

Evaluation of the judicial systems (2020 - 2022)



Republic of Moldova

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Reference data 2020 (01/01/2020 - 31/12/2020)

Start/end date of the data collection campaign : 19/03/2021 - 01/10/2021

Objective :

The CEPEJ decided, at its 35th plenary meeting, to launch the ninth evaluation cycle 2020 – 2022, focused on 2020 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. 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

1.1.1Inhabitants and economic general information



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

[2 626 942]

Comments The 2021 data are provisional and are calculated using the definitions listed in the General Comments. The final data will be published by the Moldovan National Bureau of Statistics on the third trimester in 2022.

According to the National Bureau of Statistics, the number of inhabitants for the previous cycle (January 1, 2019) is 2 686 064. The

information is available at the following link :

https://statbank.statistica.md/PxWeb/pxweb/ro/20%20Populatia%20si%20procesele%20demografice/20%20Populatia%20si%20procesele%20demografice__POPrec__POP010/POP010100rcl.px/table/tableViewLayout1/?rxid=b2ff27d7-0b96-43c9-934b-42e1a2a9a774



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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	3 709 956 644 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The most significant increases in public expenditure were recorded in the fields of social protection, education, health.



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

[3 839]

Comments Provisional data from the National Bureau of statistics

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

[4 928]

NA

Comments

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

[21.1266]

Allow decimals : 5

NAP

Comments The exchange rate used for all data is the average rate of the National Bank of Moldova for 2020 (19.7436 MDL for 1 Euro)

A1. Please indicate the sources for answering the questions in this part

Sources: National Bank of Moldova
National Bureau of Statistics

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 budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to 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)	22 438 314 [] NA [] NAP	21 355 077 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	18 435 625 [] NA [] NAP	18 259 226 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	623 706 [] NA [] NAP	546 705 [] NA [] NAP
2.1 Investments in computerisation	298 993 [] NA [] NAP	296 604 [] NA [] NAP
2.2 Maintenance of the IT equipment of courts	324 713 [] NA [] NAP	250 101 [] 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)	1 411 489 [] NA [] NAP	1 222 891 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	506 493 [] NA [] NAP	0 [] NA [] NAP
6. Annual public budget allocated to training	17 768 [] NA [] NAP	1 418 [] NA [] NAP
7. Other (please specify)	1 443 233 [] NA [] NAP	1 324 837 [] 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: An upward trend of the budget allocated and implemented to computerization is due to the implementation of a new ICMS version in all courts and the videoconference tool which required to renew and adjust the equipment that several courts were using. The approved amount for investment in new court buildings was due to the implementation of court reorganization reform and necessity to build new court premises. The amount allocated was not spent due to different factors including the COVID pandemic situation.

The amount allocated to training increased due to the necessities presented by courts. The amount allocated to training and the implemented one for 2020 is due to the fact that many additional trainings for court staff were organized by different cooperation projects with outsourced financial assistance. 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 the one allocated to legal aid, please fill in 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 checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input 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:

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

	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

If there are exceptions to the obligation 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) According to the Law on State Tax the court fee is 3% of the value of the action.

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 €):

[2 087 951]

[] NA

[] NAP

Comments The statistical data for judiciary starting with 2020, including the annual income of court fees received by the State, were collected from the Integrated Case Management System which is filled with data exclusively by courts. The sum of annual income in 2020 (2 087 951 EUR) has a downward trend in comparison with the annual income reported in 2018. The 78.24% discrepancy ratio can be explained by the fact that not all payed court fees have been documented in the ICMS by the courts or by parity of reasoning is not a big discrepancy of the incoming cases in 2020 and in 2018 for which a court fee is required by law.

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)	3 036 422 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	2 944 914 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	91 508 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

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)	2 511 204 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	2 445 304 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	65 900 [] 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 2018 data are due to the expansion of the legal aid system, the diversification of the range of services and beneficiaries of legal aid, the promotion of the system. The increase in remuneration for the legal aid services constituted the main strategic objective needed to be achieved starting with 2018, which continued in 2020. In particular, it was proposed to bring the conventional unit for lawyers remuneration from 20 to 50 MDL (1.01-2.53 EUR), in three stages. The process is planned to be completed in 2021.

In 2020, the categories of legal aid beneficiaries regardless of income level were extended, including victims of domestic violence; victims of trafficking in human beings; victims of torture and ill-treatment; asylum seekers and a concept which allows 24/24 assistance for victims of domestic violence and sexual offenses was implemented. Starting with 2020, legal aid is also granted to legal entities on several criminal cases. Despite it the volume of legal aid provided it was decreasing in 2020 due to pandemic restrictions.

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 3 194 357 euro and the executed budget is 2 702 505 euro. The differences are

constituting administrative and maintenance expenditures for institutions within the system.

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012-2. Does legal aid include:

	Legal aid includes:
Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

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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)	18 322 489 [] NA [] NAP	17 447 392 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	10 130 [] NA [] NAP	0 [] NA [] 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 prosecution system benefited from continuous training organized on-line by the National Institute of Justice. The budget allocated for internal training was not spent.

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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 courts
Ministry of Justice	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other ministry	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Parliament	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Supreme Court	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
High Judicial Council	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Courts	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - If “Other Ministry” and/or “Inspection body” and/or “Other”, please specify:

014-0. What are the criteria used to allocate financial resources among courts? Furthermore, please select maximum three main criteria of allocation

	Criteria used	Main criteria
Previous years' budget costs	[]	[]
Special needs assessment	[X]	[X]
Number of judges/non judges' staff	[]	[]
Number of incoming cases	[]	[]
Number of pending cases	[]	[]
Number of resolved cases	[X]	[X]
Other	[X]	[X]

[] NAP

Comments - If “Other”, please specify The "Other category" includes Cost per case and a fixed amount for all courts. Cost per case is derived by taking court implemented budget and dividing this figure by the total number of cases disposed in the year. The related formula is available in the ICMS.

All the criteria used to allocate financial resources among courts are included in a specific Methodology on court's budget planning approved by the SCM Decision No. 109/3 from 2014. The document is available at the following link:

https://www.csm.md/files/Acte_normative/Aprobarea_Metodologie_buget.pdf

014-1. Who is entrusted with responsibilities related to the budget within a first instance 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
Court President and/or judge(s)	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Head of court administration and/or non-judges	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Mixed body (judge(s) and non-judge(s))	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - If “Other”, please specify. If the responsibilities are different depending on the type/instance of courts, please answer the question for the first instance court of general jurisdiction and describe the differences in the comment box:

A2. Please indicate the sources for answering the questions in this part

Sources: The Superior Council of Magistracy

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 €	106 883 648 [] NA [] NAP	79 496 159 [] NA [] NAP

Comments - 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, Q13)

	Included
Courts	(X) Yes () No [] NAP
Legal aid	(X) Yes () No [] NAP
Public prosecution services	(X) Yes () No [] NAP

Comments

015-3. Other budgetary elements

	Included
Prison system	(X) Yes () No [] NAP
Probation services	(X) Yes () No [] NAP
High Judicial Council	(X) Yes () No [] NAP
High Prosecutorial Council	(X) Yes () No [] NAP
Constitutional court	(X) Yes () No [] NAP
Judicial management body	(X) Yes () No [] NAP
State advocacy	() Yes (X) No [] NAP
Enforcement services	() Yes (X) No [] NAP
Notariat	() Yes (X) No [] NAP
Forensic services	(X) Yes () No [] NAP
Judicial protection of juveniles	() Yes (X) No [] NAP

Functioning of the Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Refugees and asylum seekers services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Immigration Service	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

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

A3. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice, Superior Council of Magistracy, National Institute of Justice, Constitutional Court, General Prosecutor's Office, Superior Council of Prosecutors

1.2. Organisation and management of courts and public prosecution services

015-4. Please describe who has responsibilities for the management of individual courts, what management roles they have, what is their status and their position in the organisational hierarchy of the court concerned.

- According to the provisions of the Law on courts organization the Presidents of the Courts as the main managers of judges and court staff are concerned about:

approving the Annual Working Plan of the court and coordinating the activities;

coordinating the activity of judges to ensure the case examination in a reasonable time;

delimiting the duties of the Vice-Presidents;

ensuring specialized and professional trainings of judges and court staff;

deciding on the need to collegially examine several types or categories of cases;

forming panels of judges;

verifying the random distribution of cases received by the court for examination;

controlling and displaying, within the time limit set by the procedural norms, the information on cases scheduled for trial;

conducting the activity of generalizing the judicial practice and analyzing judicial

statistics and submitting information on such activities to the Superior

Council of Magistracy and, to the Agency for Courts Administration;

examining petitions;

representing the court in relations with public authorities and the media;

appointing civil servants, amending, suspending and terminating, under the law,

their employment relationships, employing, amending suspending and terminating

employment relationships of contractual staff of the Secretariat of the court;
applying disciplinary sanctions for court staff;
issuing Dispositions for allocation of prizes for judges and court staff on some special occasions, like Official National Holidays or Birthdays;
presenting to the Superior Council of Magistracy the annual project of budget of the court.
proposing to the Superior Council of Magistracy to appoint investigative judges.
The Vice-President of the court is assisting the President of the court in his/her activity and has the competencies aforementioned in the absence of the President.
The organizational and administrative activity of the court is ensured by the Secretariat, headed by a chief who has the status of a public servant appointed by the president of the court.
The head of the Secretariat of the court has the following duties:
to organize the work of the staff related to drafting and displaying ,within
the time limits set by the procedural rules, the information on cases scheduled for trial;
to organize the work of staff responsible for ensuring random distribution of
cases received by the court;
to manage the funds allocated to the court;
to coordinate and verify the activities of the of the Secretariat's subdivisions
of the court, ensure the management and optimum utilization of financial,
material, intellectual and informational resources in the implementation of
strategic working plans of the court;
to develop and submit for approval to the court's President strategic plans of
the court activities;
to organize and coordinate the implementation of court activities plans;
to approve, after coordination with the President of the court, the rules of
organization and functioning of the Secretariat of the court;
to perform other functions assigned by law or delegated by the President of
the court.

Max characters value : 10 000

015-5. Please describe who has responsibilities for the management of individual public prosecution offices, what management roles they have, what is their status and their position in the organisational hierarchy of the office concerned.

