



Reference data 2018 (01/01/2018 - 31/12/2018)

Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019

Objective :

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General and financial information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[2 681 734]

Comments The National Bureau of Statistics revised the number of population of the Republic of Moldova and calculated it according to "place of usual residence" internationally recommended definition for the period 2014-2019 (2019 provisional data), together with key

demographic indicators recalculated for the period of 2014-2018 (2018 preliminary data). Population estimates for 2014-2019 (2019 – provisional data) start with the corrected estimates from the Population and Housing Census conducted in 2014 to which there are added the births, subtracted the deaths, and added the migratory balance.

The population size at the beginning of 2019 is estimated at 2.68 million inhabitants, representing a reduction of about 190 thousand inhabitants since 2014. In the last years population growth rate was negative, arriving to - 1.8% per year in 2018. A negative migratory balance that increased from -24.6 thousand people in 2014 to -48.6 thousand people in 2018 was the main responsible of population decrease. Natural growth was positive until 2016 and became slightly negative in 2018, but its contribution was negligible.

So, the corrected estimates for number of inhabitants on 1 January 2017 was 2 779 952 and on 1 January 2015 was 2 844 673.

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	3 002 232 390 [] NA [] NAP
Regional / federal entity level (total for all regions / federal entities)	[] NA [X] NAP

Comments The most significant increases in public expenditure were recorded in the fields of social protection, education, health. It was also recorded an increase of personnel expenses.

003. Per capita GDP (in €) in current prices for the reference year

[2 733]

Comments The GDP per capita increased due to the economic growth. The difference is also due to a fluctuation of average of the exchange rate of the national currency in Euro from 2016 to 2018.

004. Average gross annual salary (in €) for the reference year

[3 898]

[] NA

Comments Average gross annual salary increased due to the economic growth and to the state policy in this regard. The difference is also due to a fluctuation of average of the exchange rate of the national currency in Euro from 2016 to 2018.

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[19.5212]

Allow decimals : 5

[] NAP

Comments The exchange rate used for all data is the average rate of the National Bank of Moldova for 2018 (19.8442 MDL for 1 Euro)

A1. Please indicate the sources for answering questions 1 to 5

Sources: Q.1,3,4 National Bureau of Statistics
Q.2 Ministry of Finance
Q.5 National Bank of Moldova (<https://www.bnm.md/ro/content/ratele-de-schimb>)

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	19 594 521 [] NA [] NAP	18 849 497 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	16 054 843 [] NA [] NAP	15 681 858 [] NA [] NAP
2. Annual public budget allocated to computerisation	194 188 [] NA [] NAP	186 340 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	[] NA [X] NAP	[] NA [X] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	1 430 661 [] NA [] NAP	1 378 947 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	215 448 [] NA [] NAP	77 203 [] NA [] NAP
6. Annual public budget allocated to training	1 853 [] NA [] NAP	1 589 [] NA [] NAP
7. Other (please specify)	1 697 528 [] NA [] NAP	1 523 560 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: Regarding the increase of the budget allocated to salaries, according with the new Law No. 270 of 11.23.2018 regarding the unitary system of remuneration in the budgetary sector, at the end of the reference year the quantum of the salaries of judges and court staff changed due to a different salary formula. The salaries discrepancy in 2018 compared with the 2016 data is also due to a different average of the exchange rate in 2018 compared with 2016.

Budget for computerization decreased in 2018 as a result of participation in a cooperation project with outsourced financial assistance. A new version of ICMS has been developed in this regard.

The discrepancies of the amount of the budget allocated to court buildings in 2018 compared with 2016 data are due to the court map reorganization and the necessity to create working conditions. The lower amount of the annual public budget allocated to investments in new court buildings in 2018 compared with 2016 data is due to the first phase of the implementation of the court map optimization reform. Or, the main objectives in the reference period were to identify and register the land plots for new court buildings and did not require any financial means. The allocated amounts were spent for finishing to build the Ungheni first instance court.

The annual public budget allocated for training includes the costs of professional training of judges and personnel of the instance. It subsumes only the amount allocated to judicial bodies for the training of entrants, excluding the budget of the National Institute of Justice. According to point 21 of the Government Decision no. 231 from 13.04.2012, the decentralized financing is made from the financial means

provided in the annual budget of each public authority, amounting to at least 2% of the salary fund.

The National Institute of Justice, which has a separate budget, does not train all categories of employees from the courts, but trains only clerks, legal assistants, heads of the secretariat and judges. In this way, other categories of staff have the possibility to receive continuous training courses from financial resources allocated from the court budget.

The low amount allocated to training (1853 euros) and the implemented one (1589 euros) for 2018 is due to the fact that many additional trainings for court staff were organized by different cooperation projects with outsourced financial assistance, and as a result the courts spent the allocated financial means to training on other necessities.

The category "other" includes expenses related to telecommunication and mail services, transportation, periodicals, equipment, protocol expenses and missions, etc.

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

008. Are litigants in general required to pay a court fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If there are exceptions to the rule to pay these court fees, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of these court fees:

- In patrimonial litigation, the State fees consist of a percentage of the contested amount whereas in non-patrimonial litigation and in other cases envisaged by the law, a fixed amount is payable, in accordance with the Law on State Tax. (Article 83 of the Code of Civil Procedure)

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[90]

[] NA

[] NAP

Comments

009. Annual income of court fees received by the State (in €):

[9 595 212]

[] NA

[] NAP

Comments The increase of the annual income of court fees can be explained by an increase of the patrimonial cases with higher contested amounts and a decrease of cases when participants in a trial have been exempted by the judge from payment of a court fee.

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	1 265 463 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	1 199 711 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	65 752 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The upward trends in this respect in comparison with 2016 data are due to the expansion of the legal aid system, the diversification of the range of services and suppliers of legal aid, the promotion of the system.

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	1 252 865 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	1 201 263 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	51 602 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The upward trends in this respect in comparison with 2016 data are due to the expansion of the legal aid system, the diversification of the range of services and suppliers of legal aid, the promotion of the system. We can not distinguish the data on the budget for criminal cases and other cases on paralegals because they provide assistance on all types of cases.

In the above tables there are reflected amounts referring only to the National Legal Aid Council expenditure (the payments for judicial services), but the total approved budget is 1 514 034 euro and the executed budget is 1 457 655 euro. The differences are constituting administrative and maintenance expenditures for institutions within the system.

013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	17 429 829 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 383 329 <input type="checkbox"/> NA <input type="checkbox"/> NAP
13.1. Annual public budget allocated to training of public prosecution services	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The upward trends in 2018 can be explained by an increase of prosecutor and non-prosecutor staff salaries.

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other ministry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Supreme Court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Inspection body	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

If any other Ministry and/or inspection body and/or other, please specify:

014-1. (Former question 61) Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court President	(X) Yes () No	(X) Yes () No	() Yes (X) No	(X) Yes () No
Court administrative director	() Yes (X) No	() Yes (X) No	(X) Yes () No	() Yes (X) No
Head of the court clerk office	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify:

A2. Please indicate the sources for answering questions 6 to 14:

Sources: Q.6 - Superior Council of Magistracy, Ministry of Justice Q. 9 - Agency of Court Administration, Q. 12 - National Legal Aid Council Q. 13 - Office of the Prosecutor General

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	74 722 578 [] NA [] NAP	68 593 071 [] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

015-2. Elements of the judicial system budget (Q6, Q7, Q12 and Q13)

	Included	Not included	Does not exist (NAP)
Courts (see question 6 or 7)	(X)	()	()
Legal aid (see question 12 or 7)	(X)	()	()
Public prosecution services (see question 13 or 7)	(X)	()	()

015-3. Other budgetary elements

	Included	Not included	Does not exist (NAP)
Prison system	(X)	()	()
Probation services	(X)	()	()
High Judicial Council	(X)	()	()
Constitutional court	(X)	()	()
Judicial management body	(X)	()	()
State advocacy	()	(X)	()
Enforcement services	()	(X)	()
Notariat	()	(X)	()
Forensic services	(X)	()	()
Judicial protection of juveniles	()	(X)	()
Functioning of the Ministry of Justice	(X)	()	()
Refugees and asylum seekers services	()	(X)	()
Immigration Service	()	(X)	()
Some police services (e.g. : transfer, investigation, prisoners' security)	()	(X)	()
Other	(X)	()	()

If "other", please specify: The sum also includes the budget allocated for the following authorities: the Center for the Harmonization of Legislation, the Center for Legal Information, the National Institute of Justice.

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Ministry of Justice

2. Access to justice and all courts

2.1. Legal Aid

2.1.1.Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- The main body administering the legal aid system is the National Legal Aid Council (NLAC) and its Territorial Offices. Ministry of Justice is the policy making body in the field. The Bar Association cooperates with the NLAC for ensuring the delivery of legal aid. The National Legal Aid Council has four territorial offices, OT Chisinau, OT Balti, OT Comrat and OT Cahul. The territorial offices administer the process of granting the legal aid and operate in the cities (municipalities) where the courts of appeal are located. The activity of ensuring the delivery of qualified legal aid is carried out directly by the coordinator of the territorial office, selected and delegated by the National Council on the basis of a contest organized in the established way. At the moment in the process of granting the legal aid, 12 public lawyers are being involved, 437 lawyers on request and 47 paralegals.

017. Does legal aid include the coverage of or the exemption from court fees?

() Yes

(X) No

[] NAP

If yes, please specify:

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

() Yes

(X) No

[] NAP

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify: National Legal Aid Council

2.1.2. Information on legal aid

020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
TOTAL	49 695 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In criminal cases	46 149 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In other than criminal cases	3 546 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please specify when appropriate:

021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Victims	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal

aid?

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: Qualified legal aid is granted to applicants whose monthly average income is lower than the subsistence level per inhabitant in the country. In assessing the income of the applicant for legal aid, the monthly average income and the gains achieved in the six months preceding the month of application is taken into account. When the applicant needs urgent legal aid in the case of custody during a criminal trial, or a misdemeanor procedure or when the participation of the defendant turns out to be mandatory in a criminal or civil trial, qualified legal aid is granted regardless of the income of the person.

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	1 144 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	1 144 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	1 144 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	1 144 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid: According to art. 24 of the Law on State Guaranteed Legal Aid no.198-XVI of July 26, 2007, it is possible to refuse provision of qualified legal aid in the following cases: the request is manifestly ill-founded, the person does not have the right for which defence/ representation is required, and if the person has the possibility to cover the legal assistance costs from her property, except goods that cannot be forcibly sold according to the civil law.

025. Is the decision to grant or refuse legal aid taken by:

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

Yes

No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	() Yes (X) No
in other than criminal cases	(X) Yes () No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: National Legal Aid Council

2.2. Court users and victims

2.2.1. Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) where general public may have free of charge access to the following:

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	()	(X) legis.md
case-law of the higher court/s	()	(X) instante.justice.md, csj.md
other documents (e.g. downloadable forms, online registration)	()	(X) instante.justice.md, cnajgs.md

Please specify what documents and information are included in "other documents": - court documents
- requests to provide qualified state-guaranteed legal aid

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

- () Yes, always
- (X) No
- () Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

030. Is there a public and free-of-charge specific information system to inform and to help victims of offences?

Yes

No

Comments - If yes, please specify: The Government Decision No 496 of 30.06.2014 approved the Framework-regulation on the organization and modus operandi of the Center for Assistance and Counseling for Family Aggressors and the minimum quality standards, which represent the national methodological framework for this kind of services.

