



Reference data 2022 (01/01/2022 - 31/12/2022)

Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023

Objective :

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 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 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed 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, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

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.

Instruction :

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

1. General and financial information

1.1. Demographic and economic data

1.1.1. Inhabitants and economic general information



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

[2 512 758]

Comments The 2023 data are provisional and are calculated using the definitions listed in the General Comments.



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

[5 433]

Comments

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

[6 349]

[] NA

Comments The data include social and economic units with 4 or more employees and all budgetary institutions regardless the number of employees. Average gross annual salary increased due to the Government policy in this regard.

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

+1:

[19.8982]

Allow decimals : 5

[] NAP

Comments The exchange rate reflected above and used for all data is the average rate in MDL for 1 EUR of the National Bank of Moldova for 2022.

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

Sources: National Bureau of Statistics, National Bank of Moldova

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, 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)	25 583 465 [] NA [] NAP	24 980 540 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	21 210 271 [] NA [] NAP	20 918 388 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	532 548 [] NA [] NAP	471 533 [] NA [] NAP

2.1 Investments in computerisation	222 329 <input type="checkbox"/> NA <input type="checkbox"/> NAP	161 455 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2 Maintenance of the IT equipment of courts	310 219 <input type="checkbox"/> NA <input type="checkbox"/> NAP	310 078 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	2 029 171 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 017 749 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Annual public budget allocated to investments in new (court) buildings	221 126 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Annual public budget allocated to training	3 673 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 255 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Other (please specify)	1 586 676 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 569 615 <input type="checkbox"/> NA <input type="checkbox"/> 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: A downward 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 in 2020. Most of the needed equipment and licences were procured in 2020 by courts. The budget allocated and implemented for court buildings (maintenance and operating costs) increased compared to 2022 due to an increased need for several of them to be repaired.

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 allocated amount decreased and was not spent to new proposals to redesign the court map that were analyzed in 2022.

The amount allocated to training and the amount implemented depends on training necessities presented by courts. Many additional trainings for court staff were organized by different cooperation projects with outsourced financial assistance.

The category “other” includes expenses related to 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

Comments - 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 litigations, the State fees consist of a percentage of the contested amount whereas in non-patrimonial litigations and in other cases envisaged by law, a fixed amount is payable, in accordance with the Law on State Tax. (Article 83 of Civil Procedure Code) According to the Law on State Tax the court fee is 3% of the value of 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 €):

- [1 866 800]
- [] NA
- [] NAP

Comments The statistical data for judiciary starting with 2020, including the annual income of court fees received by the State, have been collected from the Integrated Case Management System which is filled with data exclusively by courts. The fields with this type of data to be filled in are not mandatory, so the data indicated above shows an approximate number.

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)	4 370 175 <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

12.1 for cases brought to court (court fees and/or legal representation)	4 291 238 <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
12.2 for cases not brought to court (legal advice, ADR and other legal services)	78 937 <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

Comments The upward trends in this respect in comparison with 2020 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 (specially for qualified legal aid) constituted the main strategic objective needed to be achieved starting with 2018, which continued in 2020 and in 2022. The allocations for administrative costs were not taken into account.

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)	4 361 033 <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
12-1.1 for cases brought to court (court fees and/or legal representation)	4 286 063 <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
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	74 970 <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

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 2020 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 (specially for qualified legal aid) constituted the main strategic objective needed to be achieved starting with 2018, which continued in 2020 and in 2022. The administrative costs were not taken into account.



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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 type="checkbox"/> No <input checked="" type="checkbox"/> NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP (Legal aid does not include exemption from court fees)

Comments

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

Approved budget (in €)	Implemented budget (in €)
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Total annual public budget allocated to the public prosecution services, in € (including 13.1)	19 367 531 [] NA [] NAP	18 198 516 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	5 026 [] NA [] NAP	1 228 [] 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 also from continuous training organized by the National Institute of Justice.

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

Sources: General Prosecutor's Office, National Legal Aid Council

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 €	97 421 004 [] NA [] NAP	92 932 949 [] 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
Service for legal representation of the State	(X) Yes () 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	(X) Yes () No [] NAP
Refugees and asylum seekers services	() Yes (X) No [] NAP
Immigration Service	() Yes (X) No [] NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	() Yes (X) No [] NAP
Other	(X) Yes () No [] NAP

If “Other”, please specify: The sum also includes the budget allocated for the following authorities: the Agency for Legal Resources, the National Institute of Justice.

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

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

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<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

016-1. Please briefly describe the organisation of the legal aid system in your country.

- 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.

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	50 360 <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
In criminal cases	42 221 <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
In other than criminal cases	8 139 <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

Comments - Please specify when appropriate: The upward trend of legal aid granted for other than criminal cases is due to the specific policy promoted in this regard diversifying the number of cases where legal aid can be granted.

020-0. Please indicate the number of recipients of legal aid:

	Total	Cases brought to court	Cases not brought to court
TOTAL	50 360 <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
In criminal cases	42 221 <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
In other than criminal cases	8 139 <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

Comments - Please specify when appropriate:

020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?

Yes

No

Comments

020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:

	Total	Males	Females
Number of recipients of legal aid	50 360 [] NA [] NAP	43 566 [] NA [] NAP	6 794 [] NA [] NAP

Comments

020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?

Yes

No

Comment: If yes, please specify for which categories of cases: Criminal, civil, misdeameanor(contraventions) cases

020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?

Yes

No

Comment: If yes, please specify:

020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	1 085 [] NA [] NAP	160 [] NA [] NAP	925 [] NA [] NAP

Comments

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 decision on 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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify:

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

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

Comments

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

Yes

No

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

Qualified legal aid cannot be granted to applicants who have the possibility to cover the costs of legal assistance with the value of their assets, excepting the assets which cannot be seized.

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	1 617 <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	1 617 <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	1 617 <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	1 617 <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 specify the exact criteria for denying legal aid: According to art. 24 of the Law on State Guaranteed Legal Aid no.198-XVI of July 26, 2007, it is possible to refuse provision of qualified legal aid in the following cases: the request is manifestly ill-founded, the person does not have the right for which defence/ representation is required, 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, if the person already benefits of legal aid or has contracted a lawyer, with some exceptions for criminal cases.

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 the coordinator of the NLAC's territorial office

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: 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"/> https://www.legis.md/	<input type="checkbox"/>
Case-law of the higher court/s	<input checked="" type="checkbox"/> https://csj.md/	<input type="checkbox"/>
Information about the judicial system (organisation of courts, court proceedings, etc)	<input checked="" type="checkbox"/> https://instante.justice.md/	<input type="checkbox"/>
Other documents (e.g. forms, downloadable forms, online registration forms)	<input checked="" type="checkbox"/> https://instante.justice.md/	<input type="checkbox"/>

Comment - Please specify what documents and information are included in "Other documents" Court documents are available on <https://instante.justice.md/>. Other related information can be found on csm.md; justice.md and justice.gov.md. Requests to provide legal aid are available on cnaigs.md.

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

Yes, always

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
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Comments - Please provide more information on these systems and 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 on the phone to victims of domestic violence and to women victims of violence, and the minimum quality standards were approved in 2017 to strengthen the system of providing services to VAW. The phone service is free of charge throughout the country, and it 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of terrorism	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Minors (witnesses or victims)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Persons with disabilities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Juvenile offenders	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "Other vulnerable person" and/or "Other 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)
- Special room in court designated for child-friendly hearings
- 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

Interagency/multidisciplinary structure such as “Children's Houses”

Other, please specify

NAP

Comment

031-1. What are the main criteria for a person under 18 years of age to act in court proceedings 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 (there are exceptions from age threshold) <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <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 checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected “Other”.

031-2. If a person under 18 years of age cannot act in court 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 checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
Another 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"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other

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?

-

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

Yes, but only if the offender is unknown

Yes, but only if compensation could not be obtained from the offender

Yes, in both situations

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 on the rehabilitation of the victims of the crime, there are entitled to a financial compensation the victims of the offenses mentioned 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 on the rehabilitation of the victims of the crime, there are entitled to a financial compensation the victims of the offenses mentioned 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 on the rehabilitation of the victims of the crime, there are entitled to a financial compensation the victims of the offenses mentioned 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. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of 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: According to art. 215 from Criminal Procedure Code - in the circumstances provided by the Law on witness protection and

other participants in the criminal process, the criminal investigation body, the prosecutor or, depending on the case, the court, is obliged to apply the measures provided by law for the protection of life, bodily integrity, freedom or property of the participants in the trial and of close relatives and their family members.

The protection measures are ordered in a reasoned decision issued by a prosecutor or a judge. The decision is mandatory for the witness protection body. Please see the general comment as well.

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

Yes

No

Comment - If yes, please specify: The protective measures are regulated in art. 215 of the Criminal Procedure Code and the Law on the protection of witnesses and other

participants in the criminal process.

Similarly, in the territorial prosecutor's offices there are appointed prosecutors specialized in children's issues. Please see the general comment as well.

-

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".

