

## Partnership for Good Governance



### Results of projects in the Republic of Moldova under the European Union/Council of Europe Partnership for Good Governance<sup>1</sup>

#### What is the Partnership for Good Governance?

In April 2014, the European Union and the Council of Europe agreed to implement targeted cooperation activities with EU's Eastern Partnership countries to bring them closer to European standards in the fields of human rights, democracy and the rule of law. The projects under the Partnership for Good Governance, are funded primarily by the EU, and co-funded and implemented by the Council of Europe.

In addition to 14 regional projects, there are **four country-specific projects for the Republic of Moldova** with a **total budget of € 2.4 million**.

#### Supporting national efforts for prevention and combatting discrimination in the Republic of Moldova

The project is running from 1 July 2015 until 31 December 2017

- ▶ The Equality Council has now a new Communication Strategy and Action Plan, an improved Code of Ethics for its members, and better regulations for its monitoring mechanism. Also, various stakeholders were consulted regarding establishing a consultative council to the Equality Council.
- ▶ As a result of the study visit to the Spanish Defensor del Pueblo organised for the members and staff of the Equality Council and the staff of the Ombudsperson Office, the participants acquired new knowledge and expanded their experience on complaints management in the field of non-discrimination and other working areas.
- ▶ More than 100 participants (managers of kindergartens, district State Chancellery staff, Heads of Department of local health-care centres, cadets of Police and Military Academies, and journalists) were trained on non-discrimination standards.
- ▶ Upon the request of the Ministry of Justice, an expert opinion with recommendations on the draft Law on amending Criminal Code and Contravention Code, regarding hate crimes and Holocaust denial, was provided.

---

<sup>1</sup> Previously known as the Council of Europe/European Union Programmatic Cooperation Framework for Armenia, Azerbaijan, Georgia, Republic of Moldova, Ukraine and Belarus

[A background information sheet on this project is available on the website](#)

## Strengthening the efficiency of the judicial system in the Republic of Moldova

The first component ran from January 2015 until March 2017

### Component I strengthening the efficiency of justice

- ▶ In view of an increased efficiency of courts and higher quality of services, the focus of the CEPEJ support to the Moldovan court system was on improved use of judicial statistics, implementation of efficiency indicators such as clearance rate and disposition time for courts' evaluation and management purposes, along with an increased transparency and communication with court users and the public.
- ▶ Representatives of the six pilot courts and other justice sector stakeholders (Superior Council of Magistrates (SCM), National Institute of Justice (NIJ), and the Agency for Courts' Administration (ACA) of the Ministry of Justice) were familiarised with and trained on practical implementation of the CEPEJ-recommended methodology and best European practices for the analysis of courts' performance, time and quality management.
- ▶ The SCM and the ACA introduced the CEPEJ-recommended indicators in their annual evaluation of the results of Moldovan courts. Statistical reporting by all courts on the basis of the CEPEJ methodology was approved by the SCM in September 2016. Thus, starting from 2017, all national courts shall submit their reports in line with CEPEJ guidelines on judicial statistics. The six pilot courts published such performance reports for 2016, providing an example to other courts.
- ▶ The pilot courts consulted each other on the timeframes to be commonly applied and, as a result, adopted the recommended timeframes per level of jurisdiction and category of cases. If such timeframes are applied in all courts, they will reduce the instances of unreasonable delays, will contribute to a better planning of the judicial agenda, and will increase the satisfaction of court users.
- ▶ The pilot courts conducted satisfaction surveys among court users, lawyers and court staff. They resulted in an analysis by the courts' leadership and adoption of response actions for improving the situation in most critical areas of courts' functioning, signalled by the respondents. The satisfaction surveys conducted in line with the CEPEJ-recommended methodology have the vocation of an affordable management tool in view of improving the quality of services.
- ▶ The project supported the NIJ to develop training courses on court management and to introduce CEPEJ tools on efficiency and quality of justice in the initial and continuous training for judges and court staff. Starting from 2016, the NIJ implements an introductory seminar on court management as part of its initial training for future judges (20 candidate judges underwent such initial training in 2016). In addition, six continuous training sessions on different aspects of court management were carried by the NIJ between October 2016 and March 2017. A total number of 100 judges and court staff took part in these training activities.
- ▶ The project's intervention led to better court performance in the pilot courts, improved the communication with court users and, consequently, contributed to greater public trust and satisfaction levels.

[A background information sheet on this project is available on the website](#)