The Regulation on the Organization and Modus Operandi of the Service of free assistance by phone to victims of domestic violence and to women victims of violence, and the minimum quality standards were approved in 2017 in order to strengthen the system of providing services to VAW. The phone service is free of charge throughout the country, and also can be accessed by the beneficiaries from abroad. It is available 24/7, from a land line and mobile telephony.

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of terrorism	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Minors (witnesses or victims)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Disabled persons	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Juvenile offenders	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other vulnerable person" and/or "other special arrangements", please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

Yes

No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can minor benefit from legal aid, be represented by a lawyer, etc.): In criminal proceedings, the minor is a party to the proceedings and must be assisted by a lawyer (article 69 of the Code of Criminal Procedure). The minor has the right to be assisted by a lawyer on the basis of legal aid.

032. Does your country allocate compensation for victims of offences?

Yes, please specify for which kind of offences: In accordance with the provisions of Law no. 137 of July 29, 2016 regarding the rehabilitation of the victims of the crime, are entitled to a financial compensation the victims of the offenses stipulated in the following articles of the Criminal Code: art.145 (intentional homicide), art.146 (murder in the heat of passion), art.149 (deprivation of life by imprudence), art.151 paragraph (4) (intentional severe bodily injury or damage to health resulting with the death of the person), art.158

(compelling a person to remove organs or tissues), art.164 par. (3) (b) (kidnapping of a person that caused imprudently a serious injury to bodily integrity or health or death), art.165 (trafficking in human beings), art.166 (3) (illegal deprivation of liberty), art. 1661 (torture, inhuman or degrading treatment), art.167 (slavery and conditions similar to slavery), art.168 (forced labor in the case where the offense is committed against a minor), art. 171-175 (offenses related to sexual life), art.2011 (domestic violence), art.206 (trafficking in children), art.2081 (infantile pornography), art.208 2(taking advantage of the prostitution practiced by a child).

No

Comments

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

Yes

No

Comments - If yes, please specify:

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of the question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify: Victims of offences may challenge a decision of the prosecutor to discontinue a case before the investigating judge only after filing a complaint with the superior prosecutor in accordance with the provisions of article 313 of the Code of Criminal Procedure. The order by which the superior prosecutor has dealt with the complaint may be challenged before the investigating judge within 10 days. The complaint is examined by the investigating judge within 10 days, with the mandatory participation

of the prosecutor responsible for the criminal prosecution in the case and with the summons of the person making the complaint. Failure of the complainant to appear does not preclude consideration of the complaint. The prosecutor is obliged to present the necessary documents before the court. During the examination of the case, the prosecutor and the complainant provide arguments. Under art. 313 (6) PPC, the judgment of the investigating judge is irrevocable.

037. Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	356 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP	114 999 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. Surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
2. Surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
3. Surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. Surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

5. Surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
6. Surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
7. Surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: 1. General Prosecutor's Office survey on independence and efficiency of the activity of prosecutors in the context of the reform

<http://www.procuratura.md/file/Sondaj%20Independenta%20si%20eficienta%20Procuraturii%20.pdf>

2. A survey on public opinion about judiciary conducted for the Superior Council of Magistracy by Open Justice, USAID funded program, and Increased Efficiency, Accountability and Transparency of Courts in Moldova (ATRECO), EU funded project, 2018 is available at: https://crjm.org/wp-content/uploads/2018/02/Brosura_finala.compressed.pdf

3. A survey concerning the perception of lawyers regarding the independence, efficiency and accountability of the justice sector in the Republic of Moldova was carried out in November - December 2018. The objectives of the survey aim to find out the lawyers' perceptions regarding the independence, efficiency and accountability of the justice sector, including the impact of the main legislative amendments adopted in the period of 2011-2017 within the framework of the Justice Sector Reform Strategy implementation. The survey also seeks to identify areas of intervention at the legislative level, public policies and practices that could enhance the independence, efficiency and accountability of judges, prosecutors and lawyers. Some comparable results of the 2018 survey are compared with the results of a similar survey conducted at the end of 2015 among judges, prosecutors and lawyers. Within the framework of the survey, 300 lawyers were questioned. The survey is available at the following link: http://crjm.org/wp-content/uploads/2019/04/Sondaj-2018_ENG-web.pdf

040. Is there a national or local procedure for filing complaints about the functioning of the judicial system? (for example, handling of the case by a judge or the duration of a proceeding)

Yes

No

Comments

041. If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Other external bodies (e.g. Ombudsman)	() Yes (X) No	() Yes (X) No
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Comments

041-1. If yes, please specify certain aspects of this procedure:

	Number of complaints	Compensation amount granted
Court concerned	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Higher court	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
High Judicial Council	1 639 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

According to our law no. 178/2014 on disciplinary liability of judges a complaint about the conduct of a judge should be submitted to the Superior Council of Magistracy. The disciplinary liability of judges is intended to ensure that any disciplinary misconduct of judges within the law that has taken place in a Moldovan court can be examined and the judge, if convicted, is sanctioned, according to the legal provisions, but no monetary compensation is granted to the petitioner by the related institution.

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations.

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments According to the Law no. 76 on the reorganization of the courts, approved by the Parliament on 21.04.2016, starting with

January 1, 2017, the judiciary has been reorganized into 15 first instance courts.

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised 1st instance courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “other specialised 1st instance courts”, please specify: According to the Law 76\2016 on courts reorganization since April 2017 all first instance courts from Moldova have been functioned as courts of general jurisdiction.

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

Yes

No

Comments - Please specify: According to the Law no. 76 on the reorganization of the courts, approved by the Parliament on 21.04.2016, starting with January 1, 2017, the judiciary has been reorganized into 15 first instance courts. The unification of the Courts' offices will be carried out gradually, until 31 December 2027, as the conditions for this are created, according to an action plan approved by the Parliament.

Until the creation of the conditions of operation in a single court house, the newly created courts will have several territorial offices, that are being the headquarters of the newly created court, according to the annex to the aforementioned law.

The District Commercial Court and the Military Court have been ceased their activity since 1 April 2017.

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	40 [] NA [] NAP
an employment dismissal	40 [] NA [] NAP
a robbery	40 [] NA [] NAP
an insolvency case	40 [] NA [] NAP

Comments

045-1. Is your definition for small claims the same as the one in the Explanatory note?

(X) Yes

() No

Comments - If not, please give your definition for small claims: A simplified procedure of small claims was introduced on June 1, 2018 for claims for collecting a sum of money in which the value of the claim does not exceed 10 average salaries per economy, estimated at the date of the court referral.

The procedure for small claims shall be in written.

The judge may order the summons of the participants in the trial if he / she deems it necessary or if he / she accepts the request of one of the parties to examine the request in a public hearing. The judge may reject such a request if he / she considers that, in view of the circumstances of a case, there is no need for public debates.

The court shall settle a case and adopt the decision no later than 6 months from the date of filing an application.

Any court decision may be contested by appeal. The decisions of the Court of Appeal shall not be subject to appeal, being final and irrevocable from the date of rendering such decisions.

045-2. Please indicate the value in € of a small claim:

[3 249]

Comments The amount indicated above is approximately equivalent with 10 average salaries per economy in 2018.

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: Ministry of Justice, Superior Council of Magistrates

3.2. Court staff

3.2.1. Judges and non-judge staff



046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	440 [] NA [] NAP	232 [] NA [] NAP	208 [] NA [] NAP
1. Number of first instance professional judges	322 [] NA [] NAP	168 [] NA [] NAP	154 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	91 [] NA [] NAP	49 [] NA [] NAP	42 [] NA [] NAP
3. Number of Supreme Court professional judges	27 [] NA [] NAP	15 [] NA [] NAP	12 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: The indicated numbers reflect all active judges who have been worked in 2018.

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	20 [] NA [] NAP	18 [] NA [] NAP	2 [] NA [] NAP
1. Number of first instance court presidents	15 [] NA [] NAP	13 [] NA [] NAP	2 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	4 [] NA [] NAP	4 [] NA [] NAP	0 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments According to the Law no. 76 on the reorganization of the courts, approved by the Parliament on 21.04.2016, starting with January 1, 2017, the judiciary has been reorganized into 15 first instance courts.

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

	Figure
Gross figure	[] NA [X] NAP

In full-time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
--------------------------------	--

Comments - If necessary, please provide comments to explain the answer provided: There are no professional judges sitting in courts on an occasional basis.

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

- () Yes If yes, please give specifications on the types of cases and an estimate in percentage.
- () No
- NAP

Comments

049. Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting in a jury):

	Figure
Gross figure	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
criminal cases (severe)	()	()	()
criminal cases (misdemeanour and/or minor)	()	()	()
family law cases	()	()	()
labour law cases	()	()	()
social law cases	()	()	()
commercial law cases	()	()	()
insolvency cases	()	()	()
other civil cases	()	()	()

NAP

Comments - If "other", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

() Yes

(X) No

Comments

050-1. If yes, for which type of case(s)?

[] Criminal cases

[] Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[]

[] NA

[X] NAP

Comments

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	1 688 [] NA [] NAP	347 [] NA [] NAP	1 341 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	835 [] NA [] NAP	176 [] NA [] NAP	659 [] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	528 [] NA [] NAP	54 [] NA [] NAP	474 [] NA [] NAP
4. Technical staff	325 [] NA [] NAP	117 [] NA [] NAP	208 [] NA [] NAP

5. Other non-judge staff	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - If “other non-judge staff”, please specify: Discrepancies of 2018 data in comparison with 2016 data can be explained by the staff flow. The decrease in the number of men staff in charge of different administrative tasks is also due to staff flow caused by low salaries and high workload. Also, this kind of staff decreased due to the court reorganization reform.

An increase of 2018 of females employed as technical staff in courts in comparison with 2016 data is not very significant and can be explained by the staff flow. Also, this kind of staff was not affected by court reorganization reform.

052-1. Number of non-judge staff by instance (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	1 688 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	347 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 341 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Total non-judge staff working in courts at first instance level	1 216 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	238 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	978 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	304 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	63 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	241 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Total non-judge staff working in courts at Supreme Court level	168 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	46 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	122 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The big difference between the number of non-judge staff working in courts at first instance level and the number of non-judge staff working in courts of appeal and the number of non-judge staff working in courts at Supreme Court level may be explained by a different number of courts at each level. There are 4 courts of appeal in comparison with 15 first instance courts and there is just one Supreme Court.

053. If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases
- NAP

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

(X) Yes

() No

Comments

054-1. If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):Translations

Comments

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Superior Council of Magistrates, Agency for Courts Administration

3.3. Public prosecution

3.3.1. Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	648 [] NA [] NAP	451 [] NA [] NAP	197 [] NA [] NAP
1. Number of prosecutors at first instance level	448 [] NA [] NAP	312 [] NA [] NAP	136 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	21 [] NA [] NAP	11 [] NA [] NAP	10 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	179 [] NA [] NAP	128 [] NA [] NAP	51 [] NA [] NAP

Please indicate any useful comment for interpreting the data above: Row no. 1 indicates, the number of prosecutors within the regional prosecutor's offices, with the exception of Chisinau, Balti and Cahul.

