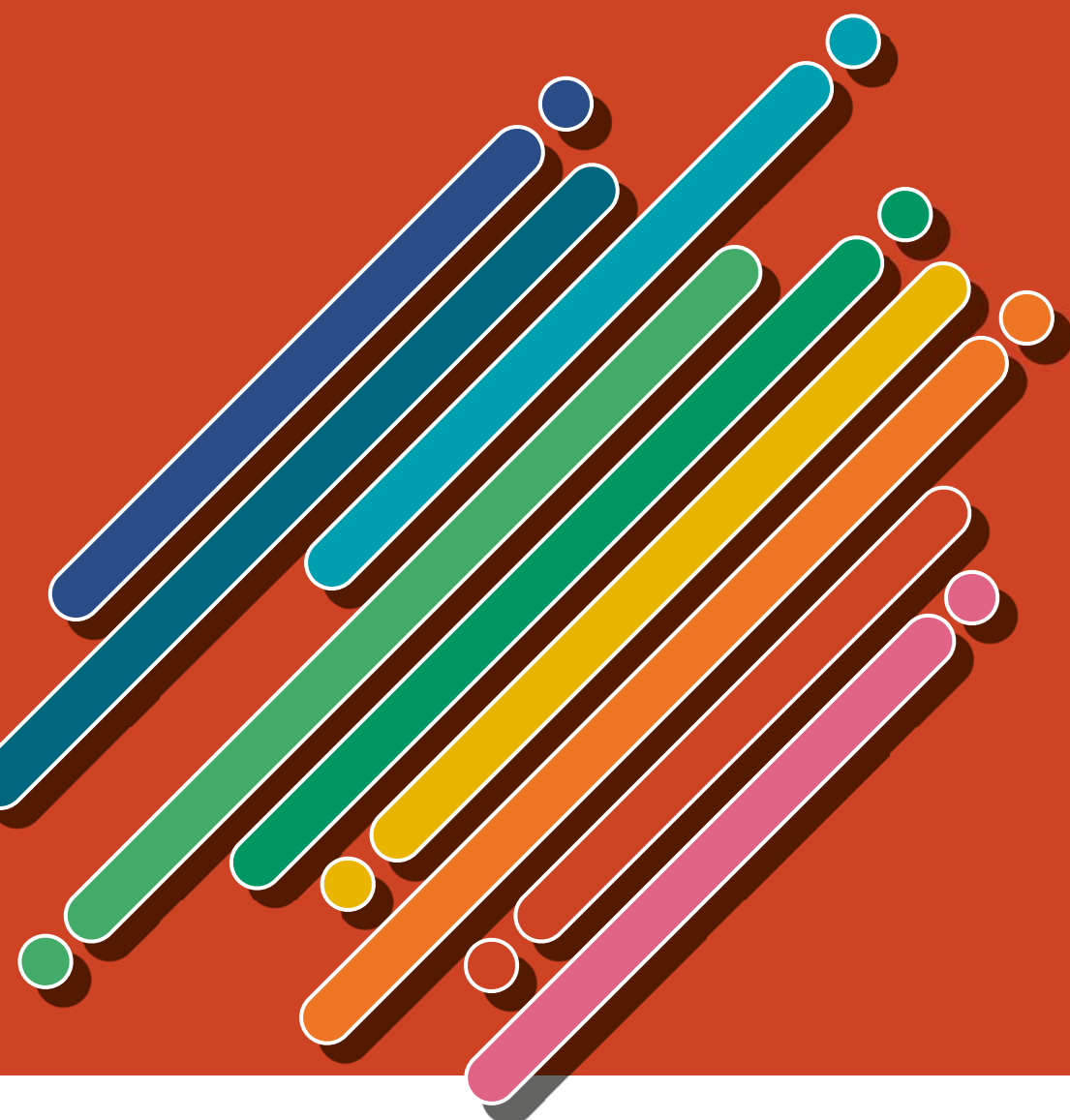
8 Summary of recommendations

8. Summary of Recommendations

30. SUMMARY OF RECOMMENDATIONS

	Department	Main 98 Recommendations full list of recommendations included at end of each chapter	Urgency		
			Priority 2016	Mid-Term	Long-Term
1.	**Cross-cutting findings**	Establish a balance between the number of staff assigned to main functions and to the support functions of Secretariat		×	
2.		Revisit the process of human resources planning, linking it to strategic planning		×	
3.		Assign more staff resources to the two priorities of Parliament, European integration and ICT	×		
4.	**Parliamentary Documentation**	Conduct a detailed assessment of the current information flows in the Secretariat, develop new SOPs on information and data-management of Parliament, and the electronic document flows	×		
5.		Explore the possibility of generating automated basic versions of the transcripts of plenary sessions		×	
6.		Assign to Department for Parliamentary Documentation the responsibility of preparing electronic versions of documents	×		
7.		Make use of electronic voting and publish voting results on the web-page of Parliament	×		
8.	**Legal Department**	Build foreign languages capacity of Legal Department		×	
9.		Clarify the procedures and required resources for the Secretariat's support to special and investigative committees	×		
10		Clarify the format of the parliament's representation at the Constitutional Court	×		
11		Strengthen knowledge and capacity of legal staff related to legislation deriving from the EU Association Agreement, DCFTA and Action Plan for Implementation of Association Agenda		×	×
12	**Information-analytical Department**	Prepare a research strategy, including regularly-scheduled research outputs and a quarterly work plan for analytical and research work	×		
13		Ensure means for subscriptions to international electronic Journals	×		
14		Digitalize the Library		×	
15		Conduct a Feasibility Study on the creation of a Parliamentary Research Institute		×	×

