

Appeal of the Civil Society

on the intensification of judicial reform and fight against corruption

December 9, 2014

The civil society organizations call the parties that negotiate a governing coalition to effect a profound judicial reform and to wage a genuine fight against corruption. These activities are crucial for spurring foreign investment, economic growth and sustainable development of the country. These measures are also essential for the European integration of the Republic of Moldova.

The Justice Sector Reform for 2011-2016 provides for an array of actions that can ensure a better justice in Moldova. The previous government's efforts aimed at implementing judicial reform and combating corruption—though unprecedented in the Moldovan history—fell short of their logical end and are perceived by people as superficial or simulated. The lack of a genuine political will to reform the judicial system and to combat corruption, the system's reluctance to reforms and insufficient communication with the society may determine this perception. The next pro-European coalition will have to deal with these mistakes. We are strongly convinced that justice reform and fight against corruption should be the main priority of the future government coalition.

In the light of these facts, the signatories call the parties that will form the governing coalition:

1. To set judicial reform and fight against corruption as top two priorities of the governing coalition and to make all required efforts to accomplish these goals;
- 2.
3. To exclude from political negotiations and fill the following positions by selecting professionals on the basis of their merits and in a transparent manner:
 - a. Any positions from the judicial system, including from the Superior Council of Magistracy and its boards;
 - b. Any prosecutor, including that of the Prosecutor General and those from the Superior Council of Prosecutors;
 - c. Judges of the Constitutional Court;
 - d. Members of the National Integrity Commission.
4. As a matter of urgency, to:
 - a. Adopt the Law on the prosecution service in the version proposed by the working group of the Ministry of Justice and of the Prosecutor General's Office;
 - b. Optimize the judicial map;
 - c. Fill the vacant judge position of the Constitutional Court;
 - d. Assign the exclusive powers of criminal prosecution in "big corruption" cases to the anti-corruption prosecution office, increase the number of its prosecutors and of the staff assisting them (according to the model of the National Anti-corruption Directorate from Romania);
 - e. detail the manner of declaration of income, property and conflict-of-interest;
 - f. Strengthen the role and capacity of the National Integrity Commission by increasing its autonomy and amending the related legislation;
 - g. Adopt the law on the financing of political parties.

SIGNATORIES

1. Association for Participatory Democracy (ADEPT)
2. Human Rights Embassy
3. Women's Association for the Environment Protection and Sustainable Development (AFPMDD)
4. Promo-LEX Association
5. Association for Small Business (AMB)
6. Association for Efficient and Responsible Governance (AGER)
7. Foreign Policy Association (APE)
8. Independent TV Journalists' Association
9. Independent Analytical Center "Expert Grup"
10. Women's Law Center
11. Child Rights Information and Documentation Center (CIDDC)
12. Legal Resource Center from Moldova
13. International Center "La Strada"
14. National Roma Center
15. Center for Health Policies and Studies (PAS Center)
16. Center for the Prevention of Trafficking in Human Beings
17. Center for the Rehabilitation of Victims of Torture "Memoria"
18. Cahul Pro-Europa Center
19. National Youth Center of Moldova (CNTM)
20. East European Foundation
21. Institute for Civil Justice
22. Institute for Public Policy (IPP)
23. Institute for Development and Social Initiatives "Viitorul" (IDIS "Viitorul")
24. "BIOS" NGO
25. The National Platform of the Republic of Moldova of the Civil Society Forum under the Eastern Partnership
26. Good Governance Program, Soros Foundation – Moldova
27. Justice Program, Soros Foundation – Moldova
28. NGO Terra-1530
29. Transparency International Moldova

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