Row 2 reflects the number of prosecutors in Chisinau, Balti and Cahul which have the status of second instance prosecutor's offices.

In row 3 is reflected the number of prosecutors in the Office of the Prosecutor General and the specialized prosecutor's offices.

On 25.12.2016, the Parliament of the Republic of Moldova adopted the Public Prosecutor's Act. The latter presents a new conception of the organization and functioning of the Public Prosecutor's Office: the structure of the administration, the status of the prosecutor, the role of the self-administration organs. Similarly, the law provides for the establishment of a new specialized prosecutor's office for special

cases and establishes new mechanisms for the selection, career and evaluation of prosecutors. So, the 2018 data are comparable with the previous 2016 data provided in this regard.

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	42 [] NA [] NAP	40 [] NA [] NAP	2 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	36 [] NA [] NAP	35 [] NA [] NAP	1 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	3 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP
3. Number of heads of prosecution offices at Supreme Court level	3 [] NA [] NAP	3 [] NA [] NAP	0 [] NA [] NAP

Please provide any useful comment for interpreting the data above: Row no. 1 shows the number of heads of the regional prosecutor’s offices.

Row no. 2 presents the heads of specialized prosecutor’s offices: Anticorruption Prosecutor’s Office and Prosecutor’s Office for Combating Organized Crime and Special Cases.

Row no. 3 shows the number of heads of the Office of the Prosecutor General and of the specialized prosecutor’s offices.

057. Do other persons have similar duties to those of public prosecutors?

() Yes

(X) No

Comments - If yes, please specify their title and functions:

057-1. Please specify their number (in full-time equivalent):

[]
[] NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

() Yes

() No

[] NAP

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence ?

(X) Yes

() No

Comments

060. Number of staff (non-public prosecutors) attached to the public prosecution services (on 31 December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	462 [] NA	157 [] NA	305 [] NA

Comments A specific tool to increase the efficiency of the specialized prosecutor's offices in 2018, was the inclusion in the structure of these entities of detached staff for 5 years from the subdivisions of the Ministry of Internal Affairs or National Anti-Corruption Center (Criminal Investigation Officers, Investigation Officers and specialists), which are subordinated functionally to the chief prosecutor of the specialized prosecutor's offices. Also, more prosecutor consultants have been employed in 2018.

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: General Prosecutor's Office

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	(X) Civil servants are entitled to equal opportunities and treatment of men and women in terms of recruiting, continuous professional development, and promotion.	()
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: According to art. 46 of the Law no. 514 from 06.07.1995 on the organization of the judiciary, the personnel of the Registry and the administrative service of the courts are composed of civil servants subject to the provisions of Law no. 158-XVI of July 4, 2008

regarding the public function and the status of civil servant.

On December 22, 2016, Art. 14 of the Law no. 158 of 04.07.2008 regarding the public function and the status of the civil servant was supplemented by a new paragraph in force on January 6, 2017, according to which civil servants are entitled to equal opportunities and treatment of men and women in terms of recruiting, continuous professional development, and promotion.

There are not specific provisions for facilitating gender equality within the framework of the procedures for recruiting for judges, prosecutors, lawyers, notaries and enforcement agents but the conditions for joining a position of a judge, prosecutor, notary, lawyer, enforcement agent do not contain any restrictions that would limit the equality of chances between women and men in order to be recruited for the nominated professions.

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	(X) Civil servants are entitled to equal opportunities and treatment of men and women in terms of recruiting, continuous professional development, and promotion.	()
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: According to art. 46 of the Law no. 514 from 06.07.1995 on the organization of the judiciary, the personnel of the Registry and the administrative service of the courts are composed of civil servants subject to the provisions of Law no. 158-XVI of July 4, 2008 regarding the public function and the status of civil servant.

On December 22, 2016, Art. 14 of the Law no. 158 of 04.07.2008 regarding the public function and the status of the civil servant was supplemented by a new paragraph in force on January 6, 2017, according to which civil servants are entitled to equal opportunities and treatment of men and women in terms of recruiting, continuous professional development, and promotion.

There are not specific provisions for facilitating gender equality within the framework of the procedures for recruiting for judges, prosecutors, lawyers, notaries and enforcement agents but the conditions for joining a position of a judge, prosecutor, notary, lawyer, enforcement agent do not contain any restrictions that would limit the equality of chances between women and men in order to be promoted for the nominated professions.

3.4.2 At national level

061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or partly - the distribution males/females within the judicial system concerning:

Yes	No
-----	----

judges	(X)	()
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	(X)	()
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? A survey entitled "Lawyers' perception regarding the independence, efficiency and accountability of the justice sector in the Republic of Moldova" was carried out in November-December 2018 by the Legal Resources Centre from Moldova (LRCM) which is a nonprofit organization that contributes to strengthening democracy and the rule of law in the Republic of Moldova with emphasis on justice and human rights. Within the framework of the survey, 300 lawyers were questioned, representing 14% of all lawyers of the Republic of Moldova who were entitled to practice as lawyers in 2018. The block of questions related to Gender Equality was introduced in the survey of 2018 for the first time, taking into account the objective of the LRCM to contribute to ensuring gender equality in the justice sector. The information obtained within the framework of the survey and by other research methods will be used by the LRCM to draft proposals for to ensure gender equality in the justice sector. As well the National Bureau of Statistics publishes regularly an information related to the participation of women judges in decision-making process.

http://statbank.statistica.md/pxweb/pxweb/en/50%20Statistica%20gender/50%20Statistica%20gender__GEN03/GEN030200soc.px/?rxid=b2ff27d7-0b96-43c9-934b-42e1a2a9a774

061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?

() Yes

(X) No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? Equal opportunities in the Republic of Moldova between men and women are regulated by Law no. 5 of 09.02.2006 on ensuring equal opportunities for women and men as well as through the Strategy for ensuring equality between women and men

in the Republic of Moldova for the years 2017-2021. Both normative acts contain general provisions on gender equality without specifying males/females equality within the judicial system.

<http://lex.justice.md/viewdoc.php?id=315674&lang=1> <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=370442&lang=1>

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner)/institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
the recruitment of judges	()	(X)
the promotion of judges	()	(X)
the recruitment of prosecutors	()	(X)

the promotion of prosecutors	()	(X)
the recruitment of non-judge staff	()	(X)
the promotion of non-judge staff	()	(X)

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments According to Law no. 5 of 09.02.2006 regarding the ensuring of gender equality between women and men among the authorities with attributions in the field of equality between men and women are: the Parliament, the Government, the Governmental Commission for Gender Equality, the Ministry of Labor, Social Protection and Family (specialized body), State Labor Inspectorate, ministries and other central administrative authorities (gender steering groups), local public administration authorities (gender units), National Bureau of Statistics, Council for Prevention and Elimination of Discrimination and Equality.

These are general regulations without delimiting any institution responsible for gender equality in the judicial system.

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text) There are different institutions with different statuses and competencies. The Law no. 5 of 09.02.2006 regarding the ensuring of gender equality between women and men articles 15-22

[] NAP

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality) There are different institutions with different statuses and competencies.

For example, the Governmental Commission on Gender Equality is an advisory body created by the Government, which operates under a regulation approved by it, with the following tasks:

- a) promoting equality between women and men, and its complex approach;
- b) coordination of the activity of the central and local public administration authorities in the issues of equality between women and men;
- c) developing the collaboration of state structures with civil society and international organizations, as well as improving their partnership with the private sector and the business community in promoting equality between women and men;
- d) analyzing national and local plans and programs on capitalizing of financial investments in the field of gender equality.

The competence of the other central public administration authorities includes:

- a) ensuring a comprehensive approach to gender equality and the achievement of international treaties in the field of competence;
- b) ensuring respect for the principle of equality between women and men in staff policy and creating the conditions for the prevention of all forms of sex discrimination and sexual harassment at the workplace;
- c) submitting to the Ministry of Labor, Social Protection and Family, in the established manner, the reports on the implementation of the national policy for ensuring equal opportunities for women and men;
- d) exercising other attributions in the field according to the legislation.

Within the central specialized public administration authorities, the gender steering group is working to ensure a comprehensive approach to gender equality in policies and programs across all areas and at all levels of decision-making and implementation. The members of the gender co-ordinating group are the gender units in the subdivisions with the competence to develop, promote and monitor policies in the field of activity of the central public administration authority.

061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:

(e.g. block a decision or allow an appeal) There are different institutions with different statuses and competencies.

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:

	Yes	No
in courts (judges)	()	(X)
in public prosecution services (prosecutors)	()	(X)
for courts' non-judge staff	()	(X)

Comments - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments.

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

	Yes	No
Assignment in different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the work space	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments.

061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) : On December 22, 2016, art. 14 of the Law no. 158 of 04.07.2008 regarding the public function and the status of the civil servant was supplemented by a new paragraph in force on January 6, 2017, according to which civil servants are entitled to equal opportunities and treatment of men and women in terms of access to public office, continuous professional development, and promotion.

Equal opportunities in the Republic of Moldova between men and women is regulated by Law no. 5 of 09.02.2006 on ensuring equal opportunities for women and men as well as through the Strategy for ensuring equality between women and men in the Republic of Moldova for the years 2017-2021. Both normative acts contain general provisions on gender equality without specifying the judicial system.

are planned (please specify) : Training civil servants in producing gender-sensitive indicators;
Revision and adjustment of professional development courses for civil servants through a comprehensive approach to gender equality;
Streamlining the work of the Governmental Commission on Gender Equality;
Etc.

Comments - If the situation changed since reference year, please specify in the comments. It is important not only to increase the number of women in decision-making positions or in different judicial professions but also to keep them in positions so that they can be accepted by society as equally strong leaders and the same effective as men.

[] NAP

061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:

recruitment procedures (please specify): The socio-political barriers are expressed by: (i) the predominance of the male model associated success in decision-making; (ii) applying the paternalistic model to the designation candidates for promotion to management positions; (iii) unfair competition a men in relation to women; (iv) lack of a system education and training in women's leadership, based on models of support of successfull women; and by: (v) the absence of mechanisms to ensure equality of de facto chances and facilitate women's access to decision-making positions, to highlight and promote the right balance between work and life family and "break" the unfair distribution of domestic and family tasks. In turn, socio-economic barriers that are difficult to overcome include no only: (i) the financial dependence of women on men; (ii) lack of resources and time in the cause of "double careers" - family and professional obligations; but also (iii) segregation in education that translates into the occupational structure of the labor market, and that comes to explains why women are overrepresented in poorly paid sectors. Barriers of an ideological and cultural nature are constituted by: (i) stereotypes of gender on the role of women in society and in the family; (ii) myths about possibilities and the reduced capabilities of women to lead, the perception that the decision-making sphere is one "Hard" and only men can deal with it; (iii) prejudices about possibilities women to take up certain professions and to work in certain

traditional fields dominated by men, (iv) low women's confidence in candidacy and support insufficient of them from other women; (v) fear of violence, harassment, criticism and divorce; (v) corporate culture and media attitudes that are still unfavorable women.

promotion procedures and access to the functions of responsibility (please specify) : Myths about possibilities and the reduced capabilities of women to lead, the perception that the decision-making sphere is one "Hard" and only men can deal with it.

