

1. Evaluation of the judicial systems (2016-2018 cycle)



Republic of Moldova

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Reference data 2016 (01/01/2016 - 31/12/2016)

Start/end date of the data collection campaign : 01/06/2017 - 31/12/2017

Objective :

The CEPEJ decided, at its 28th plenary meeting, to launch the seventh evaluation cycle 2016 – 2018, focused on 2016 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as two observer states (Israel and Morocco). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

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

Instruction :

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

- User manual
- Explanatory note

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

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

1.General 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)

[3550852]

Comments

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

	Amount
State or federal level	2197152831 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

[1722]

Comments

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

[2719]

NA

Comments

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

[20.8895]

Allow decimals : 5

NAP

Comments The exchange rate used for all data is the average rate of the National Bank of Moldova for 2016 (22.0570 MDL for 1 Euro)

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

Sources: Q.1,3,4 National Bureau of Statistics

Q.2 Ministry of Finance

Q.5 National Bank of Moldova

1.1.2. Budgetary data concerning judicial system



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

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	19555856 [] NA [] NAP	16788570 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	12761836 [] NA [] NAP	11858452 [] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	690661 [] NA [] NAP	379144 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	[] NA [X] NAP	[] NA [X] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	1040041 [] NA [] NAP	934515 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	3042785 [] NA [] NAP	2129654 [] NA [] NAP
6. Annual public budget allocated to training	37485 [] NA [] NAP	2442 [] NA [] NAP
7. Other (please specify)	1983048 [] NA [] NAP	1484363 [] NA [] NAP

Comments - 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 differences: The 2016 data on the total annual public budget approved for the operation of all courts includes the budget allocated to the military court. The balance of unexecuted allowances for 2016 budget can be explained by: applying the provisional budget for 6 months, which did not allow the initiation of planned procurement procedures and the purchase of goods and services, blocking some types of spending by the Ministry of Finance.

In December 2013, an increase of the judges' salaries was provided by law. A legislative reform resulted in an increase of salaries for some public functions and judges' and prosecutors' salaries continued to increase till 2016. Budget for computerization increased in 2016 as a result of the implementation of the Action Plan for the Justice Sector Reform Strategy for the years 2011-2016. Additional allocations were provided for performing actions aimed at providing courts with the technical support needed to implement the Integrated Program of Case Management and to develop new e-justice tools allowing to submit files to the court electronically. In addition, the Law no. 76 on the reorganization of the courts was approved by the Parliament on 21.04.2016 and this fact urged the reconfiguration of the ICMS. According to the Action Plan for the implementation of the Justice Sector Strategy for 2011-2016, adopted by the Parliament on 16 February 2012, most of the actions related to current repairs, renovation of court buildings, have been completed by 2015. Thus, for the year 2016, less financial means have been allocated and implemented for this purpose.

The annual public budget allocated for training includes the costs of professional training of judges and personnel of the instance. It subsumes only the amount allocated to judicial bodies for the training of entrants, excluding the budget of the National Institute of Justice. According to point 21 of the Government Decision no. 231 from 13.04.2012, the decentralized financing is made from the financial means provided in the annual budget of each public authority, amounting to at least 2% of the salary fund. The discrepancy concerning the public budget allocated to training in comparison with 2014 data can be explained by the fact that in 2016 the court salary fund has increased and the National Institute of Justice according to the Action Plan for the implementation of the Justice Sector Strategy for 2011-2016, which has a separate budget, does not train all categories of employees from the courts, but trains only clerks, legal assistants, heads of the secretariat and judges. In this way, other categories of staff have the possibility to receive continuous training courses from financial resources allocated from the court budget.

The difference between the approved budget allocated to training (37485 euros) and the implemented one (2442 euros) for 2016 is due to the fact that many additional trainings for court staff were organized by different cooperation projects with outsourced financial assistance, and as a result the courts spent the allocated financial means to training on other necessities.

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

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

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

Comments:

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

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

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions?

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

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

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

[90]

NA

NAP

Comments

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

[2990638]

[] NA

[] NAP

Comments

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)	1111624 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court	1058875 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	52750 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	1087297 [] NA [] NAP	999229 [] NA [] NAP	88067 [] NA [] NAP
12-1.1 for cases brought to court	1052668 [] NA [] NAP	999229 [] NA [] NAP	53439 [] NA [] NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	34628 [] NA [] NAP	0 [] NA [] NAP	34628 [] NA [] NAP

Comments - 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 differences: The public budget for cases brought before the court concerns the budget allocated and executed for the services of the lawyers representing in courts (criminal and non-criminal) and the criminal investigation phase. The approved budget is different from the implemented, because the payments for December 2016 took place in the next month after the order of payment was submitted.

For non-litigious cases, primary legal aid was provided. The allocated budget was higher because funding sources were provided by the Justice Sector Reform Strategy. At the same time, the balance of unimplemented allowances can be explained by: applying the provisional budget for 6 months, which did not allow the initiation of planned procurement procedures and the purchase of goods and services; blocking some types of spending by the Ministry of Finance.

We can not distinguish the data on the budget for criminal cases and other cases on paralegals because they provide assistance on all types of cases.

In the above tables there are reflected amounts referring only to the National Legal Aid Council expenditure (the payments for judicial services), but the total approved budget is 1 269 212 euro and the executed budget is 1 226 418 euro. The differences are constituting administrative and maintenance expenditures for institutions within the system.

013. Total annual (approved and implemented) public budget allocated to the public prosecution

services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	8916049 [] NA [] NAP	7119459 [] 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 allocated to the public prosecution services, please indicate the main differences: The balance of unimplemented allowances can be explained by: applying the provisional budget for 6 months, which did not allow the initiation of planned procurement procedures and the purchase of goods and services; blocking some types of spending by the Ministry of Finance.

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

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other ministry	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Parliament	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Supreme Court	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
High Judicial Council	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Courts	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

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

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

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

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	58470667 <input type="checkbox"/> NA <input type="checkbox"/> NAP	50196408 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences: The balance of unimplemented allowances for 2016 can be explained by applying the provisional budget for 6 months, which did not allow the initiation of planned procurement procedures and the purchase of goods and services and blocking some types of spending by the Ministry of Finance.

015-2. (Modified question) Please indicate the budgetary elements that are included in the whole justice system by specifying on the one hand the elements of the judicial system budget (please check the consistency with questions 6, 12 and 13). (Note: NAP means that the element does not exist in your system):

	Included
Court (see question 6)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Legal aid (see question 12)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Public prosecution services (see question 13)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments:

015-3. (Modified question) On the other hand, please specify the other budgetary elements included in the whole justice system budget. (Note: NAP means that the element does not exist in your system):

	Included
Prison system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Probation services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Council of the judiciary	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Constitutional court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial management body	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
State advocacy	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Enforcement services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Notariat	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Forensic services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial protection of juveniles	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Refugees and asylum seekers services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Immigration Service	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

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

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

Sources: Ministry of Finance, Ministry of Justice

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

Comments

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

() Yes

(X) No

Comments - If yes, please specify:

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

() Yes

(X) No

Comments - 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	() Yes (X) No [] NA [] NAP	() Yes (X) No [] NA [] NAP

Comments - If yes, please specify:

2.1.2. Quantitative information on legal aid

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

Cases brought to court	Cases not brought to court / non-litigious cases
------------------------	--

TOTAL	11002 [] NA [] NAP	38741 [] NA [] NAP
In criminal cases	9734 [] NA [] NAP	35658 [] NA [] NAP
In other than criminal cases	1268 [] NA [] NAP	3083 [] NA [] NAP

Comments - Please specify when appropriate: The upward trend concerning the number of cases granted with legal aid in 2016 is due to the expansion of the legal aid system, the diversification of the range of services and suppliers of legal aid, the promotion of the system, the reduction of the payment capacity of the population, but also to the increasing public trust in the system of legal aid.