Yes

No

NAP

Comment - If necessary, please specify:

037. Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
Total	457 <input type="checkbox"/> NA <input type="checkbox"/> NAP	159 <input type="checkbox"/> NA <input type="checkbox"/> NAP	672 601 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest/detention	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
Court concerned	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other court	<input type="checkbox"/>	<input type="checkbox"/>
Ministry of Justice	<input type="checkbox"/>	<input type="checkbox"/>
High Judicial Council	<input type="checkbox"/>	<input type="checkbox"/>
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/>	<input type="checkbox"/>

Comments

037-2. Are there statistical data disaggregated by gender concerning the number of:

	Existence of statistical data disaggregated by gender
Persons who initiate a case in other than criminal matters	<input checked="" type="checkbox"/> Yes - If yes, please specify for which categories of cases: [Comment]all case categories <input type="checkbox"/> No <input type="checkbox"/> NA
Victims recognised as such by the court	<input checked="" type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment]all types of offences <input type="checkbox"/> No <input type="checkbox"/> NA
Perpetrators of criminal offences	<input checked="" type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment]all types of offences <input type="checkbox"/> No <input type="checkbox"/> NA

Comments 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.

037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?

() Yes

(X) No

If yes, please specify:

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	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for court staff	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for public prosecutors	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for lawyers	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for other professionals	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for the parties	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for victims	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for minors	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for the general public	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Other not mentioned	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc

[] NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: Surveys in 2022 were still conducted on an ad-hoc basis in this sector but it is planned for 2023 the development of a unique methodology per country for periodic surveys in the justice sector and on this basis the future justice sector surveys are going to be conducted once in 3 years.

The National Court's Portal and the Agency's of Courts Administration webpage contain information of court surveys results in 2022:

<https://instante.justice.md/ro/public-surveys>

<https://aaij.justice.md/ro/content/gradul-de-satisfac%C8%9Bie-privind-activitatea-judec%C4%83toriilor-model-pilot-b%C4%831%C8%9Bi-ungheni-%C8%99i-edine%C8%9B>

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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> 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 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 type="checkbox"/> NAP

Comments

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

Sources: Agency for Court's 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)	374 [] NA [] NAP	184 [] NA [] NAP	190 [] NA [] NAP
1. Number of first instance professional judges	276 [] NA [] NAP	131 [] NA [] NAP	145 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	77 [] NA [] NAP	43 [] NA [] NAP	34 [] NA [] NAP
3. Number of Supreme Court professional judges	21 [] NA [] NAP	10 [] NA [] NAP	11 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: The data include the number of active judges on 31 December 2022. The number of first instance judges (males) decreased in 2022 compared with 2021 due to the flow (resignation) of males judges in 2021 and 2022.

=

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

() Yes

(X) No

Comments

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

[] Child-care

[] Elderly care or other dependant persons' care

[] Training

[] For the purposes of early retirement

[] No specific reason required

[] Other reason, please specify:

Comments

046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?

	Total	Males	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. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Temporary reduction of the working time / special leave	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other measures	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration? For cases when the workload is reduced, the remuneration remains the same.

For cases of special leave/reduction of the working time, the remuneration is reduced.

046-1-5. If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required
- Other reason, please specify: Please see the comment.
- NAP

Comments The court cases are distributed randomly to active judges taking into account the case complexity. For court president, deputy-president and detached judges to disciplinary and selection Committees there is established a reduced percentage of cases to be distributed.

The percentage is established by the Superior Council of Magistracy.

The court president in specific circumstances can decide to reduce the workload of a judge. This kind of decisions have to be reasoned.

=

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

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	374 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
First instance	276 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Second instance	77 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Supreme Court	21 [] 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 .

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	20 [] NA [] NAP	13 [] NA [] NAP	7 [] NA [] NAP
1. Number of first instance court presidents	15 [] NA [] NAP	9 [] NA [] NAP	6 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	4 [] NA [] NAP	3 [] NA [] NAP	1 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments The data include also deputy and ad interim presidents who were temporarily executing competencies as court presidents in 2022. The discrepancies are not significant.

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
- 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Criminal cases (misdemeanour and/or minor)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insolvency cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other civil cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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)	1 827 <input type="checkbox"/> NA <input type="checkbox"/> NAP	375 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 452 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Rechtspfleger (or similar bodies) (see Explanatory Note)	<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. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)	834 <input type="checkbox"/> NA <input type="checkbox"/> NAP	131 <input type="checkbox"/> NA <input type="checkbox"/> NAP	703 <input type="checkbox"/> NA <input type="checkbox"/> 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)	614 <input type="checkbox"/> NA <input type="checkbox"/> NAP	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	565 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Technical staff	379 <input type="checkbox"/> NA <input type="checkbox"/> NAP	195 <input type="checkbox"/> NA <input type="checkbox"/> NAP	184 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other non-judge staff	<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 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.

There is not a specific reason to explain the increase of technical staff males and a downward trend for administrative staff-males. It can

be explained that it is a tendency for qualified staff males to leave the system due to a modest remuneration and more non-qualified staff-males were hired in 2021, 2022.

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)	1 827 [] NA [] NAP	375 [] NA [] NAP	1 452 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	1 368 [] NA [] NAP	275 [] NA [] NAP	1 093 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	309 [] NA [] NAP	63 [] NA [] NAP	246 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	150 [] NA [] NAP	37 [] NA [] NAP	113 [] 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. The downward trend in the number of males-non-judge staff working at Supreme Court level can be explained as a tendency for qualified staff males to leave the system due to a modest remuneration.

=

053. If there are Rechtspfleger (or similar bodies), 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 exact 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

Comments - If "Other types of services", please specify:

NA

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

Sources: Agency for Court's 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.)

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	592 <input type="checkbox"/> NA <input type="checkbox"/> NAP	391 <input type="checkbox"/> NA <input type="checkbox"/> NAP	201 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance level	<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. Number of prosecutors at second instance (court of appeal) level	<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. Number of prosecutors at Supreme Court level	<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 - Please indicate any useful comment for interpreting the data above: Source: General Prosecutor's Office annual activity report available at <https://procuratura.md/sites/default/files/2023-03/RAPORT%20DE%20ACTIVITATE%202022.pdf>

=

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

Yes

No

Comments

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

replies possible)

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify:

Comments

055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?

	Total	Males	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. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Temporary reduction of the working time / special leave	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other measures	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training

- For the purposes of early retirement
- As part of induction process for new prosecutors
- No specific reason required
- Other reason, please specify:
- NAP

Comments

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of heads of prosecution offices at first instance level	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <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	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above: The data include the number of heads of General Prosecutor's Office - 1, specialised prosecutor's offices -2, territorial prosecutor's offices - 32 and heads of district prosecutor's offices (Chisinau, Balti, Cahul) - 3. The data are not including the heads if divisions and deputy heads of prosecutor's offices.

In row 1 is reflected the number of heads of territorial prosecutor's offices.

In row 2 is reflected the number of heads of district prosecutor's offices (Chisinau, Balti, Cahul).

In row 3 is reflected the head of the General Prosecutor's Office and number of heads of specialised prosecutor's offices.

Source: General Prosecutor's Office

057. In your judicial system, do other persons have similar duties to those of public prosecutors?

- Yes
- No

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

057-1. If yes, please provide the 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 There are specialised prosecutors but they have the option to select the training topics on their own.

=

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	518 <input type="checkbox"/> NA	172 <input type="checkbox"/> NA	346 <input type="checkbox"/> NA

Comment – please describe which categories of staff you have included in your reply: The following categories of personnel are included in the statistical indices indicated above:

leading positions of public officials (8), investigation officers (27), prosecutor consultants (211), main specialists (99), specialists (28) and technical staff (145).

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	<input type="checkbox"/> Yes If “yes”, please specify:[Comment] <input checked="" type="checkbox"/> No
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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

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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The promotion of judges	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The recruitment of prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The promotion of prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The recruitment of non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The promotion of non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences:

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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
in public prosecution services (prosecutors)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
for courts' non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

061-9. In order to improve gender balance in access to different judicial professions and gender 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 on 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 equal opportunities in the Republic of Moldova between men and women are granted. There are general provisions on gender balance without specifying the judicial system.

are planned (please specify) : A Program for ensuring equality between women and men in the Republic of Moldova for the years 2023-2027 is planned to be approved by Government.

The Ministry of Justice developed a draft law which proposed, in particular, the amendment of 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. The amendments are aimed at expanding the non-discrimination criteria, improving the collection of equality data, monitoring, evaluating and reporting the results annually, as well as strengthening the institutional framework (the competences, activity and structure of the Equality Council).

Comments - If the situation changed since reference year, please specify in the comments. The Program for ensuring equality between women and men in the Republic of Moldova for the years 2023-2027 was approved. It contains a set of trainings for National Institute of Justice beneficiaries on Gender equality and non-discrimination. The draft law to amend the 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 was adopted by the Parliament in the final reading on 02.02.2023.

[] NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible gender 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->

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-content/uploads/2019/10/Raport_Analiza-dimensiunii-de-gen_ENG.pdf

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: A Guide for all on Gender equality
file:///C:/Users/user/Downloads/ghidpeintelesultuturor.pdf 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 Governance

ICT STRATEGY

062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?

Yes

No

Comments In order to develop and implement judicial information systems, specific activities on ICT are planned in the actual 2022-2025 Strategy for Ensuring the Independence and Integrity in the Justice Sector and its Action Plan.

This is including the information systems owned by the Legal Aid Council, Prosecution authorities, Judiciary and Enforcement system.

062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?