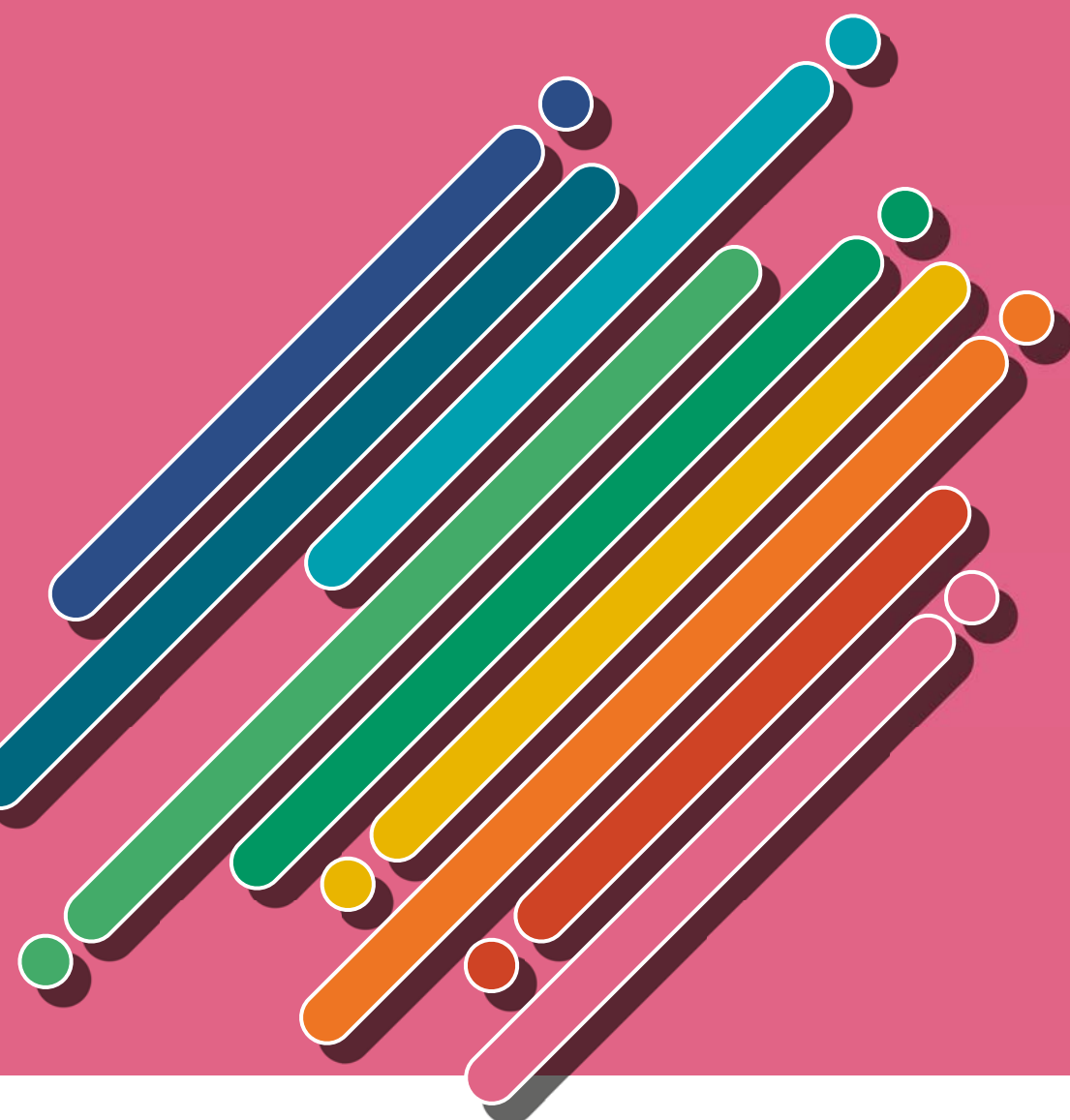|	Department	Main 98 Recommendations full list of recommendations included at end of each chapter	Urgency		
			Priority 2016	Mid-Term	Long-Term
16	**Foreign Affairs Department**	Ensure that an informative report of every parliamentary mission abroad is produced	×		
17		Strengthen the policy advisory role of the Department, by pro-actively identifying opportunities for contributions by Moldova MPs to the proceedings of the inter-parliamentary institutions		×	
18		Draft a series of priorities and objectives for Moldova's participation in the inter-parliamentary meetings		×	×
19	**Communication and Public Relations**	Develop an action plan on parliamentary openness	×		
20		Prepare a parliament social media strategy	×		
21		Develop SOPs to define the type of documents to make available to the public, who is responsible, document flow and timeframe.	×		
22		Assign one of the existing staff within each of the Committee Secretariats the additional task to be focal point for Committee communication and outreach.	×		
23		Create a new position of coordinator for Committee outreach within the Communications Department	×		
24		Create a platform of parliamentary journalists		×	
25	**Constituency and Information Offices**	Support the Offices with information materials and in conducting road-shows on the work of the Parliament		×	
26		Provide the required transport means for staff of the Offices	×		
27		Schedule a series of public hearings in the Offices	×		
28		Foresee in a specific web-page for each of the Offices	×		
29		Provide training and coaching to staff of constituency offices	×		
30		Finalize the Guide on the Offices and the SOPs	×		
31		Put the Division for Territorial Offices directly under the SG		×	
32	**Strategic Planning**	Finalize the new SDP 2016-2018	×		
33		Recruit a second staff person for the Strategic Planning Division, as foreseen in the staffing table	×		
34		Ensure timely and quarterly reporting by Departments on SDP implementation	×		
35		Involve the Strategic Planning Division in the budget process of Parliament	×		
36		Adopt a "Change Plan", based upon the agreed recommendations of Functional and Institutional Analysis Report	×		

