



“In addition to passing European laws in this sector, the present Government has the duty to remove disreputable and corrupt civil servants”,

Nicolae Timofti,
president of Moldova

THE REFORM IN A NUTSHELL

Plaintiffs Are Summoned through Email

Since December 1st 2012, following the effective date of the new amendments to the Civil Procedure Code (CPC), civil complaints include more identification data of the plaintiff and his/her representative, including their telephone number, fax number, email address or other contact details (art. 166, par. (2), let. B1 and c2 of CPC). Elena Belei, Head of the Civil Procedural Law Chair at the Law Department of the State University of Moldova has mentioned within a roundtable held at the Supreme Court of Justice in October 2012 that these amendments to CPC make easier the notification of the plaintiff and his/her representative about the trial.

Court Secretaries and Judicial Assistants Learn to Create Electronic Case Files



Judicial Assistants at the Chisinau Court of Appeal participating in the seminars conducted at the National Institute of Justice, January 18, 2013.

During the first quarter of this year, about 1000 court secretaries and judicial assistants were trained to use the Integrated Case Management System (ICMS-3) and the Court Audio Recording System (SRS Femida). Mihai Grosu, Program Assistant at the Rule of Law Institutional Strengthening Program (ROLISP) stated that during 2013 judges and specialists of the chancelleries and archives of courts throughout the country will benefit from such trainings. ICMS is a software that helps creating electronic case files, while SRS Femida is a software designed for the audio recording of trials.

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“The activity of NAC Will Be Based on Correctness, Transparency and Cooperation with Citizens”

Interview with Radu Cotici, head of the Law and Anti-Corruption Expertize Directorate at the National Anti-Corruption Centre

On October 1st, 2012, the Law on the Reform of the Centre for Fighting Economic Crimes and Corruption (CFECC) came into force. CFECC was renamed into National Anti-Corruption Centre (NAC) and underwent a number of reforms. Three months after the institution has gained a different status, Radu Cotici, the head of the Law and Anti-Corruption Expertize Directorate of NAC, explains what is the status of the reform within the Centre is and what will be the expected results following such reorganization.



—The reform of the Centre for Fighting Economic Crimes and Corruption is a condition stipulated both in the Justice Sector Reform Strategy and the National Anti-Corruption Strategy for 2011-2015. Why is there such a stringent need to subject this institution to a complex process of changes?

— CFECC had to be reformed for two reasons: in order to depoliticize it and to divide its competences. On October 1st 2012, CFECC was reorganized into the National Anti-Corruption Centre and the institution is not subordinated to the government any more but rather to the parliament. Before the reform, CFECC had the obligation to prevent, identify and investigate economic-financial and fiscal crimes; counteract corruption and protectionism; deter and fight money laundering. Following the reform, some of these duties have been assigned to other institutions, specifically the Ministry of Internal Affairs and the Customs Service. These en-

ties will now be responsible for the investigation of economic crimes, while we will focus our efforts on deterring and fighting corruption, preventing money laundering and terrorism financing.

— What are the main stages of the NAC reform?

— The first steps of the reform were taken as late as at the end of 2012, when the name of the Centre was changed and its director was selected based on a contest, according to some new criteria. After the director was appointed, the entire staff of the former CFECC was laid off and the former employees, who wanted to get reemployed with NAC, as well as other candidates to the vacancies, had to undergo a complex evaluation procedure. The candidates had to pass an interview, which verified their knowledge about the NAC reform and objectives. After the interview, their psychological skills were tested, and now the polygraph test follows.

NAC was depoliticized in order to “untie” its hands

— Why does the polygraph (lie detector) test take so long?

— This is true. Originally it was planned for the polygraph test to be conducted much quicker, however we faced a problem – during one day, only two people can be tested using the polygraph. In January of this year, six officers from NAC, the Ministry of Internal Affairs and the Information and Security Service were trained by an American expert on how to use the polygraph during the testing. We hope that in six months, all 350 employees of NAC will undergo this evaluation procedure which is required by the Law on NAC.

— When will we see high officials punished for corruption actions?

— This was actually the goal of the reform of the Centre. The institution was taken out of the cen-

tral public administration’s control and was transferred under the parliament’s control in order to “untie” its hands and enable it to deal unhindered with corruption cases involving civil servants and government officials. Now we focus on highly complex corruption cases. Indeed, when civil servants and government officials are punished for commission of corruption actions, the society will trust the law enforcement bodies, and corruption fighting will have the expected results. However, in order to achieve these results, reforms have also to be implemented in other institutions of the judicial system in Moldova.

— How do you think ordinary people look at the way reforms are conducted within NAC?

— I think citizens are not interested in the change of the institution’s name or in other reorganization processes that took place here. People want to feel the change, to see concrete actions of preventing and fighting corruption. I hope they will soon start to feel the effects of the reform. I can ensure you that NAC’s activity will be based on correctness, transparency and communication with the public. By the way, in early February 2013, NAC will launch an advanced website, which will allow us to be closer to the citizens, and the opinions and suggestions about our activity will be taken into account.

The interview was conducted by Ms. Lilia Zaharia

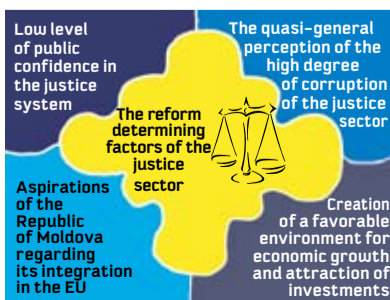
When Will Citizens of Moldova be Fully Confident about Justice Delivery?

The main objective of the Justice Sector Reform Strategy for 2011-2016 is to have a judiciary which is accessible, efficient, independent, transparent, professional and responsible to the society, meets European standards, and to ensure the rule of law and the observance of human rights and contribute to raising people’s confidence in the delivery of justice.

Victor Zaharia, director of the Institute for Penal Reform (IRP), states that people’s confidence in justice would increase if citizens knew more about the way the judiciary operates. “Transparency in the judicial activity should be ensured by the Superior Council of Magistracy (SCM), the courts of justice and judges themselves.

The success of the judiciary reform depends greatly on SCM’s activity. All decision of the Superior Council of Magistracy should be made public and the information should be available to the public at large through websites”, the IRP director notes. He also explains that, in order to increase the efficiency of the ju-

diary, some other actions have to be taken as well: “A new system for performance evaluation of judges has to be applied. The training and specialization of judges, but also the amendment of a number of legal acts, could contribute to delivery of justice in a more qualitative way and within more reasonable terms”. At the same time, the director of the Institute for Penal Reform notes how important it is to inform beneficiaries about the judiciary reform. “Through information campaigns, dissemination of information by paralegals and NGOs, citizens could be more aware of their rights and how to protect their rights and legitimate interests by going to court”, Victor Zaharia says.



This chart has been taken over from the Justice Sector reform Strategy for 2011-2016

According to the Action Plan for Implementation of the Justice Sector Reform Strategy (2011-2016), the cost of the reform in Moldova is

about **2.000.000.000 MDL**

or **124.000.000 EUR.**

Budget allocations for 2013 to the courts in Moldova are of

205.777.500 MDL,

about

76.000.000 MDL

more than in 2012.