Judges (Judicial council)

Prosecutors (Prosecutorial or judicial council)

Ministry of justice

Lawyers (bar association)

Notaries (association of notaries)

Enforcement agents (association of enforcement agents)

Other (please specify)

NA

NAP

Comments

LEGISLATION

062-03. Does a national legislation/regulation of ICT in the judicial system exist?

Yes

No

Comments

062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?

Relevant norms are included in the general e-government legislation/regulation

Relevant norms are included in specific legislation/regulation only for the judicial system

Relevant texts are included in dedicated technical documents/specifications

Other, please specify

NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details

NA

IMPACT OF IMPLEMENTATION OF ICT SYSTEMS

062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?

Yes

No

Comments

062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:

	Format	Last conducted audit
ICT Governance	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA

Security and risk management	<input checked="" type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input checked="" type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on efficiency and quality of the business processes and workflow	<input type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input checked="" type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on human resources (number, workload, wellbeing)	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA
Other, please specify in comments	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation.

062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?

- Update applications
- Define new ICT projects/modules
- Adjust legislation
- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify

NA

NAP

Comments

3.5.2 Electronic case processing

ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and

usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Comments The court information system has been developed to receive criminal and administrative cases electronically as well as civil cases but for criminal and administrative cases it is not implemented in 2022, due to insufficient legislative provisions on electronic submission to courts and due to the fact that the system is still in a pilot phase for civil cases with lawyers in several courts. It is planned to extend the users categories and the usage rate in all courts, gradually by 2025.

062-09. If it is possible to submit a case to a court electronically, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration
---------------------	---------------------------------------------	------------------

Civil	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Comments The system was piloted in 2022 for civil cases submitted electronically by lawyers, but system features to submit electronically cases (all types) by a party not represented by a lawyer and by another person/institution (e.g. probation offices, enforcement agents, etc.) have been developed.

SENDING ELECTRONIC DOCUMENTS TO COURT



062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA

Comments The court information system has been developed to receive civil, criminal and administrative cases electronically including case-related documents. In 2022 the system is still in a pilot phase for civil case-related documents in several courts. It is planned to extend the implementation for other case types and users categories in all courts, gradually by 2025.

062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration

Civil	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details. For civil cases, case-related documents sent electronically by lawyers were piloted in 2022, but the information system functionalities allow to submit electronically documents sent by a party not represented by a lawyer and documents sent by another person/institution, as well (e.g. probation offices, enforcement agents, etc.).

ELECTRONIC NOTIFICATIONS

062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Comments

062-13. If it is possible for courts to send electronic notifications, please specify the modalities:

Electronic or paper	Type of notification	Data integration

<p>Civil</p>	<p><input checked="" type="checkbox"/> Paper notification is still possible</p> <p><input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way)</p> <p><input type="checkbox"/> Double notification (paper notification must accompany the electronic one)</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Notifications sent by the court to the lawyer</p> <p><input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer</p> <p><input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts</p> <p><input checked="" type="checkbox"/> Notifications sent to other persons/institutions</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> The electronic notification is generated from the CMS</p> <p><input checked="" type="checkbox"/> The electronic notification is manually generated</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>
<p>Administrative</p>	<p><input checked="" type="checkbox"/> Paper notification is still possible</p> <p><input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way)</p> <p><input type="checkbox"/> Double notification (paper notification must accompany the electronic one)</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Notifications sent by the court to the lawyer</p> <p><input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer</p> <p><input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts</p> <p><input checked="" type="checkbox"/> Notifications sent to other persons/institutions</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> The electronic notification is generated from the CMS</p> <p><input checked="" type="checkbox"/> The electronic notification is manually generated</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>

Criminal	<input checked="" type="checkbox"/> Paper notification is still possible	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS
	<input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way)	<input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer	<input checked="" type="checkbox"/> The electronic notification is manually generated
	<input type="checkbox"/> Double notification (paper notification must accompany the electronic one)	<input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts	<input type="checkbox"/> NAP – electronic notifications are not possible
	<input type="checkbox"/> NAP – electronic notifications are not possible	<input checked="" type="checkbox"/> Notifications sent to other persons/institutions	<input type="checkbox"/> NAP – electronic notifications are not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NAP – electronic notifications are not possible	<input type="checkbox"/> NA

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details. Notifications sent to other persons/institutions - e.g. notifications sent to enforcement agents, penitentiary institutions representatives, probation officers, etc.

CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
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Comments This option has been developed and integrated in the e-file application which was piloted in several courts in 2022 with a group of lawyers. The functionality allows to lawyers to require access from court to any electronic case they represent before court. If the court (judge who examines a specific case) admits the request, the requesting lawyer can access that case online.

062-15. If it is possible for external users to consult a case online, please specify the modalities:

	Content	Access	Consultation format
Civil	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details. The consultation access is given by the judge - an access option

is ticked in ICMS.

Once the lawyer has the court's permission, he/she can access the case through the e-file portal with his/her electronic signature. This system allows the lawyer to access the case from everywhere via internet. For security reasons, the e-file application has also watermarks incorporated.

This option has been developed and integrated in the e-file application which was piloted in several courts in 2022 with a group of lawyers. The functionality is available for parties not represented by lawyers and other institutions (prosecutor's office, etc) as well, but it is not used in 2022.

REMOTE HEARINGS

062-16. If it is possible to organise remote hearings what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA

Comments All courts are fully equipped with a dedicated and licenced tool for the use by courts for remote hearings (the solution for court hearings). For 2022 the usage rate was calculated taking into account the electronic statistics on remote hearings.

062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:

Functionalities	Modalities

<p>Civil</p>	<p><input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input checked="" type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>
<p>Administrative</p>	<p><input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input checked="" type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>

Criminal	<input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts <input type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input checked="" type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Agreement of the parties is needed <input type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA
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Comments The judge can ask for a remote hearing but in all cases an agreement of the parties is needed.

ELECTRONIC ARCHIVES

062-18. If electronic archives of cases exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
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Comments

062-19. If an electronic archive of cases exists, please specify the modalities:

	Electronic or paper
Civil	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Comments

3.5.3 Tools

CASE MANAGEMENT SYSTEMS (CMS)

062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments

062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

Functionalities

<p>Civil</p>	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input checked="" type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input checked="" type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>
<p>Administrative</p>	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input checked="" type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input checked="" type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details.

062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Criminal	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input checked="" type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input type="checkbox"/> Interoperability with prosecution system <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Comments A lower usage rate than the deployment rate of writing assistance tools is due to the fact that these tools are available for all courts and judges with their teams but not mandatory to be used. For example, a judge can use the electronic signature to sign rulings, minutes of the hearings or court decisions or can print them and sign on paper. The same option applies for templates and automatically generated text, it can be used and completed or a word document can be uploaded. Due to the fact that these tools have been added in the Court Information System not long ago and the courts keep archives both electronically and on paper, the usage rate for such tools is still below 25%.

062-24. If writing assistance tools exist in courts, please describe their functionalities:

	Functionalities
Civil	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details.

RECORDING OF COURT HEARINGS

062-25. If a tool to record court hearings exists, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Comments

062-26. If a tool to record court hearings exist, please specify its functionalities:

Functionalities

<p>Civil</p>	<p><input checked="" type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input checked="" type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA</p>
<p>Administrative</p>	<p><input checked="" type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input checked="" type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input checked="" type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input checked="" type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, please specify the details.

DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
------------------------------------------------	------------------------------------------------	-------------------------------------------------

Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments

062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:

	1st instance	2nd instance	Supreme court
Civil	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe.

062-29. If there is a database of court decisions at national level, what are the functionalities of this database?

	Functionalities
Civil	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input checked="" type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input checked="" type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input checked="" type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Comments

062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:

	Functionalities	Data available for statistical analysis
Civil	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input checked="" type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input checked="" type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input checked="" type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details

OTHER TOOLS

062-32. Is there any application for online court-related dispute resolution?

Yes

No

Comments

062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?

- Yes, please specify the maximum value
- No

Comments

062-34. If yes, can the online court-related dispute resolution be used in the following areas?

- Small claim litigation
- Undisputed claim
- Payment order
- Misdemeanour criminal cases
- Enforcement of civil cases
- Other, please specify

Comment: Please describe the existing online procedures:

062-35. Is there a computerised national record centralising all criminal convictions?

- Yes
- No

Comments

062-36. If yes, please specify the following information:

- The computerised record includes biometric data (ex. fingerprint data, picture)
- The computerised record is linked to other European records of the same nature (ex. ECRIS)
- The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- The record contains conviction information on third-country nationals and stateless persons

Comments

062-37. Is there a Document Management System (DMS) in the registry of courts?

- Yes
- No

Comment: If yes, please provide details on the purposes and usage of this system.

062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?

- Yes
- No

Comment: If yes, please list and describe these ICT tools. Media server IT solution it allows to stock, access and use in a centralised

manner the audio records of the court hearings. This soft is integrated with the ICMS.

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: A set of court performance indicators (qualitative and quantitative) are being monitored regularly by the judiciary. According to the Action Plan for the Justice Sector Strategy (2022-2025), the efficiency standards of the courts' activity based on judicial performance indicators are planned to be drafted and approved in 2024.

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 Measuring court/public prosecution services

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): 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 Two more indicators (satisfaction of court staff and satisfaction of users) were built in the Court information System in 2022 and can be used by courts by a regular monitoring of their activity performance. This set of court performance indicators (qualitative and quantitative) is being monitored regularly by the judiciary. According to the Action Plan for the Justice Sector Strategy (2022-2025), the efficiency standards of the courts' activity based on judicial performance indicators are planned to be drafted and approved in 2024.