	Department	Main 98 Recommendations full list of recommendations included at end of each chapter	Urgency		
			Priority 2016	Mid-Term	Long-Term
37	**Secretariats of the permanent Committees**	Improve the managerial supervision and support to Committee staff, selecting one of the three options outlined in the Report	×		
38		Establish a more concrete work planning with regards to the Committees' obligation to realize parliamentary control	×		
39		Prepare a Regulation on public hearings and approve the draft Manual on organizing public hearings	×		
40		Enhance cooperation between the Parliament and the Court of Accounts	×		
41		Organize regular meetings with all Committee staff to exchange experiences, challenges and discuss common approaches	×		
42		Strengthen capacity building for Committee staff	×		
43	**Committee on Foreign Affairs and European Integration**	Plan hearings and briefings on European integration matters in the four locations where the Parliament has an Office		×	
44		Increase the number of staff to Committee on Foreign Affairs and European Integration			×
45		Organize trainings on EU integration jointly for staff from Parliament and staff from the Centre for Approximation at the Ministry of Justice, as well as the relevant staff of the Ministry of Foreign Affairs and European Integration		×	
46	**Technology and Information Department**	Plan for the installation of a standard set of legally purchased software on computers, allocated to users – MPs and staff.	×		
47		Develop a set of regulations ensuring the authenticity, confidentiality and integrity of information available	×		
48		Develop the in-house user training program for MPs and staff to facilitate usage of new ICT with focus on client needs and train a employees from different structural units of the Parliament	×		
49		Develop the Information Management System (IMS) based on the actual needs of the Parliament of Moldova, as well as on the best practice accumulated in other Parliaments		×	
50		Elaborate a multi-year training plan of the MPs and parliament's staff on the use of the IMS		×	
51		Appoint as soon as possible the Head of ICT Department	×		

	Department	Main 98 Recommendations full list of recommendations included at end of each chapter	Urgency		
			Priority 2016	Mid- Term	Long- Term
52	**Patrimony Administration**	Conduct a detailed and realistic assessment -- in view of the upcoming move of parliament to the new building -- on the workload and needed staff for the building management	×		
53		Assign the administrative decisions on the allocation of apartments to the Secretary General	×		
54		Reduce the number of official parliament cars to 10 maximum	×		
55		Re-assess the monthly transport allowance for MPs	×		
56		Offer the Parliament parking to MPs for their private car, free of charge; and provide a guard at the parking.			
57		Organize an electronic inventory system of goods and assets using barcodes and scanner machines	×		
58		Re-assess the needed number of staff in the Food Services	×		
59	**Human Resources**	Publish results of recruitment competitions on the parliament's web-site	×		
60		Develop annual and quarterly training plan, and make it public	×		
61		Plan and evaluate financial resources for staff training, and fully utilize the allocated annual budget for professional development	×		
62		Review application of the staff performance evaluation system		×	
63		Involve Department in work force planning and identification of staffing needs		×	
64		Identify steps to achieve HRM Department shift from administrative role to strategic approach to HR policy		×	
65	**Financial, Budget and Accounting**	Strengthen the participatory aspect of preparations of the parliament budget	×	×	
66		Conduct trainings for MPs and staff on the new SOPs related to the preparation, implementation, and reporting of the annual budget of Parliament	×		
67		Develop proposals to strengthen the oversight role of the Committee on Budget, Finance and Economy on the execution of the parliament budget throughout the year		×	
68		Ensure harmonization and coordination of the parliamentary budget process with the Strategic Plan of Parliament	×		
69		Develop an electronic Accounting Management System	×		

	Department	Main 98 Recommendations full list of recommendations included at end of each chapter	Urgency		
			Priority 2016	Mid-Term	Long-Term
70	**Internal Audit**	Conduct an in-depth review of expenses of the Secretariat's budget during the last three years	×		
71		Ensure full implementation of the 2016 annual plan of internal audit service, including seven evaluation missions and random audits on selected issues.	×		
72	**Public Procurement**	Clarify procedures regarding parliament's Annual Procurement Plan	×		
73		Develop a standard form for submissions to the Procurement Plan and strengthen capacity of persons in charge to prepare proposals for the Plan	×		
74		Re-assess the composition and the size of the public procurement working group		×	
75		Ensure that a group of persons, rather than a single person, does the quality control of the goods/services delivered according to contract provisions	×		
76		Publish procurement notices and the outcome of the procurement process and awarding contracts on the parliament's web-site	×		
77		Set up internal procedures and controls on contract management	×		
78		Assign the task for renting out goods and assets to the General Department for Patrimony	×		
79	**Security and Integrity**	Plan training and financial means on new policies		×	
80		Involve the Service in parliament's Anti-Corruption Action Plan	×		
81		Prepare a Code of Conduct and Ethics for all parliamentary staff		×	
82	**Petitions and Hearings**	Provide coaching so that the Department can prepare substantive answers to the issues raised in the petitions		×	
83		Review the number of required staff for the Department, in particular in light of e-petition system becoming operational		×	
84		Strengthen interaction between the Petitions Department and staff of the Constituency and Information Centres	×		