In 2014, there were a total of 6,219 legal aid requests for other than criminal cases, and 4351 requests in 2016. The difference can be explained by the lower number of legal aid requests for this segment in 2016.

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

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify:

022. If yes, are individuals free to choose their lawyer within the framework of the legal aid system?

() Yes

(X) No

Comments

023. (Modified question) Does your country have an income and assets evaluation for granting (full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	984 [] NA [] NAP	[] NA [X] NAP
Full legal aid for other than criminal cases	984 [] NA [] NAP	[] NA [X] NAP
Partial legal aid for criminal cases	984 [] NA [] NAP	[] NA [X] NAP

Partial legal aid for other than criminal cases	984	
	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures 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 guaranteed by the State, 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 level of the person.

024. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

- Yes
- No

Comments - If yes, please explain the exact criteria for denying legal aid:

025. In other than criminal cases, is the decision to grant or refuse legal aid taken by (one option only):

- the court
- an authority external to the court
- a mixed authority (court and external bodies)

Comments

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

- Yes
- No

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

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

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

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

Sources: National Legal Aid Council

2.2.Users of the courts and victims

2.2.1.Rights of the users and victims

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

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) www.lex.justice.md www.legis.md	()
case-law of the higher court/s	(X) www.csj.md www.instante.justice.md www.constcourt.md www.agent.gov.md	()
other documents (e.g. downloadable forms, online registration)	(X) www.instante.justice.md www.cnajgs.md www.justice.gov.md	()

Comments - Please specify what documents and information the addresses for "other documents" include: court documents, requests to provide qualified state-guaranteed legal aid

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

() Yes, always

(X) No

() Yes, only in some specific situations

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

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

(X) Yes

() No

Comments - If yes, please specify:

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

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	() Yes (X) No	(X) Yes () No	(X) Yes () No
Victims of terrorism	() Yes (X) No	() Yes (X) No	() Yes (X) No
Minors (witnesses or victims)	() Yes (X) No	(X) Yes () No	(X) Yes () No

Victims of domestic violence	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Disabled persons	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Juvenile offenders	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

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

Yes

No

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

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

Yes, please specify for which kind of offences: In accordance with the provisions of Law no. 137 of July 29, 2016 regarding the rehabilitation of the victims of the crime, are entitled to a financial compensation the victims of the offenses stipulated in the following articles of the Criminal Code: art.145 (intentional homicide), art.146 (murder in the heat of passion), art.149 (deprivation of life by imprudence), art.151 paragraph (4) (intentional severe bodily injury or damage to health resulting with the death of the person), art.158 (compelling a person to remove organs or tissues), art.164 par. (3) (b) (kidnapping of a person that caused imprudently a serious injury to bodily integrity or health or death), art.165 (trafficking in human beings), art.166 (3) (illegal deprivation of liberty), art. 1661 (torture, inhuman or degrading treatment), art.167 (slavery and conditions similar to slavery), art.168 (forced labor in the case where the offense is committed against a minor), art. 171-175 (offenses related to sexual life), art.2011 (domestic violence), art.206 (trafficking in children), art.2081 (infantile pornography), art.208 2(taking advantage of the prostitution practiced by a child).

No

Comments

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

Yes

No

Comments

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

NAP

Comments - If necessary, please specify: Victims of offences may challenge a decision of the prosecutor to discontinue a case before the investigating judge only after filing a complaint with the superior prosecutor in accordance with the provisions of articles 298 and 299/1 of the Code of Criminal Procedure. The order by which the superior prosecutor has dealt with the complaint may be challenged before the investigating judge within 10 days. The complaint is examined by the investigating judge within 10 days, with the mandatory participation of the prosecutor responsible for the criminal prosecution in the case and with the summons of the person making the complaint. Failure of the complainant to appear does not preclude consideration of the complaint. The prosecutor is obliged to present the necessary documents before the court. During the examination of the case, the prosecutor and the complainant provide arguments. Under art. 313 (6) PPC, the judgment of the investigating judge is irrevocable.

2.2.2. Confidence of citizens in their justice system



037. (Modified question) Is there a system for compensating users in the following circumstances:

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

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

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): According to the 2016 collected data first instance courts registered 372 new cases regarding excessive length of proceedings and non-enforcement of the court judgement and issued 91 convictions. The appellate courts registered 233 cases contested with recourse on related issues and examined 172 of them.

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

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: Between June 2015 and March 2017, judicial authorities of the Republic of Moldova and the European Commission for the Efficiency of Justice (CEPEJ) co-operated actively in the framework of the Project “Strengthening the efficiency of justice and support to lawyers’ profession in the Republic of Moldova”, which was part of the Council of Europe and European Union Eastern Partnership Programmatic Co-operation Framework 2015-2017 (PCF). The main objective of this cooperation was to support a better efficiency of courts and improved quality of judicial services in Moldova. The means for attaining this objective were based on optimisation of court management through implementation of CEPEJ tools in pilot courts, analysis of their results and formulation of proposals for dissemination of the best practices to the national

level. As part of the project, a team of CEPEJ experts visited the six pilot courts designated by the Superior Council of Magistracy (SCM) of the Republic of Moldova, and conducted an in-depth evaluation of their efficiency, time and quality management, explaining and applying the specific methodology and tools promoted by the CEPEJ.

Under the guidance of CEPEJ experts the pilot courts conducted projects and activities to apply the SATURN tools for better time management in their daily work. Following a number of capacity building activities, the pilot courts also introduced satisfaction surveys for users, lawyers and staff. The results of these surveys were analysed and action plans to improve the quality of services and user satisfaction were developed.

Surveys results conducted by the courts for 2016 are available on the following links:

[https://www.coe.int/t/dghl/cooperation/cepej/cooperation/Moldova/CEPEJ-](https://www.coe.int/t/dghl/cooperation/cepej/cooperation/Moldova/CEPEJ-COOP_2017_3_CEPEJ%20Final%20Report%20implementation%20IT%20tools%20Moldova.pdf)

[COOP_2017_3_CEPEJ%20Final%20Report%20implementation%20IT%20tools%20Moldova.pdf](https://www.cach.instante.justice.md/ro/content/statistica)

[a http://www.csj.md/images/Raport_CSJ_2016-ilovepdf-compressed.pdf](https://www.cach.instante.justice.md/ro/content/statistica)

<https://www.jhn.instante.justice.md/ro/content/statistica> General perception of judges, prosecutors and lawyers on justice reform and fight against corruption was another survey conducted in October-December 2015 through written questionnaires by the Centre of Sociological Investigations and Marketing Research „CBS-AXA” (CBS-AXA), at the request of the Legal Resources Centre from Moldova, and presented in January 2016.

<http://crjm.org/wp-content/uploads/2016/05/SurveyJustice-ENG-Revazut-VI-WEB-9Mb.pdf>

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

Yes

No

Comments

041. (Modified question) If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Council of the Judiciary	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

041-1. (Modified question) Please specify further certain aspects of this procedure:

	Number of complaints	Compensations amount granted to users
Court concerned	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Higher court	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Council of the Judiciary	2012 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: The decrease in the number of complaints before the Council of the Judiciary can be explained by the lower number of requests for this segment in 2016.

