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Business Review

A publication of the American Chamber of Commerce in Moldova

fighting for your business

Focus on IT

Competitiveness based on
Quality and Innovation

ICT - First steps out of the crisis
-The Darwinian trend picks up speed -

ICT Association in dialogue with
AmCham

Interview with Mr. Pavel Buceațchi
Minister of Information Development

ICT and e-services in Moldova today:
Challenges and Opportunities



Business Review

fighting for your business



Pavel Buceațchi
Minister of information
Development



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UNDP



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Elena Hristev
Trimetrica



Sergiu Șoimu, Svetlana Japalău,
Ana Vitiuc
-AmCham members



Moldovan business delegation to the USA

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UPCOMING EVENTS:

- Tax & Legal Committee Meeting - June
- HR Committee Meeting - June
- CSR Committee Meeting - June
- USA Independence Day- July 4

Dear AmCham Members and Readers,

I'm glad to introduce you a new issue of our bi-monthly professional publication – Business Review. This time we decided to focus on I CT sector of The Republic of Moldova's economy. The current edition will get you acquainted with the actual situation of the I CT sector in the country, especially emphasizing the most recent events and plans for the future development. You will also discover some curious facts about I CT in Moldova from the interviews with the key personalities of the sector that we specially prepared for this issue.

Recently, within AmCham took place some very significant events. First of all, it was the Annual General Member Meeting, which ended up with the election of the new Board of Directors of the Chamber. Our annual publication, summarizing on the achievements of the past year, 2008 Annual Report, has been distributed. Also was organized the Business Mission trip to the United States, that gave the opportunity to our members meet foreign investors and introduce their businesses to the American partners. Finally, we launched a new committee last month, Tax and Legal Committee. More in detail these and other important events are described further in the publication.

Finally, I would like to announce that we started preparations of the traditional 4-th of July, The U.S. Independence Day Celebration. This year it will take place at the Golf Club Center, Chisinau, and we are inviting everybody to participate. Please, mark this date in your calendars and we will be all happy to meet you there!

Sincerely,

Mila Malairau
Executive Director

Welcome to AmCham Newest Members



BANCA COMERCIALĂ ROMÂNĂ CHIȘINĂU S.A. is an universal commercial bank, established in the Republic of Moldova in October 22nd, 1998. The single shareholder of the bank is **BCR SA**, the leading banking organization in Romania; member of **Erste Group**, one of the largest financial providers in Central and Eastern Europe.

BCR Chisinau SA is a proactive player on the banking market in the Republic of Moldova and the main objectives of the bank for the future are to become:

- a partner recommended by its clients and visible within the community;
- a workplace that its employees are proud of;
- a profitable and safe investment for its shareholders.

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LIRIN TRANS SRL is a Moldovan company doing business in Moldova and the United States as "Moldova Wine Club", and is a wholly owned subsidiary of Moldovan Wine Ventures, Inc., a California "C" corporation.

Lirin Trans SRL is engaged in the business of exporting wine from Moldova to the United States, where it is retailed on line to end consumers, and also distributed to local retailers at wholesale cost.

Lirin Trans' mission in Moldova is to establish relationships with local wine producers, and to offer opportunities for them to reach new markets abroad. By providing producers with a new niche wine category where they can educate consumers about the quality of Moldovan wines, Lirin Trans seeks to build the demand for these rare Moldovan wines and offer a venue for their distribution abroad.

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AmCham Committee Report

CSR Committee

Internship Project

AmCham Moldova is proud to announce the launching of the new project "Internship" within the CSR Committee Activity. The project is aimed to facilitate the dialogue between students and companies, offering to the students the possibility to gain experience, to implement theory in practice, to accumulate practical knowledge within the company.

Each participating company will have the possibility to choose the type of Internship it is ready to offer to the students:

- *2 months Internship (according to the University requirements);*
- *Info day (one day training within the company);*
- *Induction week (one week training);*
- *Coaching for Annual Thesis.*

Internship Benefits for Employers:

- Internships offer an effective way for companies to locate and train motivated students to fill immediate needs, as well as create a pipeline of talent for a future work force.
- Employers can seamlessly convert student interns to full-time employees who can be immediately productive. Cost-per-hire is significantly decreased.
- Companies are able to assess each student's "fit" with their organization and receive a preview of the student's skills.
- Maintain a constant source of fresh ideas and insights into your organization
- Companies enhance recruitment and retention outcomes, hence, improve their "bottom line."

We warmly welcome AmCham members to participate in this program. Taking part in this program will increase the company's commitment to investing in people. Only AmCham members are eligible to take part at this project.

For more details, feel free to contact us at 211 – 781, e-mail: elenabuzu@amcham.md

Philip Morris and Eurasia Foundation Provide Assistance to Flood Victims

May 26, 2009, Eurasia Foundation Moldova Representative Office announced today the completion of disaster relief project to the communities which suffered from the floods in July last year.

Philip Morris Management Services BV provided over US\$ 74 thousand to finance the project. The project consisted of two principal components: aid to the immediate Hepatitis A vaccination for children and support to the eligible NGOs in renovating small-scale infrastructure in the affected communities.

Under the project, 2 000 Hepatitis A vaccines were purchased for the Health Ministry for vaccination of the children age 3-14.

"The vaccines are one of the most efficient methods to fight certain diseases and, taking into consideration that hepatitis is wide-spread in our country, especially in zones affected by the floods, [solutions] such as buying vaccines for children are priorities and will have a long term effect," General Director of the Preventive Medicine Centre of Moldova Oleg Benes said.

"As health threats continue to increase in these conditions, it is very important that corporations join forces and allocate resources to help children that may be affected severely," Eurasia Foundation Moldova Representative Office Country Director Sorin Mereacre said.

On the competitive basis 5 NGOs obtained funding for infrastructure projects in the communities: road reconstruction in the Criva locality, and renovation works and equipment at schools in Lipcani, Drepcauti, Trifauti and water pipe repair in Gura Bicului community.

Alexey Vagin of Philip Morris Management Services BV commented: *"Charity is a part of our corporate culture. We believe it is our duty to help those in need, everywhere - where we do our business and our employees work."*

AmCham Committee Report

Tax&Legal Committee is launched!

We are excited to announce the launch of a new Committee within AmCham! On May 13, AmCham Tax & Legal Committee has held its first organizational meeting where has been approved Committee Strategy and elected Committee Chairmen. Thus, the Co-Chairs of the new Committee became: Ana Vitiuc from KPMG and Ecaterina Dudorencu from Moldcell.

The mission of the Committee is to act as a lobby group for tax and legislative issues affecting members, and, at the same time, to serve as an educational forum for membership and to facilitate the information exchange on important tax and legal issues.

We are highly encouraging all interested AmCham members to join the activity of this Committee by contacting Committee Coordinator, Mila Malairau.

HR Committee Activity

On May 15, took place an outdoor event specially designed for the HR representatives of AmCham member companies. The program of the event mainly focused on team-building activities organized by the trainers from the Outdoor Leadership Center. All participants at the event shared their impressions about the event. Here are some of them:

*"The activity organized by the AmCham HR Committee has reminded me how important team building exercises are for creating a healthy cooperation spirit within a team - be it a brand new one, or a group of people that know each other quite well" , mentioned **Nadejda Mocanu** from **CNFA**. Her colleague **Eugenia Iurcu** at her turn said: "Games can be a terrifically effective way to build team spirit, communication and trust among people. For me, a new member of the AmCham HR Committee, this was the best way to get acquainted with my new colleagues."*

*"The HR Committee Team Building organized on May 15 by the American Chamber of Commerce turned out to be a very unordinary and pleasant event. It offered us the chance to get to know each other in circumstances other than work related. Luckily, only positive features were discovered and a good foundation for further collaborations was made. Target Advertising would like to thank AmCham and all the involved persons for this beautiful experience", mentioned **Otilia Vlasov** from **Target Advertising** at the end of our activity.*

We would like to thank all the participants of the event and we'll be looking forward to meeting you at our future activities. ■





*Elena Hristev
Executive Director, Trimetrica*

Interview with Elena HRISTEV Executive Director Trimetrica

appear more companies in addition to the governmental sector institutions interested in embracing cutting-edge software. With this immediately two things were brought to our attention: 1) need for high level professional services in this area, 2) lack of workforce familiar with this technology.

Subsequently, Trimetrica was concentrating towards investing in this respect and currently there are two labs at the Faculty of Cadastre, Geodesy and Constructions and Faculty of Computers, Informatics and Microelectronics of Technical University of Moldova that are using ArcGIS as a teaching tool for future specialists in their respective areas. Most of the employees of Trimetrica, as a result, are the graduates of this institution.

Currently, Trimetrica has a strong team of professionals with international educational and professional background that is serving a wide array of existing customers in most of the sectors of the Moldovan economy.

1. Trimetrica has been a member of AmCham for almost 2 years, and within AmCham many members know what your company does. However, for the readers that are not members of AmCham, could you please tell us a little bit about Trimetrica and its advantages on the market?

As a representative of the world leader in GIS - ESRI Inc. - in Moldova, Trimetrica Ltd, was set up in 2004 following the need to serve the handful of clients, which existed at that time, ensuring the local presence and permanent availability to answer their needs.

In order to make sure our readers understand the technology and what our company does I would start with explaining what GIS means. GIS stands for the Geographic Information System (GIS). Nowadays GIS can be described as a complex IT system that encompass variety of decision making tools for every level of enterprise in virtually all fields of human activities starting from environment management and biology, to telecommunications, business and marketing, etc. Here it started mostly as a desktop solution which currently evolved to a server and web technology.

