

ACTION AGAINST CORRUPTION IN THE REPUBLIC OF MOLDOVA

I. General Information

A. Identification

Project reference number:
VC 2744

Project partner(s):
Ministry of Justice of the Republic of Moldova (MoJ);
National Integrity Authority (NIA); Superior Council of Prosecutors (SCP);
Superior Council of Magistracy (SCM);
National Institute of Justice (NIJ);
General Prosecution Office (GPO);
Civil Society Organizations

B. Reporting information

Project implementation dates: 1 June 2020 – 30 November 2021
Reporting period: 1 June 2020 – 31 December 2020

C. Executive Summary

The Action against Corruption in the Republic of Moldova, funded by the Bureau of International Narcotics and Law Enforcement Affairs (INL) of the US Department of State, commenced on 1 June 2020. The project aims to enhance the capacities of authorities in the Republic of Moldova to implement pending recommendations from the GRECO Fourth Round Evaluation. During a four-months inception phase, the project's workplan was adjusted to match the evolving circumstances around the identified needs and priorities of the beneficiary institutions by also considering other technical assistance interventions in the Republic of Moldova. The project's Steering Committee adopted the project's workplan at its first meeting on 14 September 2020.

The project rolled out the first actions in October 2020, focusing on priorities relating to the review of legislative frameworks regulating the activity of judicial and prosecutorial councils in the Republic of Moldova, the disciplinary liability of prosecutors and the integrity controls relating to judges.

Pursuant to the workplan of activities, the project has successfully carried out assessments in four areas relating to:

1. Legislative and regulatory framework regulating the functioning of the Superior Council of Magistracy (SCM);
2. Legislative and regulatory framework regulating the functioning of the Superior Council of Prosecutors (SCP);
3. Mechanisms for integrity checking of candidates for appointment and promotion in the judiciary;
4. Legislative and regulatory framework on disciplinary liability of prosecutors.

The project engaged in the assessment process the representatives of the SCM, SCP, General Prosecution Office (GPO), Ministry of Justice (MoJ), National Integrity Authority (NIA), National Institute of Justice (NIJ) and civil society organizations. In total, 33 representatives of the mentioned institutions contributed to the assessments, of which 42% were women and 58% men. The

assessments will lead to development of recommendations for legal and regulatory changes and internal practices and will be presented and discussed with the stakeholders to facilitate implementation of GRECO recommendations.

Considering COVID-19 related restrictions, the project implemented the planned activities through virtual meetings using the Council of Europe's digital platforms. Communication with project beneficiary institutions was conducted regularly and with no difficulties. Coordination with the INL, other donor and civil society organizations took place during the inception phase and throughout the implementation of project activities. The Ministry of Justice has initiated donor coordination meetings which will further provide for more formal coordination among donors supporting justice sector reforms in the Republic of Moldova.

The publication of the 2nd compliance report by GRECO (4th evaluation round) in October 2020 further underlined the timing of the project and brought additional interest from the state institutions. Considering that Moldovan authorities are due to report on actions taken to implement GRECO recommendations by September 2021, the project will further support the institutions with needed legislative solutions, advice, and capacity building activities. However, the authorities will require additional time to put in place legislative changes by the end of 2021 considering that the legislative process in the Republic of Moldova is rather lengthy and synchronized political support will be essential during this process.

D. Project outline

Geographic scope of the project:

Republic of Moldova

Location of the project:

Chisinau, Republic of Moldova

Target group(s) per outcome:

Same as end beneficiaries

End beneficiaries for impact:

Ministry of Justice of the Republic of Moldova, National Integrity Authority (NIA), Civil Society Organisations, Superior council of prosecutors, Superior Council of Magistracy of the Republic of Moldova, NIJ National Institute of Justice

Sources of justification:

Addressing [GRECO 4th Round Evaluation](#) Recommendations

Link to strategic co-operation document:

Council of Europe [Action Plan](#) for the Republic of Moldova 2017-2020

Duration of the project:

01/06/2020-30/11/2021 (18 months)

Budget:

€250,000

E. Project description

1.1. Project Impact

Support the authorities in preventing and combating corruption in Republic of Moldova.

1.2. Project Purpose

Enhanced capacities to implement GRECO recommendations.

1.3. Immediate and Intermediate Outcomes

1. Corruption prevention in respect of judges and prosecutors is improved

- 1.1. The legislative/regulatory framework regulating the composition of the Superior Council of Magistracy reviewed and advise on necessary amendments to ensure its alignment with GRECO recommendations provided (GRECO IV round evaluation – R7)
- 1.2. Introduced mechanisms for integrity testing of candidates for appointment and promotion in the judiciary (GRECO IV round evaluation – R9)
- 1.3. The legislative/regulatory framework regulating the composition of the Superior Council of Prosecutors reviewed and advise on necessary amendments to ensure its alignment with GRECO recommendations provided (GRECO IV round evaluation – R15)
- 1.4. The legislative/regulatory framework regulating the disciplinary liability of prosecutors reviewed and advise on necessary amendments to ensure its alignment with GRECO recommendations provided (GRECO IV round evaluation - R18)
- 1.5. Capacity building for judicial inspection in view of strengthening the objectivity, efficiency and transparency of the disciplinary liability of judges provided (GRECO IV round evaluation - R13)

2. Strengthened capacities and effectiveness of the National Integrity Authority in handling declaration of assets and personal interests by judges, prosecutors and other members of the Parliament

- 2.1. An assessment of the effectiveness of the National Integrity Authority in the processing and verification of asset declarations is conducted (GRECO IV round evaluation – R4)
- 2.2. Support provided to the National Institute of Justice in delivering of training on Professional Code of Conduct and ethics for judges and prosecutors (GRECO IV round evaluation – R11 and R17).

F. List of outputs

During the reporting period the project developed the following deliverables:

1. Assessment of the legislative and regulatory framework regulating the functioning of the Superior Council of Magistracy;
2. Assessment of the legislative and regulatory framework regulating the functioning of the Superior Council of Prosecutors;
3. Assessment of the current mechanisms for integrity checking of candidates for appointment and promotion in the judiciary;
4. Assessment of the legislative and regulatory framework regulating the disciplinary liability of prosecutors. Analysis of best international and European standards applicable to disciplinary proceedings against prosecutors.