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

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

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	46 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	53 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

	Number of courts
Total (must be the same as the data given under question 42.2)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Other specialised 1st instance courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other specialised 1st instance courts", please specify:

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

Yes

No

Comments - If yes, please specify: 1. According to action 1.1.1. of the Action Plan for the implementation of the Justice Sector Strategy for 2011-2016, adopted by the Parliament on 16 February 2012, the optimization of the dislocation map of judicial bodies was planned in order to strengthen the institutional capacity of the courts, the number of judges and to ensure the most efficient use of available resources, with the organization of a series of actions aimed at carrying out studies and recommendations on the subject concerned and plans to change the normative framework.

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

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

The District Commercial Court and the Military Court will cease their activity from 1 April 2017.

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

Number of courts

a debt collection for small claims	47 [] NA [] NAP
a dismissal	46 [] NA [] NAP
a robbery	47 [] NA [] NAP

Comments

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

() Yes

(X) No, please give your definition for small claims:

Comments For the reference period there is no term "small claim" defined.

045-2. (New question) Please indicate the value in € of a small claim:

[0]

Comments There is not a fixed threshold concerning the financial value of the claim and the legal norms for the reference period are not defining such term as "small claim".

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

Sources: Ministry of Justice, Superior Council of Magistracy

3.2. Court staff

3.2.1. Judges and non-judge staff



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

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	418 [] NA [] NAP	218 [] NA [] NAP	200 [] NA [] NAP
1. Number of first instance professional judges	304 [] NA [] NAP	161 [] NA [] NAP	143 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	85 [] NA [] NAP	41 [] NA [] NAP	44 [] NA [] NAP

3. Number of supreme court professional judges	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP
---	---	---	---

Comment - Please provide any useful comment for interpreting the data above: Active judges who worked during the year 2016 were counted.

047. Number of court presidents (professional judges). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance court presidents	44 <input type="checkbox"/> NA <input type="checkbox"/> NAP	31 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) court presidents	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of supreme court presidents	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments According to Article 16 (3) of Law no. 514 of 06.07.1995 on the organization of the judiciary, the presidents and vice-presidents of the courts of appeal are appointed by the President of the Republic of Moldova, at the proposal of the Superior Council of Judiciary, for a period of 4 years. They may hold these positions for a period of at most two successive terms. In this way, in 2016, the post of president of the 4 courts of appeal was held by 3 men and 1 woman.

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

Comments - If necessary, please provide comments to explain the answer provided: In the judicial system of the Republic of Moldova, there are no professional judges on an occasional basis.

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

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

Comments In the judicial system of the Republic of Moldova, there are no professional judges on an occasional basis.

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

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

Comments

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

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

Comments - If “other”, please specify: In the judicial system of the Republic of Moldova, there are no non-professional judges.

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

() Yes

(X) No

Comments

050-1. (New question) If yes, for which type of case(s)? (Please, for severe criminal cases and misdemeanour cases refer to the CEPEJ definitions)

Severe criminal cases

Misdemeanour cases

Other 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 (on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	1844 <input type="checkbox"/> NA <input type="checkbox"/> NAP	420 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1424 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	<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 staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	965 <input type="checkbox"/> NA <input type="checkbox"/> NAP	184 <input type="checkbox"/> NA <input type="checkbox"/> NAP	781 <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)	579 <input type="checkbox"/> NA <input type="checkbox"/> NAP	109 <input type="checkbox"/> NA <input type="checkbox"/> NAP	470 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Technical staff	300 <input type="checkbox"/> NA <input type="checkbox"/> NAP	127 <input type="checkbox"/> NA <input type="checkbox"/> NAP	173 <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: Discrepancies of 2016 data in comparison with 2014 data can be explained by the staff flow. The decrease in the number of technical staff is also due to staff flow caused by low salaries.

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

legal aid

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

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services, which fall within their powers, to private providers?

- Yes
- No

Comments

054-1. (New question) If yes, please specify which services have been outsourced:

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

Comments

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

Sources: Superior Council of Magistracy, Agency for Courts Administration

3.3. Public prosecution

3.3.1. Public prosecutors and staff

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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	681	466	215
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

1. Number of prosecutors at first instance level	478 [] NA [] NAP	319 [] NA [] NAP	159 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	23 [] NA [] NAP	15 [] NA [] NAP	8 [] NA [] NAP
3. Number of prosecutors at supreme court level	180 [] NA [] NAP	132 [] NA [] NAP	48 [] NA [] NAP

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

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

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

On 25.12.2016, the Parliament of the Republic of Moldova adopted the Public Prosecutor's Act. The latter presents a new conception of the organization and functioning of the Public Prosecutor's Office: the structure of the administration, the status of the prosecutor, the role of the self-administration organs. Similarly, the law provides for the establishment of a new specialized prosecutor's office for special cases and establishes new mechanisms for the selection, career and evaluation of prosecutors. So the 2016 data are not comparable with the previous data provided in this regard.

056. Number of heads of prosecution offices (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	42 [] NA [] NAP	41 [] NA [] NAP	1 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	32 [] NA [] NAP	31 [] NA [] NAP	1 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	7 [] NA [] NAP	7 [] NA [] NAP	0 [] NA [] NAP
3. Number of heads of prosecution offices at supreme court level	3 [] NA [] NAP	3 [] NA [] NAP	0 [] NA [] NAP

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

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

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

On 25.12.2016, the Parliament of the Republic of Moldova adopted the Public Prosecutor's Act. The latter presents a new conception of the organization and functioning of the Public Prosecutor's Office: the structure of the administration, the status of the prosecutor, the role of the self-administration organs. Similarly, the law provides for the establishment of a new specialized prosecutor's office for special cases and establishes new mechanisms for the selection, career and evaluation of prosecutors. So the 2016 data are not comparable with the previous data provided in this regard.

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

() Yes, please specify their number (in full-time equivalent):

(X) No

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

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

Yes

No

Comments Other persons are not having similar duties to public prosecutors.

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

Yes

No

Comments

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	318 [] NA	92 [] NA	226 [] NA

Comments

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

Sources: General prosecutor's office

3.4. Management of the court budget

3.4.1. Court budget

061. Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court President	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Court administrative director	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Head of the court clerk office	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other", please specify:

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 (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify:

067. Do you have specialised court staff that is entrusted with these quality standards?

Yes

No

Comments

068. Is there a national system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan agreed beforehand?

Yes

No

Comments

068-1. (New question) If yes, please specify the frequency of this evaluation:

Annual

Less frequent

More frequent

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

069. Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

Comments - If yes, please give further details: According to art. 52 of the Law on the Prosecutor's Office no. 3 from 25.02.2016, the prosecutors' inspection carries out the verification of the organizational activity of prosecutors and prosecutors offices.

The Prosecutor General presents to the Parliament an annual report on the activity of the Prosecutor's Office for the previous year. The report is heard in Parliament, made public and placed on the official website of the General Prosecutor's Office.