Comments - If the situation changed since reference year, please specify in the comments.
http://www.statistica.md/public/files/Cooperare_internationala/PNUD/10_tablouri_femei_RM/prof_9_proces_decizional

[] NAP

061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:

	Yes, please specify	No
judges and court staff are more chosen among males or females according to the type of cases	()	(X)
the composition of hearings with several judges is always mixed	()	(X)
statistics exist concerning males and females who initiate a case/victims, accused persons, etc.	(X) statistics concerning males and females accused persons	()

Comments - if you have additional comments please specify. If the situation changed since reference year, please specify in the comments.

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies definition

Organisation

IT policies and strategies	<input type="checkbox"/> defined and coordinated at national level by one institution <input checked="" type="checkbox"/> defined and coordinated at national level by several institutions <input type="checkbox"/> defined and coordinated at unit/stakeholder level <input type="checkbox"/> other
IT Governance	<input type="checkbox"/> governed on national level by one institution <input checked="" type="checkbox"/> governed on national level by several institutions <input type="checkbox"/> organised at unit/stakeholder level <input type="checkbox"/> other

Comments

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- administrative, technical and scientific staff only
- mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
- other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented): Courts are consulted to identify the needs and evaluate the development of the ICMS. Mixed working groups composed by representatives from the Agency for Courts Administration, the Ministry of Justice, the Superior Council of Magistracy, the courts, which coordinate and monitor all phases of the system development and updates have been created.

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

	Implementing new projects	Management of applications
Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non
Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non
Other alternatives (external service provider only – specify in a comment)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Non

Comments - please also describe in case of “other alternatives” IT projects are assigned to the Agency for Courts Administration. The Agency annually contracts an enterprise that provides maintenance services for the ICMS.

The newly developed or updated versions of the ICMS are previously a subject of consultations with the courts. Working groups composed by representatives of the Agency, the Ministry of Justice, the Superior Council of Magistracy, the courts, are formed in this respect. New IT projects and updates of the existing versions are funded from the Agency's for Courts Administration budget and external service providers are contracted in this regard.

065-3. Is there a device of detection and promotion of innovations regarding IT coming from

personal and/or local/court level initiatives?

() Yes

(X) No

Comments (please specify projects that have experienced national developments)

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

() Yes

(X) No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

[] Business processes

[] Workload

[] Human resources

[] Costs

[] Other, please specify

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

(X) Yes

() No

Comments (please specify in particular if national frameworks of information security exist):

065-6. Is the protection of personal data managed by courts ensured at legislative level?

(X) Yes

() No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) 1. Yes, the National Center for Personal Data Protection 2. Citizens are not users of the software used by the courts, but are entitled to request extracts from the system that concern the electronic case just if they have the procedural status of participants. Citizens (the general public) have free access to the information on court hearings and court decisions, that is automatically published from the ICMS to the national courts web portal.

The National Center for Data Protection initiated a draft law in October 2017 that proposes the anonymization of all court judgments as a rule, irrespective of the case type. The draft law is still pending in Parliament.

A regulation adopted by SCM in October 2017 on publishing of court judgments allows publishing the names of the parties as a rule, with exceptions for protection of personal data, including for the protection of minors. On 22 February 2018, the SCM sent a written note to all courts, reminding them of the new regulation that requires publication of the names of the parties as a rule, with limited exceptions. 3. According to the Government Decision no.593 from 2017 Information Judicial System's interaction with external information resources can be achieved through the unique governmental interoperability platform (MConnect).

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

Yes

Non

Comments

062-4-1. If yes, please specify the following information:

	For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
Civil and/or commercial	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criminal	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - if it exists in other matters please specify

062-6. Is there a computerised national record centralising all criminal convictions?

Yes

No

Comments

062-6-1. If yes, please specify the following information:

- Linkage with other European records of the same nature
- Content directly available through computerised means for judges and/or prosecutors
- Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access Authority delivering access is the Ministry of Internal Affairs.

3.5.4 Writing assistance tools

062-7. Are there writing assistance tools for which the content is coordinated at national level?

(models or templates, paragraphs already pre-written, etc.)

Yes

No

Comment – if it exists in other matters please specify

062-7-1. If yes, please specify the following information:

	Availability rate
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA

062-8. Are there voice recording tools?

Yes

No

Comments

062-8-1. If yes, please specify:

	Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature
Civil and/or commercial	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA

Criminal	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA

062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- 100% - accessible to everyone in judiciary
- 50-99% - accessible for most judges/prosecutors in all instances
- 10-49% - in some courts only
- 1-9% - in one court only
- 0% (NAP) - No access

NA

Comments

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- Yes
- No

Comments - if it exists in other matters please specify

063-1-1. If yes, please specify the following information:

CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool

Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input checked="" type="checkbox"/> publication of decision online <input type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input checked="" type="checkbox"/> publication of decision online <input type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input checked="" type="checkbox"/> publication of decision online <input type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

063-2. Computerised registries managed by courts

	Deployment rate	Data consolidated at national level	Service available online	Statistical module integrated or connected
Land registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Business registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment – if it exists in other matters please specify

063-6. Budgetary and financial management systems of courts

	Tool deployment rate	Data consolidated at national level	System communicating with other ministries (financial among others)
Budgetary and financial management of courts	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Justice expenses management	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (please specify in comments)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

Comments

063-7-1. If yes, please specify the following information:

	Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
For judges	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

For non-judge/non-prosecutor staff	<input type="checkbox"/> 100%	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
	<input type="checkbox"/> 50-99%	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> 10-49%	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> 1-9%	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP
	<input checked="" type="checkbox"/> 0% (NAP)			
	<input type="checkbox"/> NA			

3.5.6 Technologies used for communication between courts, professionals and/or court users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments

064-2-1. If yes, please specify the following information:

	Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - if it exist in other matters please specify E-File Module integrated in CMS has been tested in 2018 in 1 first instance busiest pilot court.

Lawyers had the possibility to submit civil cases to pilot court by electronic means.

064-3. Is it possible to request legal aid by electronic means?

Yes

No

Comments

064-3-1. If yes, please specify the following information:

	Requesting legal aid electronically
Availability rate	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Specific legislative framework regarding requests for legal aid by electronic means	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

Yes

No

Comments

064-4-1. If yes, please specify the following information:

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> SMS <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/>

Criminal	[]	[]	[]	[] SMS [] E-mail [] Specific computer application [] Other	[]
Administrative	[]	[]	[]	[] SMS [] E-mail [] Specific computer application [] Other	[]

Comments E-File Module integrated in CMS has been tested in 2018 in 1 first instance busiest pilot court.

Lawyers had the possibility to submit civil cases to pilot court by electronic means.

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

Communication between court and lawyers representing parties

Yes

No

Communication between court and parties not represented by lawyer

Yes

No

Comments

064-6-1. If yes, please specify the following information:

	Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework
Civil and/or commercial	[] 100% [] 50-99% [] 10-49% <input checked="" type="checkbox"/> 1-9% [] 0% (NAP) - for this matter [] NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	[] E-mail <input checked="" type="checkbox"/> Specific computer application [] Other	<input checked="" type="checkbox"/> Yes

Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments E-File Module integrated in CMS has been tested in 1 first instance busiest pilot court.

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Notaries (as defined in Q192 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Experts (as defined in Q202 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Judicial police services	<input type="checkbox"/> 100%	<input type="checkbox"/> E-mail	<input type="checkbox"/> Yes
	<input type="checkbox"/> 50-99%	<input type="checkbox"/> Specific	
	<input type="checkbox"/> 10-49%	computer application	
	<input type="checkbox"/> 1-9%	<input type="checkbox"/> Other	
	<input checked="" type="checkbox"/> 0% (NAP)		
	<input type="checkbox"/> NA		

Comments

064-9. Are there online processing devices of specialised litigation? (low value litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)

Yes

No

Comments – Please describe the system that exists.

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

Yes

No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments One of the goals of the use of this device in all courts is to reduce the number of detainees’ transfers to the court.

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

(X) Yes

() No

Comments

064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-12. Is electronic evidence admissible?

	Admissibility of electronic evidence	Legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only
Criminal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only
Administrative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only

Comments

3.6. Performance and evaluation

3.6.1.National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify:

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
within the public prosecution services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

3.6.2.Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

Yes

No

Comments

078. If yes, please select the main performance and quality indicators that have been defined for courts:

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of judges and court staff

satisfaction of court staff

satisfaction of users (regarding the services delivered by the courts)

costs of the judicial procedures

number of appeals

appeal ratio

clearance rate

disposition time

other (please specify):According to the SCM Decision no.854 / 37 of 19.12.2017 on the approval of quality indicators, in order to carry out the modernization of the judicial statistics included in the Government Action Plan for the years 2016 - 2018, the following quality indicators were additionally approved: Rate of postponed court hearings, Rate of the court staff per judge, Case per judge, Case per court staff, Examination of cases in time (refers to cases with the fixed terms provided by the legislation).

Comments

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

Yes

No

Comments

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of prosecutors and prosecution staff

satisfaction of prosecution staff

satisfaction of users (regarding the services delivered by the public prosecutors)

costs of the judicial procedures

clearance rate

disposition time

percentage of convictions and acquittals

other (please specify):

Comments

073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?

Yes

No

Comments

073-0. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Quarterly

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

Yes

No

Comments

073-2. If yes, which courses of action are taken?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment))

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?

Yes

No

Comments

073-4. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Monthly, quarterly.

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

Yes

No

Comments

073-6. If yes, which courses of action are taken?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment))

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

High Judicial Council

- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify):

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple options possible) :

- Public prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify):

Comments

3.6.3. Measuring courts' / public prosecution services activity

070. Do you regularly monitor court activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments Since December 2017 the length of proceedings is monitored (how long a case was examined and the age of pending cases).

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases

- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases
- administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	()	(X)
within the public prosecution services	()	(X)

Comments

3.6.4. Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

(X) Yes (please indicate the name and the address of this institution): 1. Superior Council of Magistracy, Chisinau mun., M.Eminescu 5, www.csm.md ; 2. Agency for Courts Administration under the Ministry of Justice, Chisinau mun., tefan cel Mare and Sfint str., 124 B, et. 2, http://aaij.justice.md

() No

Comments 1. Superior Council of Magistracy, Chisinau mun., M.Eminescu 5, www.csm.md ; 2. Agency for Courts Administration under the Ministry of Justice, Chisinau mun., tefan cel Mare and Sfint str., 124 B, et. 2, http://aaij.justice.md

080-1. Does this institution publish statistics on the functioning of each court:

Yes, on internet

No, only internally (in an intranet website)

No

Comments

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

Yes (please indicate the name and the address of this institution): General Prosecutor's Office, bd. tefan cel Mare i Sfânt, 73, Chiinu Moldova

No

Comments General Prosecutor's Office, bd. tefan cel Mare i Sfânt, 73, Chiinu Moldova

080-3. Does this institution publish statistics on the functioning of each public prosecution service?

Yes, on internet

No, only internally (in an intranet website)

No

Comments

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments Quarterly

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-4. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments Monthly, quarterly, half-yearly.

3.6.5 Courts administration

082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify:

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.6 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

Yes

No

Comments

083-1. Who is responsible for setting the individual targets for each judge?