	Department	Main 98 Recommendations full list of recommendations included at end of each chapter	Urgency		
			Priority 2016	Mid-Term	Long-Term
85	**Management of the Secretariat**	Ensure that the Speaker's appointment of the Deputy Secretary General takes place following consultations with the Secretary General	×		
86		Assign the responsibility for the appointment of all civil servants of parliament, including the Heads of Departments and Divisions, and contract staff to the Secretary General	×		
87		Assign to the Secretary General the administrative responsibility of signing the parliament's employment contracts for political staff	×		
88		Assign to the Secretary General the responsibility for the disciplinary actions of all staff	×		
89		Establish close consultation and joint decision making between the Secretary General and the Deputy Secretary General related to the areas of responsibility of the Deputy Secretary General, including signing authority for the Deputy SG for those areas delegated by the SG	×		
90		Organize regular and interactive meetings with all staff of the parliament		×	
91		Organize regular and open meetings with the Directors, Secretary General and Deputy Secretary General, and establish the Secretariat Management Team		×	
92	**Political staff of the Parliament**	Start consultations on a review of the system of the political staff of the Parliament of Moldova, based upon the four options mentioned in the Report		×	
93		Take a clear decision on which of the four options related to individual assistants to MPs will be implemented, and communicate it to all stakeholders.		×	
94		Define more clearly the requirements for the assistants to MPs and political advisors to Cabinets, in terms of expertise and prior relevant professional experience;	×		
95		Establish a Job Description for the assistants to MPs and political advisors to Cabinets, and ensure a transparent selection and recruitment process	×		
96		Foresee in a documented system of evaluation of the political staff of parliament	×		
97		Prepare a Code of Conduct for all staff in parliament, which is also applicable to the political staff		×	
98		Establish a mechanism to verify the actual presence in the office or on duty outside the office for the political staff	×		

9 Annexes

9. Annexes

Annex 1: Bibliography

1.1. Normative and legislative acts

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38. The Regulation on the activity of the Public Procurement Service, approved by the Secretary General of the Parliament [It is not published];

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Annex 2: List of persons interviewed, November 2015

1. Andrian CANDU, Speaker of the Parliament
2. Liliana PALIHOVICI, Deputy Speaker of the Parliament
3. Veaceslav UNTILĂ, President of the Committee on national security, defence and public order
4. Ala POPESCU, Secretary General of the Parliament
5. Igor CLIPII, Deputy Secretary General of the Parliament
6. George SAGHIN, adviser of the Speaker of the Parliament
7. Olga RUJANSCHI, adviser of the Deputy Speaker of the Parliament
8. Victoria TATARU, adviser of the Deputy Speaker of the Parliament
9. Oleg CHIRIL, adviser of the Deputy Speaker of the Parliament
10. Sergiu MÎȚU, Head of Cabinet of the Liberal Party Fraction
11. Alexandru GRECU – Assistant to the member of Parliament
12. Anatolie FODOR, Transport Department
13. Gheorghe BRAGOI, Patrimony Department
14. Diana LIPCAN, Public Procurement Service
15. Valentin BEGLIȚĂ, Public Procurement Service
16. Angela CRASOVSCHI, The Finance, Budget and Accounting Department
17. Oxana GOJAN, Secretariat of the Foreign Policy and European Integration Committee
18. Victoria PARFENTIEV, Secretariat of the Foreign Policy and European Integration Committee
19. Olga UȘURELU, Secretariat of the Foreign Policy and European Integration Committee
20. Angela DASTIC, Secretariat of the Legal Committee, appointments, and immunities
21. Victor MOCANU, Secretariat of the Legal Committee, appointments, and immunities
22. Andrei GUCEAC, Secretariat of the Legal Committee, appointments, and immunities
23. Vitalie MIHALACHE, Secretariat of the Legal Committee, appointments, and immunities
24. Cătălina SCORȚESCU, Secretariat of the Legal Committee, appointments, and immunities
25. Alina IACUB, Human Resources Department
26. Cristina CIOLAC, Human Resources Department
27. Ion CREANGĂ, Legal Department
28. Svetlana CICATI, Legal Department
29. Sergiu BIVOL, Legal Department
30. Lilia BORDEI, Legal Department
31. Victor RUSU, Informational-analytical Department
32. Maxim GANACIUC, The Parliamentary Documentation General Department
33. Evelina BUBUIOC, The Parliamentary Documentation General Department
34. Elena GÎNCU, The Parliamentary Documentation General Department
35. Gheorghe URSOI, Strategic Development Service
36. Victor RUSU, Technologies and communications Department
37. Sergiu TERGUȚA, Technologies and communications Department
38. Sergiu GALIȚCHI, UNDP project
39. Victoria MUNTEAN, UNDP project

Annex 3: Questionnaire to all staff of Parliament (anonymous)

Please tick the relevant box:

1. Sex	
Male	Female
○	○

2. Age					
under 25	25-34	35-44	45-54	55-64	over 65
○	○	○	○	○	○

3. The title of the held public position					
Superior consultant	Main consultant	Head/Deputy Head of Service	Head/Deputy Head of Section	Head/Deputy Head of Division	Head/Deputy Head of General Division
○	○	○	○	○	○

4. Overall work experience					
Up to 2 years	2-5 years	6-10 years	11-15 years	16-20 years	Over 21 years
○	○	○	○	○	○

5. Years of experience with the Parliament Secretariat/Apparatus					
Up to 2 years	2-5 years	6-10 years	11-15 years	16-20 years	Over 21 years
○	○	○	○	○	○

6. Education				
Secondary	Specialized	Licentiate[80]	Master	PhD
○	○	○	○	○

7. Language skills			
Romanian/ Moldovan	Russian	English	Other[81]
○	○	○	○

8. The performance appraisal that is being performed is	
Objective	Subjective
○	○

---

(80) Here the persons that have completed universitary superior education before the adherance to the Bologna process will also be included

(81) You can use a pen to write/indicate a spoken language that is not amongst the mentioned ones.

