

ACTIVITY REPORT 2015

LRCM

LEGAL
RESOURCES CENTRE
FROM MOLDOVA

ACTIVITY
REPORT
2015

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About LRCM

Identity

Centrul de Resurse Juridice din Moldova (CRJM) / Legal Resources Centre from Moldova (LRCM) is a non-profit non-governmental organization. LRCM strives to ensure a qualitative, prompt and transparent delivery of justice and effective observance of civil and political rights. In achieving these aims, LRCM combines policy research and advocacy in an independent and neutral manner.

Goal

LRCM **seeks** to achieve the following goals:

- A responsible and efficient justice system in Moldova
- Effective application of European Convention of Human Rights in Moldova
- Moldovan legislation and practice comply with international standards regarding specific rights
- LRCM developed as a visible analytical centre and a sustainable organization

Vision

LRCM **believes** that adequate and sustainable respect of human rights in Moldova can be ensured through systemic changes in the legislation, court system, prosecutors' office and legal profession. Many of these changes failed due to the lack of capacities of the authorities to generate needed changes. We strive to address this deficit by promoting professional, methodology-grounded, high quality analysis in all our interventions and by remaining an independent and constructive partner for governmental and private stakeholders alike.

Values

LRCM **believes** in democracy, rule of law, respect of human rights, participation of civil society in decision-making process and open society values.

Principles

LRCM is **guided** by the following principles:

- Pro-active, constructive approach to inducing systemic changes
- Accountability
- Professionalism and quality of work
- Transparency
- Collegiality and respect for professional ethics

LRCM Team

Vladislav GRIBINCEA, Executive Director

Nadejda HRIPTIEVSCHI, Program Director

Pavel GRECU, Legal Officer

Ion GUZUN, Legal Officer

Sorina MACRINICI, Legal Officer

Ilie CHIRTOACĂ, Legal Assistant

Cristina TURCU, Director of Administrative and Communication Service (until July 2015)

Olga BURUCENCO, Director of Administrative Service (from September 2015)

Doina DUMBRĂVEANU-MUNTEANU, Project Coordinator

Aurelia CELAC, Accounting and Financial Manager

Mihaela CIBOTARU, Public Relations Officer

LRCM Governing Board

Arcadie BARBĂROȘIE, President

Elena BELEI (until February 2015)

Elena PROHNIȚCHI (from 29 April 2015)

Corina CEPOI

Peter-Vlad IANUȘEVICI

Nicolae ROȘCA

LRCM Supporters and Donors

Delegation of the European Union to Moldova

USAID Rule of Law Institutional Strengthening Program in Moldova (ROLISP)

USAID Moldova Partnerships for Sustainable Civil Society Program, implemented by FHI 360

Embassy of the United States of America to Moldova

Embassy of the Netherlands to Romania

East-Europe Foundation

Open Society Foundation

Soros-Moldova Foundation

Message of the Executive Director



Vladislav GRIBINCEA

Executive Director, Legal Resources Centre from Moldova

2015 proved to be particularly intense for LRCM. Several Governments alternated and political instability made quite difficult the promotion of profound reforms in justice, on which LRCM has always insisted. We also ascertained a lower opening of the Superior Council of Magistracy (SCM) for collaboration.

Considerable efforts of the LRCM have been directed towards achieving previously undertaken activities and completing projects initiated in previous years. LRCM analytical work, research and advocacy mainly focused on the reform of courts and prosecution service, efforts that culminated in the adoption in 2016 of several laws of a paramount importance for judicial reform. The LRCM also undertook some activities to assess the impact of the justice reform started in 2011.

LRCM has become more active in informing the society about the problems in the justice sector. In 2015, LRCM was also involved in creating in the Republic of Moldova a more favorable legislative climate for the operation of civil society organizations. A particular emphasis has been placed on strengthening cooperation with other civil society organizations that share the same values, as we are firmly convinced that only by working together we improve the country.