3.6.2. Performance and evaluation of courts

070. Do you have, within the courts, a regular monitoring system of court activities concerning:

- number of incoming cases
- number of decisions delivered
- number of postponed cases
- length of proceedings (timeframes)
- age of cases
- other (please specify):

Comments

071. Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

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

Comments

072. Do you have an evaluation process to monitor waiting time during court procedures?

- Yes
- No

Comments - If yes, please specify:

073. Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

- Yes
- No

Comments

073-0. (New question) If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

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

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

- Yes
- No

Comments

074. Are there performance targets defined at the level of the court?

- Yes
- No

Comments

075. (Modified question) Please specify the main targets applied to the courts:

- to increase efficiency / to shorten the length of proceedings
- to improve quality
- to improve cost efficiency / productivity
- Other (please specify):

Comments

076. Who is responsible for setting the targets for the courts?

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

Comments

077. Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 79)

- Yes
- No

Comments

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

- incoming cases
- length of proceedings (timeframes)
- closed cases
- pending cases and backlogs
- productivity of judges and court staff
- percentage of cases that are processed by a single sitting judge
- enforcement of penal decisions
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- judicial quality and organisational quality of the courts
- costs of the judicial procedures
- number of appeals

other (please specify): According to the SCM Decision no.634 / 26 of 29.09.2016 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 Clearance rate Disposition time Rate of the court staff per judge Rate of canceled decisions Rate of changed decisions Examination of cases on time (refers to cases with the fixed terms provided by

the legislation)

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

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

Comments Q.78 The positive reply (compared to the negative reply provided for 2014) in respect of the following categories – “costs of the judicial procedure”, “number of appeals”, and “other” – is due to the additionally approved quality indicators by the Decision no.634 / 26 of 29.09.2016 of the Superior Council of Magistracy. The following categories - "incoming cases", "pending cases and backlogs" were defined and applied as main performance indicators many years and in 2014 as well. The category "satisfaction of court staff" is available in the Performance Dashboard of the Integrated Case Management System that is used by all courts from 2015. So each court user has the option to fill individually the proposed questionnaire.

The category "productivity of judges and court staff" was not considered in 2014 as a distinct indicator but it resulted from the analyse of other performance indicators. The mentioned category is not defined as distinct performance indicator in 2016 as well.

3.6.3. Court activity and administration

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

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

() No

Comments

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

- (X) Yes, on internet
- () No, only internally (in an intranet website)
- () No

Comments

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

- (X) Yes
- () No

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

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

- Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

3.6.4. Performance and evaluation of judges

083. Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):

Comments

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 represented by a lawyer)?

[]

NA

NAP

Comments

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

Yes, number of successful challenges in a year not available

No

Comments - Please could you briefly specify:

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

	Monitoring system
For civil procedures (non-enforcement)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
For civil procedures (timeframe)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
For criminal procedures (timeframe)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

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

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

Sources: Ministry of Justice

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters as regards:

- civil cases
 criminal cases
 administrative cases
 There is no specific procedure

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. (Modified question) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

- civil cases
 criminal cases
 administrative cases

Comments - If yes, please specify:

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

- Yes
 No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance

091. (Modified question) 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 (Please insert NA for category 2)

Total of other than criminal law cases (1+2+3+4)	28479 [] NA [] NAP	100840 [] NA [] NAP	98213 [] NA [] NAP	31106 [] NA [] NAP	2573 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	23460 [] NA [] NAP	68429 [] NA [] NAP	66464 [] NA [] NAP	25425 [] NA [] NAP	1934 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	1243 [] NA [] NAP	23750 [] NA [] NAP	22746 [] NA [] NAP	2247 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	14 [] NA [] NAP	10367 [] NA [] NAP	10370 [] NA [] NAP	11 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	1229 [] NA [] NAP	13383 [] NA [] NAP	12376 [] NA [] NAP	2236 [] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	3106 [] NA [] NAP	6455 [] NA [] NAP	6713 [] NA [] NAP	2848 [] NA [] NAP	128 [] NA [] NAP
4. Other cases	670 [] NA [] NAP	2206 [] NA [] NAP	2290 [] NA [] NAP	586 [] NA [] NAP	511 [] NA [] NAP

Comments Data for 2016 are correctly reflected and calculated using the same methodology as in 2014.

2. Non-litigious cases: pending cases on 1 January 2016 increased in comparison with pending cases on 1 January 2014 and pending cases on 1 January 2012 as a result of a decrease in the number of total resolved cases in 2014 in comparison with the number of resolved cases in 2012; pending cases on 31 December 2016 increased in comparison with pending cases on 31 December 2014 and pending cases on 31 December 2012 due to a negative trend in the number of resolved cases in 2016 in comparison with 2014 and 2012.

2.1 General civil (and commercial) non-litigious cases: there are not significant differences between pending cases on 1 January and 31 December 2016 and pending cases 1 January and 31 December 2014. In respect of related categories of cases the legislation regulates a fixed term of examination (cases to be examined in a simplified procedure).

2.3 Other non-litigious cases: pending cases on 1 January 2016 increased in comparison with pending cases on 1 January 2014 and pending cases on 1 January 2012 as a result of a decrease in the number of resolved cases in 2014 in comparison with the number of resolved cases in 2012; pending cases on 31 December 2016 increased in comparison with pending cases on 31 December 2014 and pending cases on 31 December 2012 due to an increase of incoming cases in 2016.

4. Other cases: pending cases on 1 January 2016 increased in comparison with pending cases on 1 January 2014 and pending cases on 1 January 2012 as a result of a decrease in the number of resolved cases in 2014 in comparison with the number of resolved cases in 2012.

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

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

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

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

094. (Modified question) 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)	12135	42456	40146	14445	614
	[] NA	[] NA	[] NA	[] NA	[] NA
	[] NAP	[] NAP	[] NAP	[] NAP	[] NAP

1. Severe criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences": Data for 2016 are correctly reflected and calculated using the same methodology as in 2014.

Pending cases on 1 January 2016 and on 31 December 2016 (criminal cases) increased in comparison with pending cases on 1 January 2014 and on 31 December 2014 (criminal cases) due to an increased number of incoming cases in the reference years.

4.2.3. Case flow management – second instance



097. (Modified question) 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 (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	4549 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17711 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17578 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4682 <input type="checkbox"/> NA <input type="checkbox"/> NAP	69 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	3507 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13578 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13407 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3678 <input type="checkbox"/> NA <input type="checkbox"/> NAP	69 <input type="checkbox"/> NA <input 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	1042 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4133 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4171 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1004 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The increased numbers of pending cases on 1 January 2016 are due to several parameters. On the one hand, the number of incoming cases increased between 2012 and 2014. On the other hand, the number of judges does not vary significantly from year to year and the judges are examining all categories of cases. Additionally, following amendments to the legislation, a fixed term of examination has been established for some categories of cases (cases to be examined on a priority basis). Data for 2016 are correctly reflected and calculated using the same methodology as in 2014.

098. (Modified question) 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)	1778 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11562 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11691 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1649 <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

Comments The judicial system of the Republic of Moldova attests a tendency of increasing of incoming criminal law cases in the last years. In the same context, the number of judges does not vary significantly from year to year and the judges are examining all categories of cases. Besides, following amendments to the legislation, a fixed term of examination has been established for some categories of cases (cases to be examined on a priority basis). Accordingly, the number of pending criminal law cases on 1 January 2016 increased between 2014 and 2016. As the number of resolved criminal law cases increased in 2016, the number of pending criminal law cases on 31 December 2016 decreased in comparison with 2014. Data for 2016 are correctly reflected and calculated using the same methodology as in 2014.