- The prosecution office is headed by the Prosecutor General and Prosecutor General deputies, according to the areas of competence established by the Prosecutor General. The Prosecutor General issues in writing orders, methodological instructions and enforceable regulations, which are mandatory for the subordinated prosecutors.
Within the limits of the attributions established by the Prosecutor General, the heads of the Prosecution General departments organize and coordinate the activity of the subdivisions they lead according to established competences, issue dispositions and organizational documents, which regulate issues related to the organization and activity of the related subdivisions.
Prosecutors, as well as civil servants, civil servants with special status, the specialists and technical staff of the Prosecution Offices are subordinated hierarchically to the Prosecutor General.
The chief prosecutors of the specialized and territorial prosecution offices assimilated to the deputies of the Prosecutor General, helped by the deputies, organize and coordinate the activity of the related offices. Prosecutors, as well as civil servants, civil servants with special status, the specialists and technical staff of the specialized and territorial prosecution offices are subordinated hierarchically to the Prosecutor General and to the chief prosecutors of the related offices.

The structure, functions, number of staff and residence of specialized and territorial prosecution offices are established by order of the Prosecutor General, with the written consent of the Superior Council of Prosecutors.

The powers and competence of the General Prosecution Office, specialized and territorial prosecution offices and their managers are regulated by the Law no.3 of 02.25.2016 on the Prosecution Office, Law no. 159, of 07.07.2016 on the specialized prosecution offices, the procedural-criminal legislation and internal regulations (The Regulation on the Prosecution Office no. 24/28 of 09.24.2016, etc.).

A chief prosecutor of the territorial prosecution office has the following attributions:

- a) organizes, coordinates and exercises directly or through the deputy(s) the control of the subordinated staff, in order to properly carry out the work tasks;
- b) divides the prosecutors by fields of activity within the prosecution office, depending on the the need to ensure the proper functioning of the prosecution office taking into account their specialization;
- c) distributes to the prosecutors for examination materials and criminal files on the basis of the following objective criteria: specialization, skills, experience, number of cases, addresses, petitions and their degree of complexity, the specificity of each case, the cases of incompatibility and conflict of interest, in so far as they are known;
- d) establishes and distributes the functional duties of the deputy prosecutors;
- e) exercises the functional competencies in accordance with the Code of Criminal Procedure and other special laws;
- f) ensures the implementation of national and sectoral strategies in the field of justice;
- g) draws up semi-annually the activity program of the prosecution office in accordance with the the activity program of the General Prosecution Office and ensures the full achievement of the objectives and of the activities/actions within the established deadlines;
- h) organizes the training and professional development of prosecutors, according to a program approved by the Superior Council of Prosecutors;
- i) carries out the periodical analysis of the activity of the prosecution office, drawing up the priorities and measures which contributes to the efficient exercise of duties;
- j) ensures the implementation of the legislation on access to the information held by prosecution office and cooperation with mass media;
- k) proposes to the Superior Council of Prosecutors the encouragement or sanctioning measures for prosecutors;
- l) presents, within the established terms, the reports on the activity of the prosecution office;
- m) carries out individual and collective evaluations of the prosecutors and civil servants performances;
- n) proposes to the Prosecutor General the encouragement and/or sanctioning of the civil servants and technical staff;
- o) ensures the generalization of statistical data of the activity of the prosecution office and of the committed offences in the area of competence and submits them to the subdivisions of the Prosecutor-General's Office within the established terms;
- p) ensures the integrity of the material assets of the respective prosecution office;
- q) organizes secretarial and other organizational activities in the prosecution office;
- r) exercises other duties regulated by national legislation.

Max characters value : 10 000

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
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Representation in court	<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
Legal advice, ADR and other legal services	<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

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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.

Both primary legal aid and qualified legal aid are delivered for all types of cases (criminal and non-criminal). Emergency legal assistance is provided in the event of detention in criminal or misdemeanor cases, including the examination of the arrest warrant. Eligibility is based on the financial criterion, but for certain types of cases, legal aid is granted regardless of the person's income level. The concept of state-guaranteed legal aid includes only the compensation of expenses for the services provided by the lawyer on behalf of the state, not other court costs. At the moment, public attorneys, lawyers on request and paralegals are involved in the process of providing state-guaranteed legal aid.

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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
 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:

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	44 265 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In criminal cases	41 397 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In other than criminal cases	2 868 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please specify when appropriate: The lockdown caused postponement of court hearings including for criminal and contravention cases considered not being urgent matters. Perhaps these circumstances marked a downward trend of legal aid requests. The downward trend of the number of criminal and contravention cases for which legal aid was granted can be also a result of the increase of the number of refusals in granting legal aid.

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final approval of the legal aid request:

	Time in days
Maximum duration prescribed in law/regulation	3 [] NA [] NAP
Actual average duration	1 [] NA [] NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases please provide more information: According to art. 18 (2) of the Law no. 198 regarding the legal assistance guaranteed by the state, the primary legal assistance is granted immediately, at the moment of addressing. In case of impossibility to provide immediate assistance, the applicant will be notified of the date and time of the hearing which should be held within 3 days from the date of submission of the written or oral request.

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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	(X) Yes () No
Victims	(X) Yes () 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	1 266 <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	1 266 <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	1 266 <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	1 266 <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 defense/ representation is required, and if the person has the possibility to cover the

legal assistance costs from his/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 judge(s) dealing with the main case
- another judge or official
- an authority external to the court
- several authorities (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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If no, please specify how legal costs are distributed:

B1. Please indicate the sources for answering the questions in this part

Sources: The 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, Judicial Council etc.) where general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	<input checked="" type="checkbox"/> legis.md csm.md justice.md justice.gov.md	<input type="checkbox"/>
Case-law of the higher court/s	<input checked="" type="checkbox"/> csj.md instante.justice.md	<input type="checkbox"/>

Information about the judicial system (organisation of courts, court proceedings, etc)	(X) instante.justice.md	()
Other documents (e.g. forms, downloadable forms, online registration forms)	(X) instante.justice.md cnajgs.md	()

Comment - 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 their proceedings?

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

Comment - If “Yes, only in some specific situations”, please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

	Information system
General for citizens	<input checked="" type="checkbox"/> Online information <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for minors (child-friendly systems)	<input type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No

Comment - Please provide more information on these systems. Furthermore, please specify how this assistance is provided. A general information (court rulings, court decisions, hearings agenda, information on court performance, legal basis, other court documents, courts case status, guiding videos, news, information concerning court budget, vacancies, court taxes, etc) that facilitates the access to judiciary is available free of charge for public on the Moldovan National Courts Portal (instante.justice.md) which also has incorporated an accessibility menu for persons with special needs.

As well, by the Government Decision No 496 of 30.06.2014 it was 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 phone.

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	() Yes (X) No	(X) Yes () No	(X) Yes () No
Victims of terrorism	() Yes (X) No	() Yes (X) No	() Yes (X) No
Minors (witnesses or victims)	() Yes (X) No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	() Yes (X) No	() Yes (X) No	(X) Yes () No
Ethnic minorities	() Yes (X) No	() Yes (X) No	() Yes (X) No
Persons with disabilities	() Yes (X) No	(X) Yes () No	(X) Yes () No
Juvenile offenders	() Yes (X) No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	() Yes (X) No	(X) Yes () No	(X) Yes () No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify:

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

- [] Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- [X] Special room in court designated for child-friendly hearings
- [X] Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- [] Special ways to communicate and explain meaning of court decisions
- [X] Interagency/multidisciplinary structure such as “Children's Houses”
- [] Other, please specify
- [] NAP

Comment

031-1. What are the main criteria for a minor to initiate a proceeding, take procedural actions in his/her own name or to be a witness?

Civil proceedings	Criminal proceedings
--------------------------	-----------------------------

Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input checked="" type="checkbox"/> Age threshold [Comment]18 years old <input checked="" type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP
To be a witness	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comment - Please specify if you selected answers “Exceptions from the threshold” and “Other”. If your system distinguishes between full and limited capacity to take legal actions, please describe the basis for this differentiation (age, capacity for discernment, type of action, type of cases, other).

031-2. If a minor cannot conduct proceedings in his/her own name, who can represent him/her in judicial proceedings?

	Civil proceedings	Criminal proceedings
Parent/legal guardian	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP
Other representative (instead of parent/legal guardian)	<input type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comment

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

[16]

[] NA

[] NAP

Criminal liability resulting in sentence of privation of liberty

[16]

[] NA

[] NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how? According to the provisions of the Moldovan Criminal Code for specific offences (ex. Murder, Rape, Aggravated assault, Kidnaping, Theft, Robbery) the age threshold for the criminal liability of minors of or without privation of liberty is 14 years old.

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

- Yes, but only if offender is unknown
- Yes, but only if compensation could not be obtained from offender
- Yes, always
- No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences
- [] NAP

Comment - Please specify: 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.201/1 (domestic violence), art.206 (trafficking in children), art.208/1 (infantile pornography), art.208/2(taking advantage of the prostitution practiced by a child).

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

- Yes
- No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences
- [] NAP

Comment - Please specify: 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.201/1 (domestic violence), art.206 (trafficking in children), art.208/1 (infantile pornography), art.208/2(taking advantage of the prostitution practiced by a child).

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

Yes

No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify: 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.201/1 (domestic violence), art.206 (trafficking in children), art.208/1 (infantile pornography), art.208/2(taking advantage of the prostitution practiced by a child).

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

Yes

No

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:

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

Yes

() No

Comment - 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 answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

(X) Yes

() No

[] NAP

Comment - If necessary, please specify:

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

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	416 [] NA [] NAP	97 [] NA [] NAP	382 486 [] NA [] NAP
Excessive length of proceedings	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Non-execution of court decisions	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Wrongful arrest	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Wrongful conviction	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comment - Where appropriate, please give details of the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): The amount of the compensation for wrongful conviction and arrest is calculated starting from the average monthly income of the natural person at the moment of causing the damage, with the application of the inflation coefficient. The amount of the damage caused to the natural person who was convicted to unpaid work for the benefit of the community shall be calculated in the amount of up to 2 conventional units for one hour of work performed. For the quantification of the reparable damage, the average monthly income is calculated as follows:

- persons employed by contract - by applying the method of calculating the average salary in accordance with the legislation;
- persons not employed by contract - by dividing by 12 the amount of the total income for the previous year;
- persons who did not work for proved reasons - starting from the average salary in the country in the respective year.