9. Are you satisfied with the duties you are performing?

Fully	Somehow	Not at all
○	○	○

10. The workload is

Too little	Normal[82]	Too big
○	○	○

11. Have you confronted circumstances when overlapping/ duplication during the performance of your work duties and attributions have occurred?

No	Yes
○	○

12. In yes, the overlapping/duplication persist mostly

Within the sub-division	Between the sub-division where you work and other sub-divisions of the PS	In both cases
○	○	○

13. What kind of trainings/expertise would you need to perform better your job[83]?

Strategic planning	○
Communication skills	○
Foreign language skills	○
Negotiation skills	○
Research skills	○
Public speaking skills	○
ICT skills	○
Basic legal knowledge	○
Advanced legal knowledge	○
European Integration legal knowledge	○
Drafting legislation skills	○
Managerial/leadership skills	○
Other, specific skills, related to my division	○

Thank you for your time and honesty!

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(82) Meaning that is allows the qualitative realization of the duties/attributions within the working time hours (there is no need for extra working hours).

(83) Tick maximum 4 skills.

Annex 4: Self-assessment of the staff of the Secretariat of Parliament

▬   This section briefly highlights the results of the self assessment questionnaire that the team addressed to the staff of the Secretariat. It hence provides an important view on the perception that the staff has on the main challenges, the capacity, needs for development and the overall organization of the institution.

1. The methodology of the self-assessment process implied the use of a structured questionnaire with 13 closed-ended questions. A total number of 182 civil servants from 22 administrative units of the Secretariat of the Parliament provided their responses. The team is thankful to all of them for taking the time to analyze the questions and offering their feedback. This is of utmost importance for the Functional Analysis process and would be treated as such.

2. Some statistics with respect to the overall state of affairs in the Secretariat of the Parliament are summarized in the box below:

OVERALL DATA ON SELF-ASSESSMENT

- Almost 70% of respondents were women;

- There is a rather even age distribution (none of the age groups counted for more than 30%);

- Staff of the Secretariat is very experienced (around 60% with over 10 years of experience);

- Younger employees are better with foreign languages, ITC and less satisfied with the duties they perform than the older ones;

- Workload is generally perceived at a *normal level*;

- Almost 1/3 of the staff is aware of overlapping of duties and responsibilities in between departments;

- Foreign language and ICT are the top preferred training topics.

3. With respect to the ***gender and age structure*** of the Secretariat of the Parliament, it could be noted that women are in greater number and that there is a rather even distribution of workforce on three age groups (25-34; 35-44;45-54). However, one could notice that there is very limited number of very young, recent graduates in the organization (with only 1% under 25 years old). To a certain extent this could be explained by the complex nature of the tasks performed in the Secretariat, but attention should be given in attracting and retaining some of the best and most talented graduates as these could bring innovation and add value to the existing human resources.
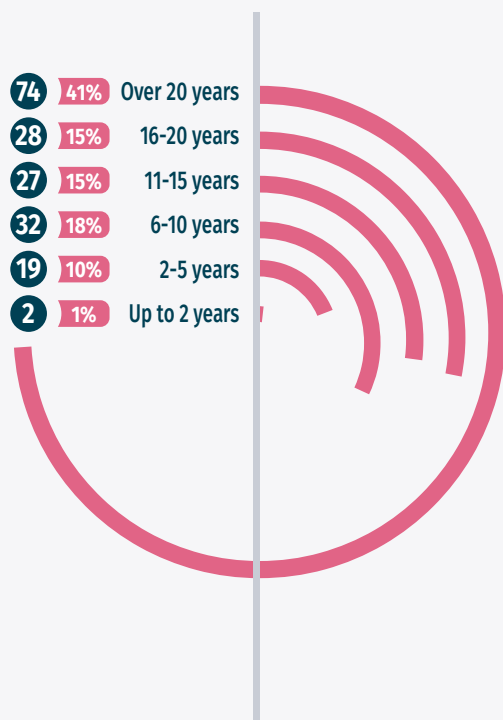
AGE

2	1%	DK/NA
52	29%	over 65
53	29%	55-64
42	23%	45-54
30	16%	35-44
2	1%	25-34
1	1%	under 25
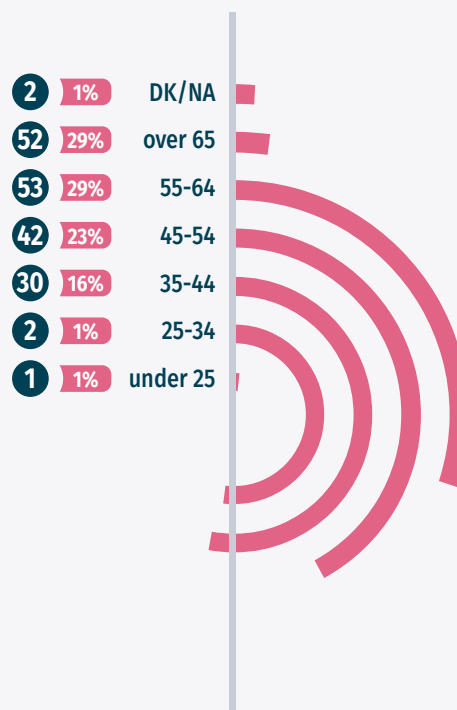
4. As highlighted above, the staff of the parliament is ***very experienced***. Over 40% of them have more than 20 years of experience, with only 1% being recently recruited (less than 2 years of work experience). When assessing their specific work experience in the Parliament, a similar picture emerges - over 40% of the current staff of the Secretariat has more than 10 years of working in the Parliament. The HR policies should take this factor into account and make full use of the capabilities and capacities developed through a number of years of experience of the staff, but also initiate new measures to attract *fresh blood* and use mobility among different institutions to ensure appropriate exposure to new trends and approaches.