The second component ran from January 2015 until December 2016

### Component II support to lawyers' profession

- ▶ The focus of the component for the support to lawyers was designed to respond to the institutional strengthening needs of the Moldovan Bar Association (MBA) and to contribute to improving the quality of the profession of lawyer.
- ▶ As a result, Moldovan lawyers benefit from a Bar Association with an improved capacity to represent their interests, better position itself among justice sector stakeholders and communicate with its members. Thus, an exceptionally well organized 2016 General Assembly of Lawyers and successful action against a regulation of the Penitentiary Administration restricting lawyers' access to their clients are indicators of the MBA's improved capacity in 2016.
- ▶ Upon the completion of the project, the profession has a revised Code of Ethics in force since July 2016. Its application is facilitated by a commentary and a newly created pool of trainers on lawyers' ethics. The Ethics Commission is trained to adopt legally reasoned decisions and has new rules of procedure.
- ▶ As a direct result of the Component's activities, MBA, and lawyers at large, benefit from re-established relations with the Council of Bars and Law Societies of Europe (CCBE). Furthermore, the Moldovan Women Lawyers Association established collaborative relations with the European Women Lawyers Association and the Moldovan Young Lawyers Association became a member of the European Young Bar Association in May 2017. Cahul Bar and Gdansk Bar initiated a twinning at the level of regional bars. These consolidated networking opportunities form an important part of the sustainability of the action.
- ▶ MBA also showed progress on a lawyers' training system through an unprecedented profession-wide Training Needs Assessment (TNA), funded by the component; regulations on the institutionalization of lawyers' training processes, as well as an internal pool of lawyers trained in adult training methodology. With the results of the TNA in hand and the above regulations, the MBA thus has all the pre-conditions necessary to establish its own training system. Due to joint HELP Programme – component activities, lawyers' awareness about the HELP programme has been increased. Thus, according to the 2016 MBA Survey, 43% of respondents are familiar with HELP.
- ▶ The achievement of these results was possible due to a combination of Council of Europe expertise, good quality trainings and built-in knowledge-transfer guided by the Rec 2000(21) on the Freedom of the Exercise of the Profession of Lawyer, applied by the component and appreciated by beneficiaries.

[A background information sheet on this project is available on the website](#)

## Strengthening respect for human rights in the implementation of the Republic of Moldova's Digital Agenda

The project ran from January 2015 until December 2016

- ▶ The project contributed to increasing awareness and respect for human rights, in particular freedom of expression and privacy online, in developing the information society in the Republic of Moldova among representatives of national authorities, academia and private sector.
- ▶ The project supported strengthening a national multi-stakeholder dialogue and co-operation while designing human right-based internet policies and actively engaged with a wide variety of stakeholders, including the Ministries of Information Technology and Communications, of Internal Affairs, of Education and of Labour, Social Protection and Family, NIJ, Parliamentary Commission for Security, Defence and Public Order, E-Government Centre, General Prosecutor's Office, National Police Inspectorate, National Centre for Personal Data Protection, Ombudsperson Office, Child Ombudsperson Office, Equality Council, National Regulatory Agency for Electronic Communications and Information Technology, MoldData, Intellectual Property Rights Agency, Moldovan Association of Private ICT Companies, academia and civil society, youth groups, etc.

- ▶ The project contributed to increasing compliance of the national legal framework and policies with European standards through legal expertise (in cooperation with the Venice Commission) of several draft amendments developed within the framework of national programme on cyber security. In addition, the project contributed to identifying existing legal gaps in the protection of human rights online in light of principles announced in the CoE Recommendation on protecting and promoting the right to freedom of expression and the right to private life and EU Regulation 2015/2120 on Open and neutral Internet through expert reports and recommendations focusing on improving legal provisions on law enforcement, copyright, protection of minors and network security.
- ▶ The implementation of human rights standards with regard to the internet in the Republic of Moldova was enhanced through supporting the NIJ and the Academy of Public Administration. Eighty judges, candidate judges, and prosecutors acquired skills and knowledge on the internet and human rights standards. Curricula and teaching compendiums were developed and pools of trainers established under each academic institution, as well as in total 60 professors from five public universities were trained on human rights issues and the internet.
- ▶ Awareness of the general public was raised on preventing and combating human rights abuses on the internet through project interventions. Special focus was put on raising awareness among special groups, such as children and young girls, through dedicated campaigns and summer school programmes.

[A background information sheet on this project is available on the website](#)

## Cooperation on electoral matters in the Republic of Moldova

The project is running from January 2015 until December 2017

- ▶ The post-election conference “2016 Presidential elections in the Republic of Moldova: analysis, conclusions, recommendations and follow-up” gathered more than 100 participants to discuss lessons learnt from the presidential elections held in Moldova on 30 October 2016 as well as challenges of the current electoral legislation.
- ▶ A delegation of 10 representatives of the Parliament of the Republic of Moldova, the Central Electoral Commission and the Centre for Continuous Electoral Training (CCET) learned on a five-day study visit from their peers in Georgia about the experience in the field of training and mandatory certification of electoral officials, voter education and good practices of collaboration between the Parliament and election administration.
- ▶ Moldovan authorities requested and received a joint opinion of the Venice Commission and OSCE/ODIHR on the draft law on the amendment of the electoral code regarding parliamentary elections.
- ▶ A grant agreement for a National Mentoring Programme for women from communities with zero representation of women in local councils with the NGO Partnership for Development was signed in order to increase political participation of women on the local level in Moldova.
- ▶ Two Council of Europe’s handbooks, Reporting on Elections and Using International Election Standards, were published in Romanian and 300 copies distributed to CSOs involved in elections observation.
- ▶ The Regional Study on Women’s Political Representation in Eastern European Countries was published in Romanian and presented to the national authorities during a public event organised in collaboration with the Parliament of the Republic of Moldova, the Central Election Commission and the Platform for Gender Equality.
- ▶ A grand agreement was signed with the Centre for Continuous Electoral Training (CCET) in order to support the Strengthening of the Research Capacity of the CCET.

[A background information sheet on this project is available on the website](#)

**For more information** <http://partnership-governance-eu.coe.int>

**Contact:** [Nichola Howson](#), Communication Officer, +33 3 88 41 22 39

**October 2017**