In 2015, LRCM drew a particular attention to optimizing the judicial map and specialization of judges. At the request of the Ministry of Justice, LRCM, together with foreign and Moldovan experts, evaluated the cost of optimization of the judicial map. The LRCM has also contributed to the improvement of the draft law on reorganizing the judicial map, which was adopted by the Parliament in spring 2016. We also published the analysis of implementation of the investigative judge institutions and recommendations for improving the procedure for their appointment were formulated. This analysis led to the adoption in 2016 of a law reforming the system of appointing investigative judges.

LRCM analyzed the consistency of the Supreme Court of Justice's (SCJ) practice in two areas and the impact of the justice reform. The analysis of the SCJ's practice confirmed that in sanctioning corruption the SCJ's jurisprudence is uniform, unlike in the disputes on the post-factum increase of customs duties. The survey conducted in the fall of 2015 among judges, prosecutors and lawyers confirmed the different perception among legal professions of the impact of justice reforms announced in 2011.

LRCM continued its active involvement in drafting the new Law on prosecution service. Our efforts have been crucial for drafting a law in line with best European practices. After three years of discussions, this law was finally adopted in February 2016. By adopting this law, the foundation for the most serious prosecution service reform in the last 25 years was laid.

We continued to monitor the SCM activity, regularly informing the society about the issues discussed in the SCM. The application of the new law on disciplinary liability of judges and the practice of the SCM, the Parliament and the President on the selection, appointment and promotion of judges were analyzed and recommendations were made to improve these procedures. Following the reaction of several civil society organizations, including LRCM, the random distribution of cases in courts of Chisinau municipality was checked by SCM.

The association has been involved in improving the national mechanism for enforcement of judgments of the European Court of Human Rights (ECtHR), which resulted in the adoption in 2015 of the new Law on the Governmental Agent. We have also contributed to the finalization of the draft decision of the Parliament on parliamentary control of the execution of judgments of the ECtHR. This draft law is still pending adoption by the Parliament. Following the tradition of previous years, LRCM analyzed and systematized the ECtHR jurisprudence on Moldova. The measures undertaken by the Moldovan authorities for the execution of ECtHR judgments have also been assessed.

Thanks to research that started in 2014, in 2015, LRCM published two research papers on the compatibility of the Moldovan legislation with equality and non-discrimination standards. LRCM also trained judges, prosecutors, lawyers, teachers and social workers in this field.

In 2015, LRCM, together with other civil society organizations, reacted to the main events in the justice sector and human rights. LRCM's views were taken into account by the Ministry of Justice at the elaboration of the draft legislation for amending the Constitution. The joint efforts of a group of civil society organizations resulted in the creation of a governmental commission and transparent selection of a judge of the Constitutional Court and ensuring a legal procedure for appointing the ombudsman for child rights.

Strengthening institutional capacity of the Association remained a priority for us. In 2015, we improved the visibility of the Association and internal management. Even if this involved considerable efforts, the activities pending from 2014 were accomplished. The real challenge at the end of 2015 was to ensure the financial sustainability of the Association in the early months of 2016, when several projects are completing, while others are starting late for reasons beyond our control.

Using this opportunity, on behalf of the LRCM team, I want to once again thank the partners, supporters and donors of the LRCM for the good cooperation and efforts to support our activities and promote common objectives. We are also deeply grateful to the members of the Governing Board of the Association for commitment and involvement. Finally, we reiterate our high interest for new opportunities of collaboration in the future.

Vladislav GRIBINCEA
Executive Director
Legal Resources Centre from Moldova



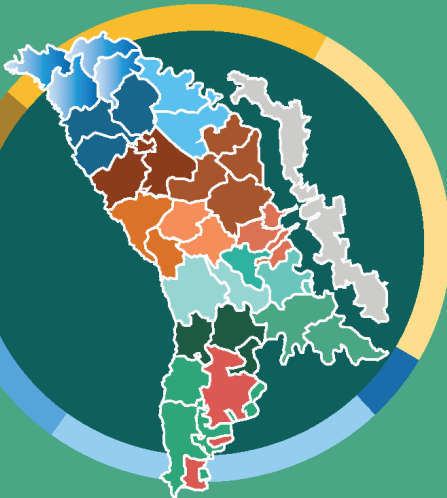
Increasing Efficiency and Accountability of Justice
















I. Efficiency and Accountability of Courts

In 2015, LRCM draw a particular attention to the optimization of judicial map and specialization of judges, strengthening the mechanism of appointment and promotion of judges, unification of judicial practice, optimization of judicial proceedings and improving the quality of court judgments. LRCM drafted policy documents in these fields and reacted to the most important initiatives launched in 2015.