The legal entities are compensated for the patrimonial damage caused, as well as for the unearned benefit (lost income) as a result of the illicit actions.

The amount of compensation for moral damage is calculated taking into account: a) the gravity of the crime for which the person was charged; b) the character and gravity of the procedural violations committed during the criminal investigation and during the examination of the criminal case by court; c) the resonance that the information about the person's accusation had in the society; d) the duration of the criminal investigation, as well as the duration of the examination of the criminal case by court;

e) the nature of the injured personal right and its place in the person's value system; f) physical suffering, character and degree of mental suffering; g) the extent to which monetary compensation can alleviate the caused physical and mental suffering; h) the duration of detention.

The amount of the compensation for the damage caused by the violation of the right to a fair trial or the right to a reasonable execution of the judgment is established by court in each individual case, depending on the circumstances of the case in which the violation was committed, as well as the claims made by the applicant, the complexity of the case, the applicant's conduct, the conduct of the prosecution body, the court and other relevant authorities, the duration of the infringement and the importance of the proceedings for the applicant.

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for 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
Surveys for court staff	<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
Surveys for 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 checked="" type="checkbox"/> Ad hoc
Surveys for 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
Surveys for other professionals	<input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for the parties	<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
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<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
Surveys for victims	<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
Surveys for minors	<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
Surveys for the general public	<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
Other not mentioned	<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

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: The category "Other not mentioned" includes mixed surveys for parties and other court visitors such as the survey conducted at the court level, by court staff available at the following link:

<https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fcatch.instante.justice.md%2Fsites%2Fcatch.instante.justice.md%2Ffiles%2FRaport%2520sondaj%25202019.docx&wdOrigin=BROWSELINK>.

Also, this category includes mixed surveys with a different approach such as the survey concerning the perception of judges, prosecutors and lawyers on justice reform and fight against corruption, that was conducted between October and December 2020. The document sought to find out the opinion of judges, prosecutors, and lawyers about the functioning of justice, the initiatives to reform it, and the fight against corruption. The survey was commissioned from the Center of Sociological Investigations and Marketing CBS-RESEARCH by the Legal Resources Centre from Moldova (LRCM). The survey summary is available at the following link: <https://crjm.org/wp-content/uploads/2020/12/2020-12-16-LRCM-survey-summary.pdf>.

Also, an ad hoc satisfaction survey for judges, court staff, prosecutors, legal professionals was conducted in 2020 at the national level and funded by the World Bank in cooperation with the European Commission. The results are not published yet.

The 2019 OSCE-led Survey on Violence Against Women "Well-being and safety of women" indicate that domestic violence is still a widespread phenomenon in Moldovan society. The survey also shows that victims rarely report experiences of violence, due to a number of barriers such as shame, fear, and distrust of the police and healthcare professionals, as well as a lack of support with regard to the provision of housing and financial aid. The OSCE-led Survey on Violence Against Women "Well-being and safety of women", 2019, is available at: <https://www.osce.org/secretariat/413237?download=true>.

A victimization and public confidence survey was conducted at the national level recently and funded by the Soros Foundation - Moldova. The survey was informed by the prior survey conducted in 2010, as well as a review of the relevant data and documents relating to crime and criminal justice in Moldova. The results are available at:

https://www.soros.md/files/publications/documents/Raport_ENG_FINAL_compressed.pdf.

039. Are there statistical data concerning male and female court users, persons who initiate a case, victims, accused persons, etc.

Yes, please specify: There are statistical data available concerning victims and accused persons. The data are initially recorded by courts in the ICMS and standardized electronic reports are generated by the system both at the local and central level. Data are collected quarterly and aggregated at the central level by the Agency for Courts Administration and Superior Council of Magistracy. Data are disaggregated by age and sex. Also, specific data on the accused persons are presented periodically by courts to the Ministry of Internal Affairs paper based and are introduced in its Information system. Different specific analyzes on this area using related data are realized periodically by the Ministry of Internal Affairs, by Prosecutor's General Office, National Anticorruption Center.

No

Comment - If you have additional comments please specify: There are statistical data available concerning victims and accused persons. The data are initially recorded by courts in the ICMS and standardized electronic reports are generated by the system both at the local and central level. Data are collected quarterly and aggregated at the central level by the Agency for Courts Administration and Superior Council of Magistracy. Data are disaggregated by age and sex. Also, specific data on the accused persons are presented periodically by courts to the Ministry of Internal Affairs paper based and are introduced in its Information system. Different specific analyzes on this area using related data are realized periodically by the Ministry of Internal Affairs, by Prosecutor's General Office, National Anticorruption Center.

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	(X) Yes () No	(X) Yes () No
Higher court	() Yes (X) No	() Yes (X) No
Ministry of Justice	() Yes (X) No	() Yes (X) No
High Judicial Council	(X) Yes () No	(X) Yes () No
Other external bodies (e.g. Ombudsman)	() Yes (X) No	() Yes (X) No

Comments

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

	Number of complaints	Compensation amount granted
Court concerned	[X] NA [] NAP	[] NA [X] NAP
Higher court	[] NA [X] NAP	[] NA [X] NAP
Ministry of Justice	[] NA [X] NAP	[] NA [X] NAP
High Judicial Council	1 905 [] NA [] NAP	[] NA [X] NAP
Other external bodies (e.g. Ombudsman)	[] NA [X] NAP	[] NA [X] 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 - legal entities.

Number of courts

Total number of all courts - legal entities (1 + 2)	20 [] NA [] NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	20 [] NA [] NAP
1.1 First instance courts of general jurisdiction - legal entities	15 [] NA [] NAP
1.2 Second instance courts of general jurisdiction - legal entities	4 [] NA [] NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 [] NA [] NAP
2 Total number of specialised courts - legal entities	[] NA [X] NAP

Comments

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	[] NA [X] NAP	[] NA [X] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP	[] NA [X] NAP
Labour courts	[] NA [X] NAP	[] NA [X] NAP
Family courts	[] NA [X] NAP	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP	[] NA [X] NAP
Administrative courts	[] NA [X] NAP	[] NA [X] NAP

Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Juvenile courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other specialised courts", please specify:

044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	41 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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)	47 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

=

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

	Number of courts
A small claim	36 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
An employment dismissal	36 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
A robbery	37 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
An insolvency case	36 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments From January 1st 2019 the Superior Council of Magistracy decided to specialize each territorial office of the Chisinau first instance Court.

As well, the territorial office of the indicated court specialized for criminal cases activates from 2019 in 2 buildings with different addresses. So, starting with the aforementioned date there are 6 specialized territorial offices in Chisinau, 2 for criminal cases, 1 for contraventional and cases examined by the investigative judges, 1 for insolvency cases, 1 for civil cases and 1 for administrative cases.

045-1. Is your definition of a small claim the same as the one in the Explanatory note?

Yes

() No

Comments - If not, please give your definition of a small claim:

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

[4 028]

Comments The 24% increase in the value of small claims in 2020 compared to 2018 is linked to the introduction of the simplified procedure for small claims and to the value of 10 average salaries per economy. The total amount of 10 average salaries per economy increased in 2020 compared with 2018.

C. Please indicate the sources for answering the questions in this part

Sources: Agency for Courts Administration

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 posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	461 [] NA [] NAP	232 [] NA [] NAP	229 [] NA [] NAP
1. Number of first instance professional judges	347 [] NA [] NAP	170 [] NA [] NAP	177 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	92 [] NA [] NAP	51 [] NA [] NAP	41 [] NA [] NAP
3. Number of Supreme Court professional judges	22 [] NA [] NAP	11 [] NA [] NAP	11 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above:

=

046-1-1. Does your system allow part-time work for judges with proportionally reduced remuneration?

() Yes

(X) No

Comments

046-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

- Child-care
- Elderly care
- For the purposes of early retirement
- Other reason, please specify:
- Without reason

Comments

046-1-3. If yes, what is the percentage of judges working part-time (in relation to the total number of judges)?

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

046-1-4. What is the percentage of work time of a judge working part-time compared to a full-time equivalent judge?

- Less than 50%
- 50 – 60%
- 60 - 80%
- More than 80%
- NA
- NAP

Comments

=

046-2. Number of judges (FTE) by case type:

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	421 <input 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

First instance	312 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Second instance	90 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Supreme court	19 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

If "Other", please explain which types of cases:



=

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	14 [] NA [] NAP	1 [] 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	0 [] NA [] NAP	1 [] NA [] NAP

Comments

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	[] NA [X] NAP

Comments - If necessary, please provide comments to explain the answer provided:

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

[X] NAP

Comments

049. Number of non-professional judges who are not remunerated but who may 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 on 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 / mixed bench
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 civil cases”, 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(s) 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 posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	1 792 [] NA [] NAP	357 [] NA [] NAP	1 435 [] 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 (judicial) staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, helping to draft the decisions)	900 [] NA [] NAP	160 [] NA [] NAP	740 [] 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)	573 [] NA [] NAP	77 [] NA [] NAP	496 [] NA [] NAP
4. Technical staff	319 [] NA [] NAP	120 [] NA [] NAP	199 [] NA [] NAP
5. Other non-judge staff	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other non-judge staff", please specify: The numbers do not include trainees. Trainees are assisting the staff with different activities for short periods but are not conducting a significant amount of work.

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 posts actually filled).

Total	Males	Females
-------	-------	---------

Total non-judge staff working in courts (1+2+3)	1 792 [] NA [] NAP	357 [] NA [] NAP	1 435 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	1 332 [] NA [] NAP	246 [] NA [] NAP	1 086 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	304 [] NA [] NAP	64 [] NA [] NAP	240 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	156 [] NA [] NAP	47 [] NA [] NAP	109 [] NA [] NAP

Comments The numbers do not include trainees. Trainees are assisting the staff with different activities for short periods but are not conducting a significant amount of work.

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053. If there are Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal in your judicial system, please specify in which fields 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
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and duties:

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

- 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

C1. Please indicate the sources for answering the questions in this part

Sources: 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 posts actually filled, for all types of courts – general jurisdiction and specialised courts).