It is true that in 2004 it looked more like a strategic vision of the ESRI, USA to mark its presence on the Moldovan market, which fortunately turned out to be a correct one. With the economic development and appearance of the foreign investors accustomed with ArcGIS technology and the advantages it brings to the marketplace, it started to

2. What is the biggest success in the history of your company?

Success can be measured in many ways: increased professionalism and revenues of the company, market share and strategic wins, as well as achievement of the initially agreed development plans. In our case almost all of these criteria were fulfilled but, nevertheless, I would highlight one, which would directly answer your question – in my view the biggest success in such a short period of time are people dedicated to the development of our technology with our company that succeeded to gain a reputation of reliable and professional partner based on which we won and were invited to participate in the projects at the international level.

3. The majority of IT companies are established in Chisinau, what is your opinion about the IT development outside the Chisinau?

It is true that few IT companies establish themselves outside Chisinau due to a number of reasons such as available workforce with respective skills, weak infrastructure and lack of broadband

in our case, which makes difficult to compete for outside projects that may require a high performance level. Here we think that common efforts of both private and governmental bodies will have to be implemented.

We are already actively involved in cooperation with our partners that operate throughout Moldova and were positively impressed by the active community of GIS users that would like to establish a resource center for the ArcGIS based at the Comrat University. Hopefully we will succeed.

4. What challenges IT sector is facing in Moldova and what should be improved?

We cannot speak for the entire IT sector of Moldova, since we are just a tiny part of it. However, in terms of the GIS applications, where ESRI is a recognized leader and subsequently in Moldova too, the biggest challenge so far remains the lack of financial resources for the implementation of the basic GIS infrastructure, which would be used by the many users – companies and ordinary people, and which was formulated by the Government as one of its priorities.

In Moldova we are faced by the small market size both from the point of view of the governmental resources devoted to this sector and by the small budget usually allocated to the software purchases from the private companies, which still are more attracted to use 'free software' available on the black market. To this we shall add increased costs of workforce and we have a much tougher economic conditions for someone to affirm in this sector and moreover – to compete with foreign companies.

5. What is the potential of developing a local soft vs foreign products?

Already today we have in Moldova a number of successful local companies elaborating software products offered abroad, however, mostly on outsourcing basis. Concerning the branded software solutions with a good name and reputation abroad, as a representative of a multinational corporation that is investing in R&D hundreds of millions of dollars, it is clear that no local IT company can afford this. But we are talking about the core technology - ArcGIS platform. In the case of specialized applications for various sectors we have already many suc-

cessful examples among many of our partners such as in telecommunication (developed in Lithuania), geostatistical analysis, developed by the team of programmers from Belarus, engineering solutions developed by the many partners around the world and which are successfully implemented in many countries. This shows us clearly that it is possible to develop local software solutions that may be competitive around the world.

6. What are the biggest goals you want to achieve in the next few years?

With greater development of demand for the GIS in every field of Moldova's economy our company will have to face the challenge to cope with this in

"In my view the biggest success in such a short period of time are people dedicated to the development of our technology with our company that succeeded to gain a reputation of reliable and professional partner based on which we won and were invited to participate in the projects at the international level."

a highly competitive marketplace. In this regard we see ourselves as promoters of GIS knowledge in the higher education institutions in order to create enough knowledgeable workforce that can meet the demand of local companies in the future. Thus we already established two laboratories at the Technical University of Moldova and are envisaging to set up every year one lab for the next few years in order to cover up all important institutions and not only in Chisinau.

Moreover, we consider that such innovative skills are very important to introduce starting with the high school level to align ourselves to a degree of knowledge in the area of GIS which is presently in the countries of EU and US.

7. At AmCham, we are in constant pursuit of improving the business climate, thus making it easier to do business in Moldova for domestic and foreign companies. We know that we have much work to do in this area and we would like to ask how you see the business climate in Moldova in the next five years.

We are very optimistic about the future business climate in Moldova and the fact that ESRI Inc., has decided to mark its presence through Trimetrica five years ago says a lot about our views and decisiveness to work towards it.

Despite the very tiny market for GIS at the present, we believe that with increased trends of foreign investments and improved business climate our solutions will become a 'commodity' for most of the companies and institutions in Moldova. ■

Interviu cu dl Pavel Buceațchi, Ministru al Dezvoltării Informaționale



Pavel Buceațchi
Minister of information Development

Care este situația în sectorul TIC în Moldova?

Integrarea Republicii Moldova în piața globală TIC scoate în evidență necesitatea aplicării pe scară tot mai largă a standardelor și a reglementărilor pentru procesele din sector.

Competitivitatea produselor și a serviciilor în domeniul TIC depinde în mare măsură de reglementările care vor fi adoptate, aplicarea standardelor. În aceste condiții, este necesară dezvoltarea unei infrastructuri de evaluare a conformității produselor și a serviciilor din domeniul TIC.

Industria TIC din Republica Moldova va trebui să treacă de la servicii de outsourcing la realizarea de proiecte TIC cu valoare adăugată mare.

Orientarea spre export a industriei de TIC presupune

expertiză la standarde internaționale, investiții străine, colaborare internațională în activitățile de cercetare/dezvoltare, management și educație în domeniul TIC conform exigențelor pe piața externă.

Baza de resurse informaționale în consolidarea pieței interne de produse și servicii TIC va fi creată prin dezvoltarea de proiecte de conținut digital: crearea de resurse informaționale în sectorul public, în sectorul privat, în mediul academic, societatea civilă, sănătate, cultură, etc. prin mobilizarea capacităților de producție într-un parteneriat public-privat și prin stimularea factorului participativ, în special din sectoarele privat și cel al societății civile.

O direcție prioritară pentru sectorul TIC este dezvoltarea co-

merțului electronic. Soluția este aplicarea unor mecanisme de piață, implicarea tot mai largă a sectorului privat, atragerea de investiții, consolidarea capacităților de management, creșterea nivelului de expertiză.

Statul va adopta și va implementa politici clare în ceea ce privește utilizarea produselor și serviciilor TIC, asigurând, pe de o parte, interesele consumatorilor, iar, pe de altă parte, creînd condiții favorabile pentru business.

Avînd în vedere că anul 2009 a fost declarat „Anul serviciilor electronice”, ce inovații va aduce MDI pentru anul curent și următorii ani?

O componentă de bază privind realizarea Strategiei Naționale de edificare a societății informaționale - "Moldova electronică" o constituie implementarea guvernării electronice – scopul principal al căreia este crearea unui sistem efectiv de interacțiune a autorităților administrației publice, cetățeni și mediul de afaceri prin intermediul serviciilor publice prestate în format electronic.

Acest spectru larg de servicii electronice publice reflectă cele mai importante aspecte ale relației guvern – cetățean (G2C) și guvern – business (G2B). De multe ori această interacțiune este însoțită de o mulțime de formalități, solicitarea mai multor documente inutile, iar cetățenii îndeplinesc doar servicii de curier dintre diverse instituții. În acest context, implementarea serviciilor electronice vine să simplifice considerabil aceste relații, diminuând impactul negativ al factorului uman și contribuind astfel la combaterea corupției.

În primul rând, trebuie de menționat că este lansat Portalul serviciilor electronice **www.e-services.md** prin intermediul căruia fiecare cetățean al Republicii Moldova, poate beneficia de următoarele servicii electronice: cerere a celui de-al doilea pașaport al cetățeanului Republicii Moldova; înregistrare a întreprinderilor individuale; schimbarea numelui sau prenumelui, și un șir de certificate cu privire la starea civilă.

Un aspect important al implementării serviciilor electronice o constituie modalitatea de achitare pentru acestea, având în vedere faptul că ar fi inadecvat și inoportun să se efectueze achitarea prin metode tradiționale, învechite. Se preconizează, astfel, achitarea plăților cu ajutorul aparatelor de achitare automată a plăților, a cardurilor bancare, prin utilizarea așa-ziselor „portmoneie virtuale” (web-money), dar și prin intermediul telefoniei mobile.

Prin intermediul terminalelor, la moment, pot fi achitate serviciile electronice de comandă a buletinului de identitate și pașaportului cetățeanului Republicii Moldova. În calitate de serviciu complet electronic prin intermediul terminalului a fost implementat certificatul privind mijlocul de transport. Acest serviciu este destinat cetățenilor care preconizează procurarea mijlocului de transport de mîna a doua și doresc să dețină un volum maxim de informație referitor la mijlocul de transport respectiv.

Aș mai dori să menționez, că participanții la Forumul Internațional „Servicii electronice-soluții și perspective”, organizat de Ministerul Dezvoltării Informaționale la 12 martie 2009 în mun. Chișinău, au aprobat Declarația privind dezvoltarea serviciilor elec-

tronice în Republica Moldova, care a fost expediată în adresa Guvernului țării. În cadrul acestei Declarații a fost expusă propunerea:

„Participanții la Forum consideră că în scopul dinamizării procesului de edificare a societății informaționale, în perioada imediat următoare este necesar de susținut implementarea tehnologiilor informaționale și de comunicații în procesul interacțiunii autorităților publice centrale și locale cu cetățenii și mediul de afaceri.

Astfel, în vederea îmbunătățirii accesului cetățenilor la informațiile și serviciile publice ale autorităților administrației publice, simplificării procedurilor de lucru, îmbunătățirii schimbului de informații, a calității serviciilor publice, precum și a promovării accesului la Internet și la tehnologiile moderne în cadrul instituțiilor publice este necesar dezvoltarea continuă sistemului de servicii publice, inclusiv prin implementarea serviciilor guvernării electronice.

Reieșind din considerentele expuse, constituie o importanță națională deosebită reformarea sistemului actual de prestare a serviciilor publice și elaborarea unui program privind implementarea serviciilor electronice.”

Aceasta, nemijlocit ține de implementarea guvernării electronice, fapt ce presupune atât dezvoltarea bazei instituționale și juridico-normative, precum și asigurarea funcționării portalului guvernamental și altor sisteme informaționale, care vor servi ca bază pentru elaborarea Programului național de implementare a serviciilor electronice – componenta de bază a societății informaționale.