Optimization of judicial map is an essential prerequisite for improving the quality of the judicial act, fighting corruption and rendering public expenses more efficiently. This activity is the first mentioned in the Justice Sector Reform Strategy (JSRS). At the request of the Ministry of Justice, in 2014, LRCM drafted the [Study on optimization of the judicial map in the Republic of Moldova](#). In 2015, at the request of the Ministry of Justice, the Justice Management Institute, Urban Proiect Company and LRCM prepared the [feasibility study](#) on the optimization of judicial map based on the model for creating first level courts with at least 9 judges. According to the study, optimization might cost from MDL 900 mln to MDL 1,180 mln.

The new judicial map comes into force from 1 January 2017



	Edineț Court Edineț Dondușeni Briceni Ocnița		Soroca Court Soroca Florești
	Drochia Court Drochia Rîșcani Glodeni		Orhei Court Soldănești Telenеști Rezina Orhei
	Bălți Court Bălți Fălești Sângerei		Criuleni Court Criuleni Dubăsari
	Ungheni Court Ungheni Nisporeni		Strășeni Court Strășeni Călărași
	Hîncești Court Hîncești Ialoveni		Chișinău Court Centru Rîșcani Buiucani Ciocana Botanica
	Cimișlia Court Cimișlia Basarabeasca Leova		Anenii-Noi Court Anenii-Noi Bender
	Comrat Court Comrat Ceadrî-Lunga Vulcănești		Căușeni Court Căușeni Stefan Vodă
	Cahul Court Cahul Taraclia Cantemir	15 courts	

Based on the two studies, the Ministry of Justice prepared a draft law which was voted by the Parliament in April 2016. According to this law, in Moldova there will be 15 first instance courts, compared to 44 currently in place. The implementation of the reorganization is planned for the period 2017-2027. The optimization of judicial map represents one of the most important reform actions provided by the JSRS.

Consistency of judicial practice is a problem in the Republic of Moldova. In 2015, LRCM analyzed the degree of uniformity of the SCJ practice in two areas: retroactive increase of customs duties and sanctions in corruption cases.

The research "[Retroactive increase of customs duties - is the judicial practice in this area uniform?](#)", analyzes SCJ decisions adopted between May 2014 – October 2015 on the application of the [SCJ Recommendation no. 65](#). It prescribes that the post factum increase of customs duties is admissible only if the failure to pay is due to untruthfully information provided by the importer. The LRCM determined that the SCJ judicial practice in this area is not uniform. Judges have issued solutions compatible with the SCJ Recommendation no. 65 in 57% of cases decided irrevocably, while in 43% of cases the recommendation was not observed. In addition, the SCJ adopted divergent solutions on import of the same products by different companies. The document also established that the SCJ changed the outcome of the lower courts in half of the cases decided irrevocably, which suggests that the recommendation is applied differently by courts of different layers of courts.

The document „[Sanctioning in corruption cases – how uniform is the judicial practice](#)” analyzes the practice of the SCJ on applying sanctions for passive and active corruption and traffic of influence (art. 324-326 of the Criminal Code) during 1 January 2014 - 30 September 2015. [SCJ Recommendation no. 61](#) was taken as reference for research. It explains that, in order to effectively combat corruption, certain types of sanctions or legal procedures for imposing milder penalties, even if not formally forbidden by law, can not be applied in cases of corruption. According to the document, the SCJ fully observed the SCJ Recommendation no. 61. At the same time, we established lack of uniform practices among district courts, courts of appeal and the SCJ.