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify):

Comments

114. Is there a system of qualitative individual assessment of the judges' work?

- Yes
- No

Comments Once in 3 years

114-1. If yes, please specify the frequency of this assessment:

- Annual
- Less frequent
- More frequent

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

- Yes
- No

Comments

083-3. Who is responsible for setting the individual targets for each public prosecutor

- Executive power (for example the Ministry of Justice)
- Prosecutor General /State public prosecutor
- Public prosecutorial Council
- Head of the organisational unit or hierarchical superior public prosecutor
- Other (please specify):

Comments

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

- Yes
- No

Comments

120-1. If yes, please specify the frequency of this assessment:

- Annual
- Less frequent
- More frequent

C4. Please indicate the sources for answering the questions in this chapter:

Sources: Superior Council of Magistracy, Prosecutor's General Office, Agency for Courts Administration

4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

[]

[X] NA

[] NAP

Comments - Please add methodology for calculation used.

085. Is there a procedure to effectively challenge a judge, if a party considers that the judge is not impartial?

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. Ratio between the total number of initiated procedures of challenges and total number of finalised challenges (in the reference year):

[]

[X] NA

Comments

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

[X] For civil procedures (non-enforcement)

[] For civil procedures (timeframe)

[] For criminal procedures (timeframe)

[] NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations):

086-1. Is there in your country a possibility to review a case after a decision on violation of human rights by the European Court of Human Rights?

Yes

No

NAP

Comments

D1. Please indicate the sources for answering questions in this chapter.

Sources: Ministry of Justice, Superior Council of Magistracy

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters regarding:

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

civil cases

criminal cases

administrative cases

Comments - If yes, please specify: According to the amendments of the Civil Procedure Code that entered into force in 2018 a judge may deliver a written judgement without the full reasoning in the small claims procedure.

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

(X) Yes

() No

Comments - If yes, please specify:



4.2.2. Case flow management – first instance

091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	36 078 [] NA [] NAP	96 785 [] NA [] NAP	95 499 [] NA [] NAP	37 364 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	28 496 [] NA [] NAP	63 258 [] NA [] NAP	65 940 [] NA [] NAP	25 814 [] NA [] NAP	1 225 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	1 694 [] NA [] NAP	17 066 [] NA [] NAP	18 039 [] NA [] NAP	721 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	10 [] NA [] NAP	5 392 [] NA [] NAP	5 376 [] NA [] NAP	26 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	1 684 [] NA [] NAP	11 674 [] NA [] NAP	12 663 [] NA [] NAP	695 [] NA [] NAP	[X] NA [] NAP

3. Administrative law cases	3 251 [] NA [] NAP	5 011 [] NA [] NAP	5 287 [] NA [] NAP	2 975 [] NA [] NAP	195 [] NA [] NAP
4. Other cases	2 637 [] NA [] NAP	11 450 [] NA [] NAP	6 233 [] NA [] NAP	7 854 [] NA [] NAP	[X] NA [] NAP

Comments The pending cases on 1 January 2018 (for the total number of cases other than criminal law cases, civil litigious cases and non litigious cases) increased in comparison with pending cases on 1 January 2016 and pending cases on 1 January 2014 as a result of a decrease in the number of total resolved cases in 2016 in comparison with the number of resolved cases in 2014.

Regarding the decrease in the number of incoming non-litigious cases, general civil cases and administrative law cases, there is no specific explanation. Regarding the number of resolved cases, for non litigious cases and general civil non litigious cases, it decreased in comparison with resolved cases in 2016 (the total non litigious cases) due to a negative trend in the number of incoming cases in 2018 in comparison with 2016 and 2014.

The pending cases on 31 December 2018 (the total other than criminal law cases) increased in comparison with pending cases on 31 December 2016 and pending cases on 31 December 2014 due to a negative trend in the number of resolved cases in 2018 in comparison with 2016 and 2014. The total number of non litigious cases pending cases on 31 December 2018 decreased in comparison with pending cases on 31 December 2016 due to a negative trend in the number of incoming cases in 2018 in comparison with 2016 and 2014. The number of pending other non litigious cases on 31 December 2018 decreased in comparison with pending cases on 31 December 2016 due to an increased number of resolved cases in 2018 and 2016 in comparison with 2014.

Regarding the decrease in the number of civil litigious cases pending more than 2 years, it can be explained by a positive trend in examining older than 2 years cases in 2018. On the contrary, the increase in the number of administrative cases pending more than 2 years can be explained by a negative trend in examining older than 2 years cases in 2018 and by an increase of the pending cases at the end of the reference period.

Finally, there is general upward trend in the number of other cases due to an increased number of incoming insolvency cases in 2017 and 2018 in comparison with 2016 data that are very complex and take a lot of time.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

- . - derived from an authenticated legal act
- resulted from a legal act concluded through a simple document, if the law does not stipulate other method
- based on bill protest regarding non-payment, non-acceptance of the acceptance bill, authenticated by a notary
- Taking into account the child support of the minor that does not require the establishment of paternity, the challenge of paternity (maternity) or the attraction of other interested persons
- Following salary or other entitlements calculated but not paid to the employee
- Submitted by the police, the fiscal body, or the enforcement body of the court proceedings, in order to recover the costs of seeking the defendant or the debtor or his property or the child taken from the debtor by virtue of a court decision, as well as the cost of keeping the property seized by to the debtor and to the property of the debtor who was evicted from house.
- resulted from purchase of goods in credit
- resulted failure to return the books borrowed from the library;
- resulted from economic agent's failure to pay the Social Fund debt
- resulted from tax arrears or state social insurance
- Following the forfeiture and forced sale of the pledge object (movable or immovable property)
- Other cases

093. Please indicate the case categories included in the category "other cases":

. cases for reviewing a civil and commercial proceeding
 case transfer requests according to competence
 requests for resolving conflicts of jurisdiction
 appeals against deeds processed by a bailiff
 recusal requests
 insolvency cases

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	17 418 [] NA [] NAP	39 428 [] NA [] NAP	38 722 [] NA [] NAP	18 124 [] NA [] NAP	1 297 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases" please specify: Pending criminal cases cases on 1 January 2018 and on 31 December 2018 increased in comparison with pending cases on 1 January 2016 and on 31 December 2014 due to a decrease of the number of resolved cases in 2018 in comparison with the reference years.

4.2.3. Case flow management – second instance

097. Second instance courts (appeal): Number of "other than criminal law" cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	4 228 [] NA [] NAP	15 397 [] NA [] NAP	16 276 [] NA [] NAP	3 349 [] NA [] NAP	87 [] NA [] NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	3 288 [] NA [] NAP	11 383 [] NA [] NAP	12 230 [] NA [] NAP	2 441 [] NA [] NAP	87 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	940 [] NA [] NAP	3 506 [] NA [] NAP	3 718 [] NA [] NAP	728 [] NA [] NAP	0 [] NA [] NAP
4. Other cases	0 [] NA [] NAP	508 [] NA [] NAP	328 [] NA [] NAP	180 [] NA [] NAP	0 [] NA [] NAP

Comments - If "Other cases" please specify Until 2018 the insolvency cases were examined by courts of appeal as first instance courts and were reported as first instance courts workload. Since 2018 insolvency cases are examined by courts of appeal as a second instance. As a result, this category is reflected for 2018 in the answer "other cases" for second instance courts.

098. Second instance courts (appeal): Number of criminal law cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court

Total of criminal law cases (1+2+3)	2 022 [] NA [] NAP	12 902 [] NA [] NAP	12 667 [] NA [] NAP	2 257 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. The judicial system of the Republic of Moldova attests a tendency of increasing of incoming criminal law cases in the last years. In the same context, the number of judges does not vary significantly from year to year and the judges are examining all categories of cases. As the number of incoming criminal law cases increased in 2018, the number of pending criminal law cases on 31 December 2018 increased in comparison with 2016. Data for 2018 are correctly reflected and calculated using the same methodology as in 2016 and 2014.

4.2.4. Case flow management – Supreme Court

099. Highest instance courts (Supreme Court): Number of "other than criminal law" cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	547 [] NA [] NAP	7 087 [] NA [] NAP	7 133 [] NA [] NAP	501 [] NA [] NAP	0 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	386 [] NA [] NAP	4 520 [] NA [] NAP	4 555 [] NA [] NAP	351 [] NA [] NAP	0 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	114 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 900 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 886 <input type="checkbox"/> NA <input type="checkbox"/> NAP	128 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	47 <input type="checkbox"/> NA <input type="checkbox"/> NAP	667 <input type="checkbox"/> NA <input type="checkbox"/> NAP	692 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases", please specify cases for reviewing a civil and commercial proceeding transfer requests according to competence
requests for resolving conflicts of jurisdiction
recusal requests

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

Yes

No

Comments

099-1-1. If yes, please indicate the number of:

cases received by the Highest court? [6 885]

cases closed by this procedure? [4 961]

Comments First row reflects the total number of the cases examined in a procedure of manifest inadmissibility by the Supreme Court in 2018.

Second row reflects the total number of the cases closed by this procedure by the Supreme Court in 2018.

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	323 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 663 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 539 <input type="checkbox"/> NA <input type="checkbox"/> NAP	447 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify The judicial system of the Republic of Moldova attests a tendency of increasing of incoming criminal law cases in the last years. In the same context, the number of judges does not vary significantly from year to year and the judges are examining all categories of cases. As the number of incoming criminal law cases increased in 2018, the number of pending criminal law cases on 31 December 2018 increased in comparison with 2016. Data for 2018 are correctly reflected and calculated using the same methodology as in 2016 and 2014.

4.2.5. Case flow management and timeframes – specific cases

101. Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	3 364 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 357 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 989 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 732 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal cases	99 <input type="checkbox"/> NA <input type="checkbox"/> NAP	153 <input type="checkbox"/> NA <input type="checkbox"/> NAP	146 <input type="checkbox"/> NA <input type="checkbox"/> NAP	106 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	2 008 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 728 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 669 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 067 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	381 <input type="checkbox"/> NA <input type="checkbox"/> NAP	517 <input type="checkbox"/> NA <input type="checkbox"/> NAP	485 <input type="checkbox"/> NA <input type="checkbox"/> NAP	413 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	74 <input type="checkbox"/> NA <input type="checkbox"/> NAP	121 <input type="checkbox"/> NA <input type="checkbox"/> NAP	135 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	40 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP	56 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to the right of entry and stay for aliens	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	155 <input type="checkbox"/> NA <input type="checkbox"/> NAP	131 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The pending cases on 1 January 2018 increased in comparison with 2016 data due to a decrease of resolved litigious divorce cases in 2016 compared with 2014 data.

Regarding employment cases, the positive trend in 2018 in pending cases on December 31st is due to a decrease of resolved cases in 2018 in comparison with previous years. Regarding the substantial increase of the insolvency cases in 2018 in comparison with 2016, the explanation is that 2018 data not only includes main insolvency cases but also secondary cases linked to insolvency in comparison with

the 2016 data and it is not possible to recalculate the data for 2016. As a result, data presented in 2016 are not comparable with data reflected for 2018.

In respect of all these categories, it should be noted that figures are small and, accordingly, the observed variations should be qualified.

101-1. Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. According to article 61 of the Law no. 270 of 18.12.2008 on Asylum in the Republic of Moldova, the decisions of the Asylum and Integration Directorate on asylum applications may be appealed to the court in administrative procedure without observing any prior procedure. The examination of the asylum applications by the court shall be conducted in accordance with the principle of confidentiality.