4.2.4. Case flow management – Supreme Court



099. (Modified question) 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 (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	672 [] NA [] NAP	8798 [] NA [] NAP	8890 [] NA [] NAP	580 [] NA [] NAP	0 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	468 [] NA [] NAP	5793 [] NA [] NAP	5834 [] NA [] NAP	427 [] NA [] NAP	0 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	162 [] NA [] NAP	1945 [] NA [] NAP	1996 [] NA [] NAP	111 [] NA [] NAP	0 [] NA [] NAP
4. Other cases	42 [] NA [] NAP	1060 [] NA [] NAP	1060 [] NA [] NAP	42 [] NA [] NAP	0 [] NA [] NAP

Comments Total of other than criminal law cases, civil and commercial litigious cases and other cases: pending cases on 1 January 2016

decreased in comparison with pending cases on 1 January 2014 as a result of an increase in the number of resolved cases in 2014. Administrative law cases and other cases: pending cases on 31 December 2016 decreased in comparison with pending cases 31 December 2016 as a result of an increase in the number of resolved cases in 2014 and decrease of the incoming cases in 2016;

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:NA
- () No

Comments

100. (Modified question) 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)	370 [] NA [] NAP	1865 [] NA [] NAP	1903 [] NA [] NAP	332 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The decrease in the number of pending criminal cases on 1 January 2016 is due to the decrease in the number of incoming cases and increase in the number of resolved cases in 2014. The increase in the number of pending criminal cases on 31 December 2016 is a result of the decrease in the number of resolved cases in 2016 in comparison with the number with resolved cases in 2014.

4.2.5. Case flow management – specific cases



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	2388 [] NA [] NAP	10845 [] NA [] NAP	10595 [] NA [] NAP	2638 [] NA [] NAP
Employment dismissal cases	106 [] NA [] NAP	180 [] NA [] NAP	200 [] NA [] NAP	86 [] NA [] NAP
Insolvency	1256 [] NA [] NAP	1465 [] NA [] NAP	1019 [] NA [] NAP	1702 [] NA [] NAP
Robbery case	85 [] NA [] NAP	107 [] NA [] NAP	100 [] NA [] NAP	92 [] NA [] NAP

Intentional homicide	88 [] NA [] NAP	173 [] NA [] NAP	185 [] NA [] NAP	76 [] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	43 [] NA [] NAP	6 [] NA [] NAP	10 [] NA [] NAP	39 [] NA [] NAP
Cases relating to the right of entry and stay for aliens	42 [] NA [] NAP	242 [] NA [] NAP	233 [] NA [] NAP	51 [] NA [] NAP

Comments For “Employment dismissal cases” there are decreases as concerns pending on 1 January 2016, incoming, resolved and pending on 31 December 2016 cases in comparison with 2014 and 2012. There is not a specific reason explaining this trend in the related years. For “Insolvency cases” there are increases as concerns pending on 1 January 2016, incoming, resolved and pending on 31 December 2016 cases in comparison with 2014 and 2012. There is not a specific reason explaining the increases in the related years. For “Robbery cases” there are decreases as concerns pending on 1 January 2016, incoming, resolved cases in comparison with 2014 and 2012. The decreases in the number of the resolved cases are due to less incoming cases and pending on 1 January 2016 cases. In respect of all these categories, it should be noted that figures are small and, accordingly, the observed variations should be qualified.

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

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

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

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

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

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Litigious divorce case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Employment dismissal case	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	<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	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	<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	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<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	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

. Divorce cases are examined in general civil litigious procedure.

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

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

4.2.6. Case flow management – public prosecution



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

- to conduct or supervise police investigation
- to conduct investigations
- 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):

106. (Modified question) Does the public prosecutor also have a role in:

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

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

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	66559 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12448 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7072 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14329 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	1032 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	609 <input type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	423 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The reason that the guilty plea procedures during the court case decreased in 2016 in comparison with 2014 data is the applicability of the simplified procedure based on the evidence administered at the stage of the criminal investigation (application of Article 364/1 of the Criminal Procedure Code - Judgment based on evidence administered during the criminal investigation phase).

108. Total cases which were discontinued by the public prosecutor:

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	12448 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Discontinued by the public prosecutor because the offender could not be identified	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	5359 <input type="checkbox"/> NA <input type="checkbox"/> NAP

3. Discontinued by the public prosecutor for reasons of opportunity

7089

NA

NAP

Comments

109. Do the figures include traffic offence cases?

Yes

No

Comments

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

Sources: Agency for Courts Administration and 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. (Modified question) How are judges recruited?

mainly through a competitive exam (open competition)

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

a combination of both (competitive exam and working experience)

other (please specify):

Comments

110-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

Yes

No

Comments - If yes, 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 made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If

there are several authorities, please describe their respective roles:

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

Yes

No

Comments

112-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

Yes

No

Comments - If yes, please specify:

113. What is the procedure for judges to be promoted? (multiple answers possible)

Competitive test / Exam

Other procedure (interview or other)

No special procedure

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

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

114. (Modified question) Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments

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

Annual

Less frequent

More frequent

5.1.2. Status, recruitment and promotion of prosecutors



115. What is the status of prosecution services?

- [X] statutory independent
- [] under the authority of the Minister of justice or another central authority
- [] other (please specify):

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

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

- () Yes
- (X) No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

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

Comments

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
- [X] an authority composed of public prosecutors and non-public prosecutors

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

117-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

- () Yes
- (X) No

Comments - If yes, please specify:

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

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

Comments

119. What is the procedure for prosecutors to be promoted? (multiple answers possible)

- [X] Competitive test / exam

Other procedure (interview or other)

No special procedure

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

119-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

Yes

No

Comments - If yes, please specify:

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

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

Yes

No

Comments

5.1.3.Mandate and retirement of judges and prosecutors

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

Yes, please indicate the compulsory retirement age:65

No

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

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

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

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

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

No

NAP

Comments

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

Yes, please indicate the compulsory retirement age:65

No

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

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

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

No

Comments

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

Yes, what is the length of the mandate (in years)?

No

Comments

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

Yes, what is the length of the mandate (in years)?

No, what is the length of the mandate (in years)?

Comments

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

Comments - Please indicate any information on the periodicity of the continuous training of judges: The information on ongoing training for judges and prosecutors in 2016 is available on the website: <https://www.inj.md/ro/plan-calendaristic-de-formare-continuu%C4%83-pe-semestrul-i-anul-2016-realiz%C4%83ri>

<https://www.inj.md/ro/plan-calendaristic-de-formare-continuu%C4%83-pe-semestrul-ii-anul-2016-realiz%C4%83ri>

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 on organised crime)	(X) Yes () No	() Yes (X) No	() Yes (X) No

In-service training for management functions in the courts (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

Comments

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

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

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: The information on ongoing training for judges and prosecutors in 2016 is available on the website: <https://www.inj.md/ro/plan-calendaristic-de-formare-continuu%C4%83-pe-semestrul-i-anul-2016-realiz%C4%83ri>

<https://www.inj.md/ro/plan-calendaristic-de-formare-continuu%C4%83-pe-semestrul-ii-anul-2016-realiz%C4%83ri>

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

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

Comments

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

Budget of the institution for the reference year, in €

One institution for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One institution for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One single institution for both judges and prosecutors	1016562 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The data indicated above reflects the approved and allocated budget to the National Institute of Justice. The implemented budget for 2016 was Euro 680 360.

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

. Judges and/or prosecutors have compulsory initial training.