Although the court hearings are audio recorded for several years, the courts in Moldova continue to draw up **detailed minutes of court hearings**, which considerably burdens the justice system. The policy document „[Minutes and audio recording of the court hearings - accuracy or overlapping of tasks?](#)” recommends replacing the detailed minutes with short minutes indicating only the procedural actions in consecutive order. To facilitate further listening of the audio recording of the hearing, court clerks should indicate in the audio file and the minutes the time sequences of the procedural event. The LRCM's recommendations are based on practices in England, Germany, France and the US federal system.

In 2015, **LRCM reacted** to the events in the justice sector or initiatives to reform the judiciary. In June 2015, [LRCM, together with other 18 organizations of the civil society, launched a public opinion](#) on the proposals of [Centre for Reform in the Judiciary](#). Of those 17 initiatives, the NGOs supported without reserves only one proposal and other 5 proposals were supported in principle, although in a different form than proposed. The other 11 initiatives were not supported, because they are contrary to the reforms promoted before or are dangerous in the context of the Republic of Moldova.

Following media reports on manipulation of the random distribution of cases in courts system, on 2 February 2015, [16 civil society organizations, including LRCM, called the SCM](#) to carry out controls on the manner of distribution of cases in all the courts of the country, identify vulnerabilities of the

random distribution of cases system and harshly sanction all the persons involved in manipulation. On 10 February 2015, [SCM initiated a control](#) in the courts of Chişinău municipality, including Chişinău Court of Appeal and the SCJ. 10 months later, the Judicial Inspection presented the SCM [an informative note](#) where it has not detected any action of manipulating the program of distribution of files. The Judicial Inspection verified all first instance courts in Chişinău, except for the SCJ and Chişinău Court of Appeal. The informative note does not comprise an analysis of the vulnerabilities of the system of random distribution of files.

II. Self-administration of the Judiciary

Starting with 2011, the representatives of the **LRCM monitor the sittings of the SCM** and analyze the decisions of this institution. In 2015, the LRCM representatives were present in 30 of the 40 sittings of the SCM. Monitoring the sittings allows the LRCM to know in detail the activity of the SCM and to inform the public, increasing transparency of the judiciary. LRCM will continue to monitor the SCM sittings in 2016.

On 10 June 2015, the LRCM issued the document [“Organizing Sittings and the Transparency of the Superior Council of Magistracy – Challenges and Perspectives”](#). The document analyzes the organization of meetings and the adoption of decisions by the SCM from the perspective of transparency and evaluates how the recommendations from the [Report on the efficiency and transparency of the SCM](#), launched by the LRCM in 2013, were implemented.

The LRCM makes the following recommendations to the SCM:

- It shall stop taking decisions in “deliberation”,
- It shall motivate in a convincing manner its decisions,
- It shall draw up a more detailed agenda of its meetings,
- It shall discard the SCM Plenum by vesting the SCM’s Chairperson with technical competence.

The launching event of the document “Organizing Sittings and the Transparency of the SCM – Challenges and Perspectives”



In January 2015 LRCM published the policy paper “[Selecting and career of judges - duplication of responsibilities or additional guarantees?](#)” The document examines the **criteria for selecting and promoting judges**. In June 2015, LRCM came with written proposals to the SCM for amending the Regulation on the selection, promotion and transfer of judges.

In 2014-2015, **LRCM monitored the reappointments of investigative judges**. Based on monitoring, the report “[Reform of the institution of investigative judge in the Republic of Moldova](#)” was drafted. It examines how 2012 reform of the institution of the investigative judges was implemented and contains recommendations for improving the process of their appointment. The report’s authors have also assessed the workload of the investigative judges and came up with recommendations for optimizing their workload. In June 2016, the Parliament adopted the [Draft law no. 306](#), reforming the mechanism for the appointment of investigative judges in the spirit of the LRCM recommendations.

On 25 June 2015, the LRCM presented the policy document “[The Involvement of the executive and legislature in the appointment and promotion of judges - counterbalance or curtailment of the judicial independence?](#)” The document analyzes **the involvement of the executive and the legislature in the appointment of judges**. The document recommends to exclude the powers of the Parliament in the appointment and promotion of judges, as well as to clarify the procedures for appointment of the SCJ judges, as well as to detail the procedures of reconfirmation and promotion of judges. In 2015, the Ministry of Justice initiated the procedure for amending the Constitution concerning the judiciary, *inter alia*, excluding the involvement of the Parliament in the appointment of judges. LRCM submitted to the Ministry of Justice [an opinion on the draft law to amend the Constitution](#), which contains recommendations for improving the draft law. [The version of the draft law approval by the Constitutional Court](#) reflects some of the LRCM’s recommendations. On 3 May 2016, the draft law was registered in the Parliament.