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

073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?

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.

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 (multiple replies possible)?

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?

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: The data is collected monthly and it is analyzed once per year.

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 (multiple replies possible)?

- Identifying the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance)
- Reengineering of internal procedures to increase efficiency
- 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):General Assembly of Prosecutors, Parliament

Comments The prosecutor general has the duty to present an annual activity report of the prosecution to the Parliament. The general assembly of prosecutors has the mission to receive/hear an activity report of prosecution institutions during their meetings.

3.6.3 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?

- 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?

- Yes, on the internet (please provide the link)<https://aaij.justice.md/ro/report-type/rapoarte-statistice>

<https://www.csm.md/files/RAPOARTE/2022/RaportCSM2022.pdf>

No, only internally (on an intranet website)

No

Comments <https://aaij.justice.md/ro/report-type/rapoarte-statistice> <https://www.csm.md/files/RAPOARTE/2022/RaportCSM2022.pdf>

=

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

Yes (please indicate the name and the address of this institution): General Prosecutor's Office

No

Comments General Prosecutor's 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 (please provide the link) <https://procuratura.md/sites/default/files/2023-03/RAPORT%20DE%20ACTIVITATE%202022.pdf>

No, only internally (on an intranet website)

No

Comments <https://procuratura.md/sites/default/files/2023-03/RAPORT%20DE%20ACTIVITATE%202022.pdf>

GPO publishes an annual activity report with aggregated data per system. Each prosecutor's office publishes individual activity reports.

=

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 primarily intended):

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments Quarterly

=

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

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. for whom the report is primarily 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.

3.6.4 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 these 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

083-1-1. What are the consequences for a judge if these targets are not met?

Consequences:

Without disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
With disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input checked="" type="checkbox"/> NAP (no targets defined)

Comments

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

	Existence of a system of individual evaluation of the judges' work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

114-1. Please specify the frequency of this evaluation:

- Annual
 Less frequent
 More frequent

Different frequencies used, please specify: The ordinary evaluation takes part once in 3 years. There are situations when a judge needs to be evaluated (when a judge applies to be promoted in a higher court, when a judge applies for administrative positions as court president and deputy president of a court, in case of transfer in another court of same level or lower level) and extraordinary evaluation for specific situations and cases.

NAP

=

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 these 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

083-3-1. What are the consequences for a prosecutor if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
With disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
No consequences	<input type="checkbox"/> No consequences <input checked="" type="checkbox"/> NAP

Comments

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

	Existence of a system of individual evaluation of the public prosecutors' work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

120-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify: Please see the general comment.
- NAP

Comments

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

4. Fair trial

4.1. Principles

4.1.1 Principles of fair trial

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

[]

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 are:

	-
The total number of the initiated procedures in the reference year	7 798 <input type="checkbox"/> NA <input type="checkbox"/> NAP
The total number of recusals pronounced in the reference year	535 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please, could you briefly specify: 7263 recusal requests were rejected in 2022.

The numbers include all three levels of courts. There are as well available data disaggregated by courts' levels and case categories at the national level.

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

- For civil cases
- For criminal cases
- For administrative cases
- 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 etc.)?

	Yes	No
Agreement on general arrangements	()	(X)
Agreement in specific cases	(X)	()

Comments

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)	46 648 [] NA [] NAP	120 669 [] NA [] NAP	113 453 [] NA [] NAP	53 864 [] NA [] NAP	2 167 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	39 022 [] NA [] NAP	98 715 [] NA [] NAP	93 751 [] NA [] NAP	43 986 [] NA [] NAP	1 967 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	4 101 [] NA [] NAP	17 373 [] NA [] NAP	16 144 [] NA [] NAP	5 330 [] 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)	984 [] NA [] NAP	4 286 [] NA [] NAP	4 183 [] NA [] NAP	1 087 [] 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	<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	3 117 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 087 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 961 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 243 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	3 362 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 411 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 369 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 404 <input type="checkbox"/> NA <input type="checkbox"/> NAP	200 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	163 <input type="checkbox"/> NA <input type="checkbox"/> NAP	170 <input type="checkbox"/> NA <input type="checkbox"/> NAP	189 <input type="checkbox"/> NA <input type="checkbox"/> NAP	144 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The upward trend in incoming and resolved cases in 2022 is due to increased number of incoming cases in 2021 and 2022 and an increased capacity of judiciary in 2021 and 2022 to catch up after passing through a pandemic period in 2020 with lockdown periods, when the examination of not urgent civil cases was postponed.

Bankruptcy and appeals against decisions issued by bailiffs were moved in 2021 and in this exercise according to the EN from Category 4 Others to Category 1 Civil and Commercial litigious cases.

Also, for adjusting the counting methodology to the EN in 2021 and in this exercise were distinguished also some categories from statistical reports containing civil and commercial cases as being non-litigious and moved to category 2.1. The number of pending cases older than 2 years decreased in 2022 due to an increased number of resolved cases compared to 2020.

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 a 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 involvement 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 debt or 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":

- . review in civil and commercial 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)	18 853 [] NA [] NAP	30 756 [] NA [] NAP	32 120 [] NA [] NAP	17 489 [] NA [] NAP	1 234 [] 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 Other criminal cases are not applicable, but the workload of courts in 2022 is composed also by 57644 examined procedures from 58189 incoming, such as arrest and home arrest requests, complaints against criminal investigation officers/prosecutors, authorizations on other criminal investigation measures/enforcement requests and other type of specific requests. These types of procedures are examined in a fixed/limited term (counted in days), by the investigating judges, in most of the cases.

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)	4 753 [] NA [] NAP	14 822 [] NA [] NAP	15 394 [] NA [] NAP	4 181 [] NA [] NAP	13 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	3 498 [] NA [] NAP	11 688 [] NA [] NAP	12 007 [] NA [] NAP	3 179 [] 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	1 206 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 913 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 165 <input type="checkbox"/> NA <input type="checkbox"/> NAP	954 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	221 <input type="checkbox"/> NA <input type="checkbox"/> NAP	222 <input type="checkbox"/> NA <input type="checkbox"/> NAP	48 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify Other cases - review proceedings for civil and commercial cases.

Bankruptcy cases were moved in 2021 and in this exercise according to the EN from Category 4 Others to Category 1 Civil and Commercial litigious 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)	5 399 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 569 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 283 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 685 <input type="checkbox"/> NA <input type="checkbox"/> NAP	550 <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
--------------------------------	------------------------------------------------------------------------	------------------------------------------------------------------------	------------------------------------------------------------------------	------------------------------------------------------------------------	------------------------------------------------------------------------

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: Other criminal cases are not applicable, but the workload of courts in 2022 is composed also by 9330 examined short term procedures from 9957 incoming, such as arrest and home arrest requests, authorizations on other criminal investigation measures and other type of specific requests. These types of procedures are examined in a fixed/limited term (counted in days).

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)	435 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	5 239 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	4 893 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	781 <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)	273 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2 939 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2 779 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	433 <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	146 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 813 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 646 <input type="checkbox"/> NA <input type="checkbox"/> NAP	313 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	487 <input type="checkbox"/> NA <input type="checkbox"/> NAP	468 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 <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

The upward trend to a number of pending cases at the end of 2022 is due to an increased number of incoming cases in 2022 compared with 2020.

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:

() 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)	449 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 146 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 087 <input type="checkbox"/> NA <input type="checkbox"/> NAP	508 <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 cases older than 2 years from the date the case came to the first instance court
Litigious divorce cases	2 384 [] NA [] NAP	6 016 [] NA [] NAP	6 334 [] NA [] NAP	2 066 [] NA [] NAP	27 [] NA [] NAP
Employment dismissal cases	95 [] NA [] NAP	52 [] NA [] NAP	79 [] NA [] NAP	68 [] NA [] NAP	8 [] NA [] NAP
Insolvency	4 085 [] NA [] NAP	1 367 [] NA [] NAP	1 654 [] NA [] NAP	3 798 [] NA [] NAP	479 [] NA [] NAP
Robbery case	404 [] NA [] NAP	332 [] NA [] NAP	337 [] NA [] NAP	399 [] NA [] NAP	61 [] NA [] NAP
Intentional homicide	70 [] NA [] NAP	143 [] NA [] NAP	138 [] NA [] NAP	75 [] NA [] NAP	12 [] NA [] NAP

Comments

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101-0. Number of 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 cases for more than 2 years
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	42 [] NA [] NAP	28 [] NA [] NAP	16 [] NA [] NAP	54 [] NA [] NAP	13 [] NA [] NAP
Court cases relating to the right of entry and stay for aliens	40 [] NA [] NAP	26 [] NA [] NAP	16 [] NA [] NAP	50 [] NA [] NAP	6 [] NA [] NAP

Comments The discrepancies are due to less incoming and resolved cases in 2022 compared with 2020.

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.

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

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

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	65 [] NA [] NAP	83 [] NA [] NAP	92 [] NA [] NAP	56 [] NA [] NAP	5 [] NA [] NAP
Child pornography	15 [] NA [] NAP	34 [] NA [] NAP	26 [] NA [] NAP	23 [] NA [] NAP	1 [] NA [] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: In 2022 there were registered more incoming cases on child pornography compared with 2020 and more resolved by courts and the pending at the end of 2022 increased as well.