When it comes to the situation per particular departments, one could notice that those with the most experienced staff (over 20 years experience) are Economic department (78%), HRM Department (60% and no employee with less than 6 years of experience); Documentation department (63%).
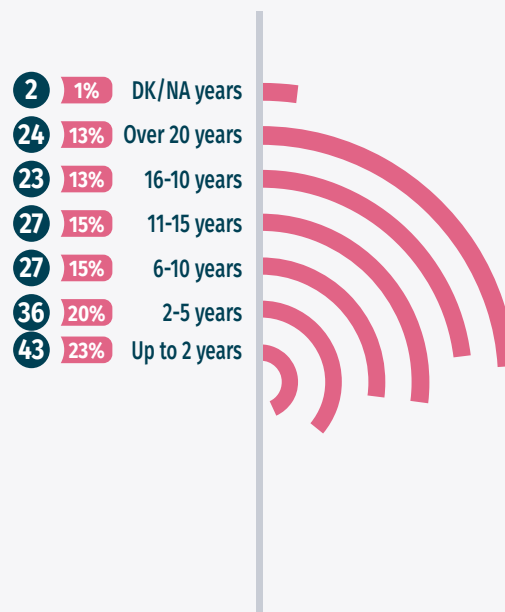
OVERALL WORK EXPERIENCE

74	41%	Over 20 years
28	15%	16-20 years
27	15%	11-15 years
32	18%	6-10 years
19	10%	2-5 years
2	1%	Up to 2 years

Secretariats supporting Commissions tend to be more balanced, with around 20-40% of staff in the range of 2 to 5 years previous experience (e.g. Budget Commission, Legal Commission with 40%, Foreign Affairs, European Integration and Security Commission with 25% etc).
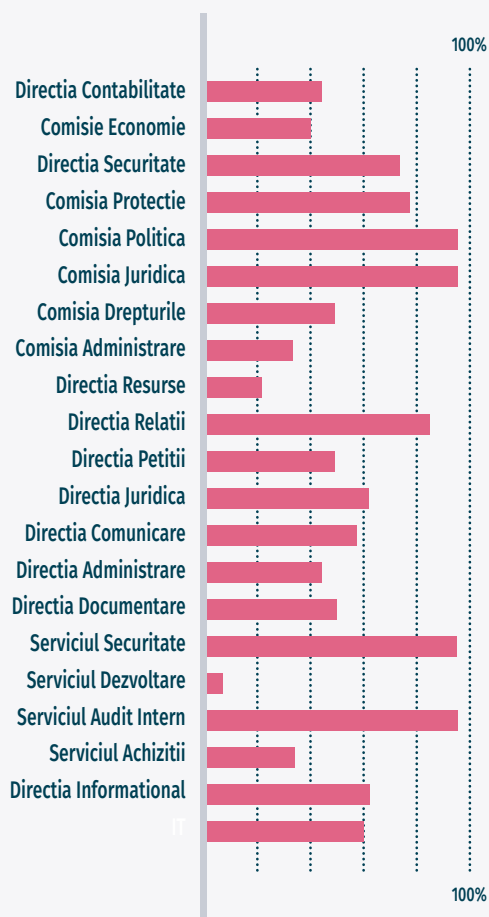
The situation of specific work experience in Parliament correlates with the overall experience data at the level of departments. Hence, the Economic Department and the Documentation Department have 55% of the staff with more than 16 years of parliamentary experience, HRM has 40% over 6 years of experience and apparently no new entrant in the last 2 years.

YEARS OF EXPERIENCE WITH THE PARLIAMENT SECRETARIAT/ APPARATUS

2	1%	DK/NA years
24	13%	Over 20 years
23	13%	16-10 years
27	15%	11-15 years
27	15%	6-10 years
36	20%	2-5 years
43	23%	Up to 2 years

5. Ability of the staff to communicate in ***foreign languages*** with their colleagues from other parliaments and to read various documents and reports in ***English*** is very important, and for some departments or particular positions (e.g., managerial posts), a mandatory condition. On the overall, 55% the Secretariat staff declared they are able to communicate in English.

The following graph is representing the percentage of staff that declared they are proficient in English, registered per various departments of Secretariat:

|	
Directia Contabilitate	
Comisie Economie	
Directia Securitate	
Comisia Protectie	
Comisia Politica	
Comisia Juridica	
Comisia Drepturile	
Comisia Administrare	
Directia Resurse	
Directia Relatii	
Directia Petitii	
Directia Juridica	
Directia Comunicare	
Directia Administrare	
Directia Documentare	
Serviciul Securitate	
Serviciul Dezvoltare	
Serviciul Audit Intern	
Serviciul Achizitii	
Directia Informational	
IT	

Analyzing the **English language abilities on the age groups** in the Secretariat, it should be noticed that those in 25-34 years range have the best share of English speakers (83%) while the proportion diminishes for the older employees (17% for those over 55 and none of those over 65 years of age).