The workshop on the disciplinary responsibility of judges



On 1 January 2015, a new Law on disciplinary liability of judges came into force. The law contains a number of improvements compared with the legislation in force until 1 January 2015, but has many shortcomings. During 2015, **LRCM monitored the activity of the Disciplinary Board of Judges** and has

developed [a policy document](#) in order to improve legislation on disciplinary liability of judges. On 26-27 November 2015, LRCM held a workshop with the representatives of the SCM, the Disciplinary Board and the Judicial Inspection to discuss with experts from Romania about the shortcomings of the disciplinary proceedings against judges.

On 11 – 15 May 2015, a delegation from the Republic of Moldova composed of representatives of the SCM, judges, prosecutors, specialists from the Ministry of Justice and representatives of the LRCM took part in the International Conference “[Strengthening the Capacity of the Judiciary in Eastern Europe](#)”, held in Bucharest, Romania. The conference served as a platform for discussion among judges, prosecutors and experts from Romania, Georgia, Moldova and Ukraine, on the several issues related to the Romanian experience in European integration, as well as current challenges of the judicial systems of the countries present at the conference. The conference was followed by two days of study visits to the SCM and the Judicial Inspection, the National Institute of Magistracy, the National Anticorruption Directorate, Ministry of Justice and the National Integrity Agency of Romania. The activity was implemented by the LRCM in collaboration with the [Expert Forum](#) from Romania.

III. Electing the Constitutional Court Judge

A position of judge to the Constitutional Court is vacant since October 2014. At the initiative of the LRCM, some [civil society organizations have several times called](#) the Government to initiate a transparent contest for the appointment of a judge to the Constitutional Court. On 23 October 2015, the Government appointed a Commission for selecting candidates for this position. A member of the LRCM was invited to be member of this Commission. Following a transparent competition, on 27 November 2015 a [candidate for judge was identified](#) and proposed to the Government for appointment. He was appointed on 6 July, 2016.

IV. Impact of the Justice Reform

In October - December 2015, at LRCM request, the company “CBS-AXA” conducted a survey among judges, prosecutors and lawyers on the impact of judicial reform launched in 2011, self-administration of legal professions, corruption, and [justice reform initiatives announced by the Centre for Reform in the Judiciary](#). Within the survey, which is the most representative survey ever done among legal professionals in Moldova, 32% of the total number of active judges, prosecutors and lawyers in the country was interviewed.

[The survey results](#) confirmed that judges, prosecutors and lawyers agreed that judicial reform started in 2011 had a beneficial impact. However, regarding the impact of specific initiatives, their opinions vary considerably; judges are most satisfied with the impact of reform, while the lawyers are the least satisfied. When asked about the quality of justice in 2015 compared to 2011, 82% of judges, 46% of prosecutors and 37% of lawyers believe that it has improved. 62% of questioned judges believe that the SCJ practice is uniform, compared with 47% of prosecutors and 35% of lawyers. On the evolution of corruption in the justice sector from 2011 to the present, the perception among lawyers, prosecutors and judges is very different. While most judges think that corruption in the justice sector has declined compared to 2011 or is inexistent, 68% of prosecutors and 81% of lawyers believe that corruption has remained stable or even increased.

Prosecution Reform and Fighting Corruption

I. Prosecution Reform

In the summer of 2013, the Minister of Justice and the General Prosecutor appointed the Executive Director of the LRCM as chairman of the expert group responsible for drafting legislation on the reform the prosecution service. The group was composed of foreign experts, employees of the Ministry of Justice and the prosecution service and civil society representatives. The group drafted a new Law on prosecution in accordance with best European practices. In March 2015, the Venice Commission and ODIHR made public their [common opinion on this draft](#). They concluded that the draft law is a big step forward. In February 2016, the Parliament passed the new Law on prosecution service. This law provides for the most serious reform of prosecution since Moldova's independence.