Care sînt măsurile Ministerului pentru calificarea, la standardele europene, a forței de muncă din domeniul TIC?

Proiectul Strategiei de dezvoltare a sectorului Tehnologiilor Informației și de Comunicații pe anii 2010-2012 include un șir de măsuri ce vizează pregătirea specialiștilor pentru domeniul TIC. La aceste măsuri pot fi atribuite:

- încurajarea instituirii unor centre de instruire cu acreditare internațională (rețele, elaborare de software, managementul afacerilor TIC);
- instituționalizarea unor cursuri de training și a practicilor de producție pentru studenții facultăților de profil TIC în cadrul întreprinderilor din domeniu, inclusiv, în cadrul unor colaborări internaționale;
- crearea filialelor/centrelor de instruire la distanță pe lângă universități și companii cu renume din domeniul TIC;
- instituirea pe lângă organizațiile patronale și asociațiile din domeniul TIC a centrelor de consiliere profesională;
- armonizarea ofertei educaționale cu cerințele business-ului TI;
- actualizarea planurilor și programelor de instruire orientate la cererea pieței TI;
- actualizarea Clasificatorului Ocupațiilor și Nomenclatorului specialităților conform cerințelor europene de pregătire a cadrelor în instituțiile de învățămînt mediu de specialitate;
- reactualizarea materiale didactice orientate la învățămîntul bazat pe rețele de calculatoare și Internet. Toate aceste măsuri sînt menite să contribuie la formarea continuă a unei forțe de muncă calificate la nivelul standardelor europene. ■

Vă mulțumim.

ICT and e-services in Moldova today: Challenges and Opportunities

The ICT sector in Moldova is not immune to the crisis



Ion Coșuleanu
Project Manager, UNDP

In the modern era, knowledge is recognized as an essential driver of development and information is seen as a valuable resource as much as other natural resources - metals, oil and others. Now information has become a critical resource that assists in ensuring the accountability of government, enables governments to manage their operations, and allows the public to participate in the governance of their country.

Information and communication technologies (ICT) has proven to be a key enabler of socioeconomic progress and development, enhancing productivity and therefore economic growth, reducing poverty and improving living standards in many ways. ICT is increasingly revolutionizing production processes, access to markets, and information sources together with social interactions. ICT also has an impact on government efficiency, fostering transparency and better communication and services with and to citizens ¹.

The financial crisis that engulfed the world last year is now playing out in full proportions. This has spread to each industry and telecom industry is no exception. The impact of the recession in the western world and economic slowdown in the emerging countries is being felt in a big way by all the players in the ecosystem ².

Moldova is not an isolated island in the world of ICT. According to the latest data gathered by

the National Agency for Regulations in Electronic Communications and Information Technologies (ANRCETI), in the first quarter of 2009 the total turnover decreased compared to the same timeframe of 2008: for the mobile services by 3.17%, for the fixed services - by 17,5%. The average monthly revenue per user (ARPU) in mobile telephony was 82.93 lei, down by 23.07%, the ARPU in fixed telephony was 141 lei, down by 20.2%. However the turnover of the Internet and data transport service market increased by 57.25% and achieved 110.08 million lei, whereas the turnover of broadband services was 58.7 million lei, up by 89.1%. The total revenue on fixed, mobile and Internet markets of Moldova achieved 1 billion 204.8 million lei with mobile telephony share of 621.1 million lei³.

At the same time, the number of users of these services, as well as users of data transport and Internet access services continued ascending. Thus, the number of fixed telephony users reached 1 million 121 thousand, up by 3.4%, whereas the number of mobile users reached 2 million 575,5 thousand, up by 23,3%. As a result of this development, the fixed penetration rate per 100 residents reached 31.4%, whereas the mobile penetration rate reached 72.2%.

The total number of subscribers to Internet services at fixed points reached 168 thousand, up by 143.5% compared to the same timeframe of 2008. The number of broadband subscribers came to 135 thousands, up 2.5 times.

However, the increase of the number of mobile subscribers and of Internet subscribers is a positive factor for Moldova. As one could see, the situation is contradictory: for the one hand, the turnover for the main services: fixed and mobile is going down when the number of subscribers is going up. For the other hand, the turnover and the number of Internet users and especially for broadband are increasing, that demonstrates that Broadband is accessed by new users.

The questions are: What will follow? What other influence on ICT services will have the crisis? How long it will be? What steps should be taken to diminish the negative effect?

1 <http://www.insead.edu/v1/gjtr/wef/main/fullreport/index.html>

2 <http://www.mohitagrawal.com/2009/03/impact-of-economic-crisis-on-telecom.html>

3 <http://en.anrceti.md/news26052009>

What is happening at Global level?

Globally, the information and communication technologies (ICT) industry is suffering because of the crisis. IDC, an IT consultancy, has predicted that global technology spending will grow by 2.9 percent year-on-year in 2009, lower than the previously forecasted 4.9 percent ⁴.

According to Global Information Technology Report 2008-2009 ⁵ there are two underlying reasons why the technology sector, while suffering because of the overall economic challenges, is showing such signs of resilience.

One is clear, that technology is evolving continuously and, despite economic uncertainty over the coming years, progress in most areas of ICT continues at an accelerated pace. The prices of new ICT tools is falling rapidly and is enabling new, large segments of the population of emerging countries to now get access to affordable computing. Software capabilities are improving steadily, and they account to a large degree for the growth in popularity of social networking platforms and other Web 2.0 services.

The second reason is related to the fact that both public- and private-sector leaders now fully accept the important role of ICT in stimulating growth and enabling the development of economies by significantly increasing productivity across sectors and industries.

Many economies have been able to leverage the extraordinary power of ICT as a driver of change, modernization, and competitiveness have made important advances in their global competitiveness by positioning ICT at the heart of their national innovation and development strategies (Korea, Singapore, Israel, Finland, and Estonia). Even in emerging markets in Africa, Latin America, and Asia, access to ICT has boosted information availability, transformed social interactions, and contributed to poverty reduction and improving the life of everyday citizens.

ITU Launched the Crisis Program

ITU launched own work programme tracking the evolution of the financial crisis and its impact on the telecommunication/ICT industry, and published the report on the impact of the crisis ⁶ in February. But ICTs are not just suffering the fall-out of the crisis: ICTs can also be a vital part of the solution.

ICTs have an integral role to play in fuelling economic recovery. They are a driving force for eco-

nomical growth. New data storage, communication and transmission technologies have achieved sizeable and important productivity gains across other economic sectors ⁷.

The International Telecommunications Union (ITU) Secretary General Hamadoun Toure at World Telecommunications Forum 2009 mentioned: „*Telecoms and the Internet are now vital service platforms, underpinning international trade and the global financial system, as well as personal communications. .. ICTs are among the most powerful tools businesses have at their disposal to improve efficiency and reduce costs. And communication devices and technologies like telepresence will become even more important, as businesses cut back on corporate travel... And where ICTs are concerned, I am pleased*

Information and communication technologies (ICT) has proven to be a key enabler of socioeconomic progress and development, enhancing productivity and therefore economic growth, reducing poverty and improving living standards in many ways.

to see that governments have committed both to large ICT infrastructure development, as part of a general fiscal stimulus, and to doing more for the developing world, particularly through institutions such as the IMF and the World Bank.”

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European Union is taking special measures to diminish the effect of the crisis

The European Council reached an agreement on the Community part of the European

Economic Recovery Plan, in support of projects in the field of energy and broadband internet as well as CAP Health Check related measures. The European Council calls on the Presidency to accelerate contacts with the European Parliament with a view to the Council and the European Parliament reaching agreement before the parliamentary recess.

The agreement is set out in document 7848/1/09 REV 1 which will be subject to legal finalisation ⁸.

In the Strategy for ICT R&D and Innovation in Europe: Raising the Game (as of March 13, 2009) ⁹ is mentioned:

- The worldwide ICT market has reached € 2000bn and is currently growing at 4% per year.

Europe represents 34% of this; however, the value added of its ICT sector amounts to only

23% of the total. The sector represents 4.5% of European GDP and even more if the value added of ICT in other sectors is also accounted for.

- ICT provides essential infrastructures and tools for knowledge creation, sharing and diffusion. ITC boosts the innovation capacity of all sectors and contributes to more than 40% of the overall productivity growth.

⁴ The Global Information Technology Report 2008-2009 © 2009 World Economic Forum. Mobility in the Networked World.

⁵ Global Information Technology Report 2008-2009 © 2009 World Economic Forum. Mobility in the Networked World

⁶ Confronting the Crisis Its Impact on ICT Industry. ITU, February 2009. http://www.itu.int/osg/csd/emerging_trends/crisis/report-low-res.pdf





- ICT is also essential to address Europe's societal challenges. It brings unique responses e.g. to the growing needs for sustainable healthcare and ageing well, for better security and privacy, for a lower carbon economy and for intelligent transport.

- The importance of ICT is reflected in R&D budgets across Europe, where ICT typically represents more than 30% of the total.

The Strategy should open markets with clearer demands from users, allowing for shorter innovation cycles, faster responses to socio-economic challenges and new opportunities for industry in Europe. It should result in more rapid returns on investments and thus greater attractiveness of Europe for investors, companies and researchers.

According to the Strategy, Europe is expected to achieve by 2020:

- doubled its private and public investments in ICT R&D, doubled venture capital investments in high-growth ICT SMEs and tripled its use of pre-commercial procurement in ICT;

- grown new innovative businesses in ICT so that one third of all business expenditure in ICT R&D is invested by companies created within the last two decades;

- ICT sector **supplies at least the equivalent of its share of the global ICT market.**

European Commission is underling the importance of better and overall availability of higher speed broadband as the cornerstone for the future development of European society and economy. It is the only way to bring the benefits of the innovative ICT technologies and services to all citizens throughout the European territory. The Commission is currently working on a proposal for a package of measures to develop a European Broadband strategy, while Commission is already close to reaching an agreement on the new telecom regulatory package, which will also act as a stimulus for European economies, by enhancing regulatory predictability and legal certainty across the EU, thus providing a strong incentive to invest in NGNs for any market player.¹⁰

Moldova: Joint Attempts to Overpass Crisis

Moldova now is lagging far behind EU countries in ICT development and e-services implementation (see Figures 1,2) and this could be in the crisis situation an opportunity for investment and a chance to use this time for preparation the platform for the new cycle of growth.