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	638 [] NA [] NAP	438 [] NA [] NAP	200 [] NA [] NAP
1. Number of prosecutors at first instance level	449 [] NA [] NAP	315 [] NA [] NAP	134 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	22 [] NA [] NAP	13 [] NA [] NAP	9 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	167 [] NA [] NAP	110 [] NA [] NAP	57 [] NA [] NAP

Comments - Please indicate any useful comment for interpreting the data above: There were approved 720 prosecutor's posts in 2020. In row 3 is reflected the number of prosecutors in the Office of the Prosecutor General and the specialized prosecutor's offices.

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055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?

() Yes

(X) No

Comments

055-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

- [] Child-care
- [] Elderly care
- [] For the purposes of early retirement
- [] Other reason, please specify:

Without reason

Comments

055-1-3. If yes, what is the percentage of prosecutors working part-time (in relation to the total number of prosecutors)?

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

055-1-4. What is the percentage of work time of a prosecutor working part-time compared to a full-time equivalent prosecutor?

Less than 50%

50 - 60%

60 - 80%

More than 80%

NA

NAP

Comments

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	45 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of heads of prosecution offices at first instance level	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of heads of prosecution offices at Supreme Court level	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above: In row 3 is reflected the number of prosecutors in the Office of the

Prosecutor General and the specialized prosecutor's offices.

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

- Yes
- No

Comments - If yes, please specify their titles 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 prosecutors who are specially trained in areas of domestic violence and sexual violence?

	-
Domestic violence	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Sexual violence	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify The training courses were organized in 2020 on the related subjects for all prosecutors who applied for, in the limits of the available places.



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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	360 <input type="checkbox"/> NA	79 <input type="checkbox"/> NA	281 <input type="checkbox"/> NA

Comments The numbers do not include trainees.

C2. Please indicate the sources for answering the questions in this part

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:

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)

Comments - If the situation changed since the reference year or you have additional comments, please specify:

=

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

	Yes / No
Court president	() Yes If “yes”, please specify:[Comment] (X) No
Head of prosecution services	() Yes If “yes”, please specify:[Comment] (X) No

Comments

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

() Yes

(X) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us?

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:

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 competency. According to the provisions of Law no. 5 of 09.02.2006 regarding the ensuring of gender equality between women and men stated in articles 15-22 the ministries have competence in this area by creating gender coordinating groups. An institution on gender equality specifically established/operational for the judiciary does not exist.

[] 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 competency.

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 coordinating 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.

[] NAP

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. to block a decision or allow an appeal) There are different institutions with different statuses and competency.

[] NAP

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 - Please specify the details of this person/institution, in particular its titles and function:

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 to different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the workspace	()	(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, the article 14 of the Law no. 158 of 04.07.2008 regarding the public function and the status of the civil servant was supplemented with a new paragraph regulating that civil servants are entitled to equal opportunities and treatment of men and women in terms of access to a public office, continuous professional development and promotion.

According to the Law no. 5 of 09.02.2006 on ensuring equal opportunities for women and men as well as the Strategy for ensuring equality between women and men

in the Republic of Moldova for the years 2017-2021, equal opportunities in the Republic of Moldova between men and women are granted. Both normative acts contain general provisions on gender balance without specifying the judicial system.

are planned (please specify) : According to the Government's program "Good times in Moldova", is planned to adjust the regulatory framework to the international standards in the prevention and fight with domestic violence and protection of gender balance per general and to grant

sexual offences victims' rights according to the provisions of the Istanbul and Lanzarote Conventions. These measures apply but are not specific for judicial professions.

Comments - If the situation changed since reference year, please specify in the comments. The planned measures are reflected for the reference year+1.

[] NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible inequalities with regard to:

[X] Recruitment procedures, please specify: Assessment of Gender Dimension in the Justice Sector of the Republic of Moldova The Personal Price Paid by Women in the Judiciary elaborated in 2019 by the Legal Resources Center in Moldova (NGO). The conclusions based on the results of the study apply mainly to the profession of judge; however, some recommendations could also apply to other professions within the court system; for example, the aspects regarding adoption of internal rules, sanctioning the acts of harassment, adaptation of courts so that they respond to the needs of employees resuming work after the childcare leave, are equally relevant for a judge, a legal assistant or a court clerk. The assessment can be accessed at the following link: https://crjm.org/wp-content/uploads/2019/10/Raport_Analiza-dimensiunii-de-gen_ENG.pdf

[X] Appointment to the position of court president, please specify: Assessment of Gender Dimension in the Justice Sector of the Republic of Moldova The Personal Price Paid by Women in the Judiciary elaborated in 2019 by the Legal Resources Center in Moldova (NGO). The conclusions based on the results of the study apply mainly to the profession of judge; however, some recommendations could also apply to other professions within the court system; for example, the aspects regarding adoption of internal rules, sanctioning the acts of harassment, adaptation of courts so that they respond to the needs of employees resuming work after the childcare leave, are equally relevant for a judge, a legal assistant or a court clerk. The assessment can be accessed at the following link: <https://crjm.org/wp->

Appointment to the position of head of prosecution services, please specify:

Promotion procedures and access to the functions of responsibility, please specify: Assessment of Gender Dimension in the Justice Sector of the Republic of Moldova The Personal Price Paid by Women in the Judiciary elaborated in 2019 by the Legal Resources Center in Moldova (NGO). The conclusions based on the results of the study apply mainly to the profession of judge; however, some recommendations could also apply to other professions within the court system; for example, the aspects regarding adoption of internal rules, sanctioning the acts of harassment, adaptation of courts so that they respond to the needs of employees resuming work after the childcare leave, are equally relevant for a judge, a legal assistant or a court clerk. The assessment can be accessed at the following link: https://crjm.org/wp-content/uploads/2019/10/Raport_Analiza-dimensiunii-de-gen_ENG.pdf

Other studies, please specify: Economic Cost of Gender Inequalities in the Republic of Moldova (October 2020) The report is elaborated by the Women's Law Center and Expert-Group estimating the economic costs caused by gender inequalities in the Republic of Moldova and identifying a series of strategic recommendations. The Report can be accessed to the following link: http://cdf.md/files/resources/148/Raport_Inegalitati_Gen_Final_Eng.pdf

NAP

Comments - Please specify also the reference documents.

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 at national level by one institution <input checked="" type="checkbox"/> Governed at 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. In 2019 a permanent Working Group 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 was 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.)	() Yes (X) No	() Yes (X) No
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	() Yes (X) No	() Yes (X) No
Other alternatives (external service provider only – specify in a comment)	(X) Yes () No	(X) Yes () No

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. A permanent working group composed by representatives of the Agency, the Ministry of Justice, the Superior Council of Magistracy, the courts, was formed in this respect. New IT projects and updates of the existing versions are funded from the budget of the Agency for Courts Administration and external service providers are contracted in this regard.

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

- () Yes
- (X) No

Almost all components of the new version of the Court Information System were implemented in all courts in 2020. The E-file component was piloted in two courts. As a result, the implementation impact was not measured in the indicated period.

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): An external audit mission of the Court Information System it was carried out in 2020 with support of the development partners.

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

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.

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 The judges have access according to their roles to the cases assigned to them in the ICMS (Integrated Case Management System). The system is centralising all criminal convictions in electronic statistic forms. The courts staff is introducing each judge role in the system in coordination with Agency for Courts Administration and Information Technology and Cyber Security Service. Also, the courts send the information on criminal convictions paper based to the Ministry of Internal Affairs which introduces it in its Information System. The prosecutors as registrars have access to the Information System held by the Ministry of Internal Affairs according to an interinstitutional act.

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% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <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 checked="" 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 checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> NA

Criminal	<input checked="" 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 checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> NA
Administrative	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Fully integrated including BI <input 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

Comment - If it exists in other matters please specify: The new functionalities of early warning signals were developed as a part of the ICT reform programme and a new ICMS version.

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 type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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 type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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Comment – if it exists in other matters please specify:

Budgetary and financial monitoring

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 type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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 type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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 type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments There are not applicable other budgetary and financial systems for courts in 2020.

Other tools of courts management

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 The deployment rate of the measurement tools to assess the workload of judges improved in 2020 compared with 2018 due to a new ICMS version with an improved statistical module implemented gradually in all courts.

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 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 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 type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge/non-prosecutor staff	<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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 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
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Comments - if it exist in other matters please specify E-File Module integrated in CMS has been adjusted and piloted in 2020 in 2 pilot courts.

A group of lawyers and several legal entity's representatives had the possibility to submit civil and administrative cases to pilot courts by electronic means. A module for criminal and contravention cases has been developed but the legislative framework has not been amended in this regard. Specific legislative framework authorising the e-submission of civil cases was adopted in 2018 (article 17/1 of the Civil Procedure Code). The noted provisions are applying for administrative cases also. According to the legislative framework aforementioned the e-submission is a substitute to the paper procedure.

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

Yes

No

Comments Starting with June 2020 the National Legal Aid Council assisted by UNDP Moldova and Sweden implemented some improvements allowing e-requests to be submitted from the website of the NLAC.

The information on the result of the examination of e-requests is submitted to solicitants by email. The e-requests forms are approved by NLAC's decisions.

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

	Requesting legal aid electronically
Availability rate	<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
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input type="checkbox"/> Yes <input checked="" 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)

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

Comments Taking into account the development of a new ICMS improved version all summons are produced by CMS and for civil and administrative cases are communicated by electronic means in specific situations.

According to the amendments of the Civil Procedure Code the procedural documents of the court shall be communicated to the public authorities, to legal entities governed by private law and to lawyers by means of the Integrated Case Management System, to which they are connected by e-mail addresses indicated in the mandate of lawyer, in other documents certifying the use of electronic mail. Procedural documents sent through the Integrated Case Management System shall be considered to be communicated. According to the Criminal Procedure Code the summons can also be send by e-mail or by any other electronic system if the investigating officer, the prosecutor, the court have the necessary technical means to prove that the summon has been received. In 2020 the new technical functionalities of ICMS allow to submit summons to E-mail addresses of the participants in trial. Simultaneous summon in paper form is usually submitted.