II. Law on Professional Integrity Testing

In 2013, the Law on professional integrity testing was adopted. This gave state authorities the right to bribe public officials in order to verify their integrity. In December 2014, the Venice Commission found that this law does not contain sufficient safeguards against arbitrariness. On 16 April 2015, the [Constitutional Court declared unconstitutional the main provisions of this law](#). In autumn 2015, the Ministry of Justice came up with proposals to amend the law, which were [accepted by the Government](#). The new draft does not remove the main weaknesses identified by the Venice Commission and the Constitutional Court, but also establishes a new mechanism for evaluation of institutional integrity, for the first time in Europe. [LRCM and AGER](#) called the Parliament to dismiss the proposed version of the draft law and to send it to the Venice Commission for expertise. In May 2016, the Parliament passed the law.

III. Creating Specialized Courts in the Field of Corruption

On 28 September 2015, the Ministry of Justice made public [a draft law](#) that proposes, *inter alia*, establishment of the Anticorruption Court in Chisinau and of specialized panels to deal with corruption cases within Chisinau Court of Appeal and the SCJ. The draft law also empowers the SCM to verify the declarations on income, property and personal interests of judges. Both drafts were proposed in May 2015 by the Centre for Reform in the Judiciary. On 19 October 2015, the LRCM called upon the Ministry of Justice [to give up this draft law](#), because it does not correspond to the real needs of the judiciary, is not sufficiently reasoned from the economic-financial point of view and contradicts the JSRS. Examination of all corruption cases by several judges creates easier avenues for third parties to influence and virtually excludes random distribution of cases of corruption - an important measure to prevent corruption in the judiciary. Instead, LRCM proposed specializing of judges in this area in the existing courts, identifying and removing shortcomings in judicial practice, training of judges by involving colleagues from Romania and drafting a recommendation of the SCJ on the individualization of punishments on corruption cases, similar to US and UK practices.

Harmonizing the Legislation and Practices of the Republic of Moldova with International Human Rights Standards

I. European Convention on Human Rights

In 2014-2015, LRCM representatives were part of the working group that drafted the new **Law on the Governmental Agent**. The law was adopted in the summer of 2015. It strengthens the status of the Governmental Agent and broadens its powers in the field of execution of judgments of the European Court of Human Rights (ECtHR). The law also provides that the Parliament is kept informed of the decisions and judgments of the ECtHR, as well as of the measures taken and planned for their execution. [These measures were recommended by LRCM](#) since 2013.

On 31 March 2015, [LRCM launched a report](#) presenting the situation of the Republic of Moldova at the ECtHR and the measures undertaken for the enforcement of ECtHR judgments by Moldovan authorities. The report was designed as an analysis tool of the undertaken measures to remedy violations of the European Convention on Human Rights (ECHR) and to avoid similar violations in the future. It reviews the main areas covered in the ECtHR judgments delivered by 31 December 2013 and contains recommendations to remedy the identified weaknesses.