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 length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Litigious divorce cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Employment dismissal cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP

Insolvency cases	_____ Allow decimals : 2 <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	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery cases	_____ Allow decimals : 2 <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	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide cases	_____ Allow decimals : 2 <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	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments There is available data concerning the percent of decisions subject to appeal and percent of cases pending for more than 3 years for first instance courts.

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.

4.2.6 Case flow management – public prosecution

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

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

Comments

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

- civil cases
- administrative cases

[] insolvency cases

Comments - If yes, please specify: In accordance with the art. 5 letter j) of the Law on the Prosecutor's Office no. 3/2016, in cases of non-start or termination of the criminal investigation, under the law, the prosecutor initiates a civil action and participates in its examination. Also, a structural subdivision is designated by the General Prosecutor's Office for representing the authority in courts, when the administrative acts issued by Prosecutor's office are disputed.



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

	Number of cases
1.Pending cases on 1 Jan. ref. year	10 038 [] NA [] NAP
2.Incoming/received cases	31 766 [] NA [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	28 645 [] NA [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	16 252 [] NA [] NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	7 107 [] NA [] NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	4 210 [] NA [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	876 [] NA [] NAP
3.1.4 Discontinued for other reasons	4 059 [] NA [] NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	20 [] NA [] NAP
3.3.Cases brought to court	12 373 [] NA [] NAP
4.Pending cases on 31 Dec. ref. year	9 998 [] NA [] NAP

Comments 4. Pending cases (31.12.2022) according to Info GPO Information System. The formula: 1+2-3=4 for data included in this table is not applicable due to the fact that a part of cases that had been initially registered into the system, at a later stage were aggregated. The joint cases (3161) are not counted in pending, as there is no record kept in the system to be able to identify them as processed or pending.

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	27 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Before the main trial	[] NA [X] NAP	[X] NA [] NAP	[X] NA [] NAP
During the main trial	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The 114 guilty plea procedures have been initiated by prosecutors in 2022 and just 27 from them - concluded (validated) by judges. The reason for guilty plea procedures decrease in 2022 in comparison with 2021, 2020, 2018 and 2016 data is the applicability of another simplified procedure based on the evidence administered at the phase of the criminal investigation (application of Article 364/1 of the Criminal Procedure Code - Judgment based on evidence administered during the criminal investigation phase). 6388 cases have been examined in this procedure in 2022.

In accordance with the provisions of art. 16 of the Criminal Code, depending on the nature and degree of prejudice, the offences are classified into the following categories: mild, less serious, serious, particularly serious and exceptional serious. According to data of the Info GPO Information System, there is no such delimitation of guilty plea agreements in compliance with the classification of crimes aforementioned.

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

Yes

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?

through a competitive exam (open competition)

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

other (please specify):

Comments

110-1. Please briefly describe the recruitment procedure(s) for judges in your country:

. Both applicants which passed via National Institute of Justice and experienced applicants (legal professionals) have to get a validation of a specific examination for judges before the Final Examination Board of the NIJ. After taking this exam they apply for an evaluation at the Superior Council of Magistracy (Board for selection and career of judges) and obtain a selection score. Later they apply for participating in contests (interview) organised by the Superior Council of Magistracy for vacant positions in first instance courts. The SCM decides who won the contest for each vacant position and proposes the candidate to be appointed as a judge by the President of the Republic of Moldova.

110-2. What are the recruitment requirements for judges (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If “other”, please specify: Other criteria provided for by the Law on the Status of the Judge include: citizenship of the Republic of Moldova, the knowledge of the official language of the Republic of Moldova, specific medical certificate, polygraph test.

110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	0 <input type="checkbox"/> NA	0 <input type="checkbox"/> NA	0 <input type="checkbox"/> NA
Number of recruited persons	0 <input type="checkbox"/> NA	0 <input type="checkbox"/> NA	0 <input type="checkbox"/> NA

Comments The Superior Council of Magistracy was not functional in 2022 in order to propose for appointment new judges.

110-4. If the number of applicants decreased in the last years did you take any remedial measures?

- Yes
- No

Comments It was not the case before 2022.

110-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If “other”, please, specify:

=

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

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

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

111-1. How many members compose this authority?

	Total	Males	Females
Members	6	4	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 specify what is the status of this authority and who is proposing/appointing its members: SCM was composed of 6 active members in 2022, 4 men and 2 women. It is supposed to be 12 members, according to legal provisions in force in 2022.

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

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

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

- Yes
- No

Comments - No, please specify which authority is competent for promoting judges

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

- Competitive test / Exam
- Previous individual evaluations

Other procedure(s) (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) and how the publicity of promotion processes is ensured:

113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	0 <input type="checkbox"/> NA	0 <input type="checkbox"/> NA	0 <input type="checkbox"/> NA

Comments The SCM was not functional in 2022 in order to approve promotions of judges.

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.

115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?

Yes

No

Comments - If yes, please specify:

115-2. If they are prohibited by law or other regulation, are there exceptions?

- Yes
- No
- NAP

Comments - Please describe these exceptions:

115-3. Which authority can issue such specific instructions?

- General Prosecutor
- Higher prosecutor/Head of prosecution office
- Executive power
- Other
- NAP

Comments - If "Other", please specify:

115-4. What form these instructions may take?

- Oral instruction
- Oral instruction with written confirmation
- Written instruction
- Other
- 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
- NAP

Comments - If "Other", please specify:

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

- Exceptional
- Occasional
- Frequent
- Systematic
- NAP

Comments

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

- Yes

() No

[X] NAP

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

=

116. How are public prosecutors recruited?

[X] through a competitive exam (open competition)

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

[] other (please specify):

Comments

116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:

. The candidates for the positions of prosecutor who meet the conditions provided in art. 20 of Law no. 3/2016 are entered in the Register of candidates for filling vacancies, based on the application submitted and regardless of the existence of vacancies at the time of registration. Each candidate submits a set of documents. Candidates participate in a contest for vacant positions, if they are registered in the Registry at the date of the competition announcement or, as the case may be, on the date indicated in the Council's decision.

Candidates registered in the Register are subsequently evaluated by the Board for selection and career of prosecutors. The Board transmits the score of the evaluation to the SCP apparatus.

The Council's apparatus makes the respective entries in the Register and notifies all candidates who have been evaluated about the date and location where they are invited for an interview. The decision on the appointment of candidates for the vacant positions of prosecutor is taken by the Superior Council of the Prosecutors based on its own regulation, taking into account the position selected by the candidate, the score awarded by the Board for the selection and career of prosecutors and the grade obtained in the exam before NIJ.

At the next meeting, the Superior Council of Prosecutors proposes to the Prosecutor General the appointment of the candidate who won the contest.

116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

[] Age

[] Nationality

[X] Physical/Psychological capacity

[X] General studies in law

[X] Advanced studies in law (Master, PhD)

[X] Number of years of relevant experience

[X] Traineeship/judicial functions in courts

[] Validation of a general state examination in law

[X] Validation of a specific examination for prosecutors

[X] Clean criminal record

[] Foreign languages

Personal requirements (related to integrity)

Other

NAP

Comments - If "other", please specify: Explanation: According to Article 20(1) and (2) of Law No 3/2016 on the Public Prosecutors Office:

(1) A person who meets the following conditions may apply for the position of prosecutor:

(a) he/she is a citizen of the Republic of Moldova;

b) he/she knows the state language;

c) no judicial protection measure is in place for him/her;

d) has a bachelors degree and a masters degree in the field of law or other equivalent legal studies, recognized by the structure authorized for the recognition and equivalence of studies and qualifications;

e) has completed the initial training courses for prosecutors at the National Institute of Justice or, in the case of a person who has the necessary seniority to be appointed to the position, has passed the examination before the National Institute of Justice Graduation Commission;

f) enjoys an irreproachable reputation;

g) has not previously been found guilty of a criminal offence;

g1) does not have, in the last 5 years, in the record of professional integrity, entries on the negative result of the professional integrity test for violation of the obligation provided for in Article 7 para. (2) letter a) of the Law no. 325/2013 on institutional integrity assessment;

h) is medically fit to perform the function of prosecutor.

(2) A person may not be considered as having an irreproachable reputation within the meaning of para. (1) and may not be a candidate for the office of public prosecutor if one of the following circumstances exists:

(a) he has been dismissed from the office specified in para. (3) for violations in professional activity during the last 5 years;

b) he/she abuses alcohol or is a user of psychotropic or toxic substances or drugs.

c) is prohibited from holding a public office or a position of public dignity, which derives from a finding of the National Integrity Authority.

Regarding the possession of a bachelor's degree, we mention that the law degrees of candidates for the position of prosecutor based on 10 years of service - Article 20 paragraph (31) of Law no. 3/2016, obtained until 2003 (before the implementation of the Bologna system) are equivalent to a master's degree.

Thus, these candidates with 10 years seniority do not need a master's degree, as their bachelor's degrees are equivalent to them.

116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	63 [] NA	46 [] NA	17 [] NA
Number of recruited persons	17 [] NA	12 [] NA	5 [] NA

Comments

116-4. If the number of applicants decreased in the last years did you take any remedial measures?

() Yes

(X) No

Comments It was not the case.