Use of information technologies for improving the quality of the communication between courts and professionals

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)

	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	Availability for
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"/> 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 deferrals <input checked="" type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Lawyers <input checked="" type="checkbox"/> Parties not represented by lawyer
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"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <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	<input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer
Administrative	<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"/> 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 deferrals <input checked="" type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Lawyers <input checked="" type="checkbox"/> Parties not represented by lawyer

Comments E-File Module integrated in ICMS has been adjusted and piloted in 2020 in 2 pilot courts for civil and administrative cases. A group of lawyers and several legal entity's representatives had the possibility to submit civil and administrative cases to pilot courts by electronic means. A module for criminal and contravention cases has been developed but the legislative framework has not been amended in this regard. Specific legislative framework authorising the e-submission of civil cases was adopted in 2018 (article 17/1 of the Civil Procedure Code). The noted provisions are applied also for administrative cases.

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"/> 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

Comments

064-9. Are there online processing systems of specialised litigation (small claim 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.

Use of information technologies between courts, professionals and users in the framework of judicial proceedings

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 Due to COVID pandemic, by a Decision of the Exceptional Situations Commission in all criminal cases, the use of videoconferencing for hearings with persons held in prisons has been established. Until then, hearings by videoconference were available for specific criminal cases based on a court decision. With regard to civil cases, the courts were encouraged to decide, where possible, to use videoconference when it comes to issuing protection orders, actions for confiscation of unjustified assets, approval of forced hospitalization and forced treatment. In this concern, 25 new videoconference units were procured and installed in court's territorial offices. The equipment allows to be used for different case categories but legal provisions regarding the secure use of videoconference in civil and administrative proceedings and specific functionalities (licenses, electronic signatures) have to be adopted and developed.

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 <input type="checkbox"/> NAP
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 <input type="checkbox"/> NAP
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 <input type="checkbox"/> NAP

Comments - Other devices of electronic communication between courts, professionals and/or users The electronic evidence for criminal, civil and administrative cases are admitted in the usual legislative framework which contains also specific provisions (types of documents, audio, video recordings). There are not specific provisions on the admission of “blockchain”.

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: According to the national legislation provisions the system is collecting and analyzing data every three months. In 2020 due to COVID pandemic the data were collected and analyzed twice (for 6 months and annual).

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 replies 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 replies possible)?

Public Prosecutorial Council

Ministry of Justice

Head of the organisational unit or hierarchically 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):number of cases closed in 1 hearing

Comments

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 The waiting time is being monitored due to the implementation of the new version of ICMS in all courts.

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. Are the statistics on the functioning of each court published?

- (X) Yes, on the internet
- () No, only internally (on 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 Prosecution Office

No

Comments General Prosecution Office, bd. tefan cel Mare i Sfânt, 73, Chiinu Moldova

080-3. Are the statistics on the functioning of each public prosecution service published?

Yes, on the internet

No, only internally (on 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 Due to the implementation of new ICMS functionalities in all courts, including electronic statistical reports, in 2020 the data are available for individual courts in the ICMS and are collected from the system at the local and central level.

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

Annual

Less frequent

More frequent

Comments Quarterly

In 2020 due to COVID 19 pandemic the periodicity at which the report was released was less frequent (every 6 months or annual for several courts).

=

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, every 6 months.

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):
- NAP

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 hierarchically superior public prosecutor
- Other (please specify):
- NAP

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

Comments Once in 4 years

C4. Please indicate the sources for answering the questions in this part

Sources: General Prosecutor's Office

4.Fair trial

4.1.Principles

4.1.1Principles 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)?

- []
 NA
 NAP

Comments - Please add methodology for calculation used.

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

- Yes
 No

Comments - Please could you briefly specify:

085-1. If yes, what is the ratio between the total number of initiated procedures and the total number of recusals pronounced (in the reference year):

- [8]
 NA

Comments The total number of requests (initiated procedures) for recusal was 4693.

Admitted requests (recusals pronounced) -372.

The recusal procedure initiated by a judge ("self-recusals") is not included in the ratio provided in the replies.

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

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

Yes

No

NAP

Comments

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

Sources: Ministry of Justice (The Government Agent), Agency for Courts Administration

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:

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)	46 416 [] NA [] NAP	100 425 [] NA [] NAP	100 015 [] NA [] NAP	46 826 [] NA [] NAP	5 186 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	29 920 [] NA [] NAP	70 551 [] NA [] NAP	68 439 [] NA [] NAP	32 032 [] NA [] NAP	2 577 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	5 091 [] NA [] NAP	11 305 [] NA [] NAP	12 253 [] NA [] NAP	4 143 [] NA [] NAP	0 [] 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)	74 [] NA [] NAP	1 982 [] NA [] NAP	2 019 [] NA [] NAP	37 [] NA [] NAP	0 [] 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	<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	5 017 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 323 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 234 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 106 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	3 657 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 153 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 945 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 865 <input type="checkbox"/> NA <input type="checkbox"/> NAP	452 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	7 748 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 416 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 378 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 786 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 157 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments By decisions no.1, 4 and 13 from 18, 24 March and 03 April 2020 of the Commission for Emergency Situation specific measures were established also in the justice sector on the period of the setting of the state of emergency. It was stipulated to temporarily postpone the consideration of the civil and criminal cases until 15 May 2020, except the cases that need to be considered urgently. For specific civil and criminal cases it was recommended to courts if possible to schedule hearings considering the use of video conference system and were asked to file/communicate the procedural acts or other documents electronically. Later on in the same period most of the planned hearings for matters considered not being urgent were postponed by courts and as a result the backlog at the end of the year increased. The data reported for 2018 were paper based statistics. In 2019 all courts started to fill and clean all data in the ICMS in order to obtain electronic records. For 2020 all courts (excepting Supreme Court of Justice) reported electronically.

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)	18 911 [] NA [] NAP	36 954 [] NA [] NAP	33 566 [] NA [] NAP	22 299 [] NA [] NAP	2 407 [] 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 criminal 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 specify what cases are reported in those categories. If “Other criminal cases”, please specify

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)	4 214 [] NA [] NAP	17 437 [] NA [] NAP	16 395 [] NA [] NAP	5 256 [] 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)	3 288 [] NA [] NAP	13 045 [] NA [] NAP	12 391 [] NA [] NAP	3 942 [] 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)	<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. 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	700 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 058 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 682 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 076 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	226 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 334 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 322 <input type="checkbox"/> NA <input type="checkbox"/> NAP	238 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify Insolvency cases

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)	2 540 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 551 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 761 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 330 <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 type="checkbox"/> NA	<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	<input checked="" type="checkbox"/> NAP	<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.

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)	609 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	4 477 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	4 541 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	545 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	328 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2 775 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2 783 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	320 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Non litigious cases (2.1+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
2.1. 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)	<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. 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	259 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 411 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 464 <input type="checkbox"/> NA <input type="checkbox"/> NAP	206 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	291 <input type="checkbox"/> NA <input type="checkbox"/> NAP	294 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 <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?

(X) Yes, please indicate the number of cases closed by this procedure: 3670

() No

Comments

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)	812 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 530 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 528 <input type="checkbox"/> NA <input type="checkbox"/> NAP	814 <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 criminal 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

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories.. If "Other criminal cases", please specify

4.2.5 Case flow management and timeframes – specific cases



101. Number of specific litigious cases 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	Pending for more than 2 years
Litigious divorce cases	2 431 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 902 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 073 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 260 <input type="checkbox"/> NA <input type="checkbox"/> NAP	77 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Employment dismissal cases	107 [] NA [] NAP	99 [] NA [] NAP	104 [] NA [] NAP	102 [] NA [] NAP	13 [] NA [] NAP
Insolvency	5 426 [] NA [] NAP	1 732 [] NA [] NAP	2 706 [] NA [] NAP	4 452 [] NA [] NAP	2 157 [] NA [] NAP
Robbery case	388 [] NA [] NAP	391 [] NA [] NAP	296 [] NA [] NAP	483 [] NA [] NAP	101 [] NA [] NAP
Intentional homicide	67 [] NA [] NAP	138 [] NA [] NAP	136 [] NA [] NAP	69 [] NA [] NAP	10 [] NA [] NAP

Comments

=

101-0. Number of procedures/cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
Non-court procedures relating to asylum seekers (refugee status under the 1951 Geneva Convention)	43 [] NA [] NAP	86 [] NA [] NAP	110 [] NA [] NAP	19 [] NA [] NAP	[] NA [X] NAP
Non-court procedures relating to the right of entry and stay for aliens	[X] NA [] NAP	6 120 [] NA [] NAP	6 313 [] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	64 [] NA [] NAP	37 [] NA [] NAP	43 [] NA [] NAP	58 [] NA [] NAP	[X] NA [] NAP
Court cases relating to the right of entry and stay for aliens	0 [] NA [] NAP	227 [] NA [] NAP	212 [] NA [] NAP	15 [] NA [] NAP	[X] NA [] NAP

Comments

101-1. Could you briefly describe the system in your country dealing with legal 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.

Accordind 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.

101-2. Number of cases relating to child sexual abuse and child pornography 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	Pending cases older than 2 years from the date the case came to the first instance court
Child sexual abuse	47 [] NA [] NAP	100 [] NA [] NAP	82 [] NA [] NAP	65 [] NA [] NAP	9 [] NA [] NAP
Child pornography	12 [] NA [] NAP	20 [] NA [] NAP	14 [] NA [] NAP	18 [] NA [] NAP	4 [] NA [] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system:

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. 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 investigation phase in criminal cases as well as 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	_____ Max numeric value allowed : 100 12 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 4 [] NA [] NAP
Litigious divorce cases	_____ Max numeric value allowed : 100 4 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 2 [] NA [] NAP
Employment dismissal cases	_____ Max numeric value allowed : 100 63 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 5 [] NA [] NAP

Insolvency cases	_____ Max numeric value allowed : 100 33 <input 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	_____ Max numeric value allowed : 100 20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery cases	_____ Max numeric value allowed : 100 42 <input 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	_____ Max numeric value allowed : 100 10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide cases	_____ Max numeric value allowed : 100 76 <input 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	_____ Max numeric value allowed : 100 12 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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.

In view of the provisions of art. art. 35, 36 of the Family Code of the Republic of Moldova, amended in 2019, the dissolution of the marriage can be carried out extrajudicially (non-litigiously) - through a notarial procedure, as well as at the civil status body.

According to the provisions of art. 37 of the Family Code of the Republic of Moldova, the dissolution of marriage takes place in court in the litigious procedure if the spouses have common minor children and have not reached an agreement on their care, education and domicile, or in the absence of a divorce agreement of one of the spouses, unless one of the spouses is subject to a measure of legal protection, has been declared missing, has been sentenced to deprivation of liberty for a term of more than 3 years, and in case if the marriage has been dissolved by a notarial deed.