The launching event of the Report on the enforcement of the ECtHR judgments

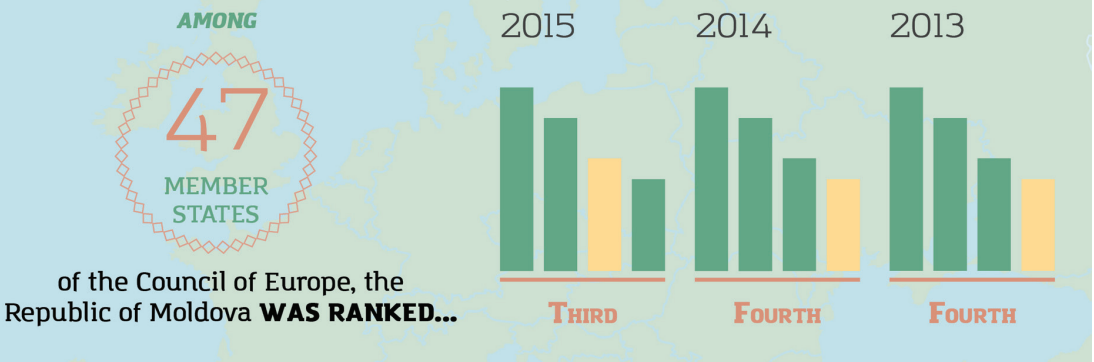


Continuing the tradition of previous years, in January 2015, [LRCM analyzed official statistics](#) on the situation of the Republic of Moldova at the ECtHR. The document analyzes statistical data from the Activity report of the ECtHR for 2014 and represents a synthesis of all decisions adopted by the ECtHR in 2014 on Moldovan cases. This document was developed to increase awareness about the activity of the ECtHR. Similar documents were previously developed for the years 2010-2013.

In 2009, in the judgment *lordachi and other v. Moldova*, the ECtHR noted that the Moldovan legislation on wiretapping did not contain sufficient safeguards against abuse, while the number and rate of authorization of wiretaps were very high. In 2012, the legislation on wiretapping was amended. In 2015, LRCM analyzed what was the impact of these changes. In [a research](#) we found that authorization rate of wiretapping motions remained virtually the same, 98% annually. The number of wiretappings increased by several times in the last two years, reaching 9,704 in 2015. These numbers suggests that prosecutors request the wiretappings more often in recent years and that the investigative judges do not examine thoroughly the need for wiretappings and their exceptional character, as well as proportionality of the measure with the right to privacy.

The Republic of Moldova at the European Court of Human Rights

Moldova is constantly among the leading countries in respect of the number of applications submitted to the ECtHR in relation to its population.



II. Promoting Equality and Non-discrimination

On 25 February 2015, LRCM launched the report „[Analysis of compatibility of the national legislation in the field of non-discrimination in employment with European standards](#)”. The report notes that in the Republic of Moldova there is a comprehensive framework in the field on non-discrimination in employment. It needs minimum amendments to ensure greater clarity and efficiency. The main task of the authorities of Moldova is to inform both the employers and employees about the negative effects of the discrimination in employment. Subsequently, LRCM launched two guidelines – one addressed to the [employers](#) and another – to the [employees](#) – on eradication of discrimination in the labor field.

The LRCM, in cooperation with the [Euro-regional Centre for Public Initiatives from Romania \(ECPI\)](#), published a “[Compatibility analysis of Moldovan legislation with the European standards on equality and non-discrimination](#)” available in [Romanian](#), [English](#) and [Russian](#). Such an analysis was performed for the first time in Moldova. The document includes recommendations for improving the regulatory and institutional framework. Two other guides were developed on equality and non-discrimination - [one for the general public \(available in Romanian and Russian\)](#) and the second - [for practitioners \(available in Romanian and Russian\)](#).

The launching event of the Report on non-discrimination in the field of employment



On 29-30 January 2015, LRCM and ECPI organized **two workshops** with the topic “[Ensuring equality and non-discrimination in Moldova – aspects of law and practice](#)” for judges, prosecutors and lawyers. The workshop participants examined laws and practices on combating discrimination in Moldova. In March-May 2015, LRCM and ECPI organized **four training sessions for trainers** in the field of non-discrimination for teachers and social workers. The trainings aimed at ensuring a level of expertise that would enable participants to develop and implement a training course for their colleagues on non-discrimination. These sessions were a result of 15-cascade trainings attended by 188 teachers and 118 social workers and social assistants.

LRCM and ECPI drafted a series of materials for initial and continuous training of teachers and employees in social protection, including curricula for the training program for trainers in the field of non-discrimination for teachers ([Romanian](#) and [Russian](#)), a resource guide in the field of non-discrimination for teachers ([Romanian](#) and [Russian](#)), curricula for the training program for trainers in the field of non-discrimination for employees in social protection ([Romanian](#) and [Russian](#)) and a resource guide in the field of non-discrimination for employees in social protection ([Romanian](#) and [Russian](#)).

