

Executive summary

Authorization and execution of constructions in the municipality of Chisinau

The study "Authorization and execution of constructions in the municipality of Chisinau" has as its general objective the analysis of the processes and authorities aimed at ensuring the legality and quality of constructions in the Chisinau municipality, as well as working out recommendations for improvement.

Accordingly, the study's specific objectives are to analyze the processes of:

- Approval of urban planning and land development documentation;
- Construction authorization;
- Monitoring and control over the execution of permissive acts.

In this sense, the research was undertaken from the perspective of two dimensions - the normative framework versus the implementation.

Another specific objective is the analysis relevant to this domain authorities, namely:

- Local public administration authorities;
- National Council of Historical Monuments;
- Agency for Inspection and Restoration of Monuments;
- National Archaeological Agency;
- Agency for Technical Supervision.

With reference to these, the research focused on two other dimensions – authority status versus vulnerabilities.

In order to achieve the objectives, the following methods were used:

- Analysis of the related normative and institutional framework;
- Sampling and synthesis (generalization) of relevant quantitative data;
- Exemplifying the deficiencies by highlighting some cases;
- Conducting individual interviews with well-known professionals in the field.

Starting from the related normative framework, the study was developed based on the following sources:

- Statistics provided by the authorities through official web pages;
- The reports (analytical notes, studies, researches) developed by the authorities, but also by public associations;
- The information obtained during the individual interviews conducted.

As a general conclusion, it was noted that construction works in the municipality cause problems at all stages – from authorization to control over the execution of permissive acts.

In order to improve the actual situation, several recommendations were retained, the essential ones being:

- The implementation of the medium-term Program for the development of urban plans at locality level for the years 2013-2016, approved by Government Decision no. 493/2013;
- Follow-up of the consultation and coordination, finalization and approval of the updated urban planning and development documentation of the municipality;
- Establishing a mechanism for recording vulnerable lands and imposing, regarding them, special conditions for the issuance of permissive documents;
- Appropriate treatment of road infrastructure - encouraging traffic streamlining projects;
- Completion of Law no. 835/1996 regarding the principles of urban planning and territorial planning with provisions that would stipulate the periodicity with which urban planning and territorial planning documentation is to be updated;
- Compliance with the normative framework in the process of issuing construction permits;
- Reconsideration of the provisions related to the issuance of the ascertaining certificate and the tacit approval of the permissive acts from Law no. 163/2010 regarding the authorization of the execution of construction works;
- Streamlining the control over the execution of permissive acts, including by improving the mechanisms for sanctioning violations;
- Strengthening the capacities of the authorities involved in the process, including through the appropriate treatment of corruption risks;
- The comprehensive and appropriate execution of the Court of Accounts Decision no. 31/2020 regarding the Report of the compliance audit of the issuance of permissive documents in construction.

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