According to the Law no.200 of 16.07.2010 on the regime of foreigners in the Republic of Moldova, the state guarantees to the foreign citizens the inviolability of the person and the residence in accordance with the legislation in force. They have the right to an effective satisfaction from the competent courts, other public authorities against acts that violate their rights, freedoms and legitimate interests. Throughout the trial, aliens benefit from the same procedural rights as citizens of the Republic of Moldova, free legal assistance or contract based on lawyers, as well as other persons authorized in the manner established by Law no. 198-XVI of 26 July 2007 on State guaranteed legal aid.

Aliens have the right to seek protection from the diplomatic mission of their State.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Litigious divorce case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Employment dismissal case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Insolvency	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Robbery case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Intentional homicide	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP

103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):

. The divorce cases are examined in general civil litigious procedure by courts.
According to the amendments of the Family Code non-litigious divorce cases since 2018 have been examined by the Civil Status Service.

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. There are no available data to calculate the length of proceedings.

4.2.6. Case flow management – public prosecution



105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- [X] to conduct or supervise police investigation
- [X] to conduct investigations
- [X] when necessary, to request investigation measures from the judge
- [X] to charge
- [X] to present the case in court
- [X] to propose a sentence to the judge
- [X] to appeal
- [] to supervise the enforcement procedure
- [X] to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- [X] to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- [] other significant powers (please specify):

Comments

106. Does the public prosecutor also have a role in:

- [X] civil cases
- [X] administrative cases
- [] insolvency cases

Comments - If yes, please specify:

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	55 496 [] NA [] NAP	8 056 [] NA [] NAP	3 249 [] NA [] NAP	14 794 [] NA [] NAP

Comments

107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	581 [] NA [] NAP
Before the court case	315 [] NA [] NAP
During the court case	266 [] NA [] NAP

Comments The reason that the guilty plea procedures decreased in 2018 in comparison with 2016 data is the applicability of the simplified procedure based on the evidence administered at the stage of the criminal investigation (application of Article 364/1 of the Criminal Procedure Code - Judgment based on evidence administered during the criminal investigation phase).

108. Total number of cases which were discontinued by the public prosecutor.

	Number of cases
Total number of cases which were discontinued by the public prosecutor (1+2+3+4)	17 508 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	[] NA [X] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	4 807 [] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	3 250 [] NA [] NAP
4. Other	9 451 [] NA [] NAP

Comments In the new category "other" are included suspended cases. The prosecutor may suspend a case in Moldova, until the offender is being identified. It doesn't mean that the case is closed. Thus, the prosecutor orders suspension of the criminal investigation by a reasoned order. By law is mandatory that the prosecutor, before suspending the investigation, should do all actions that are possible in the absence

of the accused, undertake all possible measures to identify the offender. The total number of cases which were discontinued by the public prosecutor is different in 2018 in comparison with 2016 data due to an additional category "Other" that was added and taken into account at this question for 2018.

109. Do the figures include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Agency for Courts Administration, General Prosecutor's Office

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges



110. How are judges recruited?

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

an authority made up of judges only

an authority made up of non-judges only

an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

112. Is the same authority (Q111) competent for the promotion of judges?

Yes

No

Comments

113. What is the procedure for the promotion of judges? (multiple answers possible)

- Competitive test / Exam
- Other procedure (interview or other)
- No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination):

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- statutory independent
- under the authority of the Minister of Justice or another central authority
- other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...).

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

- Yes
- No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify):

Comments

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

- an authority composed of public prosecutors only
- an authority composed of non-public prosecutors only
- an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

- Yes
- No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for the promotion of prosecutors? (multiple answers possible)

- Competitive test / exam
- Other procedure (interview or other)
- No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam):

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"): "Other" refers to didactic and scientific activity.

5.1.3.Mandate and retirement of judges and prosecutors



121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the compulsory retirement age:65
- No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred to another court without his/her consent:

- For disciplinary reasons
- For organisational reasons
- For other reasons (please specify modalities and safeguards):
- No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

125-1. Is it renewable?

Yes

No

[X] NAP

Comments

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

126-1. Is it renewable?

Yes

No

[X] NAP

Comments

E1. Please indicate the sources for answering the questions in this chapter:

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on ethics	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments The answers in 2018 are different compared with 2016 data because in accordance with points 9 and 10 of the Regulation on the continuous professional training of judges and prosecutors, clerks, judicial assistants, heads of secretariats of the courts, prosecutors' advisers, probation advisers, lawyers who provide legal aid, Modular continuous training plans every year are elaborated in accordance with the Methodology for determining the needs of continuous training of judges and prosecutors which is consulted with the Superior Council of Magistracy and the Superior Council of Prosecutors as well as based on the objectives of the strategic policies.

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: The answers in 2018 are different compared with 2016 answers because in accordance with points 9 and 10 of the Regulation on the continuous professional training of judges and prosecutors, clerks, judicial assistants, heads of secretariats of the courts, prosecutors' advisers, probation advisers, lawyers who provide legal aid, Modular continuous training plans every year are elaborated in accordance with the Methodology for determining the needs of continuous training of judges and prosecutors which is consulted with the Superior Council of Magistracy and the Superior Council of Prosecutors as well as based on the objectives of the strategic policies.

5.2.2. Training of prosecutors



129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on ethics	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments The answers in 2018 are different compared with 2016 data because according with points 9 and 10 of the Regulation on the continuous professional training of judges and prosecutors, clerks, judicial assistants, heads of secretariats of the courts, prosecutors' advisers, probation advisers, lawyers who provide legal aid, Modular continuous training plans every year are elaborated in accordance with the Methodology for determining the needs of continuous training of judges and prosecutors which is consulted with the Superior Council of Magistracy and the Superior Council of Prosecutors as well as based on the objectives of the strategic policies.

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: The answers in 2018 are different compared with 2016 answers because in accordance with points 9 and 10 of the Regulation on the continuous professional training of judges and prosecutors, clerks, judicial assistants, heads of secretariats of the courts, prosecutors' advisers, probation advisers, lawyers who provide legal aid, Modular continuous training plans every year are elaborated in accordance with the Methodology for determining the needs of continuous training of judges and prosecutors which is consulted with the Superior Council of Magistracy and the Superior Council of Prosecutors as well as based on the objectives of the strategic policies.

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments

131-0. If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One institution for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One single institution for both judges and prosecutors	910 684 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The data indicated above reflects the approved and allocated budget to the National Institute of Justice. The implemented budget for 2018 was Euro 826 558.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. Judges and/or prosecutors have compulsory initial training.

131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	294 [] NA [] NAP	[X] NA [] NAP
1. Only for judges	[] NA [X] NAP	[] NA [X] NAP
2. Only for prosecutors	[] NA [X] NAP	[] NA [X] NAP
3. Only for other non-judge staff	[] NA [X] NAP	[] NA [X] NAP
4. Only for other non-prosecutor staff	[] NA [X] NAP	[] NA [X] NAP
5. Other common training	[] NA [X] NAP	[] NA [X] NAP

Comments: Starting with 2017 the NIJ has reconceptualized the continuous training plans that have been integrated in modular formats. Each module consists from activities (from 3 to 10 days, respectively 24-80 hours of training), usually, in the form of seminars, interdisciplinary courses, thematic courses, conferences, round tables, workshops or other forms, based on the objectives of each course. There are also courses that are planned for more than 1 day. There were organized 9 online training courses during the reference year.

E2. Please indicate the sources for answering the questions in this chapter:

Sources: The National Institute of Justice

5.3.Practice of the profession

5.3.1.Salaries and benefits of judges and prosecutors



132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	10 794 [] NA [] NAP	8 502 [] NA [] NAP	214 206 [] NA [] NAP	168 709 [] NA [] NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	17 272 [] NA [] NAP	13 603 [] NA [] NAP	342 745 [] NA [] NAP	269 945 [] NA [] NAP
Public prosecutor at the beginning of his/her career	10 612 [] NA [] NAP	7 960 [] NA [] NAP	210 581 [] NA [] NAP	157 954 [] NA [] NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	17 493 [] NA [] NAP	13 104 [] NA [] NAP	347 140 [] NA [] NAP	260 035 [] NA [] NAP

Comments In December 2013, the Parliament adopted the Law n°328 on the remuneration of judges, which entered into force in 2014. In August 2016 entered into force the new edition of the above-mentioned law that regulates the terms and conditions of judges and prosecutors remuneration, including the quantum of their salaries, by instituting a unitary system of remuneration based on the average salary of the previous year. The salary of a judge and a prosecutor is set based on the level of the court/prosecutor office, the activity and the seniority. The reform resulted in a considerable increase of the judges and prosecutors salaries at the beginning, as well as at the end of their career.

Also, according with the new Law No. 270 of 11.23.2018 regarding the unitary system of remuneration in the budgetary sector, at the end of the reference year the quantum of the salaries of judges and prosecutors changed due to a different salary formula. The salaries discrepancy in 2018 compared with the 2016 data is also is due to a different average of the exchange rate in 2018 compared with 2016.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	(X) Yes () No	(X) Yes () No
Housing	() Yes (X) No	() Yes (X) No
Other financial benefit	(X) Yes () No	(X) Yes () No

Comments

134. If “other financial benefit”, please specify:

. According with the new Law No. 270 of 11.23.2018 regarding the unitary system of remuneration in the budgetary sector, judges and prosecutors are granted for 2018 with material aid that has the value of a salary of function.

According to the aforementioned Law all public employees can benefit from unique financial benefits on the occasion of professional

holidays and non-working holidays, which are paid from the savings of the financial means allocated for the remuneration of the work for that year, but not more than 5% of the annual salary fund at the level of each budgetary entity.

So, the cumulative amount of the bonuses granted to a judge or prosecutor during a budget year can not exceed the official salary of the judge/prosecutor.

[] NAP

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	() Yes (X) No
Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

137. Can public prosecutors combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	() Yes (X) No

Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mediator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify:

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

- Yes
- No

Comments - If yes, please specify the conditions and possibly the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

- Yes
- No

Comments

138-1. If yes, how is this institution / body formed

- only by judges
- by judges and other legal professionals
- other, please specify:

Comments

138-2. Are the opinions of this institution / body publicly available?

- Yes
- No

[] NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. In the case of dilemmas or problems, which concern the interpretation and the application of the provisions of the Code of ethics and professional conduct of a judge, the Ethics Committee, as an advisory body, adopts, ex officio or upon request

a written advisory opinion on how to resolve the matter. The opinion is general. In the case of the dilemma on behavior in a concrete case, which concerns a judge, he\she may ask for a recommendation (an advice), and the Committee, in a shortest term, is going to present its opinion, from the perspective of the provisions of the Code of ethics.

The Ethics Committee issues advisory opinions and recommendations on conduct in the future to be followed. No advisory opinions and recommendations are issued on past or present conduct, unless this will continue in the future.

[] NAP

138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comments

138-4. If yes, how is this institution / body formed

only by prosecutors

by prosecutors and other legal professionals

other, please specify:

Comments

138-5. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

NAP

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify):

Other (please specify): The Judicial inspection and the Committee for the evaluation of judges.