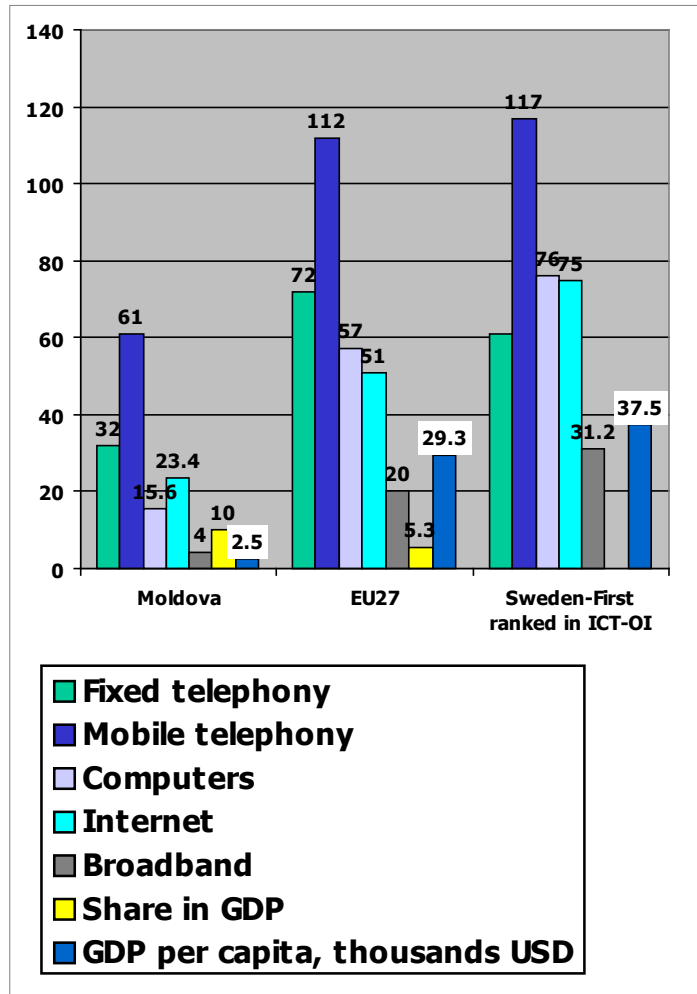


Figure1. Main ICT indicators Moldova- EU average, Sweden, 2007

Sources: The Global Information Technology Report 2007-2008), ITU & UNCTAD World Information Society Report 2007, UN Global E-Government Survey 2008, ANRCETI Moldova, Eurobarometer nr.293, CIVIS 2007 Business & Household Survey for eGovernance Project, http://en.wikipedia.org/wiki/Economy_of_the_European_Union

Other countries' practice shows that the electronic services offered by the Government and business environment are efficient and can develop, only when the broadband penetration rate reaches 20%. According to Sergiu Sîtnic, director of ANRCETI „The annual 1% increase in the Internet service penetration rate and reaching 4% cannot meet the necessities of an information society, which will be based, first of all, on high-speed Internet. Following this pace, it will take another 15 years to achieve the current 20% European level”.¹¹

⁷ <http://www.itu.int/osg/csd/wtpf/wtpf2009/statements/dialogue/touren.html>

⁸ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/106809.pdf

⁹ A Strategy for ICT R&D and Innovation in Europe: Raising the Game, COM (2009) 116 http://ec.europa.eu/information_society/tl/research/documents/ict-rdi-strategy.pdf

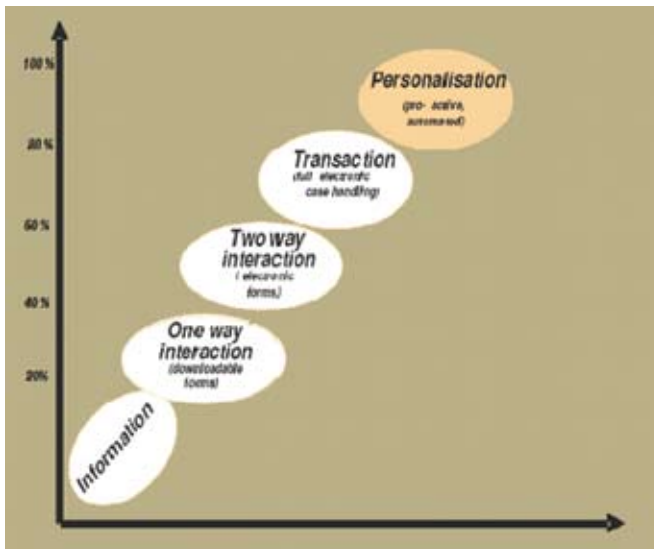


Figure 2. The level of e-services in Moldova and in EU27

Sources: Adapted from: 2007 European Commission Directorate General for Information Society and Media *The User Challenge, Benchmarking the supply of online public services, 2007, author's estimation.*

While substantial efforts are taken by the Government with donors assistance and the positive trends in development, there are at least three issues standing on the way of speeding up the implementation of electronic public services, namely: (a) the pace and the manner of implementing the Law on electronic documents and digital signature, (b) the weakness of IT departments within the ministries and other public authorities, caused by the level of wages of IT professionals, (c) lack of initiative and political will of public authorities to implement ICT in daily work. Probably, the last issue and strategic planning represent the most vulnerable weak point of the public institutions in general.

Low level of Broadband penetration and of e-services (Only one of 20 services defined in e-Europe is fully functioning with digital signature authentication-e-Tax e-declaration) when relevant technologies are less expensive and more affordable creates new development opportunities. If attractive and stable legal, regulatory, fiscal and juridical system is functioning the investment are ready to enter into the sector. Therefore, relevant country strategic view for the next period is essential. In times of economic recession the government support of the sector is very important, including by implementation of enhanced e-services and create incentives for their use by the population. To

accelerate development a Broadband Internet development Concept formulated by the Ministry of Information Development (MDI) shall be accompanied by Action Plan to enhance the access to and use of electronic services.

Moldova is developing the ICT sector Strategy in Partnership with Private Sector

With a GDP share of 9.5% and with services exports growing 5.5 times in 2004-2008, the Moldovan ICT sector can be a major driver for increased competitiveness of the economy. ICT provides opportunities for building competitive economy and to increase the effectiveness of the public sector.¹²

The Ministry of Information Development developed in 2008 with UNDP assistance The ICT Sector Strategic Paper for 2009-2011. The paper contains analysis of the current situation (SWOT), barriers and actions to be taken to foster the ICT sector development.

The National Association of the Private ICT Companies (NAPICTC) recently established in Moldova with US AID support has been invited to participate into discussions under the developed Strategy.

NAPICTC is aiming at improving the competitiveness of the Moldovan ICT sector locally and at an international level, raising the collaboration within the Moldovan ICT business community, improve the business and IT skills within the sector, work with the government to improve the prospects of the sector.

The Association recently prepared and issued assisted by USAID the ICT Sector White Book as a road map for working with the Government institutions to ensure fast development of the sector.

The White Book represents a consolidated opinion of the business community represented by the National Association of ICT Private Companies. Its purpose is to clearly define the national ICT sector as productive economic sector, to identify development opportunities for the next 3 years and to propose strategic recommendations for improving business environment in the sector.

The Book proposes actions that are aligned with the paths defined by the Strategy for ICT R&D and Innovation in Europe. The authors of the White Book are convinced that a more rapidly growing ICT sector will set in motion long-term and society-wide positive effects for Moldovan society. It will bring significant contribution to employment of young and qualified people, channel more tax revenues to the public budget, reduce transaction costs across

10 <http://www.itu.int/osg/csd/wtpf/wtpf2009/statements/reading.html>

11 <http://en.anrceti.md/news28052009>



economy, increase the ICT literacy in the society and enhance competitiveness of the Moldovan economy.

Challenges identified in the draft Strategy and The White Book

- The low affordability of internet connectivity, which is from 5 to 10 times more costly than in CIS countries in per capita affordability terms.

- Weak educational system in the ICT area.

- De-facto monopoly in the telecommunications sector and unfair public tendering favouring state-owned software developing companies is hampering the growth of the domestic markets in the communications and software development.

- While software companies are subject to some fiscal exceptions, the generally unfavourable administration system and complex fiscal environment raise the costs of doing business in the ICT sector thus generating competitive disadvantages for Moldovan companies.

- Ineffective dialogue between the ICT Sector and Moldovan Government leads to unclear

development priorities, low ICT sector visibility and non-functional strategies. ICT in Moldova still is perceived as separate from other components of the "knowledge economy", such as high education and Research & Development activities.

The White Book distinguishes two main types of interventions needed to support a rapid ICT growth in Moldova and achieving higher competitiveness of the overall economy.

1. Elimination Of The Barriers For ICT Sector Growth

- Improvement of the administrative and fiscal environment for the ICT sector

- Effective and Efficient State Procurement

- Effective implementation of Electronic Communications law and of the secondary legislation

- Facilities (ducts, masts, buildings, etc.) sharing regulations¹³

2. Strengthening The ICT Fundamental Competitiveness

- Stimulating sustainable growth of the local ICT Market

- Branding and positioning of the ICT sector

- Competitiveness based on Quality and Innovation

- Education and Human resources development

- Modernization of the university curricula in the ICT in cooperation with the private sector

- Engineer aptitudes testing

Conclusions

1. The economic and financial crisis is affecting World ICT sector and Moldova is not isolated and protected against crisis consequences.