As well, the dissolution of the marriage is in the courts competence in cases when there is an agreement to divorce of both spouses, but one of them refuses to appear before the civil status body.

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

. The length of procedure in days per court level can not be reported because the existing ICMS functionalities do not allow to calculate it in the requested manner.

The percent of cases pending more than 3 years for all instances is calculated proportional with the pending cases at the end of the year for all instances.

Pending cases more than 36 months/pending cases at the end of the year*100%.



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 The role and powers of public prosecutor in the criminal procedure are stipulated by the Moldovan Criminal Procedure Code.

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

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

Comments - If yes, please specify:

107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
1.Pending cases on 1 Jan. ref. year	12 457 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
2.Incoming/received cases	27 443 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	30 614 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	10 300 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	<input type="checkbox"/> [] NA <input checked="" type="checkbox"/> [X] NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	0 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP

3.1.3 Discontinued by the public prosecutor for reasons of opportunity	2 465 [] NA [] NAP
3.1.4 Discontinued for other reasons	7 835 [] NA [] NAP
3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	2 556 [] NA [] NAP
3.3. Cases closed by the public prosecutor for other reasons	4 671 [] NA [] NAP
3.4. Cases brought to court	13 087 [] NA [] NAP
4. Pending cases on 31 Dec. ref. year	9 286 [] NA [] NAP

Comments

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Total number of guilty plea procedures	318 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Before the main trial	189 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
During the main trial	129 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The reason that the guilty plea procedures decreased in 2020 in comparison with 2018 and 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).

109. Do the figures provided in Q107 include traffic offence cases?

() Yes

(X) No

Comments

D2. Please indicate the sources for answering the questions in this part

Sources: 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?

- [X] 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
- [X] An authority/authorities made up of judges and non-judges
- [] Other

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: Superior Council of Magistracy

111-1. How many members compose this authority?

	Total	Male	Female
Members	15 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP	9 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP	6 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP

Comments – Please specify what is the status of this authority and who is proposing its members?

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- (X) Yes
- () No

Comments – please specify which body is competent to decide on appeal?

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

- (X) Yes
- () No

Comments

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

- [] Competitive test / Exam
- [X] Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for 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 replies possible)

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

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?

Has an independent status as a separate entity among state institutions

Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)

Is part of the executive power (without functional independence)

Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)

Is part of the judicial power (without functional independence)

Is a mixed model (please explain)

Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if "mixed model" or "other", please specify. The Prosecutor's Office is an autonomous public institution within the judicial authority which, in criminal proceedings and in other procedures stipulated by law, contributes to the observance of the rule of law, performing the act of justice, the defense of the rights and legitimate interests of the person and society. The Prosecutor's Office is independent of the legislative, executive and judicial powers, of any political party or socio-political organization, as well as of any other institutions, organizations or persons.

Prosecutor's Office budget

The prosecutor's office is financed from the state budget within the limits of the budgetary allocations approved by the annual budget law. The budget of the Prosecutor's Office is unique and is administered by the General Prosecutor's Office.

The draft budget of the Prosecutor's Office is elaborated by the General Prosecutor's Office, having the approval of the Superior Council of Prosecutors. The budget of the Prosecutor's Office is prepared, approved and administered in accordance with the principles, rules and procedures established by the legislation on public finances and budgetary-fiscal responsibility.

The independence of the prosecutor is granted by a strict determination, by law, of the status of the prosecutor, the delimitation of the attributions of the Prosecutor's Office, of the attributions and competences of the prosecutor within the exercise of the functions of the Prosecutor's Office; the procedures for appointment, suspension and dismissal; his/her inviolability; the decisional discretion of the prosecutor in the exercise of the function, granted by law; establishing, by law, the interdiction regarding the interference of other persons or authorities in the activity of the prosecutor; ensuring the adequate means for the functioning of the Prosecutor's Office, creating the organizational and technical conditions favorable to its activity; the material and social insurance of the prosecutor; other measures provided by law.

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

Yes

() No

Comments - If yes, please specify:

115-2. If you answered “Yes” to Q115-1, are there exceptions provided by the law/regulations?

() Yes

(X) No

Comments - Please describe these exceptions:

115-3. If you answered “No” to Q115-1, which authority can issue the specific instructions?

[X] General Prosecutor

[] Higher prosecutor/Head of prosecution office

[] Executive power

[] Other

Comments - If “Other”, please specify:

115-4. What form these instructions may take?

[] Oral instruction

[] Oral instruction with written confirmation

[] Written instruction

[] Other

[X] NAP

Comments - If “Other”, please specify:

115-5. In that case, are the instructions:

[] Issued seeking prior advice from the competent public prosecutor

[] Mandatory

[] Reasoned

[] Recorded in the case file

[] Other

[X] NAP

Comments - If “Other”, please specify:

115-6. What is the frequency of this type of instructions:

() Exceptional

() Occasional

() Frequent

() Systematic

[X] NAP

Comments

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

- Yes
- No
- NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions.

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
- Other

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: The Superior Council of Prosecutors

117-1. How many members compose this authority?

	Total	Male	Female
Members	15	11	4
	<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 - Please specify what is the status of this authority and who is proposing its members?

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- Yes
- No

Comments - Please specify which body is competent to decide on appeal? The Superior Council of Prosecutors is competent to examine the complaints against the decisions on the candidates selection which are issued by a specialised committee subordinated to the Superior Council of Prosecutors. This type of decisions can be contested to the SCP in 5 days from the date of their pronouncement. The Chisinau Court of Appeal examines the appeals against the decisions on recruitment/appointment issued by the Superior Council of Prosecutors.

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 how the promotion procedure for prosecutors is organised (especially if there is no competition or examination):

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

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.

5.1.3Mandate 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

NAP

Comments The compulsory retirement age for judges is 65 years old.

125-1. Is it renewable?

Yes

No

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

NAP

Comments The compulsory retirement age for prosecutors is 63 years old for men and 59 years old for women in 2020.

126-1. Is it renewable?

Yes

No

NAP

Comments

E1. Please indicate the sources for answering the questions in this part

Sources: General Prosecution Office and Superior Council of Prosecutors
Superior Council of Magistracy

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 a court)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on child-friendly justice	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments

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

	Frequency of the judges training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for management functions of the court (e.g. court president)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in courts	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training on ethics	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed

In-service training on child-friendly justice	<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: National Institute of Justice

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 in organised crime)	<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 (e.g. Head of prosecution office, manager)	<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 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 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 child-friendly justice	<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 According to the provisions of the Law on the Prosecution Office, prosecutors shall participate at least 40 hours per year in the programmes of continuous training organized by the National Institute of Justice, in the programmes organized by other higher education institutions from the country or from abroad, or in other activities of vocational training. The continuous training of prosecutors is being carried out with due account to the necessity of the prosecutors' specialization. When drafting the curricula and topics on the continuous training of prosecutors there are taken into consideration the suggestions and individual needs of prosecutors and they have possibility to choose the field they wish to improve in.

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 in 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 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
In-service training on child-friendly justice	<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 frequency of the in-service training for public prosecutors changed due to the fact that Modular continuous training plans every year are elaborated/updated in accordance with the Methodology for determining the needs of continuous training of prosecutors which is consulted with the Superior Council of Prosecutors as well as based on the objectives of the strategic policies.

5.2.3 Training institutions

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

	Initial training only	Continuous training only	Initial and continuous training
Institution(s) for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) 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(s) for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	912 473 <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.

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.

5.2.4 Number of trainings



131-2. Number of in-service training courses available and delivered (in days) by the public institution(s) responsible for training

	Number of in-person training courses available	Number of delivered in-person training courses in days	Online training courses available during the reference year (e-learning)
Total	57 [] NA [] NAP	68 [] NA [] NAP	12 [] NA [] NAP
1. For judges	21 [] NA [] NAP	23 [] NA [] NAP	12 [] NA [] NAP
2. For prosecutors	14 [] NA [] NAP	19 [] NA [] NAP	12 [] NA [] NAP
3. For other non-judge staff	15 [] NA [] NAP	15 [] NA [] NAP	12 [] NA [] NAP
4. For other non-prosecutor staff	15 [] NA [] NAP	15 [] NA [] NAP	12 [] NA [] NAP
5. Training for other professionals	18 [] NA [] NAP	24 [] NA [] NAP	12 [] NA [] NAP

Comments – please specify if there are training courses of judges and/or prosecutors that include other professionals in the field of justice. Due to pandemic situation in 2020 most of the trainings were conducted remotely by e-learning and videoconference platforms. The other professionals include legal aid lawyers, probation officers. The trainings for other professionals were organized in January, February, September and November 2020 on the following topics: Juvenile probation: elaboration of the pre-sentence report, Methods to work with family aggressors and prevention techniques for violence against women and children, Professional integrity of the probation officers, Measures to protect child victims of sexual abuse, Early release and reducing the term of punishment for inhuman conditions of detention, etc. More data are available for 2020 due to an improved evidence system realized by NIJ.

131-3. Number of participants of the training courses during the reference year

	Number of participants in in-person training courses	Number of participants in online training courses (e-learning)
Total	1 301 [] NA [] NAP	1 135 [] NA [] NAP
Judges	351 [] NA [] NAP	161 [] NA [] NAP

Prosecutors	212 <input type="checkbox"/> NA <input type="checkbox"/> NAP	162 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Non-judge staff	329 <input type="checkbox"/> NA <input type="checkbox"/> NAP	542 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Non-prosecutor staff	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Other professionals	387 <input type="checkbox"/> NA <input type="checkbox"/> NAP	213 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

5.3.Practice of the profession

5.3.1Salaries 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	12 551 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 041 <input type="checkbox"/> NA <input type="checkbox"/> NAP	247 800 <input type="checkbox"/> NA <input type="checkbox"/> NAP	198 240 <input type="checkbox"/> NA <input type="checkbox"/> 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)	18 631 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 905 <input type="checkbox"/> NA <input type="checkbox"/> NAP	367 848 <input type="checkbox"/> NA <input type="checkbox"/> NAP	294 278 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	11 080 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 872 <input type="checkbox"/> NA <input type="checkbox"/> NAP	218 760 <input type="checkbox"/> NA <input type="checkbox"/> NAP	175 175 <input type="checkbox"/> NA <input type="checkbox"/> 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).	16 489 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 491 <input type="checkbox"/> NA <input type="checkbox"/> NAP	325 560 <input type="checkbox"/> NA <input type="checkbox"/> NAP	266 367 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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, 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 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 functions/activities?