This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple options possible):

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):The Committee for the evaluation of prosecutors, Prosecutor's inspection
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

Judges	Prosecutors
--------	-------------

Total number (1+2+3+4)	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP	74 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	21 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	67 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify: Other: conflicts of interests, other abusive actions.

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Position downgrade	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
9. Other	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP

10. Dismissal	1 [] NA [] NAP	1 [] NA [] NAP
---------------	------------------------	------------------------

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Other: warnings against judges and public prosecutors

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Superior Council of Magistracy, General Prosecutor's Office

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers



146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	2 115 [] NA	1 365 [] NA	750 [] NA

Comments

147. Does this figure include "legal advisors" who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[] NA

[X] NAP

Comments

149. Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	[]	[]	[]
Dismissal cases	[]	[]	[]

Criminal cases – Defendant	[X]	[X]	[X]
Criminal cases – Victim	[]	[]	[]
Administrative cases	[]	[]	[]

[] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' monopoly:

149-0. If there is no monopoly, please specify the organisations or persons that may represent a client in court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	() Yes (X) No	() Yes (X) No	() Yes (X) No
Family member	(X) Yes () No	(X) Yes () No	(X) Yes () No
Self-representation	(X) Yes () No	(X) Yes () No	(X) Yes () No
Trade union	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If "other", please specify. In addition, please specify for the categories mentioned the types of cases concerned by this/these representation(s): "Other" refers to administrative bodies of legal entities, prosecutors, public authorities, the ombudsman, the ombudsman for children's rights, the liquidator for legal entities.

Rights, freedoms and interests of individuals to whom have been applied judicial protection measures are represented in court by their parents, adoptive parents, tutors or guardians, other persons to whom this right is granted by law.

Also, according with new provisions of the Civil Procedure Code from 2018 the natural persons can be represented in court by their spouse, parents, children, brothers, sisters, grandparents and grandchildren if they are licensed in law and are empowered through a power of attorney authenticated by a notary.

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

[] Notarial activity

[X] Arbitration / mediation

[X] Proxy / representation

[] Property manager

[] Real estate agent

[X] Other law activities (please specify): In addition, a lawyer can exercise didactic and scientific activity according to art. 11 of the Law no. 1260-XV of 19 July 2002.

Comments

149-2. What are the statuses for exercising the profession of lawyer?

[X] Self-employed lawyer

Staff lawyer

In-house lawyer

Comments

150. Is the lawyer profession organised through:

a national bar association

a regional bar association

a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

Yes

No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general in-service professional training system for lawyers?

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: Ministry of Justice, Moldovan Bar Association

6.1.2. Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used? In 2016 the Legal Aid Council approved quality standards for lawyer's activity concerning legal aid for criminal cases. The approved quality standards are available at the following links:

http://www.cnajgs.md/uploads/asset/file/ro/569/Hot_nr._7_aprobare_standarde_de_calitate_anexa.pdf

http://www.cnajgs.md/uploads/asset/file/ro/577/Hot_nr._9_aprobare_standarde_victimae.pdf

http://www.cnajgs.md/uploads/asset/file/ro/578/Hot_nr._10_aprobare_standarde_martori.pdf

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify): The Lawyers' Association of the Republic of Moldova is responsible for the definition of the quality standards with regard to lawyers. Also, the National Legal Aid Council is responsible for the definition of the quality standards with regard to lawyers who provide legal aid.

Comments The Lawyers' Association of the Republic of Moldova is responsible for the definition of the quality standards with regard to lawyers. Also, the National Legal Aid Council is responsible for the definition of the quality standards with regard to lawyers who provide legal aid.

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	21 [] NA [] NAP
1. Breach of professional ethics	[X] NA [] NAP
2. Professional inadequacy	[X] NA [] NAP
3. Criminal offence	[X] NA [] NAP
4. Other	[] NA [X] NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	21 [] NA [] NAP
1. Reprimand	1 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	10 [] NA [] NAP
4. Fine	7 [] NA [] NAP
5. Other	3 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. Other means warning sanctions.

7. Court related mediation and other alternative Dispute Resolution

7.1 Court related mediation

7.1.1 Details on court related mediation



163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned: In order to reduce the length of procedures, court-related mediation was established as a mandatory way of settling the claims to the court by LP 31 of 17.03.17 (MO144-148 / 05.05.17) by simplifying civil procedures for some types of actions, such as family law disputes, disputes concerning property rights between natural and / or legal persons, labor disputes, disputes resulting from tort liability, inheritance disputes, other civil litigations evaluated less than 200 000 MDL (approximately 10 000 EUR), with exception of litigations in which an enforceable decision to initiate insolvency proceedings was issued).

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Family cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Labour cases including employment dismissals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Consumer cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

Yes

No

NAP

Comments - If yes, please specify (only one or both options):: In July 2015, a new Law on mediation was adopted in order to foster the resort to the mediation procedure. Different measures are devised: legal aid, state fees exemptions, enforcement of transaction of mediation. According to art. 22 par. (7) of the Law no. 137 of July 3, 2015 on mediation, the parties may be assisted by lawyers during the mediation process and in the mediation process, a party or both parties have the right to benefit from the state-guaranteed services of a mediator in the manner prescribed by law.

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	908	423	485
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments According to the Law no.137 of 03.07.2015 on mediation, mediators must carry out their activities in an office or associate office. Thus, the number of active mediators in 2018 represents 153, or approximately 17 % from the total number of accredited mediators. Also, the reflected number is not including all first instance judges, except investigative judges, who have the legal duty to conduct the mediation process for certain civil disputes.

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	19 886 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 227 <input type="checkbox"/> NA <input type="checkbox"/> NAP	431 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	6 839 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 962 <input type="checkbox"/> NA <input type="checkbox"/> NAP	138 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	433 <input type="checkbox"/> NA <input type="checkbox"/> NAP	323 <input type="checkbox"/> NA <input type="checkbox"/> NAP	21 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
6. Consumer cases	87 <input type="checkbox"/> NA <input type="checkbox"/> NAP	72 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source: Taking into account the fact that the court-related mediation for certain civil disputes is mandatory

in the first column is reflected the number of cases related to mediation procedure in court in 2018.

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify):

Comments

G1. Please indicate the source for answering question 166:

Source: Ministry of Justice, Mediation Council of the Republic of Moldova

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning



169. Do you have enforcement agents in your judicial system?

- Yes
- No

Comments

170. Number of enforcement agents

	Total	Male	Female
Number of enforcement agents	173 <input type="checkbox"/> NA	93 <input type="checkbox"/> NA	80 <input type="checkbox"/> NA

Comments

171. Are enforcement agents (multiple options are possible):

- judges
- bailiffs practising as private professionals under the authority (control) of public authorities
- bailiffs working in a public institution
- other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

- Yes

() No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

Service of judicial and extrajudicial documents

Debt recovery

Voluntary sale of moveable or immovable property at public auction

Seizure of goods

- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

- Yes
- No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

- a national body
- a regional body
- a local body
- NAP

Comments

174. Are enforcement fees easily established and transparent for court users?

- Yes
- No

Comments

175. Are enforcement fees freely negotiated?

- Yes
- No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

- Yes

() No

Comments

H0. Please indicate the sources for answering question 170

Source: Ministry of Justice

8.1.2. Efficiency of enforcement services



177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

(X) Yes

() No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

[X] professional body

[] judge

[X] Ministry of Justice

[] public prosecutor

[] other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

() Yes

(X) No

Comments - If yes, what are the quality criteria used?

180. If yes, who is responsible for establishing these quality standards?

[X] professional body

[] judge

[X] Ministry of Justice

[] other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

(X) Yes

() No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular regarding decisions against public authorities?

Yes

No

Comments - If yes, please specify: According to art. 68 of the Law no.181 of 25.07.2014 of the public finances and budgetary-fiscal responsibility the executing documents regarding the undeniable decommissioning of the funds from the account of the budgets part of the national public budget, as well as from the public authorities / institutions, are obligatorily submitted by the creditor directly to the budget administrators and / or, where appropriate, public authorities / institutions.

In the case of non-execution of the enforceable document issued within 3 months from the date of its submission, the creditor may ask the bailiff to initiate the forced execution.

For the enforceable documents that have been received through the bailiff with violation of the procedure established by law, the debtor will be exempted from the payment of the fees and other execution costs provided by the Enforcement Code.

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to notify the

decision to the parties who live in the city where the court sits (one option only):

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):

NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. For professional inadequacy	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. For criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP

5. Other

4

NA

NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: Other-Withdrawal of the license

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: Ministry of Justice, National Union of Bailiffs

8.2.Execution of decisions in criminal matters

8.2.1.Functioning of execution in criminal matters



189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

Judge

Public prosecutor

Prison and Probation Services

Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

9.Notaries

9.1.Profession of notary

9.1.1.Number and status of notaries



192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Total	Male	Female
TOTAL (1+2+3+4)	312 [] NA [] NAP	70 [] NA [] NAP	222 [] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Professionals appointed by the State	312 [] NA [] NAP	70 [] NA [] NAP	222 [] NA [] NAP
3. Public officials	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary (multiple options possible):

- diploma
- professional experience/professional training
- exam
- appointment procedure by the State
- other (please specify):

Comments

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- yes, please indicate the age of retirement:65
- no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

194. What kind of activities do notaries perform (multiple options possible):

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify):

Comments

194-1. Do notaries have the exclusive rights when exercising their profession:

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify):

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or on the opposite regarding the competition they have to deal with:

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Other

Comments

194-3. Do notaries use specialised digital systems in their activity?

- In establishing authentic instruments
- In recording authentic instruments (archives)
- Other activity (please specify):

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor

other (please specify): According to Article 61 of the Law No. 69 of 14 April 2016 on the organization of the activity of notaries, the activity of the notary is subject to professional, judicial and financial-fiscal control.

Comments

196-1. Is there a system of general continuous training for all notaries?

Yes

No

Comments

I1. Please indicate the sources for answering question 192:

Sources: Ministry of Justice

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[533]

[] NA

[] NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam):

201. Are the courts responsible for selecting court interpreters?

[X] Yes, for recruitment and/or appointment for a specific term of office

[X] Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: Ministry of Justice

11.Judicial experts

11.1.Profession of judicial expert

11.1.1.Status of judicial experts

202. In your system, what types of judicial experts can be requested to participate in judicial procedures (multiple choices possible):

experts who are requested by the parties to bring their expertise to support their argumentation,

experts appointed by a court to put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify):

Comments

202-1. Are there lists or databases of registered judicial experts?

Yes

No

Comments - Please indicate any useful comment regarding these lists or databases of experts, if they do exist (e.g. : Does the expert take an oath? How is his/her skill evaluated? By whom?):

202-2. Who is responsible for registering judicial experts?

Ministry of justice

Courts

Independent body (association of judicial experts)

Other

Comments

202-3. Is the registration of judicial experts limited in time?

Yes, for how long

No

Comments

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection: The title of judicial experts is protected by registering in the State Register of certified legal experts and issuing of a judicial expert license (Law no. 68 of 14.04.2016 on the judicial expertise and the status of the judicial expert).

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Continuous training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

judicial proceedings

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

Yes

No

Comments

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	289 <input type="checkbox"/> NA <input type="checkbox"/> NAP	204 <input type="checkbox"/> NA <input type="checkbox"/> NAP	85 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

205-1. Who sets the expert remuneration?