2. The ITU and European Union are adopting special programs and Plans to overpass the crisis in ICT and Broadband Internet development is included as a priority action in these programs.

3. Moldova is lagging substantially behind EU countries in ICT development, especially in Broadband Internet and e-Services and this is a challenge and an opportunity.

4. Based on ITU and EU crisis papers Moldova shall develop its own anti-crisis program.

5. Moldova is developing the ICT sector Strategy to foster development and the newly created Association of private companies could play an important role in improving the Strategy. The Strategy shall include special anti crisis actions.

6. The Strategy, once approved, will need a stable and predictable legislative, regulatory, fiscal and juridical environment as well as equal and fair treatment by the state authorities of all market players thus providing a strong incentive to invest in NGNs (New Generation Networks) for any market player.

7. The Public-private partnership being established to implement the new Strategy provisions and White Book recommendations will create a favourable environment for development of ICT sector in Moldova to transform it in an engine for all economic sectors.

Main events in ICT sector in January –May 2009:

- Forum on e-Services organised by Ministry of Information Development , March 12, 2009

- Round table "Conclusions on Creating in Moldova the territorial Information and Communication Technology infrastructure" organised by the Ministry of Local Public Administration (April 29) .

12 ICT Sector in Moldova: Policy White Book. May, 2009

13 Added by the author

- Development and broad discussion of the draft ICT sector Strategy (January-May)
- Development and discussion of the "ICT Sector in Moldova: Policy White Book" by the newly created Association of private companies in ICT (January-May)
- Development by MDI "The Concept of Broad-band Internet Development" (January-May)
- The 2009 World Telecommunication Policy Forum (WTPF-09) (April 21 - 24, 2009)
- Information Technologies Week 2009 (May 18-23)
- ICT+ 2009 International Conference (May 19-20)
- Cominfo Business-Forum 2009 (April 2-4)

The United Nations Development Programme (UNDP) "Building e-Governance in Moldova Project" supported organisation of these events and participated with contributions.

Besides, the 2 important international events with Moldovan delegations representatives participation took place:

- FORUM WSIS 2009 held in Geneva (May 18-23)
- 40th session of the RCC Communications Administration Heads Board held in Slovenia (May 20-22) ■

June 2, 2009.

Ion Coşuleanu
Project Manager, UNDP

Information and Communication Technologies Week in Moldova - 2009

The third edition of the "Information and Communication Technologies Week in Moldova - 2009" took place on May 17-23, 2009, in Chisinau, under the auspices of the Ministry of Information Development and the Academy of Science of Moldova.

The Information and Communication Technologies Week started this year with the celebration of the World Telecommunication and Information Society Day - May 17. The purpose was aimed at stimulating and consolidating efforts of state structures, scientific institutions, commercial and non-profit organizations, representatives of international organizations, investment companies and civil society as a whole to build and develop the information society in the Republic of Moldova.

Different events took place within the "Information and Communication Technologies Week in Moldova - 2009". All the events had a common goal and ideology - to promote information and communication technologies and enlarge the number of users of advanced technologies in Moldova.

The main event within the Information and Communication Technologies Week in Moldova was the organization of the ICT+ International Conference "Information and Communication Technologies - 2009". ICT+ International Conference was aimed at contributing to the development of modern information and communication technologies and their implementation within all the activity spheres of the society, to the promotion of advanced technologies and new methods of business organization.

The works of the ICT+ International Conference "Information and Communication Technologies - 2009" were divided into 4 main sections: ICT+Government, ICT+business, ICT+citizen, ICT+science.



ICT Association in dialogue with AmCham



*Veaceslav CUNEV
President, ICT Association*

1. What are the main challenges of ICT sector in Moldova?

Biggest challenges

While Moldovan ICT sector has a significant growth potential, there are a number of key challenges hindering its development. On strategic level, the key challenges could be summarized in the following categories:

- Ineffective dialog between the ICT Sector and Moldovan Government leads to unclear development priorities, low ICT sector visibility non-functional strategies. ICT in Moldova still is perceived as

separate from other components of the "knowledge economy", such as high education and Research & Development activities.

- Weak educational system in the ICT area undermines fundamentally the ICT sector for which human resources are THE critical input. While the annual inflow of young ITC specialists is high in terms of quantity, the quality of the specialists suffers because of the outdated educational methods, poorly defined curriculum, weak business-university partnerships and shortage of skilled teaching staff.

- Mixed messages coming

from the telecoms and existing ICT groupings are another significant hurdle to change. Both groups have a symbiotic relationship and failure to prioritize a common message to government drives procrastination in the regulatory and procurement areas. A common message with a shared view of actions and impact will result in reducing the barriers to change.

- Growth of the domestic markets in the communications and software development is below potential because of the dominant state monopoly in the telecommunications sector and because of the public tenders favoring state-owned software developing companies.

- The low affordability of internet connectivity, which is from 5 to 10 times more costly than in CIS countries in per capita affordability terms, is a fundamental constraint affecting development of the IT society and IT economy. This issue must be addressed with temporary interventions and supports which can be removed when the tipping point of penetration reached around 20% and market forces start to drive adoption and traffic.

- While software companies are subject to some fiscal exceptions, the generally unfavorable administration system and complex fiscal environment raise the costs of doing business in the ICT sector thus generating competitive disadvantages for Moldovan companies.

2. We know that you presented recently the White Book for IT sector development, what is the main focus of this document?

- The White Book represents the consolidated opinion of the business community represented by the Moldovan Association of ICT Private Companies. Its purpose is to clearly define the national ICT sector as productive economic sector, to identify development opportunities for the next 3 years and to propose strategic recommendations for improving business environment in the sector.

- We hope that the White Book will consolidate the public-private dialogue and help align governmental policies with the private sector priorities. In this context, we very much welcome the creation by the Ministry for Information Development of the working group for improvement of the sector Strategy where representatives of the Association have participated actively.

3. How high are the chances of the local companies to launch their ICT products on the international market?

According to our vast previous experience we are assure that Moldova have great opportunities in western IT market. Most of our colleagues are engaged in various international projects where Moldovan software developers are highly appreciated.

4. How do you plan to increase the competitiveness of the local companies compared to the international ones?

➔ **Branding and positioning of the ICT sector**

The Association will develop branding plan and strategy that will present the ICT sector as a reliable partner both in the domestic and international markets. As a result we expect to improve the international image of the ICT sector as excellent investment opportunity. On the domestic market the sector will be positioned as an excellent place for carrier of the Moldovan talents and as provider of solutions that can increase the competitiveness of the Moldovan economy.

➔ **Competitiveness based on Quality and Innovation**

The Association will analyse and propose measures for promotion of R&D, Innovations and Quality activities related to the ICT. Among these activities we can mention support in training of personnel and implementing of international standards and certifications (ex. ISO and CMMI) As a result we expect that the Moldovan ICT companies will be able to achieve higher competitiveness advantage based on value added solutions.

➔ **Education and Human resources development Modernization of the university curricula in the ICT in cooperation with the private sector**

The Association and Universities will create a working group on education that will coordinate improvement of the current curricula, development of new curricula in the Moldovan Universities and update of the official registers of economic occupations. The private ICT companies will improve their coordination of current activities that support the ICT education. The Universities in general and individual students will have direct access to the real industry by middle to

long-term internships. As a result, a higher share of the ICT students in ICT related subjects will be employed in the Moldovan economy.

5. As many studies show, the fields of Marketing, Leadership and Project Management are underdeveloped in Moldova. How do you comment on this situation and what solutions can you suggest?

Training programs offered to members companies will enhance their capacity in specific fields; join projects to bring to date courses offered by formal education will contribute to systemic changes for better prepared specialists.

6. What initiatives/projects do you offer to young specialists of the IT field?

Moving to the White Book implementation phase according to the Action Plan Association will create committees to design and implement specific projects in each field of intervention. As education is one of our priorities, education committee will be created one of the first and will focus its attention to development of programs to promote IT carrier, support best students to obtain internships and cooperate with institutions to update their courses to companies needs. Some regulatory changes are going to be promoted to ensure sustainable transformations such as: new classification of professions, measures to increase tertiary enrolment rate and institutionalization of aptitude test for engineering faculties. ■

ICT – First steps out of the crisis



*Stephane E. SOMSSICH
Director, Stratego International,
Belgium*

The subprime greed, the Lehman Bros bankruptcy and some international financial scandals (ex: Madoff) have generated an unprecedented world crisis. Governments throughout the world have had to pump in billions of dollars to save the financial system. Additional measures have also been taken to allow banks to keep providing funds and credits to industry although with a limited impact.

All sectors have been hit badly and the world economy is hurting.

The ICT sector also feels the crunch. However by nature, technology is in the forefront of a potential economic return. Oracle, the world Nr 2 software group announced in April 2009 that it would acquire Sun Micro Systems for the amount of US\$ 7.4 billion. Today everyone is shying away from acquisitions as it means increasing debt.

Only companies who have strong liquidity reserves can still do it and not many do have this cash available. Only the ICT sector does have that capacity. Cisco for example, has US\$ 20 billion in liquidities. Even niche ICT companies do have liquidities that they have cashed up due to the international reach of their products.

When looking at the stock exchange, the vitality of ICT companies is confirmed. Since January 2009, shares of companies like IBM, Cisco, Apple, Intel, and even RIM (Blackberry) are showing a growth of more than 10%.

These companies have learned their lessons from the internet crisis in 2001. They were hurt badly and most had to go through a major restructuring. They have adopted lean and mean management techniques to help them survive the internet bubble. This doesn't mean that ICT companies are immune to the current crisis. Demand has effectively decreased and the crunch is there. Today, they are better organised and have learned to anticipate more systematically future downturns.

However, some major companies seem to have missed the boat. Sun Microsystems never recovered from the 2001 crisis due to its aggressive fight against IBM although having key technologies. The same applies to some in the telecom sector such as Alcatel-Lucent and Nortel of Canada. Who remembers Compaq, then Nr 1 in PCs and who was swallowed by HP.