5.3. Practice of the profession

5.3.1. Salaries and benefits of judges and prosecutors



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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	7648 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5843 <input type="checkbox"/> NA <input type="checkbox"/> NAP	168696 <input type="checkbox"/> NA <input type="checkbox"/> NAP	128889 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	12747 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9585 <input type="checkbox"/> NA <input type="checkbox"/> NAP	281160 <input type="checkbox"/> NA <input type="checkbox"/> NAP	211427 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	6189 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5047 <input type="checkbox"/> NA <input type="checkbox"/> NAP	136505 <input type="checkbox"/> NA <input type="checkbox"/> NAP	111332 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	7381 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5852 <input type="checkbox"/> NA <input type="checkbox"/> NAP	162801 <input type="checkbox"/> NA <input type="checkbox"/> NAP	129078 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

the seniority. The reform resulted in a considerable increase of the judges and prosecutors salaries at the beginning, as well as at the end of their career.

133. Do judges and public prosecutors have additional benefits?

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

Comments The reply with regard to “other financial benefit” was NO for 2014 while it is YES for 2016 for public prosecutors due to the Law No. 328 of 23 December 2013 on the remuneration of judges that was amended and added in 2016 the same financial benefits for prosecutors as well as for judges.

The reply in respect of “housing” for prosecutors was YES for 2014 while it is NO for 2016 due to the new Prosecutors Act adopted on 25 of December 2016 by the Parliament of the Republic of Moldova, according to which housing is not among the benefits granted to the public prosecutors.

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

. According with art. 6 of Law No. 328 of 23 December 2013 on the remuneration of judges and prosecutors, judges and prosecutors are granted annually with material aid that has the value of a salary of function. In case of the dismissal of the judge/prosecutor from his position, the material assistance already paid for the period of activity is recalculated.

Judges and prosecutors can benefit from bonuses for anniversaries, other occasions, non-working holiday days, which are paid from savings of financial resources for the remuneration, allocated for a year.

Judges and prosecutors who during the year are subject to disciplinary sanctions, under the conditions of the law, do not receive bonuses.

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

[] NAP

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

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

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

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

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

	With remuneration	Without remuneration
Teaching	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Research and publication	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Arbitrator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Consultant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cultural function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

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

Yes

No

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

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

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

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments From 1 January 2015, the Law on the disciplinary responsibility of judges entered into force and regulates the activity of the Disciplinary Commission of the Superior Council of Magistracy. This Commission is a public entity with managerial independence and which ensures the effective and independent functioning of the judicial system. It is responsible for the examination of disciplinary proceedings initiated by the members of the Superior Council of Magistracy for a complex, objective and independent analysis and for potentially deciding on disciplinary sanctions. If it considers that additional verifications are necessary before instructing the file, it can request controls from the judicial inspection, request documents as well as files of cases handled by the judge who allegedly committed violations. The Disciplinary Commission is composed of 10 members: 2 judges from the Supreme Court of Justice; 2 judges representing the courts of appeal; 1 judge representing first instance courts and 5 representatives of civil society.

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

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

Other (please specify):Disciplinary proceedings against prosecutors can be initiated by the Superior Council of Prosecutors, by the College for the evaluation of prosecutor’s performance, in case of the appearance of disciplinary offenses, the College notifies the Prosecutor’s Inspection and by the Prosecutor’s Inspection as a result of the made controls.

- This is not possible

Comments

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

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman

- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

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

- Supreme Court
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):The Superior Council of Prosecutors and the College of Discipline and Ethics exercise the disciplinary authority over 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)	72 <input type="checkbox"/> NA <input type="checkbox"/> NAP	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	61 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input 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 9)	13 [] NA [] NAP	20 [] NA [] NAP
1. Reprimand	6 [] NA [] NAP	10 [] NA [] NAP
2. Suspension	[] NA [X] NAP	[] NA [X] NAP
3. Withdrawal from cases	[] NA [X] NAP	[] NA [X] NAP
4. Fine	[] NA [X] NAP	[] NA [X] NAP
5. Temporary reduction of salary	0 [] NA [] NAP	0 [] NA [] NAP
6. Position downgrade	[] NA [X] NAP	0 [] NA [] NAP
7. Transfer to another geographical (court) location	[] NA [X] NAP	[] NA [X] NAP
8. Resignation	[] NA [X] NAP	[] NA [X] NAP
9. Other	7 [] NA [] NAP	10 [] NA [] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Other: warnings, dismissals

In accordance with Article 6 of the Law no. 178 on the disciplinary liability of judges, which entered into force on January 1, 2015, the disciplinary sanctions that may be imposed on judges are: a) warning; b) reprimand; c) reduction of salary; d) dismissal from the position of judge.

In accordance with Article 39 of Law no. 3 regarding the Prosecutor's Office which entered into force on August 1, 2016 the disciplinary sanctions that can be applied to the prosecutors are: a) warning; b) reprimand; c) reduction of salary; d) position downgrade; e) dismissal from the position of prosecutor.

These two new articles and laws applicable in 2016 explain the discrepancies of certain categories of disciplinary sanctions applied to judges and prosecutors in 2016 and 2014 years.

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

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

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

[2014]

[] NA

[] NAP

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Dismissal cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Criminal cases - Defendant	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Victim	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Administrative cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
There is no monopoly	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

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

149-0. (New question) If there is no monopoly, please specify the organisations or persons that may represent a client before a court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Family member	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Self-representation	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Trade union	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Other	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP

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

Rights, freedoms and interests of individuals who don't have full legal capacity or who have limited legal capacity are defended in court by their parents, adoptive parents, tutors or guardians, other persons to whom this right is granted by law.

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

Notarial activity

Arbitration / mediation

Proxy / representation

Property manager

Real estate agent

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

Comments

149-2. What are the statuses for exercising the legal profession in court?

Self-employed lawyer

Staff lawyer

In-house lawyer

Comments

150. Is the lawyer profession organised through:

a national bar association

a regional bar association

a local bar association

Comments

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

Yes

No

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

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify:

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

Sources: The Lawyer's Union from the Republic of Moldova, Ministry of Justice

6.1.2. Practicing the profession

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

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

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

- Yes laws provide rules
- Yes standards of the bar association provide rules
- No neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

- Yes
- No

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

- http://www.cnajgs.md/uploads/asset/file/ro/569/Hot_nr._7_aprobare_standarde_de_calitate_anexa.pdf
- http://www.cnajgs.md/uploads/asset/file/ro/577/Hot_nr._9__aprobare_standarde_victim.pdf
- http://www.cnajgs.md/uploads/asset/file/ro/578/Hot_nr._10_aprobare_standarde_martori.pdf

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

- the bar association
- the Parliament

other (please specify): The Lawyers' Union of the Republic of Moldova is responsible for the definition of the quality standards with regard to lawyers. Also, the 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?

- the judge
- the Ministry of Justice
- a professional authority
- other (please specify):

Comments

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

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Breach of professional ethics	20 [] NA [] NAP
2. Professional inadequacy	0 [] NA [] NAP
3. Criminal offence	3 [] NA [] NAP
4. Other	[] NA [X] NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	23 [] NA [] NAP
1. Reprimand	1 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	6 [] NA [] NAP
4. Fine	12 [] NA [] NAP
5. Other	4 [] NA [] NAP

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

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR

163. Does the judicial system provide for judicial mediation procedures? If this is not the case you will go directly to question 168.

