



“The reform of the judiciary is an essential part of Moldova’s European integration efforts. We need to share the experience of the Romanian judiciary pre- and post-accession to the European Union”.



**Robert-Marius Cazanciuc,**  
Minister of Justice of Romania

## THE REFORM IN A NUTSHELL

**Salaries for the judiciary have been increased by 35%**

Salaries for the judiciary will triple by 2016. The first salary increase has already been made; therefore, civil servants working in the judiciary received 35% higher wages. This announcement was made by the Minister of Justice, Oleg Efrim, within a press conference.

“The Judiciary Reform Strategy provides for a pay rise of at least three times until 2016. There is also a draft law of the President of Moldova regarding the wage rise for judges. Currently, the draft is being examined by the Government. However, because of the political crises we have faced, it was impossible to provide the necessary financial resources to the state budget”, Minister of Justice, Oleg Efrim explained. The Minister ensured that all the commitments will be fulfilled, and civil servants working in the judiciary will have decent salaries, which will allow them to do their job honestly. The official also said that, if the judiciary does its job properly, there will be money in the budget to ensure the salary rise for all civil servants.

## EU Provides Technical Assistance to Strengthen the Judiciary

The EU and the government of Moldova have launched a technical assistance project to support building an independent and transparent system. The project contains four basic components and will be implemented in the following three years, being part of a technical assistance program worth 10 million Euros.

One of the main goals of the project will be to provide technical assistance to all judiciary institutions involved in the reform process. Another purpose will be to strengthen the capacities of the Reform Coordination and Monitoring Mechanism. “We hope the project we are launching today will contribute to fulfilling one of the most important development objectives – building a fair and equal justice for all”. (Based on IPN)

Moldova will have to compensate damages of

**about 46 thousand Euros,**

according to the decision of the European Court for Human Rights, adopted in July 2013, in the cases of a number of citizens whose rights have been violated.



This page has been edited by the Association of Independent Press (API). Reporter – Lilia Zaharia

# In a Year, All Judges in the Country Will Have Undergone Medical Examination

The Superior Council of Magistracy (SCM) has approved the schedule for health examination of active judges. According to the schedule, during one year, candidates to the positions of judge, as well as active judges will be subject to health examination to check whether they meet the requirements for holding this office. The first to visit the medical commission will be judges from the south of the country, and the last will be those from the Supreme Court of Justice.

One year ago, on August 31, 2012, Law No. 153 of July 2012 on Amendment and Supplementation of Certain Legal Acts was published in the Official Gazette. The law stipulates that the health of active judges shall be checked by a specialized commission of the Ministry of Health. Shortly after SCM approves the health examination schedule for magistrates, medical tests will start. The first to undergo the tests will be the judges from the courts under the jurisdiction of the Comrat Court of Appeal, in September and October of this year. Alexandra Peni, president of Ceadir-Lunga court is happy that she will finally pass all necessary medical tests. “We come to job at 8:00 am and leave at 8:00 pm. We have no time to have a full health examinations performed. It is good to have the health check compulsory”, Alexandra Peni says.

The turn of judges from the courts under the jurisdiction of the Cahul Court of Appeal to



Schedule of health examination of active judges in 2013

Name of court	Number of judges	Period of medical examinations
Comrat	6	September–October, 2013
Ceadir-Lunga	5	
Vulcanesti	3	
Cahul	9	October–November, 2013
Cantemir	4	
Leova	4	
Taraclia	5	November–December, 2013
Bender	5	
Anenii Noi	6	
Causeni	7	
Stefan Voda	4	

Source: Annex to Decision 546/22 of 09/07/2013 CSM

undergo the compulsory health check comes in October and November, while those serving under the jurisdiction of the Bender Court of Appeal will have their investigations conducted in the last months of the current year. Veronica Nichitenco, president of the Causeni district court says the health check is necessary and she does not mind that magistrates from Causeni will be subjected to the investigation in the last month of the year.

## The last ones to undergo the health checks are SCJ judges

During the first two months of 2014, judges from the 15 district courts under the jurisdiction of the Balti Court of Appeal will be examined, while during March-June 2014, magistrates from the courts under the jurisdiction of Chisinau Court of Appeal will be tested. The 93 judges serving in the five

courts of appeal of the country will check their health state during the summer of next year, while the last magistrates to undergo medical examination will be those from the Supreme Court of Justice – in September and October 2014.

## What doctors will examine judges?

Before undergoing the health examination, judges will pick up a referral to the Medical Commission. At the Commission’s site, the judge will fill in a request for health examination, to which he/she will attach: the medical record (F 025/e); the conclusion of the psychiatric and drug and alcohol commission; the conclusion about the health state from the family doctor, the cardiologist, endocrinologist, ophthalmologist, otolaryngologists and surgeon. The Commission has the right to ask for additional examinations and to get other medical

professionals involved, in order to conclude the diagnosis and make the final decision on the patient’s health state. Further, the Commission shall issue a medical certificate and file to SCM a conclusion stating that the active judge or candidate judge is medically fit for the position. Ioana Chironet, the head of the SCM Secretariat, explained that judges who have filed or will file a promotion request letter, will have to present the health check certificate independently of the set schedule.

According to the current legislation, active judges have to undergo health checks every 5 years. The requirements and the procedure for establishing the health state of active and candidate judges, including the list of diseases incompatible with the position of judge is approved by the Ministry of Health, following coordination with the Superior Council of Magistracy.

# State-Guaranteed Legal Aid Needs to Be Improved

The Judiciary Reform Strategy provides for the improvement of the quality of state-guaranteed legal aid by 2016, including through paralegals – professionals who provide primary legal assistance to citizen. So far, paralegals have worked in only 31 settlements in the country, and only half of them are partly paid with money from the state budget.

Viorelia Albu has been working as a paralegal in Băcioi since last year, providing primary legal assistance to citizens in this village. She says villagers come to her for advice in various issues: “The most frequent inquiries relate to errors in the documents certifying the land ownership; failure by lessors to observe agricultural lease agreements; failure by employers to observe individual labor contract provisions; the procedure for accepting her-



Viorelia Albu acorassist a resident from Băcioi

itage”. Viorelia says she tries to help inquirers and the latter are happy to have such a specialist in their village, all the more that the services she provides are free of charge.

Andrei Batranac, secretary of the Council for State-Guaranteed Legal Aid (CSGLA) explains that, by 2016, it is planned

to have all the 31 paralegals paid with money from the state budget. “Paralegals provide only primary legal assistance, while our goal is to ensure that people benefit from qualified legal services, also guaranteed by the state”, the secretary of CSGLA states.

According to the Law on State-Guaranteed Legal Aid No.

198-XVI of 26.07.2007, entities entitled to provide state-guaranteed legal aid are paralegals, specialized civil organizations, public lawyers and lawyers who provide primary or qualified legal assistance guaranteed by the state on demand. The following are considered to be primary legal assistance services: informing citizens about the domestic legal framework; advising on legal matters and in the process of preparation of legal documents; providing other forms of assistance not included in the category of qualified legal assistance. Qualified legal assistance includes: providing legal advice, representation or defense within criminal investigation bodies, representation before public administration authorities.

Citizens can ask local administration authorities in which villages paralegals work.