116-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new prosecutors
- Other

Comments: If “other”, please, specify:

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) responsible for 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 (composed by prosecutors and non-prosecutors) is responsible for recruitment and new prosecutors are appointed by the Prosecutor General.

117-1. How many members compose this authority?

	Total	Male	Female
Members	11	7	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/appointing its members: According to the legal provisions SCP was composed of 12 members till 09 October 2022 and of 13 members from 10 October 2022. In 2022 there were active 11 members till 09 October (7 men and 4 women) and 12 members from 10 October (8 men and 4 women).

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

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

118. Is the same authority (Q.117) competent 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 replies possible)

- Competitive test / exam
- Previous individual evaluations

Other procedure(s) (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) and how the publicity of promotion processes is ensured:

119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	155 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	9 <input type="checkbox"/> NA	6 <input type="checkbox"/> NA	3 <input type="checkbox"/> NA

Comments 155 applications

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"):

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

[]

[] NA

[X] NAP

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

125-1. Is it renewable?

Yes

No

[X] NAP

Comments

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

[]

[] NA

[X] NAP

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

126-1. Is it renewable?

Yes

No

[X] NAP

Comments

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

Sources: Superior Council of Magistracy, Superior Council of Prosecutors

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)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on ethics	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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
In-service training on gender equality	<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
Other in- service training	<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

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

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

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

128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
Initial compulsory training – minimum number of trainings	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 540 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The initial training offered by the NIJ is realized according to Initial Training Plan approved by the Council of the NIJ. Please see the link below:<https://www.inj.md/ro/plan-de-formare-0> The minimum number of days for initial compulsory training is reflected with approximation. The term for this training is 18 months.

The minimum number of hours for in-service compulsory training per year-40 hours.

5.2.2 Training of prosecutors



129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	(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 functions (e.g. public prosecutors specialised in organised crime)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions (e.g. Head of prosecution office, manager)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in office	() 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
In-service training on gender equality	() Yes (X) No	(X) Yes () No	() Yes (X) No
Other in- service training	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments

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

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

130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
Initial compulsory training – minimum number of trainings	 Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	 Min numeric value allowed : 0 540 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	 Min numeric value allowed : 0 5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	 Min numeric value allowed : 0 5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The initial training offered by the NIJ is realized according to Initial Training Plan approved by the Council of the NIJ. Please see the link below: <https://www.inj.md/ro/plan-de-formare-0>

The minimum number of days for initial compulsory training is reflected with approximation. The term for this training is 18 months.

The minimum number of hours for in-service compulsory training per year-40 hours.

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	[]	[]	[]
Institution(s) for prosecutors	[]	[]	[]
Institution(s) for both judges and prosecutors	[]	[]	[X]

Comments

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

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	[] NA [X] NAP
Institution(s) for prosecutors	[] NA [X] NAP
Institution(s) for both judges and prosecutors	950 975 [] NA [] NAP

Comments

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

. Judges and/or prosecutors have compulsory initial training. Candidates to judge/prosecutor positions who have 5/7 years of professional experience and did not apply for the compulsory initial training may become judges/prosecutors by taking a specific capacity exam.

5.2.4 Number of trainings

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

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
Total	179 [] NA [] NAP	267 [] NA [] NAP	330 [] NA [] NAP	11 [] NA [] NAP
For judges	95 [] NA [] NAP	164 [] NA [] NAP	191 [] NA [] NAP	11 [] NA [] NAP

For prosecutors	78 [] NA [] NAP	144 [] NA [] NAP	169 [] NA [] NAP	11 [] NA [] NAP
For non-judge staff	43 [] NA [] NAP	141 [] NA [] NAP	73 [] NA [] NAP	11 [] NA [] NAP
For non-prosecutor staff	31 [] NA [] NAP	63 [] NA [] NAP	55 [] NA [] NAP	11 [] NA [] NAP

Comments

131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
Total	8 164 [] NA [] NAP	341 [] NA [] NAP
Judges	2 438 [] NA [] NAP	58 [] NA [] NAP
Prosecutors	2 133 [] NA [] NAP	57 [] NA [] NAP
Non-judge staff	2 819 [] NA [] NAP	190 [] NA [] NAP
Non-prosecutor staff	774 [] NA [] NAP	36 [] NA [] NAP

Comments

E2. Please indicate the sources for answering the questions in this part

Sources: National Institute of Justice

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	12 453 [] NA [] NAP	9 838 [] NA [] NAP	247 800 [] NA [] NAP	195 762 [] NA [] NAP

Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	19 270 [] NA [] NAP	15 224 [] NA [] NAP	383 448 [] NA [] NAP	302 924 [] NA [] NAP
Public prosecutor at the beginning of his/her career	10 991 [] NA [] NAP	8 693 [] NA [] NAP	218 700 [] NA [] NAP	172 773 [] NA [] NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	17 052 [] NA [] NAP	13 471 [] NA [] NAP	339 300 [] NA [] NAP	268 047 [] NA [] NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor:

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	() Yes (X) 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.

Also, both judges and prosecutors have the right to be remunerated with a special compensation in cases of dismissal at their request.

[] NAP

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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	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. Judges can combine also their activity with creative activities and membership in collegial bodies of public authorities.

137. Can public prosecutors 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	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: Prosecutors can combine also their activity with membership in collegial bodies of public authorities.

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 guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)?

Yes

No

Comment - Please specify:

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 guidelines and/or opinions of this institution / body publicly available?

Yes

No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.: In 2022, there were no opinions made publicly available. <https://www.csm.md/ro/organe-subordonate/comisia-de-etica/opinii.html>

138-2-1. How many guidelines and/or opinions were given during the reference year?

[0]

[] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

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

Yes

No

Comment: Please specify

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

Only prosecutors

Prosecutors and other legal professionals

Other, please specify:

Comments

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

Yes

No

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

138-5-1. How many guidelines and/or opinions were given during the reference year?

[]

NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

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)?

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court

Disciplinary body

Ombudsman

Parliament

Executive power (please specify):

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

This is not possible

Comments

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

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):Disciplinary body

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):The Disciplinary and Ethics Committee of Prosecutors

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)	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP	86 <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:

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

	Judges	Prosecutors
Total number (total 1 to 10)	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	2 <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	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Position downgrade	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 <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	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <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. Other sanctions for judges -warnings

Other sanctions for prosecutors - warnings

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

Sources: Superior Council of Magistracy <https://www.csm.md/files/RAPOARTE/2022/RaportCSM2022.pdf>
Superior Council of Prosecutors
<https://csp.md/sites/default/files/2023-08/RAPORT%20%20CSP%202022%20%20proiect%20IF%20%20redactat%20%202020.08.pdf>

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	Males	Females
Number of lawyers	2 068 [] NA	1 456 [] NA	612 [] NA

Comments

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

Yes ()

No (X)

Comments

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

[]

[] NA

[X] NAP

Comments

=

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

First instance	Second instance	Highest instance court (Supreme Court)
----------------	-----------------	----------------------------------------

Civil cases	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP
Dismissal cases	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP
Criminal cases – Defendant	() Yes always (X) Yes in some cases () No [] NAP	() Yes always (X) Yes in some cases () No [] NAP	() Yes always (X) Yes in some cases () No [] NAP
Criminal cases – Victim	() Yes always (X) Yes in some cases () No [] NAP	() Yes always (X) Yes in some cases () No [] NAP	() Yes always (X) Yes in some cases () No [] NAP
Administrative cases	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] 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	() Yes (X) No	() Yes (X) No	() Yes (X) No
Family member	(X) Yes () No	(X) Yes () No	(X) Yes () No
Self-representation	(X) Yes () No	(X) Yes () No	(X) Yes () No
Trade union	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If "other", please specify. In addition, 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

[X] Arbitration / mediation

[X] Proxy / representation

[X] Property manager

[X] Real estate agent

[X] Other (please specify): Any other activities, excepting public service, notaries and bailiffs, activities which are not affecting

lawyer's dignity, independence and good morals.

Comments The answer is different for 2022 compared with 2020 due to a legislative amendment in 2021.

149-2. Professional lawyers may have the status of:

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 The number of the regional bars in the Republic of Moldova corresponds to the number of the existing Courts of Appeal, therefore there are four regional bars located in Chisinau, Balti, Cahul and Comrat. All the members of these four bars form the Moldovan Bar Association which is the national bar association.

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, Bar Association

6.1.2 Practicing the profession of lawyer

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 for lawyers

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):

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)	22 [] NA [] NAP
1. Breach of professional ethics	[X] NA [] NAP
2. Professional inadequacy	[X] NA [] NAP
3. Criminal offence	[X] NA [] NAP
4. Other	[] NA [X] NAP

Comments - If "other", please specify: From 22 disciplinary proceedings initiated against lawyers in 2022, 18 were examined and applied 14 sanctions. The examination of 4 disciplinary proceedings was postponed for 2023, 2 procedures were ceased due to expiration of specific legal term to initiate a disciplinary procedure against a lawyer (1 year), 2 procedures were ceased due to absence of disciplinary misconduct.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	14 [] NA [] NAP
1. Reprimand	1 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	1 [] NA [] NAP
4. Fine	7 [] NA [] NAP
5. Other	5 [] 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: warnings

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 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
Family 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
Administrative 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
Labour cases including employment dismissals	<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
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 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

Comments

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

Yes

No

NAP

Comments - If yes, please specify:

=

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

	Total	Males	Females
Number of mediators	953	445	508
	<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 2022 represents 224 (133 males and 91 females), or approximately 24 % from the total number of accredited mediators.