With remuneration	Without remuneration
--------------------------	-----------------------------

Teaching	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Research and publication	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Arbitrator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Consultant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cultural function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 if possible 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, who are the members of this institution/body?

- Only judges
 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.

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.)

(X) Yes

() No

Comments

138-4. If yes, who are the members of this institution/body?

() Only prosecutors

(X) Prosecutors and other legal professionals

() Other, please specify:

Comments

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

(X) Yes

() No

[] NAP

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

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 replies possible)?

[X] Court users

[] Relevant Court or hierarchical superior

[] High Court / Supreme Court

[X] High Judicial Council

[] Disciplinary court

[] Disciplinary body (disciplinary prosecutor, investigator etc.)

[] Ombudsman

[] Parliament

[] Executive power (please specify):

[X] 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 replies 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

Disciplinary body (disciplinary prosecutor, investigator etc.)

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):The Disciplinary and Ethics Committee of prosecutors, Prosecutor's inspection, Ministry of Justice, Performance Evaluation Board

This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple replies 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 replies 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)	53 <input type="checkbox"/> NA <input type="checkbox"/> NAP	76 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: There are available data by each disciplinary violation regulated by special laws. Data by specific categories requested by CEPEJ are not systematically kept by national entities.

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

	Judges	Prosecutors
Total number (total 1 to 10)	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <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	1 <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	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> 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. Warnings

E3. Please indicate the sources for answering the questions in this part

Sources: Superior Council of Magistracy, Superior Council of Prosecutors

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	2 086 <input type="checkbox"/> NA	1 467 <input type="checkbox"/> NA	619 <input type="checkbox"/> 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

NAP

Comments

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies

possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Dismissal cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Defendant	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Victim	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

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

149-0. If other than lawyers may represent a client in court, please specify who:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	<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
Family member	<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
Self-representation	<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
Trade union	<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
Other	<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 "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s):

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

- Notarial activity
- Arbitration / mediation
- Proxy / representation

Property manager

Real estate agent

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?

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 - 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 the questions in this part

Sources: Ministry of Justice

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 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?

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

the bar association

the Parliament

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

Comments

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)	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify: The increase in the number of disciplinary proceedings initiated against lawyers in 2020 can be explained by the increase of the public awareness-raising on the existence of professional bodies for lawyers and disciplinary procedures that can be initiated if a lawyer violates the professional ethics (Sources Bar Association and Ministry of Justice).

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	30 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	8 <input type="checkbox"/> NA <input type="checkbox"/> 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. The "Other" reflects Warnings in 7 cases and the termination of the internship for a trainee lawyer in 1 case.

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:

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

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)::

=

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

	Total	Males	Females
Number of mediators	947	440	507
	<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 2020 represents 204 (120 males and 84 females), or approximately 22 % 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 checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP
1. Civil and commercial cases	5 417	5 131	131
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP
2. Family cases	2 615	2 524	55
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP
3. Administrative cases			
	<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
4. Labour cases including employment dismissal cases	212	191	15
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP
5. Criminal cases			
	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP
6. Consumer cases	55	44	2
	<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 - Please indicate the source: Taking into account that court related mediation is mandatory in the first column is reflected the number of cases related to mediation procedure in court in 2020.

Due to the COVID pandemic and the lockdown in 2020, the examination of the civil and commercial cases was periodically postponed by courts. It caused a downward trend in the field of court-related mediation.

=

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 sources for answering the questions in this part

Source: Ministry of Justice

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

	Total	Male	Female
Total (1+2+3+4)	171 <input type="checkbox"/> NA	93 <input type="checkbox"/> NA	78 <input type="checkbox"/> NA
1. Private professionals under the authority (control) of public authorities	171 <input type="checkbox"/> NA <input type="checkbox"/> NAP	93 <input type="checkbox"/> NA <input type="checkbox"/> NAP	78 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	<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. Judges	<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. 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 - If other, please specify their status and competences:

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma

- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify: The category "Other" includes:

- citizenship of the Republic of Moldova;
- knowledge of the state language;
- the person has not reached the age of 65;
- the person has an impeccable reputation;
- the person corresponds to the medical requirements for the exercise of the function;
- the person is not subject to a measure of judicial protection in the form of guardianship.

171. Are enforcement agents 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 - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Dismissal as a disciplinary sanction.

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date of birth	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Civil status	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cohabitant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Motor vehicle	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Movable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Immovable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bank account	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Other enforcement proceedings underway	(X) Yes () No	(X) Yes () No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	(X) Yes () No	(X) Yes () No
Other	(X) Yes () No	() Yes (X) No

Comments - If "other", please specify: Information on companies where the debtor is a shareholder.

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

	Option
Seizure of movable tangible properties	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP
Preventive seizure of movable tangible properties	() Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents (X) No [] NAP
Seizure of immovable properties	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP
Preventive seizure of immovable properties	() Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents (X) No [] NAP
Seizure from a third party of the debtor claims regarding a sum of money	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP
Seizure of remunerations	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP

Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizures of boats and ships	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of aircrafts	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of electronic assets (e.g cryptocurrency)	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Sale of shares	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

171-3. Apart from 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 or public auctions of moveable or immovable property
- Custody 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

8.1.3 Training and ICT

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

- Yes
- No

Comments

172-2. Do you have an e-learning training system established for enforcement agents?

- Yes
- No

Comments - If yes, please specify:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

- Yes
- No

Comments - If yes, please specify: There were organized general trainings on using MS Office tools and specific trainings on using of the information system of the enforcement procedures, which is under development and piloting phase.

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

- Yes
- No

Comments

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

Yes

No

Comments - Please explain: It opened the possibility of collecting the information needed for the enforcement procedure more operatively. Also, it generates electronic statistics and facilitates the interaction between different bodies involved in the process. A set of new technologies in this field are under development with the assistance of the international donors.

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

Yes

No

Comments

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

Yes

No

Comments

175-2. Who has to pay these fees if the enforcement proceedings are successful?

The debtor

The creditor

Other – please specify

Comments

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

Yes

No

Comments

H0. Please indicate the sources for answering the questions in this part

Source: Ministry of Justice

8.1.5 Organisation of profession and efficiency of enforcement services

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

Yes

No

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

- professional body
- judge
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments

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

- 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
- unethical behaviour of enforcement agent
- other (please specify):

Comments The type of complaints made by users concerning the enforcement procedure may differ from year to year. In 2020 lack of information, excessive length of the procedure were not forming the top 3 complaints received by the enforcement bodies, being replaced by no execution at all and unethical behaviour of enforcement agent.

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

Existence of the system

for civil cases	(X) Yes () No
for administrative cases	(X) Yes () No

Comments The system is paper-based. A new information system containing specific functionalities in this concern is under development.

186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):

- () between 1 and 5 days
- (X) 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)	21 [] NA [] NAP
1. For breach of professional ethics	[X] NA [] NAP
2. For professional inadequacy	[X] NA [] NAP
3. For criminal offence	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments - If "other", please specify: The discrepancy in 2020 compared to the data presented in 2018 can be explained by the decrease of the petitions addressed to the Disciplinary Board against enforcement agents which were declared admissible for initiating disciplinary proceedings. There are no available systematically specific data by categories.

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	13 [] NA [] NAP

1. Reprimand	1 [] NA [] NAP
2. Suspension	1 [] NA [] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	10 [] NA [] NAP
5. Other	1 [] 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 reflects license withdrawal.

H1. Please indicate the sources for answering the questions in this part

Source: Ministry of Justice

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 replies possible)

- [X] Judge
 [] Public prosecutor
 [X] Prison and Probation Services
 [X] Enforcement agent
 [X] Other authority (please specify): The commander of the military unit

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
 (X) No

Comments

191. If yes, what is the recovery rate?

- () 80-100%
 () 50-79%
 () less than 50%

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Male	Female
TOTAL (1+2+3+4)	305 [] NA [] NAP	61 [] NA [] NAP	244 [] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Holders of public offices appointed by the State	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Civil servants (paid by the State)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	305 [] NA [] NAP	61 [] NA [] NAP	244 [] NA [] NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure: According to the national legislation the notaries status can be defined as private professionals appointed by a mixt Licensing Commission (3 members are nominated by the General Assembly of Notaries, 3 members are employees of the Ministry of Justice and 1 member represents the civil society but is nominated by the Ministry of Justice). Mainly engaged in the appointment procedure is the Minister of Justice. The minister has the right to nominate all Licensing Commission members if the General Assembly of Notaries fails to nominate 3 members within 30 days. Also, the Minister of Justice has the prerogative to reject the nominated members by the General Assembly. If the General Assembly decides to nominate the same candidates second time, the minister is obliged to accept. The same compotence and procedure involving the Ministry of Justice is applicable for Disciplinary Commission of the Notaries.

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

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- 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:

9.1.2 Activities/scope of competences

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

	Please select one option
Authentication	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Legalisation of signatures / Apostille	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Legality control of documents	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Taking of oaths	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other judicial functions (for example, payment orders)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

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
- Protection of vulnerable persons
- Other

Comments

9.1.3 ICT, organisation of the profession and training

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

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)

In their relations with their clients

In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

194-4. Which computerised registries can notaries consult?

Land registry

Business registry

Civil status / Population registry

Succession / Family law registry

Any other registry (please specify)E-power of attorney register, real estate pledge registry

None

Comments

194-5. Are there registries/ registry infrastructures run by the notaries?

Yes

No

Comments - If yes, please specify:

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<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
Business registry	<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
Civil status/ Population registry	<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
Succession / Family law registry	<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
Any other registry (please specify)	<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
None	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments

194-7. What ICT tools are used by notaries in their relations with clients?

Videoconferencing (e.g. digital advice)

- Digital act
- Digital identification
- Digital archiving
- Other, please specify
- None

Comments

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (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

196-2. Do notaries have training on:

	Yes	No
European law	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities:

There are organized traditional and on-line courses.

I1. Please indicate the sources for answering the questions in this part

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 registered court interpreters:

528]

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?