(X) Yes

() No

Comments

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

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned:

164. Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	() Yes (X) No	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Family law cases (ex. divorce)	() Yes (X) No	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Administrative cases	() Yes (X) No	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Employment dismissals	() Yes (X) No	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Criminal cases	() Yes (X) No	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments

165. Is there a possibility to receive legal aid for judicial mediation procedures?

Yes

No

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

166. Number of accredited or registered mediators who practice judicial mediation:

[729]

NA

NAP

Comments The increasing number of mediators since 2014 is due to the attractive character of the profession, offering interesting perspectives.

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

1. Civil and commercial cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source:

168. Does the legal system provide for the following alternative dispute resolutions (ADR):

- mediation other than judicial mediation
- arbitration
- conciliation
- other ADR (please specify):

Comments

G1. Please indicate the source for answering question 166:

Source: Ministry of Justice

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

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

- Yes
- No

Comments

170. Number of enforcement agents

- [171]
- NA
- NAP



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

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

Comments - Please specify their status and powers:

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

- Yes
- No

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

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

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

Other

- Yes with monopoly
 Yes without monopoly
 No
 NAP

Comments

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

- Service of judicial and extrajudicial documents
 Debt recovery
 Voluntary sale of moveable or immovable property at public auction
 Seizure of goods
 Recording and reporting of evidence
 Court hearings service
 Provision of legal advice
 Bankruptcy procedures
 Performing tasks assigned by judges
 Representing parties in courts
 Drawing up private deeds and documents
 Building manager
 Other

Comments

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

- Yes
 No

Comments

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

- Yes
 No

Comments

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

- a national body
 a regional body
 a local body

NAP

Comments

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

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

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

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: Ministry of Justice

8.1.2. Efficiency of enforcement services



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

Yes

No

Comments

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

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

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

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

- a professional body
- the judge
- the Ministry of Justice
- other (please specify):

Comments

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

- Yes
- No

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

In the case of non-execution of the enforceable document issued within 6 months from the date of its submission, the creditor may ask the bailiff to initiate the forced execution.

Payments for forced execution of the amounts awarded under the enforceable documents shall be made within the approved budgetary authority / budget.

The writ of execution of the bailiff who does not comply with the legal provisions in force and / or is not accompanied by the original writ of execution and the proof of the expiry of the term stipulated above is returned without enforcement.

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

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

- Yes
- No

Comments - If yes, please specify:

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

- no execution at all
- non execution of court decisions against public authorities
- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other (please specify):

Comments

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

Yes

No

Comments - If yes, please specify: La loi n°48 du 26 mars 2011 a complété la Loi des finances publiques et de la responsabilité budgétaire et fiscale n°181 du 25 juillet 2014. En vertu de cette disposition, les paiements visant l'acquittement des sommes adjugées en conformité avec les titres d'exécution seront effectués indépendamment du fait que des sommes soient ou non allouées en ce sens, mais sans dépasser la marge de 20% du budget approuvé pour l'année respective. Si le titre d'exécution n'est pas exécuté pendant les 6 mois suivant le jugement définitif ordonnant l'exécution, le créancier peut demander à l'huissier d'engager l'exécution forcée en conformité avec la procédure établie par le Code d'exécution.

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. As regards a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):

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)	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. For professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

3. For criminal offence	0 [] NA [] NAP
4. Other	10 [] NA [] NAP

Comments - If "other", please specify: The category "other" refers to the sanctions for non-observance of the provisions of the Enforcement Code, for failure to submit the information requested by the Ministry of Justice and the National Union of Bailiffs.

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	25 [] NA [] NAP
1. Reprimand	3 [] NA [] NAP
2. Suspension	1 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	20 [] NA [] NAP
5. Other	1 [] NA [] NAP

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

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

Source: Ministry of Justice

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

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

Judge

Public prosecutor

Prison and Probation Services

Other authority (please specify):

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

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

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

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

	Number of notaries
TOTAL	317 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Private professionals under the authority (control) of public authorities	317 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public agents	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

192-1. What are the access conditions to the profession of notary:

diploma

payment of a fee (e.g. purchasing office)

co-opting of peers

other

Comments

192-2. (Modified question) What is the duration of appointment of a notary?

Limited duration, please indicate it in years:

Unlimited duration

Comments

194. Do notaries have duties (multiple options possible):

within the framework of civil procedure

in the field of legal advice

to certify the authenticity of legal deeds and certificates

in the field of mediation

other (please specify):

Comments

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

in civil procedure

in the field of legal advice

to authenticate deeds/certificates

in the field of mediation

other

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

194-2. As well as these activities, what are the other ones that can be carried out by notaries?

Real estate transaction

Settlement of estates

Legality control of gambling activities

Authentication of documents

Translations

Signatures

Other

Comments

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

Yes

No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries?

a professional body

the judge

the Ministry of Justice

the public prosecutor

the Ministry of Interior

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

Comments In respect of the option "a professional body" the reply was NO for previous cycles while it is YES for 2016. The difference of replies between 2014 and 2016 is due to the new law no. 69 from 14 April 2016 on the organization of the activity of notaries that provides the creation of the Notary Chamber - a body of self-administration and representation of the profession. According to Article 61 of the Law No. 69 of 14 April 2016 on the organization of the activity of notaries, the activity of the notary is subject to professional, judicial and financial-fiscal control.

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

Yes

No

Comments The reply for 2014 was NO and it is YES for 2016, due to the new Law no. 69 from 14 April 2016 on the organization of the activity of notaries.

According to the mentioned law, the Notary Chamber was invested with the competence to organize general continuous mandatory training courses for notaries.

11. Please indicate the sources for answering question 192:

Sources: Ministry of Justice

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

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

Yes

No

Comments

199. Number of accredited or registered court interpreters:

- 478]
- NA
- NAP

Comments For 2016, the total number of translators registered by the Ministry of Justice is 478 (338 translators + 11 interpreters + 129 persons authorized as translators and interpreters).

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

- Yes
- No

Comments - If yes, please specify:

201. Are the courts responsible for selecting court interpreters?

- Yes, for recruitment and/or appointment for a specific term of office
- Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
- No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: Ministry of Justice

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts



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

- "expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,
- "technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,
- "legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).
- Other (please specify):

Comments

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

- Yes

No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?) According to the Law no. 68 of 14.04.2016 on the judicial expertise and the status of the judicial expert the inclusion in the State Register of certified legal experts is decided by the Qualification and Evaluation Commission for Judicial Experts; Experts are included in the Register for a period of 5 years - until the next attestation;

Judicial experts are given notice about the criminal responsibility for deliberately presenting false conclusions and disclosure. The competence of the experts is evaluated every 5 years in the attestation process and annually according to the requirements of the Management System. Experts are assessed by the Qualification and Evaluation Commission of Judicial Experts.

203. Is the title of judicial experts protected?

Yes

No

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

203-1. Does the 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:

the proceeding

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 mission entrusted to him/her, does the expert have to report any potential conflicts of interest?

Yes

No

Comments

205. Number of accredited or registered judicial / technical experts:

Comments

205-1. Who sets the expert remuneration?

- Judicial experts hired in judicial expertise public institutions are paid according to the provisions of the legislation (Law 355 of 23 December 2005 on the remuneration system in the budgetary sector and the Government Decree 122 of 7 February 2007 on the remuneration of staff in the field of judicial expertise, technical and forensic findings). The remuneration of independent judicial experts is for their own account.