166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?

. A person who wants to be a mediator in the Republic of Moldova must cumulatively meet the following conditions:

- a) have full mental capacity,
- b) hold a bachelor's degree,
- c) having not been previously convicted of serious, particularly serious, exceptionally serious crimes committed with intent,
- d) have a clean criminal record for minor and less serious crimes,
- e) have an impeccable reputation,
- f) be physically fit from a medical point of view,
- g) have completed the initial training courses for mediators,
- h) have passed the mediator's certification exam.

A foreign citizen or a stateless person can apply to become a mediator in the Republic of Moldova if he/she corresponds to the aforementioned requirements.

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 + 7)			
	<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	1 472 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 340 <input type="checkbox"/> NA <input type="checkbox"/> NAP	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	872 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 198 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	35 <input type="checkbox"/> NA <input type="checkbox"/> NAP	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
6. Consumer cases	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Other 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

Comments - Please indicate the source: Agency for Courts Administration

Taking into account that court related mediation was mandatory and still conducted by judges as mediators in the first semester of 2022 the data reflected above include the number of cases related to mediation procedure in court in 2022.

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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)	164 [] NA	88 [] NA	76 [] NA
1. Private professionals under the authority (control) of public authorities	164 [] NA [] NAP	88 [] NA [] NAP	76 [] NA [] NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Judges	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If other, please specify 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 official 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: Please see the general comment.

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	(X) Yes () No	(X) Yes () No
Date of birth	(X) Yes () No	(X) Yes () No
Civil status	(X) Yes () No	(X) Yes () No
Cohabitant	() Yes (X) No	() Yes (X) No
Employer	(X) Yes () No	(X) Yes () No
Motor vehicle	(X) Yes () No	(X) Yes () No
Movable property	(X) Yes () No	(X) Yes () No
Immovable property	(X) Yes () No	(X) Yes () No
Bank account	(X) Yes () No	(X) Yes () 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	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP

Seizure of immovable 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
Preventive seizure of immovable 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
Seizure from a third party of the debtor claims regarding a sum of money	<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 remunerations	<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 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)	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP
Enforced sale by public tender of seized properties	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP
Sale of shares	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP
Other	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] 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. The National Association of Bailiffs offers methodological assistance to bailiffs by request related to the way they use the information system of enforcement procedures.

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.

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

Comments

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

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

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

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to 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
- 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)	23 [] NA [] NAP
1. For breach of professional ethics	5 [] NA [] NAP
2. For professional inadequacy	16 [] NA [] NAP
3. For criminal offence	0 [] NA [] NAP
4. Other	2 [] NA [] NAP

Comments - If “other”, please specify: Other: failure to submit the requested information/documents to the Ministry of Justice

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	10 [] NA [] NAP
1. Reprimand	1 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	4 [] NA [] NAP
5. Other	5 [] 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 sanctions include 2 dismissals and 3 warnings.

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

Source: Ministry of Justice, National Union of Bailiffs

8.2. Execution of decisions in criminal matters

8.2.1 Functioning of execution in criminal matters

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

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- Other authority (please specify):The comander of 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
- No

Comments

191. If yes, what is the recovery rate?

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

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Males	Females
TOTAL (1+2+3+4)	286 <input type="checkbox"/> NA <input type="checkbox"/> NAP	63 <input type="checkbox"/> NA <input type="checkbox"/> NAP	223 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	<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. Holders of public offices appointed by the 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. Civil servants (paid by the 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
4. Other	286 <input type="checkbox"/> NA <input type="checkbox"/> NAP	63 <input type="checkbox"/> NA <input type="checkbox"/> NAP	223 <input type="checkbox"/> NA <input type="checkbox"/> 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 componce 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 The category "Other" includes:

- citizenship and residence of Republic of Moldova;
- knowledge of the official 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;
- has passed the competition for a notary position.

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: Please see the general comment.

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
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. In accordance with the provisions of article 11 of Law no. 246/2018 on notarial procedure there can be other activities exclusively or not exclusively performed by notaries (e.g. certification of

photocopies, issuance of duplicates of notarial documents, issuance of legal heir and property certificates etc).

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

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

Comments Please see the general comment.

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) Register of real movable guarantees
- 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	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Civil status/ Population registry	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Succession / Family law registry	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Any other registry (please specify)	(X) Yes () No [] NAP	(X) Yes () No [] NAP
None	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments

=

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

- [X] Videoconferencing (e.g. digital advice)
- [X] Digital act
- [] Digital identification
- [X] Digital archiving
- [] Other, please specify
- [] None

Comments The implementation process on digital act and digital archiving is still ongoing.

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

- [X] Notariat / Professional body
- [] Other public authority
- [] Another entity (please specify)

Comments

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

- (X) Yes
- () No

Comments

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

- [X] professional body
- [X] court
- [X] Ministry of Justice

public prosecutor

other (please specify): According to Article 61/ Law No. 69 of 14 April 2016 on the organization of the activity of notaries, the activity of a 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities: The topics for training are selected/approved every year and can vary from year to year due to necessities and requests of notaries.

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

Sources: Ministry of Justice, Notary Chamber

10. Judicial experts

10.1. Profession of judicial expert

10.1.1 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 national legal provisions 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 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: As a basis for registration of judicial experts serve Qualification and evaluation committee's decisions.

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

Yes, for how long 5 years

No

Comments Experts are evaluated every 5 years by a qualification and evaluation committee and included again in Register if they successful passed the evaluation.

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 necessary specialization in the State Register of Judicial Experts or if another judicial expert cannot be appointed for reasons of incompatibility, a competent person 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:

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

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

Comments

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

judicial proceedings

the profession of expert

other

Comments

=

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

Yes

No

Comments

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

Yes

No

Comments - 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	Males	Females
Number of experts	340	211	129
	<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

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

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

Comments

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 <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Defined by the court/judge	<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
Defined by the Ministry of Justice or another ministry (setting a tariff for example)	<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
Salary of public official (in case of forensic or another specialist – who is public employee)	<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
Freely agreed between expert and the parties	<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
Other	<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 - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Quality of expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Other	()	(X)
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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

No

If yes, please specify:

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

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments

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

Sources: Ministry of Justice

11.Reforms in judiciary

11.1.Foreseen reforms

11.1.1Reforms

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: The year 2022 was the first year of implementation of the Strategy on ensuring the independence and integrity of the justice sector for the years 2022-2025 and under the umbrella of this policy document several reforms in the justice sector were started. The year 2022 also marked a new stage in the course of the Republic of Moldova's European integration after on June 23, 2022, the European Council recognized the European perspective of the Republic of Moldova and decided to grant it the status of a

candidate country for accession to the European Union.

The 2021 amendments of Constitution on the judiciary section entered into force on April 1, 2022. The constitutional amendments aim to strengthen the guarantees of independence of judges, to exclude the political factors that influence their careers but also to change the structural composition of the Superior Council of Magistracy (SCM) with the exclusion of ex officio members, the Minister of Justice, the Prosecutor General and the President of the Supreme Court.

The main amendments aim to reflect functional immunity of judges, unifying the way judges are appointed (all judges are appointed by the decree of the President of the Republic of Moldova, or until this phase SCJ judges were appointed by Parliament), removing the initial term of appointment of judges (probationary period) for 5 years. Additionally, the composition of the SCM has been changed (6 members from among the judges are elected by the General Assembly of Judges, representing all levels of courts and 6 members are appointed by the Parliament from civil society) and a 6-year term without the possibility of having two successive terms has been established. According to the new provisions the SCM have to be consulted in the process of drafting, examining, approving and amending the budget of the judiciary. Therefore, the SCM submits proposals to the Parliament on the financial means needed for the proper functioning of the courts.

208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Starting with October 2023 the salaries of the court and prosecution staff excepting judges and prosecutors have been raised by 30%. Salary increases approved for judges by 15% become effective at the beginning of Spring 2023.

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. In order to increase the integrity and professionalism of the judges of the Supreme Court of Justice, as well as to strengthen the role of the Supreme Court of Justice, the Ministry of Justice drafted a new Law on the Supreme Court of Justice. The main provisions of the project refer to: 1) reducing the number of SCJ judges; 2) changing the composition of the SCJ, by ensuring access to the positions of judges of the SCJ for both judges and non-judges: lawyers, prosecutors, university professors in the field of law; 3) the regulation of demanding criteria for access to the position of judge of the SCJ; 4) establishment of the external evaluation mechanism of the current judges of the SCJ and of the candidates for the positions of judges of the SCJ; 5) changing the powers of the SCJ, to transform it into a Court of Cassation, whose role will be to interpret and apply uniform legislation in the justice system and others. The draft law was publicly consulted and expertized by the Venice Commission (see Opinion CDL-AD(2022)024 adopted at the plenary session of 21-22 October 2022 and Opinion CDL-AD(2022)049 adopted at the plenary session from December 16-17, 2022). The package of laws regarding the reform of the SCJ was adopted by the Parliament in March 2023: 1. Law no. 64 of 30.03.2023 on the Supreme Court of Justice and 2. Law no. 65 of 30.03.2023 on the external evaluation of judges and candidates for the position of judge of the Supreme Court of Justice.