6. When asked about **performance evaluation**, the staff provided mixed reactions. Interviews pointed out to a very formal exercise of performance appraisal, while in the questionnaire, 80% of the respondents considered it as being objective. Concerns were raised only by staff of the Social Assistance Commission and the ICT Department where 60% of staff rated the process as being of subjective nature.

7. With respect to the **work satisfaction**, it should be noted that almost 60% of the staff seemed not to be fully satisfied with the tasks assigned to them. Amongst the departments, the Legal Department, Communication or Foreign Relation are those expressing worries on the satisfaction they get from the performed duties. At the other end, the HRM Department is 100% satisfied with the tasks assigned.

41% Somehow satisfied
1% N/A
58% Fully satisfied
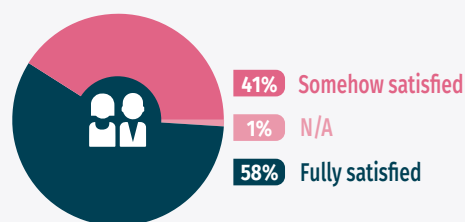
8. **Workload** was considered by most staff as being at the appropriate level. Only 18% complained about the higher workload put on their shoulders. From the departments that assess their current workload as being too high, we could mention the Legal Commission, IT Department (with 60% of staff), Foreign Policy and European Integration Commission (50%) or the Documentation department where 34% of staff rated the workload as too big.

78% Normal

3% Too little

18% Too big

1% N/A
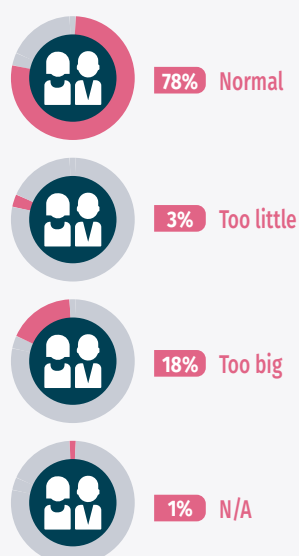
It is also interesting to notice that some departments rated their current workload as insufficient/ too little - the Social Assistance Commission (40%) or the territorial offices with around 15%.

When analyzing the **correlation between the perception of workload and the age of the staff**, an interesting conclusion emerged from the self-assessment questionnaire - the workload is assessed as increasingly too big the youngest the employees are (the old employees do not complain, while the younger they are, the more they complain). This shows that either *i)* the staff gets used to a higher workload, hence start considering it normal after reaching a certain age and experience, or, alternatively, *ii)* the workload is not evenly distributed in the organization, the younger employees receiving more tasks than the older ones.

TABLE 5 - ASSESSMENT OF WORKLOAD PER AGE GROUP

Age group	% considering the workload too high
over 65	0%
55-64	13%
45-54	19%
35-44	15%
25-34	23%
under 25	50%

9. From the around 30% of staff that considered that **overlapping** is an issue for the organization and functioning of the Secretariat, the Foreign Policy and European Integration Commission, the Strategic Development Service had the highest rating (100% of staff perceiving overlapping between their activities and other departments). Other horizontal/ support departments (IT Department, Informational Analytical Department) highlighted the same problems with over 50% of their staff recognizing overlapping. At the other end, no staff of the HRM Department or the Petitions Department sees any overlapping.

10. The capacity of the staff working in the secretariat is critical for the overall results the in-

stitution is able to achieve. Hence, special attention should be given to **training needs of the staff** and the associated capacity enhancement measures that are to be planned. The following graph is summarizing the opinion of the respondents on the area they consider they need more training (the most relevant/top preferred training topic).

It could be noticed that foreign languages are the most in need. There seems to be a miss-correlation in between the self-declared level of English speaking ability (55%) and the need for developing these skills. The second most favorite topic is also a priority of the Parliament - ITC. As mentioned earlier in the report, increasing the capabilities of the staff in ITC and operating e-based management systems is crucial for the medium-term success of the envisaged e-Parliament. Not surprisingly, the sector specific competencies are also highly valued. Other horizontal/ managerial skills are in the same time considered important by the staff, from public speaking, communication to leadership abilities. These complement the strategic planning, legislative drafting or European Integration areas that all have ratings of over 20%.

More details, graphic representation and interpretation of the data collected via the self-assessment questionnaire could be found in the Annex 1 of the present report.

Annex 5: Questionnaire to Directors of Departments and heads of divisions

Name: _____

Department: _____

Number of positions in Department/Unit: _____

Positions currently filled in Department/Unit: _____

1. To what extent have you or your Department been involved in preparing the Strategic Development Plan of the Secretariat:

Very much	Sufficiently	Limited	Not at all
○	○	○	○

2. To what extent is your Department involved in providing input and preparing the parliament's annual budget:

Very much	Sufficiently	Limited	Not at all
○	○	○	○

3. If you would have more time and more staff what functions would you like your Department to do which it doesn't do now or not enough?

4. What are the duties and tasks in which your Department goes beyond what is expected in the Regulation?

5. If you would have the power, what duties of your Department would you transfer to another Department and which responsibilities currently done by other Departments would you like to take over?

6. How regularly do you organize a staff meeting within your Department?

7. What is the input of your Department into the oversight role of the Parliament?

8. Which kind of online resources or paid subscriptions does your Department need / requests ?

9. Which skills are needed in your Department and are not available yet?

10. Do you think some functions of your Department duplicate with another Department; and if so, in which way?

Please send the written responses to the Questionnaires to: liuba.cuznetova@gmail.com

Annex 6: Questionnaire to the Secretary General of other parliaments in Europe

Introduction

Upon the request of the Speaker and the Secretary General of the Parliament of Moldova, UNDP Moldova is conducting a *Functional and Institutional Analysis of the Secretariat of the Parliament of Moldova*. An important component of this analysis is the comparison between the functioning of the Secretariat of Parliament of Moldova and Secretariats of other parliaments in Europe. Following are a number of questions aimed at mapping the selected areas of comparison. We would like to kindly seek your cooperation by providing information on the issues mentioned below.