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

(X) Yes

() No

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

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

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

207. Are the courts responsible for selecting judicial experts?

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

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

[] No, please specify which authority selects judicial experts

Comments

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

() Yes

(X) No

Comments

K1. Please indicate the sources for answering question 205

Sources: National Center for Judicial Expertise

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

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

1. (Comprehensive) reform plans The Republic of Moldova is successfully pursuing the process of implementing the Justice Reform Strategy 2011-2016, adopted by the Parliament of the Republic of Moldova on 25 November 2011 and extended for 2017. The overall objective is building an accessible, efficient, independent, transparent, professional justice sector that is accountable to society, in line with European standards, ensuring supremacy of law and respect for human rights and helping to ensure the trust of society in the act of justice.

The Government has the duty to develop a new Justice Reform Strategy for the years 2018-2024.

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

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) 1. According to action 1.1.1. of the Action Plan on the Justice Sector Strategy for 2011-2016, adopted by the Parliament on 16 February 2012, the optimization of the dislocation map of judicial bodies was planned in order to strengthen the institutional capacity of the courts, and to ensure the most efficient use of available resources, with the organization of a series of actions aimed at carrying out studies and recommendations on the subject concerned and plans to change the normative framework. According to the Law no. 76 on the reorganization of the courts, approved by the Parliament on 21.04.2016, starting with January 1, 2017, the judiciary will be reorganized into 15 first instance courts. The unification of the Courts' offices will be carried out gradually, until 31 December 2027, as the conditions for this are created, according to an action plan approved by the Parliament. Until the creation of the conditions of operation in a single court house, the newly created courts will have several territorial offices, the territorial office of the court being the headquarters of the newly created court, according to the annex to this law. The District Commercial Court and the Military Court ceased its activity from 1 April 2017. In accordance with a request of the Ministry of Justice of the Republic of Moldova relating to the on-going reorganization of the national courts, the CEPEJ tools such as the Guidelines on the creation of judicial maps to support access to justice within a quality judicial system as well as the Guidelines on the organisation and accessibility of court premises were presented and discussed in the frame of a CEPEJ mission on 12 October 2017. On this occasion, an exchange of good practices experienced by other CEPEJ State members (e.g. Azerbaijan) took place.

2. On 25.12.2016, the Parliament of the Republic of Moldova adopted the Public Prosecutor's Act. The Public Prosecutor's Act presents a new conception of the organization and functioning of the Public Prosecutor's Office: the structure of the administration, the status of the prosecutor, the role of the self-administration organs.

The General Prosecutor's Office remains to be an institution mainly administrative but which may be involved in the investigation of certain criminal cases. Similarly, the law provides for the establishment of a new specialized prosecutor's offices for special cases and establishes new mechanisms for the selection, career and evaluation of prosecutors. The law also regulates the remuneration modalities of the prosecutors, which is established by the same procedure as the salary of the judges.

3.1. Access to justice and legal aid The list of recipients of state-guaranteed assistance in civil cases has been broadened. The current debate regarding the foreseen reforms in this field will be included in the new Justice Reform Strategy for the years 2018-2024.

4. High Judicial Council The current debate regarding the foreseen reforms in this field will be included in the new Justice Reform Strategy for the years 2018-2024.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. 1. The activity of the judicial expertise was reorganized. On April 14, 2016, the Parliament approved the Law on Judicial Expertise and Judicial Expert Status. The new provisions allow the conduct of the forensic expertise activity also in private institutions not only in public, in the form of the office of the judicial expert or office of associates. Judicial expertise should only be performed in accredited expert offices. The law determines exactly the conditions to be met by a person to engage as a judicial expert but also the cases of suspension of the function. The Law also establishes a new mechanism for sanctioning breaches of discipline by judicial experts. According to the new law, the power to punish for breaches of discipline of the person who carries out forensic expertise is belonging to a single institution newly created from the Ministry of Justice, the Disciplinary Commission. 2. The new law no. 69 from 14.04.2016 on the organization of the activity of notaries provides for the modification of the concept of admission in the profession of notary. Thus, in order to become a notary, the person who passed the internship examination will take part in the contest for the filling of the vacancies. The result obtained at the internship exam when calculating the average is taken into account in the competition. Additionally, the length of the internship it was increased from one year to a year and a half. Another provision concerns the introduction of conditions for termination of notary activity. An age limit was introduced. Thus, people who are 65 years old no longer have the right to practice the notary activity. The new law provides for the creation of the Notary Chamber - a body of self-administration and representation of the profession, because until 2016 the notaries did not have an institutionalized professional body, It was also decided that the notarial procedure would be regulated in a separate law, because the rights to draft notaries are held by several subjects (councils, secretaries of councils, registrars). The document is part of the Justice Sector Reform Strategy for 2011-2016.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities 1. The new law no. 137 from 29.07.2016 on the rehabilitation of victims of crime entered into force on 09.03.2017 and regulates the minimum conditions

for the rehabilitation of victims of crime; establishes a national system for the rehabilitation of victims of crime; regulates the mechanisms for providing support services to victims of crime (competent subjects, beneficiaries of support services, conditions to benefit of these services, etc.); strengthens the role of non-commercial organizations and volunteers in the process of providing support services and facilitates the social rehabilitation and reintegration of the victims of crime. The document is part of the Justice Sector Reform Strategy for 2011-2016.

2. By decision no. 3 of 23.02.2016 the Constitutional Court declared unconstitutional paragraphs 3, 5, 8 and 9 of article 186 of the Criminal Procedure Code on the term of the person arrest and prolongation of the arrest, as contrary to article 25 (4) of the Constitution. The court held that preventive arrest can be applied for a total period of up to 12 months, which includes both the phase of the criminal prosecution and the judicial phase, until the court's decision through which the person is released or until the judgement of the court is pronounced. 3. By law no. 207 of 28.07.2016 the Criminal Code was modified. The amount of applicable fines increased.

7. Enforcement of court decisions The current debate regarding the foreseen reforms in this field will be included in the new Justice Reform Strategy for the years 2018-2024.

8. Mediation and other ADR The current debate regarding the foreseen reforms in this field will be included in the new Justice Reform Strategy for the years 2018-2024.

9. Fight against crime The current debate regarding the foreseen reforms in this field will be included in the new Justice Reform Strategy for the years 2018-2024.

9.1. Prison system The Republic of Moldova is successfully continuing the process of implementing of the Penitentiary System Development Strategy for the years 2016-2020.

9.2 Child friendly justice The Republic of Moldova is successfully pursuing the process of implementing of the Child Protection Strategy for the years 2014-2020.

9.3. Violence against partners Several changes have recently been made to the normative framework for preventing, combating and

investigating domestic violence offences. Thus, through Law no. 196 of July 28, 2016, a new mechanism for the protection of the victim of domestic violence, namely the Emergency Restriction Order, was introduced. The definition of the offence "Domestic Violence" was also modified and a new article introduced in the Criminal Code the criminal liability for non-execution of the measures of the protection order issued in the interests of the victim of domestic violence. In addition, three new offences were introduced in the Petty Offence Code: "Domestic Violence", "Non-Execution of the Emergency Restraint Order" and "Acts of Persecution".

10. New information and communication technologies There were developed the e-justice tools for courts, in order to allow the creation and administration of the electronic file with the access of the parties, the loading of the evidence, the visualization of the materials attached to the electronic file, the electronic summoning of the parties, the coordination of the court sessions agenda by the judge with the participants in the process, payment of state tax through government services, etc. The testing and piloting of the developed tools is planned for 2017.

11. Other The current debate regarding the foreseen reforms in other fields may be included in the new Justice Reform Strategy for the years 2018-2024.