2. In order to improve the mechanisms of the disciplinary liability of judges and exclude some procedural deficiencies, the Ministry of Justice developed a draft law on the amendment of Law no. 178/2014 on the disciplinary liability of judges, Law no. 544/1995 on the

status judges and Law no. 947/1996 on the Superior Council of the Magistracy. The main aspects of the proposed changes concern: 1) the rights, obligations, guarantees of inspectors-judges; 2) the revocation of the mandate and other aspects of strengthening the capacities of the Judicial Inspection; 3) ensuring the clarity and predictability of the criteria that constitute disciplinary violations; 4) the examination procedure and other deficient aspects found following the examination of the practices. The project was adopted by Law no. 5 of 02.02.2023.

3. In order to implement the recommendations presented by the Venice Commission in its Opinion no. 1058/2021 by Law no. 280 of 06.10.2022 was amended Law no. 3/2016 on the Prosecutor's Office. The changes made refer to: 1) the interim exercise of the position of Prosecutor General; 2) the grounds and conditions for suspension from office of the Prosecutor General; 3) performance evaluation of the Prosecutor General; 4) appointment of the deputy chief prosecutor of the specialized prosecutor's office; 5) the composition of the Superior Council of Prosecutors. The Venice Commission adopted Opinion no. 1086/2022 regarding the proposed amendments.

4. Also, in 2022, the process of amending the legislation on the selection and evaluation of judges started.

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: The categories of legal aid beneficiaries, regardless of income level, have been expanded, including persons with disabilities (Law no. 298 of 27.10.2022). The inclusion of this category is congruent with the final observations of the UN Committee on the Elimination of Discrimination against Women regarding the sixth periodic report of the Republic of Moldova (adopted on March 2, 2020) which found limited access to justice for women with disabilities.

Also, by Law no. 298 of 27.10.2022, the level of income below which applicants can benefit from qualified legal aid has been increased, being set at the level of the minimum monthly salary per country provided annually by the Government. The law aimed to increase the number of beneficiaries entitled to request qualified legal assistance. This legal provision will enter into force on January 1, 2024.

208-5. High Judicial Council (competent for judges and/or prosecutors)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1. In order to achieve the goal of ensuring an integrated justice sector free of corruptible factors, on 10.03.2022 Law No. 26 was adopted on some measures related to the selection of candidates for administrative positions in the self-administration bodies of judges and prosecutors (prevetting). Following the adoption of the law, a specialized external/extraordinary evaluation commission was established consisting of 6 members (3 national and 3 international members) which is mandated with the competence to verify candidates for the position of member of the Superior Council of Magistracy, the Superior Council of Prosecutors and in their specialized bodies under the aspect of ethical integrity and financial integrity.

2. The term of office of the President of the Superior Council of Magistracy was reduced to 2 years for avoiding the overlapping with his/her the term of office as a member of SCM.

3. The term of office of the President of the Superior Council of Prosecutors was reduced for avoiding the overlapping with his/her the term of office as a member of SCP. Also the composition of the SCP has been changed.

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, the process 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 started in 2022 and is ongoing. The reforms are part of the new Justice Sector Strategy.

By Law no. 78 of 31.03.2022, Law no. 69/2016 on organization of the activity of notaries and Law no. 246/2018 on the notarial procedure were amended. The amendments made were aimed at improving the quality of the notarial act, making the activity of notaries more efficient and ensuring all the rights of applicants for notary services, but also avoiding situations where the collegial bodies of the Notary Chamber, the Licensing Commission and of the Disciplinary College are non-functional.

The Ministry of Justice has developed a draft law to amend the provisions of disciplinary liability of authorized administrators. The main amendments were aimed at expanding the circle of subjects that have the right to notify the Authorization and Discipline Commission on the facts that may constitute disciplinary violations of authorized administrators. Also, the term of prescription for the application of disciplinary sanctions against administrators has been uniformized. Sanctions can be applied within 3 years from the date of committing all violations. At the same time, clearer provisions were established for disciplinary violations committed by the authorized administrators and types of disciplinary sanctions, which can be applied, has been expanded.

The draft law was adopted by the Parliament through Law no. 229 of June 28, 2022.

208-7. Gender equality

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: With reference to the improvement of the institutional mechanisms aimed at ensuring equality and combating discrimination, the Ministry of Justice developed a draft law which proposed, in particular, the amendment of 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. The amendments are aimed at expanding the non-discrimination criteria, improving the collection of equality data, monitoring, evaluating and reporting the results annually, as well as strengthening the institutional framework (the competences, activity and structure of the Equality Council). The draft law was adopted by the Parliament in the final reading on 02.02.2023.

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: In 2022, the mechanism of criminal investigation, trial and sentencing in the absence of offenders was established. By establishing the new provisions, it is allowed, with the assurance of all the guarantees of a fair trial, to charge in the absence of the person, as well as to judge the case in the absence of the offender, for cases in which the person evades the criminal investigation or avoids participating in the trial.

Also, in 2022, the Criminal Procedure Code, the Criminal Code and the Enforcement Code were amended in order to strengthen the extended confiscation mechanism. Thus, according to the legislative amendments, it is possible to confiscate assets, which were transferred by the convicted person to third parties to avoid confiscation, as well as confiscation of assets in the absence of the accused, in case of death or if he/she does not appear in court. Extended confiscation will be ordered in cases where the value of the assets acquired by the convicted person exceeds the amount of 20 average salaries in the economy compared to the incomes lawfully acquired by him/her, and if the convicted person cannot present evidence that the respective assets are acquired by means other than illegal ones.

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: 1. The Ministry of Justice developed a draft law to amend the Enforcement Code and Law no. 198/2007 on legal aid. The amendment aims to strengthen the legal aid expenses recovery mechanism. The amendment was adopted by the Parliament in the 1st reading, in December 2022. 2. In order to improve some normative aspects concerning the activity of bailiffs as well as the activity of the National Union of Bailiffs and other collegial bodies, the Ministry of Justice developed a draft law on the amendment of Law no. 113/2010 on bailiffs. The draft law was voted by the Parliament in the first reading on 05.10.2023. The draft law aims to streamline processes for the establishment and activity of the Licensing Commission and the Disciplinary Board; establish clear rules on the initiation and examination of disciplinary procedures (criteria, terms, etc.); a clear regulation of situations of absence from the bailiff's office and establish the consequences if he/she admits an unjustified absence from the office. A particular attention was paid to the aspects related to access to the profession of bailiff by developing criteria to measure the good reputation of the candidate, who seeks to enter the profession of bailiff. The planned reforms are also 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: The exclusion of compulsory judicial mediation for civil cases entered into force in 2022. Although the original aim was to reduce the workload of judges and to resolve cases more quickly. Over time, it has been found that this alternative method of resolving disputes is inefficient and has not generated positive results. Moreover, it has had negative consequences for civil proceedings and the workload of judges and has delayed pending cases, affecting the free access to justice of litigants. It has also been found that judicial mediation proceedings take too long - between three and nine months, which is contrary to the provisions of the Code of Civil Procedure, which provide that the term of judicial mediation may not exceed 45 days. The amendment aims to promote extrajudicial mediation, to reduce the workload of judges and expand the area of intervention and provision of services by mediators. 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. According to 2022 statistics, mediators registered 1,670 requests for mediation of disputes, including for civil, commercial, family and labor cases. In 1,450 cases, disputes were mediated. The implemented 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: In the part related to strengthening the integrity mechanisms of judges and prosecutors in 2022, the Law no. 152/2006 on the National Institute of Justice was amended. The purpose of the amendment lies in the establishment of a mechanism for declaring the assets at the stage of admission to the National Institute of Justice, so that the integrity regime is applicable at all stages of the career of judges and prosecutors (admission to the NIJ, appointment, promotion/transfer). For admission to competition for the initial training of judges and prosecutors at the National Institute of Justice (NIJ-2022 admission) it was requested from each candidate registered in the competition to submit the declaration of assets and personal interests for 2 years.

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.

For example, it has been initiated an amendment of some normative acts in order to facilitate jobs for persons held in prisons, drafted legal provisions for improving the human resources management. In 2022 were repaired 306 detention spaces, 68 offices and other rooms (food blocks, library, warehouses, pharmacies, archives, medical rooms, corridors, crossing and control points, etc.), 27 roofs, including guard pavilions.

208-13. Child friendly justice

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In order to increase procedural guarantees for child victims/witnesses of crimes, in 2022 amendments were made to art. 109 and 110/1 of the Criminal Procedure Code, establishing that the victim/witness is heard as a minor under special conditions up to the age of 18, in criminal cases including crimes of a sexual nature, child trafficking or family violence, as well as in other cases where the interests of justice or the minor require it. Previously, the age limit to be heard under special conditions for these categories of crimes was 14 years old. These legislative amendments were adopted by Law no. 316 of November 17, 2022 (in force since January 9, 2023).

208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In order to improve the mechanisms of access to justice for victims of family violence and victims of sexual crimes, including children, but also to streamline the mechanisms for implementing these categories of crimes, on 17.11.2022 the Parliament adopted a draft law by which several amendments/completions were made in the criminal and civil legislation, both on substance and procedure. Through these amendments, it was also proposed to adjust the national legislative framework to the provisions of the Istanbul Convention and the Lanzarote Convention.

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

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.