In the 90s the ICT sector seemed to stabilize according to a "lasagna logic". Each market layer having its own champion: HP on equipment (computers and peripherals), Cisco was concentrating on networking equipment, Oracle on software (mainly data bases), SAP on management software.

The new trend is to try to abolish these market specializations. The Darwinian attitude of ICT companies has grown and the current climate keeps acquisitions moving ahead. Today, they are all hunting on their competitors' grounds. HP has entered the networking sector while Cisco is going into servers.

Larry Ellison of Oracle has been acquiring management software companies and now goes into computers with Sun. It should push other key players such as IBM, Cisco, Intel (although under attack by the EC) to go on a buying spree too. This could bring a major reshuffle of the ICT sector and also have an impact on strong forces of the likes of Microsoft, which is under attack but has proven to be able to react thanks to its financial clout.

One should not forget, the new growing tigers such as India, China, Russia, and Eastern European initiatives. Although in the minor league, in terms of software, Africa which is leaping out of the dark ages is showing signs of taking advantage of the continuous ICT revolution too. ■

*Stephane E. SOMSSICH
Director, Stratego International, Belgium
May 09
(with extracts from Trends – Tendances 09)*

Opening the IT business to the Moldovan Youth: Problems and Solutions

One of the main drive forces of the country's IT area development is modern business. The founders and leaders of SMEs are usually young entrepreneurs with certain business background and skills. Lack of significant experience they compensate with creativity, innovation and openness to the modern socio-economical trends. The IT companies from Moldova have the youngest employee market among countries of the Eastern Europe: 80 % of them are 24 – 30 years old. And this trend increases at relatively high rate. This important fact makes the IT sector to be innovative, flexible and adaptable to international standards, cooperation, etc.

Education delivered in specialized technical institutions provides young people with good background and skills in programming, software development, web design, database management and other specific IT fields. However, when the time comes to establishing an IT company, the person does not succeed in most cases. A good part of the new-born IT enterprises collapse within one year, the next five years "kill" another part. Only 5 – 10 % of such companies are able to survive and obtain a certain market share.

In November – December 2008 there was a survey conducted among young people enrolled in the educational institutions of Moldova. The results clearly stress the importance and necessity of improving Marketing, Management and Leadership preparation for IT specialists in order to increase their performance in establishing and managing the IT business (see Diagram 1). *Source: IT Survey 2008 Results, AIESEC Moldova.*

The GCI has a pillar called "Business Sophistication" that evaluates the difficulty of estab-

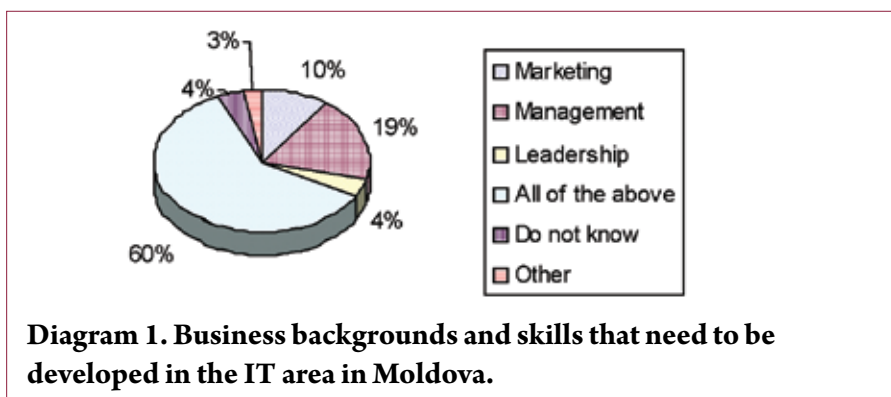


Diagram 1. Business backgrounds and skills that need to be developed in the IT area in Moldova.

lishing and managing business in the country and involves such criteria as legislative restrictions, access to resources, nature of competitive advantage, production process sophistication, leadership and delegation of authority, etc. In the ranking of 2008 – 2009 Moldova is placed on the 131st place out of 134 here, meaning that there are significant obstacles and high difficulty in establishing and leading enterprises in the country.

Conclusions: Solutions

The IT area in the Republic of Moldova is weakly developed in comparison to other countries or to other areas here. However, there is certain potential to use for driving its growth in effectiveness and competitiveness. It is represented by IT business: large corporations able to attract investments and small and medium enterprises (SMEs) with the ability to quickly implement the latest IT developments and spread them in the society.

To solve the above-mentioned problems and foster the development of the IT area in Moldova the following solutions are proposed:

- Organize specific trainings / conference for delivering business knowledge to young IT specialists;
- Introduce the education on Project Management, Marketing,

and Leadership in the curriculum of the IT-specialized educational institutions of Moldova;

- Offer young people the opportunity to obtain professional experience through an internship in a local / foreign company;
- Establish and support business dialogue between the Moldovan youth and representatives of national / international IT business;
- Organize a platform for young specialists to elaborate projects in the area of IT business in cooperation with the agents of governmental and corporate sectors.

All the presented solutions should be organized in a system to deliver synergetic impact. An example of such system that is in process of implementation nowadays can be the project "Open i". It consists of two main stages: internship experience in a foreign IT company and the International Congress on IT to deliver business knowledge and establish the platform for interaction between young people and representatives of the IT business. The mission of this project is:

"Explore new horizons in Leadership, Project Management, Marketing of IT and push it's industry to a competitive level by encouraging networking and spreading international experience". ■

Ilie DERACI, AIESEC Moldova

MOLDOVAN LEGAL NEWSLETTER



LEGAL NEWS

New Restrictions on Holding of Hard Currency by Moldovan Companies

Given the fact that there is high demand for hard currency in Moldova, the Moldovan central bank (NBM) has enacted restrictions on holding of hard currency by Moldovan companies. Thus, effective from 17 March 2009, the NBM's Currency Control Regulation dated 1994 and the NBM's Currency Purchase Regulation dated 2003 were amended.

Under the amended regulations a Moldovan resident legal entity may purchase foreign currency against Moldovan Lei (MDL) only for the purposes of making payments to non-Moldovan residents; such purchased foreign currency can be maintained only in operational (current) accounts, and not on deposit accounts; such purchased foreign currency can be maintained only for **seven (7) working days**, after which, if not used for making payments, they must be converted back into MDL.

These holding restrictions apply to purchased currency only, and they do not apply to export proceeds received in foreign currency by Moldovan exporters.

These new rules also do not apply to the foreign currency cash that was held by Moldovan resident legal entities before 17 March 2009 in Moldovan bank accounts. The rules also do not apply to Moldovan individuals or non-Moldovan residents holding accounts in Moldovan banks.

Want to learn more? Contact Octavian.Cazac@TurcanLaw.md

Securities Regulator Details Rules of Public Offerings

The National Financial Market Commission has approved a new Instruction on Public Offering of Securities on the Secondary Market. The Instruction is meant to detail the existing Moldovan securities and corporate laws which have undergone significant changes on 1 January 2008. It applies to both voluntary offers and mandatory offers (such as mandatory sell-out offer by a shareholder that acquired control of the company to purchase shares from the remaining minority shareholders); takeover bids and offers for less than 50% of the issued shares; offers for purchase and offers for sale (such as offers for sale which insiders of publicly traded joint stock companies are bound to make).

It specifically contains detailed rules on the registration, terms, announcement and completion of a public offer of shares issued by a public joint stock company.

Want to learn more? Contact Octavian.Cazac@TurcanLaw.md

New Interconnection Rules

The National Agency for Regulation of Electronic Communications and Informational Technology (ANRCETI) has adopted a new Regulation on Interconnection, replacing the older regulatory framework adopted in 2002. The new Regulation entered into force on 13 March

2009 and sets out the rights and obligations of operators and providers seeking interconnection and/or access to electronic communications networks and facilities.

A notable novelty is that the Regulation establishes a mechanism for unbundling of the incumbent's twisted metallic pair local loop, which upon implementation will likely increase competition between providers of traditional telephony and broadband Internet services in Moldova. The ANRCETI can require operators to publish a reference interconnection offer and/or a reference offer for access to their local loop and to associated facilities and services. ANRCETI will be further entitled to impose amendments to such reference offers, including with regard to the tariffs and fees contained in such offers.

Want to learn more? Contact Marin.Chicu@TurcanLaw.md

Notary Law Amended

The Parliament of Moldova enacted amendments to the Notary Law that set out new requirements for admission to the notary profession and new rules on disciplinary liability of notaries. A newly created body, the Disciplinary Board, will oversee the compliance by the notaries with the law and with the Code of Conduct, which is to be approved by the general assembly of notaries. The most important novelty in the field is that under the new rules, all notaries (both private and state) shall be bound to procure professional liability insurance to cover potential damages arising from notary errors and omissions. More rigid rules regarding the daily and weekly working hours of private notaries have been introduced. Pursuant to the enacted amendments, the Government will enact uniform rules for equipment of the notary offices to be applicable from 1 January 2012.

Want to learn more? Contact Bogdan.Ciubotaru@TurcanLaw.md

Facilitation of Passage of Goods at Frontiers

On 3 March 2009 the International Convention on the Harmonization of Frontier Control of Goods (the "Convention") entered into force for the Republic of Moldova. The Convention already enjoys applicability in 49 states, including in the European Union countries.

The Convention represents an international instrument focused to facilitate international movement of all goods being imported, exported or in transit, by way of reducing the requirements for completing customs formalities as well as the number and duration of different controls at frontiers, in particular by national and international coordination of control procedures and of their methods of application. The focus of the Convention is, wherever possible, to provide simple and speedy treatment for goods in transit, especially for those travelling under cover of an international customs transit procedure, by limiting their inspections to cases where these are warranted by the actual circumstances or risks. Additionally, it shall endeavor to facilitate to the utmost the transit of goods carried in containers or other load units affording adequate security. Also, the convention provides for extension of the hours and the competence of existing customs posts available for customs clearance for goods carried under an international customs transit procedure.