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 court interpreters

Comments

J1. Please indicate the sources for answering the questions in this part

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 participate in judicial procedures (multiple replies possible):

Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case. According to the national legislation an authorizing officer of the judicial expertise can be the criminal investigation body, the court or another participant in a process carried out according to the legislation of civil, criminal or contravention procedure who has the right to dispose or request independently conducting a forensic expertise.

202-1. Are there lists or any other form of official registration for judicial experts?

Yes

No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

national

administrative district or federal entity

judicial district

other

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

202-1-2. Are these lists publicly available?

Yes, available on the internet

Yes

No

Comments

202-2. Which authority is competent for the registration of judicial experts?

Ministry of justice

Courts

- Administrative body
- Independent body (association of judicial experts)
- Other

Comments - Please also specify the registration criteria:

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

- Yes, for how long
- No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

- Yes
- No

Comment - If yes, please specify in which cases: If there are no experts with the necessary specialization in the State Register of Judicial Experts or if another judicial expert cannot be appointed for reasons of incompatibility, a person competent in specialization can be required to perform the expertise.

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

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 - If yes, please specify: Upon receipt at the registry of an order to carry out the forensic expertise, a form is drawn up, called Analysis of the request, which has the section "Reasons for recusal", where the forensic expert determines whether or not there is a conflict of interest. After that he/she informs the superior, who decides if the expert can be or not recused.

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	347 [] NA [] NAP	226 [] NA [] NAP	121 [] NA [] NAP

Comments

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)	[X] NA [] NAP
1.Civil and commercial litigious cases	[X] NA [] NAP
2.Administrative cases	[X] NA [] NAP
3.Criminal cases	[X] NA [] NAP
4.Other cases	[X] NA [] NAP

Comments

205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Defined by the court/judge	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP

Defined by Ministry of Justice or another ministry (setting a tariff for example)	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Freely agreed between expert and the parties	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Other	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	(X)	()
Quality of expertise	(X)	()
Other	()	(X)

[] NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions:

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

() Yes

(X) No

If yes, please specify:

207-2. Are judicial experts' associations involved in:

[] Selection processes

[] Initial or continuous training

[] Disciplinary procedures

[X] NAP

Comments

K1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: A new Justice Sector Strategy for 2021- 2025 was approved by Parliament but it was not promulgated by the President. 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.

208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 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.

All the financial means for procurements of new court premises planned for year of reference have been withdrawn by the Government due to Covid 19 pandemic.

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1. 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. An Working Group was established by judiciary in 2020 in order to propose amendments to the existing legislation regarding court map optimization.

2. Strategic Development Program of the Prosecution Office of the Republic of Moldova for the period 2021-2025 aims to promote in the Prosecution Office a higher level of independence, integrity, accountability, transparency, professionalism and efficiency in line with European standards and practices, thus ensuring the rule of law and respect for fundamental human rights.

208-4. Access to justice and legal aid

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: During 2020, several essential amendments were made to Law 198 on state-guaranteed legal aid. By completing art. 28 of the Law was extended the concept of emergency legal aid. Therefore, this type of assistance free legal aid is granted 24/24 to the persons victims of offenses against sexual life or domestic violence at the criminal investigation stage.

Also, in 2020, it was completed the process of expanding the categories of beneficiaries of legal aid regardless of income level, including victims of domestic violence, victims of trafficking in human beings, victims of torture, asylum seekers.

According to the Strategy for the legal aid activities in 2021-2023 it is planned the diversification and automatization of legal aid services:

- a) Elaboration and institutionalization of the mechanism for providing partial legal assistance free of charge.
- b) Elaboration and institutionalization of the mechanism for granting legal aid by public associations.
- c) The continuous expansion and development of the network of paralegals in rural and urban localities across the country, taking into account legal empowerment needs.
- d) Updating the role and place of public lawyers in the legal aid system.
- e) Piloting new models of qualified and primary legal assistance, oriented to the needs of the beneficiaries from the socially vulnerable categories.
- f) Facilitating the development and implementation of related programs, such as holistic assistance; prevention and harm; mediation; strategic litigation; advocacy; etc.
- g) Increasing the amount of remuneration of public lawyers and paralegals, for legal aid services for their motivation.
- h) Providing highly specialized legal services within penitentiaries, centers for the protection of people with disabilities, placement centers, etc.
- i) Facilitating the access of the population to qualified legal aid services through providing legal services remotely (by telephone or videoconference) by lawyers granting legal aid or by specialized entities.
- j) Technologizing the process of granting primary legal aid by developing online platforms for providing primary legal assistance, which would allow beneficiaries to navigate in resolving legal issues at distance; providing primary legal advice by telephone or online.
- k) Digitization of the process of granting primary legal aid by elaborating specialized WEB pages; interactive guides; terminals with directed navigation; support groups in social networks.

208-5. High Judicial Council

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In December 2019 Parliament amended the Law on Superior Council of Magistracy providing for an increase of SCM members from 12 to 15. The related amendment was declared unconstitutional by the Constitutional Court in June 2021. On September 16, 2021 a draft law on amending the Constitution, which aims to strengthen the independence of the judiciary was voted by the Parliament of the Republic of Moldova in the first reading.

The main changes introduced by the project are the following:

1. The term and manner of appointment of judges
2. Immunity of judges.
3. Composition of the Superior Council of Magistracy.
4. The attributions of the Superior Council of Magistracy.

The draft law was developed and consulted under the auspices of the Council of Europe's High Level Working Group on Justice Reform in the Republic of Moldova and was coordinated with the European Union and the Venice Commission.

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Strengthening the capacities of justice related, legal professions and the affirmation of their representatives (lawyer, notary, mediator, bailiff, judicial expert, licensed administrator and translator/interpreter) as a body of professionals capable of delivering quality legal services that are essentially public services delegated by the state is an essential task also. In this respect is planned to improve the mechanisms on organization, activity and accountability of justice related legal professions and develop and enforce improved policies for service delivery by justice related legal professions. The planned reforms are part of the new Justice Sector Strategy.

208-7. Gender balance

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In order to improve the institutional mechanisms aimed to ensure equality and combat discrimination, on the Ministry of Justice platform there are discussions on a draft law for amending several legislative acts, especially Law no. 121/2012 on ensuring equality and Law no. 298/2012 on the activity of the Council for the prevention and elimination of discrimination and ensuring equality.

This draft law aims to supplement the law with new discriminatory criteria, such as marital status, health status and HIV status, social status, etc. There are also some changes in the notions of direct / indirect discrimination and positive measures. In addition, it is proposed to supplement it with the notion of continuous discrimination and prolonged discrimination.

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and

cooperation activities

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: To ensure a stable regulatory framework and to avoid the promotion of conflicting concepts by various authorities, it is planned to centralize the task of amending the codified laws (Civil Code, Criminal Code, Contraventions Code, Administrative Code, Civil Procedure Code, Criminal Procedure Code, Enforcement Code), by formally authorizing the Ministry of Justice in this respect; The planned reform is part of the new Justice Sector Strategy.

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: As a result of the liberalization of bailiffs' profession, during almost a decade, the systemic problem of non-enforcement of judgments, which led to multiple convictions of the Republic of Moldova at the European Court of Human Rights (ECtHR), virtually disappeared. At the same time, it is further required to continue fortifying and streamlining these mechanisms to ensure an effective enforcement of courts' judgments by revising the procedures for enforcing court judgments. The planned reforms are part of the new Justice Sector Strategy.

208-10. Mediation and other Alternative Dispute Resolution

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: 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 and planned. The exclusion of the institution of compulsory judicial mediation is included in the Government Action Plan for the years 2021-2022.

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. The planned reforms are also part of the new Justice Sector Strategy.

208-11. Fight against crime

- Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Establishing new mechanisms for preventing corruption and guaranteeing integrity within the justice sector by ensuring an effective verification of all judges and prosecutors, in terms of their professionalism, integrity and interests. At the same time, following the analysis of the new legal framework and practices, measures are required to improve the mechanism of disciplinary liability of judges and prosecutors. The planned reforms are part of the new Justice Sector Strategy.

208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Some of the forthcoming challenges are going to be the the institution and implementation of progressive execution of punishments' system, thus shifting the focus from a punitive policy to re-socialization one, as well as increasing security in penitentiary institutions. The planned reforms are part of the new Justice Sector Strategy.

208-13. Child friendly justice

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In 2020 art. 19 of the Law no. 198/2007 on legal aid (in force since 07.09.2020) was complemented with a new paragraph granting the right to qualified legal aid regardless of income to minors who are victims of crime and other victim categories.

208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Among the main provisions of the National Strategy on prevention and combating violence against women and domestic violence for 2018-2023 are:

- Prevent violence against women and domestic violence by cultivating zero tolerance for violence. Combat stereotypes and prejudices leading to violence against women and domestic violence. Inform, raise awareness and encourage the reporting of cases of violence;
- Pre-service and in-service training of the professionals engaged in the prevention and combating of domestic violence based on a common vision at the state level;
- Strengthen the education system to ensure the education of new generations from the perspective of gender equality values and a non-violent communication culture;
- Strengthen the mechanisms of protection and assistance for victims of violence against women and domestic violence; - Develop

specialized services for victims of violence, including sexual violence, in line with the international standards;

- Promote women's economic empowerment and socio-economic independence;

-Provide integrated policies in cases of violence against women and domestic violence, based on multi-sectorial cooperation and data collection, and other specific objectives.

208-15. New information and communication technologies

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Within the framework of the institutional reform of the judiciary, computerization has been a priority.

An essential support to the modernization of justice delivery is ensured by the development of the judicial information system.

Nevertheless, the implementation of IT solutions is an ongoing process, which should be adapted to new requirements for process development. Increasing the level of

computerization of the judiciary is a tool for streamlining the activities carried out in the justice system.

In addition to the information system within courts, it is necessary to develop information systems related to case management at the criminal investigation phase as well as enforcement of court judgment and ensure systems' interoperability and extend case categories in order to use videoconferencing equipment.

At the same time, increased amount of data available in the court system for both, the public and trial participants through electronic means needs to be managed permanently by responsible authorities, under maximum-security conditions. This process includes the implementation of a comprehensive array of measures aimed at enhancing the cyber security. The planned reforms are also part of the new Justice Sector Strategy.

208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 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. The planned reforms are part of the new Justice Sector Strategy.