We appreciate receiving your responses by *Wednesday 2 December 2015.*

Please send to: franklindevrieze@gmail.com

Many thanks in advance for your time and cooperation !

I. Questions for general comparison of the functioning of parliament Secretariat

Please provide the following information:

1. Country			
2. Population			
3. Structure of parliament	○ One Chamber		○ Two chambers
4. Total number of MPs		5. Total number of employees of Parliament (excluding MPs)	
6. Number of political staff of the Parliament		7. Number of non-political (professional) staff of the Parliament	
8. Management of the Secretariat of the Parliament ensured by:	○ a) Speaker (President of the Parliament)	○ b) Secretary General (High Ranking civil servant)	○ c) Other arrangement *…please specify*
9. Support to individual MPs is organized as:	○ a) Allowing MPs to recruit advisers (political staff)	○ b) Providing an overall budgetary allocation to the parliamentary group or MP (the MP decides how to use it)	○ c) Other arrangement *…. please specify*
10. Please briefly present below the distribution of competencies in relation to Secretariat between Speaker and Secretary General:			
11. Please include an organizational chart of the Secretariat of Parliament and, if possible, short description of its respective administrative units			

II. Questions for specific comparison of 'horizontal' functions of Parliament Secretariats

2.1. Human resources management (HRM)

1. Number of staff of the HRM department as compared to the total number of Secretariat staff

2. To which extent is the professional staff of the Secretariat covered by the general civil service legislation? If it isn't, what are the main differences in the status and management of professional parliamentary staff?

3. Is the HRM Department responsible for the professional development of staff in your parliament?

4. How is quality control of outputs of staff organized?

2.2. Policy making and research

1. Structure, competencies and procedures of the Unit responsible for EU integration matters, and its relationship with the Legal Department

2. Number of staff working on EU integration matters, in support of the Committee on EU integration or on compliance on EU acquis.

3. Number of staff in the Library and Research Department

2.3. Financial management and budgeting

1. Percentage of the parliament budget within the overall state budget

2. Process and decision making on the draft parliament budget within Secretariat of Parliament

3. Process and responsibilities for audit of usage of parliament budget and procurement; number of staff and competencies

2.4. Document management and ICT

1. Percentage of the parliament budget dedicated to ICT investments and maintenance.

2. Number of staff in ICT Department; and functional place of the ICT Department within Secretariat.

3. In which way is ICT use incorporated in internal procedures and structures of the Secretariat?

4. What are the procedures for document flow in your parliament

5. What is the policy for electronic voting policy, and how is the electronic voting equipment used?

6. The (partial) use of ICT for submitting and processing petitions to parliament

2.5. Communication

1. Number of staff responsible for parliament external communication

2. Resources and quality control of social media policy of parliament

2.6. Transport, restaurant, building management

1. Numbers of cars managed by the Parliament Secretariat (compared to number of MPs)

2. Rules of entitlement for usage of official cars and/or remuneration for transport for MPs or official business within the country

3. Can you provide us an calculation of the total average costs of 100 km driving with cars of the parliament fleet car (incl. salaries, fuel, maintenance, insurance, parking, heating, electricity, meals and social benefits for drivers)?

4. Policy rationale for own management or outsourced management of parliament canteen / restaurant

5. Percentage of the parliament budget allocated to running parliament canteen / restaurant ?

6. Is the parliament the legal owner of the Parliament building and parliament-used premises, and is the parliament in charge for maintenance of the parliament building (or is maintenance shared with a Government ministry) ?

Annex 7: Profile of the authors of the report

Franklin De Vrieze's main areas of expertise over the last 20 years are parliamentary development and governance. A Belgian national, he is knowledgeable on strategic planning, Parliament legal framework, innovative approaches to parliamentary development, capacity building of MPs and staff, and the competencies and functioning of Parliament administration. He did several assignments with the Moldova Parliament before: on Independent Institutions and Regulatory Agencies and on regional Constituency Offices.

Liuba Cuznetova has more than 10 years of experience in public administration, both central and local, being responsible for strategic planning, monitoring and evaluation, institutional development. She has a very objective approach in functional reviews and evaluations of the public authorities' activity, as she has a very good understanding of the internal environment of Moldovan authorities and challenges civil servants may face.

Sergiu Litvinenco has an overall experience of 12 years within the civil service of Moldova. In 2006 he participated in the institutional review of the central authorities of the Government of Moldova. From 2007 to 2013 he coordinated the Central Public Administration Reform in Moldova, participating in the elaboration of policy and legislative framework (the Law on the public office and status of the civil servant, the subsequent normative framework, etc.). In 2010 he was contracted by the Parliament of Moldova for the elaboration of the draft Law on the status of the Parliamentary civil servant. His main expertise are the management of Human Resources, the decision-making process and ethics and integrity in the civil service.

Dragos Dinu has more than 12 years of overall experience. He is a professional in public management, strategic planning and policy coordination. His experience includes functional review, policy management, strategic planning at the central government level in Romania, Moldova, Georgia, Macedonia or Kosovo. His interest focuses on policy coordination and budgeting, EU integration and public administration reform. He has a thorough understanding of Moldovan decision-making system and the relation between various administrative authorities.