In order to benefit from such treatment, the Moldovan customs services and other control authorities shall organize and harmonize their activity





with those of the countries that are parties to the Convention. The Parties to the Convention agree to coordinate the control activities, to ensure qualified personnel in service, to share information necessary for application of the Convention, to use documents aligned on the United Nations Layout Key, and to accept documents produced by any appropriate technical process, provided that they comply with official regulations as to their form, authenticity and certification, and that they are legible and understandable. In order to prepare for the new order of movement of goods, certain internal documents regulating customs and control procedures shall need to be approved by Moldovan competent authorities.

Want to learn more? Contact Mariana.Stratan@TurcanLaw.md

Moldovan Law Enforcers to Take Lie Detector Tests

A new law in force from 20 March 2009 obligates the applicants for jobs with the Customs Service, the Anti-Corruption Center, the Ministry of Internal Affairs and the Security and Information Service to take a polygraph test. Such test may also be applied periodically to the acting members of these enforcement organizations.

Refusal to take the test is however not sufficient grounds alone to serve as basis for denial of employment or prevention from engagement in certain activities.

The negative test results are recognized not to constitute evidence of falseness of verified statements, but shall only serve as grounds to conduct further investigations and verifications.

Want to learn more? Contact Alexander.Tuceac@TurcanLaw.md

New Subsoil Code to Enter into Force

The new Subsoil Code adopted in the last sessions of the previous Parliament has now been published and is set to enter into force on 17 July 2009. It repealed the old 1993 similar code.

The Code continues the previous regime of the subsoil stating that all its riches are public property and cannot be owned but only used by private individuals and companies.

The subsoil can be used only to: a) make geological research, including to prospect, evaluate and explore minerals and other types of geological research; b) extract minerals, including underground water and natural health minerals; c) construct and exploit underground structures not related to the exploitation of minerals; d) conduct industrial land filling; e) organize protected geological objectives; f) collect mineralogical, paleontological and other geological materials.

The use of the subsoil may be granted for an unlimited period of time only to public authorities. The use of the subsoil by private entities shall be limited in time. For instance, the right to extract minerals shall last only up to the exhaustion of the minerals, and the right to capture underground water shall last for a maximum of 25 years.

Want to learn more? Contact Octavian.Cazac@TurcanLaw.md

New Law on State Supervision of Public Health

A new Law on State Supervision of Public Health came into force in Moldova on 3 May 2009. This new law adopted by the Parliament will replace the older legislative act adopted in 1993. The new law maintains the requirement

for businesses to obtain a sanitary authorization before marketing certain products and services, as established by the applicable sanitary regulations. Additionally, the businesses/activities with an impact on public health will continue to be subject to obtaining a prior sanitary functioning authorization.

The law imposes certain express obligations on legal entities, including: i) to draft and implement public health measures aimed at preventing and liquidating pollution of environment, at improving the labor conditions etc.; ii) to inform in due time the State Service for Supervision of Public Health on various incidents (e.g. accidents, suspension of production process, changes in the enterprises' structure, cases of intoxication and professional illnesses that endanger public health); iii) to assess the labor risks and to implement measures aiming at protecting the employees' health; iv) to independently cease the activity of the enterprise or of certain departments, when such activity does not comply with the requirements of the sanitary legislation; v) to withdraw from the market the products and services that pose a potential risk for human health.

The chief sanitary doctors have large powers related to exercising the state supervision functions, including to resolve on suspension of business activities that pose an immediate and serious risk to the public health, or even to forbid such activities if breaches cannot be remedied.

Want to learn more? Contact Marin.Chicu@TurcanLaw.md

New Regulation on Appeals Board of the State Agency on Intellectual Property

The Government has approved the Regulation on the Appeals Board of the State Agency on Intellectual Property. Effective from 10 April 2009, this Regulation sets out the regulatory framework for the mandatory extrajudicial procedure on dispute resolution in the filed of intellectual property. In particular, this Regulation establishes the disputes arising out of or relating to the decisions of the State Agency on Intellectual Property being subject of appeal; the rights and obligations of the Appeals Board and of their members; the main requirements for an application to declare appeal and the terms and detailed examination procedure applicable to such appeals. We remind that in the past the Appeals Board was acting under Bylaws approved by the State Agency on Intellectual Property, and not by the Government.

Want to learn more? Contact Iulia.Furtuna@TurcanLaw.md

Licensing of Credit Bureaus

The May 2008 Law on Credit Bureaus (the "Law") has set the framework for the operation of these entities. Each credit bureau is subject to licensing by the National Financial Market Commission (the "NFCM"). The Law covers only general licensing requirements. More details are provided by the NFCM Decision no. 7/4 dated 20 February 2009 (the "Decision"). The Decision, inter alia, provides for the rules, terms and conditions for license issuance, suspension and withdrawal. Also, it sets out requirements towards the financial status and professional reputation of the credit bureaus' shareholders, and technical requirements towards credit bureau offices. In order to obtain the license for credit bureau services, the applicant shall submit a list of documents required by the NFCM. The license is issued for an unlimited period of time for a state fee of 2,500 MDL (about 170 EUR). If the license conditions are not observed by credit bureau, the NFCM will be entitled to suspend or withdraw the issued license.

Want to learn more? Contact Mariana.Stratan@TurcanLaw.md ■

TOKYO, Japan -Japan's GDP fell 4 percent last quarter.

The January-March quarter for Japan was 15.4 percent lower than the same time period last year, according to figures released by the Cabinet Office. Exports fell 26 percent on quarter, while imports were down 15 percent. The GDP slide in the world's second-largest economy is the greatest drop among the world's leading economies. By comparison, GDP in the United States fell 6.1 percent on an annual basis. This was the fourth straight quarter the Japanese economy contracted. Analysts say the drop reflects cuts in domestic spending with job cuts, factory closings and less capital spending as a result of spiraling sales abroad. The news punctuates a month of poor economic news out of Japan in recent weeks. Panasonic, one of the world's largest makers of electronic devices, announced it lost nearly \$4 billion in the fiscal year ending March 31. Hitachi lost \$8 billion in the fiscal year, with consolidated revenues down 11 percent from last year, the largest loss ever recorded by a Japanese manufacturer. /CNN/



Global unemployment

The jobless rate climbed to 9.2 percent in the 16 Euro zone nations of the EU, the highest rate in a decade. In the U.S. unemployment has hit a 25-year high of 8.9 percent and Hong Kong unemployment hit a three-year high of 5.3 percent in April. The International Labor Organization predicts global unemployment could eclipse 7 percent for the first time since it began keeping data in 1991. The ILO predicts unemployment will rise into 2011 and potentially trigger social unrest, according to the report "Tackling the Global Jobs Crisis". The Organization for Economic Co-operation and Development predicts the U.S. jobless rate to eclipse 10 percent next year. The number of people on unemployment benefits in G7 nations will reach 36 million in 2010, nearly double the number in 2007, the OECD predicts. /CNN/

The International Forum on Information Society (WSIS 2009)

The International Forum on Information Society (WSIS 2009) took place on May 18-20, 2009 in Geneva, Switzerland, where the headquarter of the International Telecommunication Union (ITU) is located. Pavel Sincariuc, the head of the General Directorate of Information Society within the Ministry of Information Development participated in this Forum. This event was organized by ITU in collaboration with UNESCO, UNCTAD and UNDP.

The International Forum on Information Society is a tradition of annual meetings in May, and its new format was suggested by the participants of the event.

A number of high-level meetings were held within the Forum, including discussions on critical issues regarding the implementation and monitoring of WSIS agenda and the obtained results, and also seminars and meetings on the development of new initiatives and projects.

High-level meetings covered the following 6 main directions:

- Information and Communication Technologies for the Millennium Development Goals;
- Access to information;
- Financial mechanisms during the economic recession;
- Cybernetic security;
- Climate changes and ICT;
- ICT application to improve the quality of life.

In order to involve all the participants in the Forum's activity, the high-level meetings were broadcasted in video and audio format and the rest in audio format.

The representatives of Moldova took part in a number of meetings and discussions in order to introduce new projects that would accelerate the development of information society in the Republic of Moldova.

(Source: Ministry of Information Development)

In January-April 2009, trade deficit of Moldova amounted to \$ 650.7 million, decreasing by \$ 366.3 million, or 36% as compared to the same period of the last year

According to the National Bureau of Statistics, for the first four months of 2009 the volume of Moldovan exports amounted to \$ 372.6 million, declining by 21.9%. The volume of exports to CIS countries totaled \$ 131.2 million, falling to 30.9%. Moldovan exports to the EU decreased by 17.7% - up to \$ 202.7 million. The amount of imports to Moldova made \$ 1 billion 023.3 million, decreasing by 31,5% as compared to the same period of the last year. At the same time, imports from CIS countries decreased by 24.3% - up to \$ 404.4 million and from EU - by 38,6% - up to \$ 407.4 million. In January-April, 2009, trade deficit of Moldova with the EU countries as compared to the same period of the last year declined by 50.9% - up to \$ 204.7 million, with the CIS states - by 20,8% - up to \$ 273.2 million. The largest trade deficit of Moldova was registered with Kazakhstan (- \$ 159 million), Ukraine (- \$ 101.9 million), China (- \$ 69.4 million), Germany (- \$ 45.9 million), Turkey (- \$ 41.7 million) and France (- \$ 39.9 million). /InfoMarket/



In January-April 2009, the industrial prices in Moldova have decreased by 3,5% as compared to the same period of the last year.