- Judicial experts from judicial expertise public institutions are paid in 2018 according as well to the provisions of the new Law on the unitary system of remuneration in the budgetary sector, that entered into force in 2018.

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: According to art. 13 of the Law no. 68 of 14.04.2016 on judicial expertise and the status of a judicial expert, the term of judicial expertise shall be established by the head of the public expertise institution or by the judicial expert in the case of a judicial expert who carries out his/her activity within an expert's office which has received the act of disposing of judicial expertise for execution, taking into account its nature, its degree of complexity, the approved work norms and the deadline requested by the applicant.

At the motivated request of the judicial expert, the term of examination may be extended by the head of the public authority for judicial expertise, just in case if the judicial expert carries out his/her activity within a judicial expertise office, under his own responsibility and about this fact the applicant needs to be informed.

Failure to present the report within the specified time limit, without proper reasoning, involves disciplinary liability in accordance with the applicable law.

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

207. Are the courts responsible for selecting judicial experts?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts

Comments

207-1. Does the judge control the progress of the expertise?

() Yes

(X) No

Comments

K1. Please indicate the sources for answering question 205

Sources: Ministry of Justice

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms



208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans A new Justice Sector Development Strategy for 2019 - 2022 was drafted and presented by the Ministry of Justice for public consultations. This policy document represents a natural follow-up activities set out in the last Justice Sector Reform Strategy for 2011-2016 and its Action Plan, this is the very reason for the intent to move away from the reform concept and focus on development aspects, and if appropriate, on strengthening and capitalizing on the judiciary potential. When the implementation of the new reform phase is completed, a new stage will occur targeting improvement or "fine-tuning" of the already adopted regulatory framework, strengthening of the institutional and professional capabilities of the reformed institutions, and alignment of the justice reform processes with the commitments of the Republic of Moldova made to the development partners, as well as with the Council of Europe's recommendations and standards.

The strategy aims to respond to the challenges related to the improvement of the justice sector and shows the state's commitment to ensure an independent, impartial, accountable and efficient justice sector.

2. Budget In respect of the on-going reorganization of the national courts the unification of the Court's offices will be carried out gradually, until 31 December 2027, as the conditions for this are created, according to an action plan approved by the Parliament. In this regard for next phases of planning, building, equipping and functioning of new court premises the judicial system will be in need for more approved financial resources.

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) According to the Law no. 76 on the reorganization of the courts, approved by the Parliament on 21.04.2016, since January 1, 2017, the judiciary has been reorganized into 15 first instance courts. The unification of the court's offices will be carried out gradually, until 31 December 2027, as the conditions for this are created, according to an action plan approved by the Parliament. Until the creation of the conditions of operation in a single court house, the newly created courts will have several territorial offices.

3.1. Access to justice and legal aid In view of the fact that free access to justice is a complex principle, involving several relations and fundamental rights, through which its full exercise can be guaranteed, it continues to be a priority objective.

In respect of the legal aid the main actual objective is to develop and implement improved policies for provision of legal aid and evaluation of its quality.

Another area related mostly to the training process is ensuring ongoing specialization of judges, prosecutors, and when appropriate, of lawyers providing state guaranteed legal aid. Legal specialization is regarded as a time related requirement, because litigants wish for their cases to be addressed with celerity and professionalism in order to limit, to the greatest degree possible, the risk of judicial errors.

4. High Judicial Council In 2018, short-term justice sector priorities were outlined in the policy paper of the Ministry of Justice, entitled "The Small-scale Justice Reform.

Consequently, taking into account the strategic orientations set for 2018, amendments were made to the regulatory framework which regulates the judiciary, namely:

Review of selection, evaluation and promotion criteria for judges;

Ensure competitiveness in the process of judges' promotion and transfer;

strengthen the role of the Superior Council of Magistracy, namely through limiting membership to a single mandate and the right to vote of the Prosecutor General, President of the Supreme Court and the Ministry of Justice in matters related to judge's career (judges' appointment, promotion, disciplinary sanctions and termination);

ensure functional independence of the Judicial Inspection in relation to the Superior Council of Magistracy;

review the mechanism for reviewing disciplinary violations.

The implementation of the law package (Law 136/2018 and Law no 137/2018) will contribute to increased efficiency of the judiciary, ,

promote a merit-based system in the process of selection and promotion of judges as well as improve the mechanism for holding judges accountable for the quality of justice delivery.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. In 2018, short-term justice sector priorities were outlined in the policy paper of the Ministry of Justice, entitled “The Small-scale Justice Reform.

Consequently, taking into account the strategic orientations set for 2018, amendments were made to the regulatory framework which regulates the judiciary, namely:

Review of selection, evaluation and promotion criteria for judges;

Ensure competitiveness in the process of judges’ promotion and transfer;

strengthen the role of the Superior Council of Magistracy, namely through limiting membership to a single mandate and the right to vote of the Prosecutor General, President of the Supreme Court and the Ministry of Justice in matters related to judge’s career (judges’ appointment, promotion, disciplinary sanctions and termination);

ensure functional independence of the Judicial Inspection in relation to the Superior Council of Magistracy;

review the mechanism for reviewing disciplinary violations.

The implementation of the law package (Law 136/2018 and Law no 137/2018) will contribute to increased efficiency of the judiciary, ,

promote a merit-based system in the process of selection and promotion of judges as well as improve the mechanism for holding judges accountable for the quality of justice delivery.

Also, strengthening the self-administration, independence and accountability of legal professions is an essential element for future policies.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities Over the last period a number of amendments have been made to the civil procedure law, so as to simplify and make it more efficient, namely by introducing emergency procedures for settling certain categories of cases, excluding the possibilities to delay civil proceedings and optimizing the timeframe for civil cases’ review, as well as by simplifying the procedural documents and justifying use of information systems by trial participants. Additionally, a series of legislative interventions aimed at simplifying the proceedings were also made in minor offense matters.

7. Enforcement of court decisions Because of liberalization of the profession of bailiff, over nearly a decade, the systemic problem of non-execution of judgments, which led to multiple convictions of the Republic of Moldova in the European Court of Human Rights (ECtHR), virtually disappeared. At the same time, it is required to further strengthen and streamline the mechanisms for ensuring effective enforcement of judgments. So, the actual priorities in this regard are to improve the efficiency of mechanisms for enforcing judgments and ensuring an adequate balance between the interests of creditors and those of debtors within the forced execution procedure and to improve the mechanisms for enforcing criminal sentences.

8. Mediation and other ADR According to the statistical data, neither the establishment through the Law no 31/2017 of compulsory judicial mediation for certain categories of cases, has led to tangible results (approximately 5% of the cases filed in courts have been settled).

In this respect, revising the institution of compulsory judicial mediation, in order to simplify the process of examination of civil cases in the court and exclude delays has been widely discussed.

Other priorities are to promote the benefits of alternative dispute resolution mechanisms within the business environment, legal community, academia and the judiciary and to conduct awareness and information dissemination campaigns on these mechanisms.

9. Fight against crime National policy was supplemented with a new regulatory act in the field – the National Strategy on Preventing and Combating Trafficking in Human Beings 2018–2023 – by means of which a continuity of the state policy to reform national and transnational cooperation relations among the non-governmental, non-profit and intergovernmental organisations will be ensured in order to implement the measures of preventing and combating trafficking in human beings, to promote the rights of victims and potential victims of the trafficking in human beings, in line with the principles of respect for human rights and gender equality.

9.1. Prison system A priority of the National Administration of Penitentiaries is the construction / reconstruction of detention facilities for convicted persons. Here we refer to the objects in progress: Penitentiary no.3-Leova (the execution level represents 100%, the opening ceremony is planned until the end of 2019); Penitentiary no. 10-Goian (execution level is 94%) and Balti house of arrest (execution level being 32%).

Also, other priority is to build a new penitentiary that will replace the Penitentiary no.13 from Chisinau. The project was initiated in 2013, following the request of the European Bank for Reconstruction and Development. The deadline for project implementation was extended until 12.31.2022.

Also, in all penitentiaries the videoconference is implemented. Recently, it was approved a Regulation regarding the organization and the functioning of the videoconference system in penitentiaries.

9.2 Child friendly justice Another priority objective is continuous strengthening the child-friendly justice system. The authorities need to step up measures to ensure that all legal proceedings are carried out in a child friendly manner, that children at risk are identified and supported before their behavior escalates to delinquency, and that those above the age of criminal responsibility are, to the extent possible, diverted from the criminal justice system towards psychological support, behaviour change, and educational services.

9.3. Violence against partners A strategic document – 2018–2023 National Strategy to Prevent and Combat Violence against Women and Domestic Violence and the 2018-2020 Action Plan were approved. The strategy aims to implement a wide range of actions, grouped on the basis of the four general objectives, as follows:

Prevent violence against women and domestic violence by cultivating zero tolerance for this phenomenon in order to decrease it in the Republic of Moldova – create a climate of population's zero tolerance for these phenomena and reduce their prevalence by

eliminating stereotypes, perceptions and attitudes of general public and raising awareness about this phenomena as a violation of fundamental human rights.

Strengthen the mechanisms of protection and assistance for victims of violence against women and domestic violence – ensure support and assistance to victims, as well as their protection against any subsequent acts of violence.

In this context, effective national multisectoral cooperation mechanisms among all relevant institutions designed to identify, refer, assist and (re)integrate the victim are important as well.

Streamline the process of investigating and prosecuting acts of violence against women and domestic violence – ensure accuracy in the conduct of investigations and judicial proceedings related to acts of violence, without undue delays.

Development of integrated policies in preventing and combating violence against women and domestic violence, based on multisectoral cooperation and data collection – they allow

efficient intervention in cases of violence against women and domestic violence, by ensuring an approach that implies multisectoral coordination and cooperation and is founded on a unified system of statistical data collection.

10. New information and communication technologies Within the framework of the institutional reform of the judiciary, computerization has been a priority. An essential support to the modernization of justice is ensured by developing the judicial IT system. Nevertheless, the implementation of IT solutions is a continuous process, which is to be adapted to the new requirements for process development.

Increasing the level of IT systems and hardware for the judiciary is a tool for streamlining the activities carried out in the justice system. The IT systems that facilitate communication between courts and parties (for example, online filing of applications and other documents), as well as between courts and other authorities can help reduce delays and costs incurred by litigants, by facilitating access to justice. Thus, swift communication between the units of the judiciary, standardization of procedures, faster access to information, its quality, and fast access to information are strong arguments for modernizing this sector, but also for developing and using mechanisms for systemic assessment of IT system implementation.

Also, the increasing amount of data made available to broad public and parties involved in trials by the judicial system using IT systems requires ongoing data management by responsible authorities, in strict compliance with data security requirements. This implies the implementation of an extensive number of measures aimed at reinforcing cyber security.

11. Other Another aspect requiring intervention that is widely discussed is the improvement of mechanisms for providing translation services to courts, prosecution offices, criminal investigation authorities, including by encouraging the use of IT capabilities for distance

communication, thus avoiding delay in case review by courts. Currently, the delay in reviewing civil and criminal matters in courts is generated by the shortage of translators/interpreters or by their refusal to follow court or prosecution requests to provide services in other administrative-territorial units than Chisinau.