According to CIS Statistical Committee, in January-April 2009 industrial prices have increased by 13.7%. The largest decline in the industrial prices was registered in Azerbaijan - by 38,9%. The industrial prices in Kazakhstan fell by 28.4% in Tajikistan- by 14,2%, in Armenia- by 5,9%, in Russia- by 5,1%. The growth of industrial prices was registered in Belarus - 20,4%, Kyrgyzstan - 12,9% and Ukraine - 14,3%. There are no data available for Georgia and Uzbekistan. In general industrial prices in CIS over the period have decreased by 4% as compared to the same period of 2008. In January-April, 2009, the industrial prices have increased by 27% as compared to the same period of 2008 /InfoMarket/

Inflation rate increased by 0.2% in May

In May the consumption price index increased by 0.2% against April up to 100.2%, informed on Thursday, June 4, the National Bureau of Statistics (NBS). The NBS specifies that in May the tariffs for the services provided to the population and foodstuffs increased by 0.4% and 0.5%, while the consumption price index for non-foodstuffs reduced by 0.3%. Of the foodstuffs, price reductions in May were registered for dietetic eggs (9.2%), vegetal oil (4.6%), milk and dairy products (3.2%). At the same time, the car fuel price increased by 6.6%, medications by 2.2%, and construction material were by 0.6% more expensive. Also in May, the tariffs for drinking water raised by 6%, for international railway transport services by 3.6%, and for air transport services by 1.4%. It's worth noting that for the first five months of this year, deflation was registered in Moldova, as the consumption price index registered a decline of 1.5% against December 2008. /InforMarket/

From the beginning of the year, average price of apartments in Chisinau fell by 15%.

According to Lara Real Exchange Agency, in May 2009, the cost of 1 sq. meter of apartments in Chisinau amounted to 707 euros as compared to 823 euros in December 2008. At the same time, in May the cost of 1 square meter has decreased by 1.67% as compared with April. Average price per 1 sq. meter of apartments in April amounted to 719 euros, in March - 730 euros, in February-770 euros, in January - 799 euros. According to Lara Real Exchange Agency, in May, the most expensive were 1-room apartments in the Center - 959 euros per 1 sq. m, and the cheapest - 4 - room apartments in the Airport district- 543 euros per 1 sq. m. and Otovasca - 558 euros per 1 sq. m. / InfoMarket/

Annual General Meeting, April 29



Anual General Member Meeting is one of the most significant and awaited events at AmCham. As usually, it gathered AmCham members to evaluate AmCham's performance of the past year and discuss the action plan for the upcoming year.

The main speeches of the Meeting were held on the topics of the last year's activities and achievements, Annual Report, and projects developed and implemented by AmCham Committees, Corporate Social Responsibility and Human Resources. The speakers of the event were AmCham President John Max-

emchuk and AmCham Executive Director Mila Malairau, presenting overall activity of AmCham. Cristina Pereteatcu, CSR Committee Co-Chair and representative of British American Tobacco at AmCham, reported on CSR initiatives organized during 2008, as well as, Svetlana Bodaci, HR Committee member and MOLDCELL representative, held a discussion on HR Committee plans for future.

Following the presentations, AmCham members in attendance elected the new Board of Directors. Among the members returning to AmCham Board of Directors are John Maxemchuk - Sun Communications, David Brodsky - Brodsky Looper Reed & Partners Consultants and Legal Advisers, Conrad Fritsch - CNFA Moldova, Boris Efimov - Dionysos-Mereni, Cristina Harea - Horizon Capital Advisers, Vladimir Didilica - Chamber of Commerce and Industry of RM, Ludmila Costin - PricewaterhouseCoopers Audit, Alexander Turcan - Turcan&Turcan Law Firm, Silvia Radu - RED Union Fenosa, Aurel Cepoi - XEROX Moldova, while Iurie Renita - British American Tobacco Moldova, and Iuri Cicibaba - Hewlett-Packard Moldova are the new members of the Board.

AmCham would like to thank all the members that attended the Meeting.

AmCham Moldova sets Plan of Activity for the upcoming year

Later on, after the Annual General Meeting, within the first meeting of the new Board, held on May 25, 2009, John Maxemchuk, CEO of Sun Communications, has been re-elected in the position of AmCham President.

Within the Board of Directors, there was established a new position of Vice President on Public Relations within the AmCham Board. Ludmila Costin from PricewaterhouseCoopers Audit was named to this new position.

„I'm honored to be the President of the American Chamber of Commerce in Moldova, and together with my colleagues from the Board we will continue the AmCham's mission of promoting the business interests of AmCham members. Within the current economic context it will be a challenging mandate, but, at the same time, it adds more value to AmCham membership. We are proud of the results we have achieved during the last mandate, thus increasing the number of AmCham members”, has mentioned John Maxemchuk.

Among the priorities of AmCham for the current year is to promote the image of Moldova abroad, mostly in the USA, as well as to contribute to the development of a favorable investment climate in the Republic of Moldova. In addition, AmCham Moldova will further collaborate with the authorities, thus, supporting the transparency and ensuring a non discriminatory competitive environment.

Business Mission organized in Washington & New-York, May 27-28

The American Chamber of Commerce in Moldova in partnership with Moldovan Chamber of Commerce and Industry, Moldovan Investment and Export Promotion Organization, other organizations, and with the support of Moldovan Embassy in the US organized a business mission to USA during the period 27-28 May 2009.

The event had the following objectives: establishing contact with business communities in the US; investment attraction into Moldovan companies; launching of Moldovan-American companies; promotion of Moldovan goods and services in the US; country image building.

Round tables were organized in Washington and New-York, and brought together representatives of Moldovan and American business. There were held presentations of investment projects of Moldovan participants, followed by b2b meetings. The Moldovan business delegation was led by Tudor Copaci, Deputy Minister of Economy & Trade of the Republic of Moldova, John Maxemchuk, President, AmCham Moldova & Vladimir Didilica, Deputy-President, Chamber of Commerce & Industry of RM and Daniela Şişcov, MIEPO.

"The most difficult aspect of attracting business and investment into Moldova is in raising awareness abroad about the opportunities here. We have a lot of good projects and valuable business opportunities in Moldova, but helping investors and business people from abroad learn about these opportunities is a lot of work. This is why the American Chamber of Commerce in Moldova has made it a priority of our association to promote Moldovan businesses and investment opportunities abroad. We start this effort with our collaboration with MCCI and MIEPO on this business mission and look forward to future projects, done both individually and in collaboration", stated John Maxemchuk during the event.

Companies from the following sectors have been participated at the event: construction, legal services, food processing, infrastructure, airport services.



Forestation Project

On Saturday, April 11, AmCham member - British American Tobacco (BAT) Company - held its beautiful social project "LET'S PLANT TREES TOGETHER". Among AmCham members supporting the project were Corporate Office Solutions, Moldauditing, Rompetrol Moldova and Red Union Fenosa. This activity resulted in planting of almost 500 trees in a deforested area in Vadul lui Voda. On behalf of participating members, we would like to thank BAT for having a nice day, full of joy, in a very pleasant outdoor atmosphere.

BUSINESS Superbrands

Premiere

3 companies from the Republic of Moldova acclaimed by Superbrands

The second edition of the Business Superbrands Program in Romania ended with the launch of the second volume of the Business Superbrands book for Romania and with the granting of the 2008 Business Superbrands trophies.

The Business Superbrands Volume of this year includes in premiere a new category for Romania - brands from neighboring markets. This section, with potential for further development of branding culture, is represented by 3 well established brands in the Republic of Moldova: **Moldova Agroindbank, Vinăria Purcari**, and respectively, **Țurcan & Țurcan law firm** companies which have created a firm reputation in our country. They can be mentioned as a good example to be followed for other companies, as well as a sure guarantee for their clients, having a trustworthy partner in the fields offered by these.

The Business Superbrands 2008-2009 volume, which includes the histories of success of those three brands, represents a book of the successful models of excellency in branding culture developed by the companies activating in Romania, and also an image carrier of the Romanian business community in almost 100 countries where the publication is issued.

"In the context of a rough year for Romania, and under terms of deep economic difficulties, the outstanding performance of the companies which entered the Business Superbrands Program stands for the most tangible argument that, in such moments of economic deadlock, values are standing out in the end. All our respect for those who have chosen to consolidate their reputation in these difficult times and to make an excellent example to all of us", Cătălina Stan, CEO and President of BDR Associates, the strategic communication agency which manages the Superbrands Program in Romania, said.

The Superbrands Organization is the independent international forum in the branding field, which operates in over 82 countries worldwide, stimulating in a proactive way, during 15 years, the development of the local market through specialized programs and through the publication of the Superbrands volumes, specialized on categories. Being in Romania from 2005, through BDR Associates, a strategic communication and public relations agency, the organization develops programs dedicated to Romanian market and to local branding culture. The first two programs performed till now, Consumer Superbrands 2006 and, respectively, Business Superbrands in 2007, offered over 100 successful models reached through branding and communication.

The International Superbrands Organization has been established in 1995 in Great Britain and has branches in 82 countries worldwide. Now, the Organization works with over 2400 brands from different fields and industries in the world. The Superbrands status became a point of reference for the success of a brand, and the organization is internationally recognized as an independent authority in branding.

More information about the Business Superbrands program you may find on www.superbrandsromania.com



Member Discount Program



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US Embassy Alumni Resource Center

Chisinau, Moldova

2009 4th of July Celebration

AmCham Moldova and the U.S. Embassy Alumni Association are pleased to announce the annual 4-th of July Celebration

Date: **Saturday, July 4, 2009**

Location: **Golf Club Center, 20 Calea Iesilor, Chisinau**

Time: **15:00 – 22:00**

Ticket price: **200 lei**

Please, **mark this day in your calendar!**

For more information or to reserve your ticket please contact AmCham office at 211 781 or info@amcham.md. There is a limited number of tickets, so please RSVP your participation as soon as possible.

This is a family event and all children under 12 get in free of charge. Food, contests, and entertainment are included in the price of the ticket.

We look forward to seeing you there!

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