III. Electing the Ombudsperson

At the beginning of 2015, the positions of ombudspersons were vacant as the Parliament hesitated to fill them in. On 3 March 2015, 120 NGOs, including LRCM, addressed the Parliament with [a call](#) requesting appointment of ombudspersons. In April 2015, the Parliament appointed as ombudsman Mr. Mihai COTOROBAI. Regarding the second ombudsman (for child’s rights), a new contest was announced.

On 3 July 2015, as ombudsman for child’s rights was appointed Ecaterina BURLACU, who previously worked in the secretariat of the Parliament. An MP questioned this appointment to the Constitutional Court on the grounds that Mrs. BURLACU did not meet the legal conditions to be appointed to this

office – she had no notorious activity in defending and promotion of human rights. LRCM and the Alliance of NGOs active in social, child and family protection, submitted [a common legal opinion](#) with the Constitutional Court supporting the MPs request. On 16 July 2015, the [Constitutional Court upheld the request](#) and invalidated the appointment. Subsequently, the Parliament held a new competition, which was completed in April 2016 with the appointment in the position of ombudsman for child's rights of Mrs. Maia BĂNĂRESCU, who previously served as deputy ombudsman.

Promoting a Favorable Environment for Civil Society Organizations

In January 2015, LRCM initiated a [3-year project](#) meant to contribute to creating a more favorable environment for civil society organizations. Within the project, LRCM contributed to drafting amendments to the Law on civil society associations, the Fiscal Code, regulations on assigning by the payer of a part of the income tax in favor of civil society organizations, etc.

On 5 May 2015, LRCM released the policy document "[Impact of the 2% Law on the Financial Sustainability of the Civil Society Organizations](#)". The "2% Law" refers to the right of the taxpayer to designate a part of the income tax in favor of civil society organizations. Although that legislation had been passed in 2014, it was not been implemented by the Government, because of its confusing character. The document recommends improving the mechanism for designation. Following the civil society advocacy measures, the MPs agreed to amend the "2% Law" in the spirit of the LRCM's recommendations. In February 2016, in the Parliament was registered a [draft law](#) that substantially alters the 2014 "2% Law". LRCM was actively involved in developing this draft.

The launching event of the document "Impact of the 2% Law on the Financial Sustainability of the Civil Society Organizations"



Between 16 and 20 November 2015, the representatives of the Ministry of Finance, State Tax Service and Ministry of Justice and LRCM conducted a [study visit to Hungary and Slovakia](#). The purpose of this visit was to learn from the best practices of implementing the mechanism for percentage designation. In Hungary and Slovakia this mechanism is implemented for over a decade.

The experience gained in the study visit will help strengthening the joint efforts to implement a sustainable mechanism for percentage designation in the Republic of Moldova. The LRCM assists the authorities to create percentage designation mechanism in the Republic of Moldova, which is planned to be applied starting with 2017 for the income acquired in 2016.

Strengthening Institutional Capacities and Increasing Visibility of the LRCM

LRCM's strategy for the years 2013-2017 aims at developing the LRCM as a visible analytical center and sustainable organization. 2015 was marked by intense programmatic activity and less on building the institutional capacities of LRCM. However, we strengthened the institutional capacities of LRCM by:

I. Increasing the Visibility of the LRCM:

- a) has been considerably intensified the LRCM's presence in the online environment, and as a result:
 - the number of people who follow us on Facebook, doubled;
 - the number of impressions on Twitter increased with 16% compared to 2014;
 - number of accesses of the site www.crjm.org increased by 6 times, reaching 13,800 unique visitors, of which 38% are our new visitors and 68% are those who return regularly on our website.
- b) the collaboration with journalists specializing in the fields of justice and corruption was strengthened, and the number of appearances in mass media increased on average by 203%.
- c) communication with other civil society organizations and development partners of the Republic of Moldova has improved.

II. Strengthening Management:

- a) the consolidated internal policies Manual was updated and completed;
- b) the mechanism for evaluating staff performance was developed and adopted;
- c) LRCM assessment by USAID to qualify for direct financing tool was initiated;
- d) remuneration system of the staff to ensure sustainability of the organization was revised.

III. Fundraising Activities:

In 2015, LRCM's efforts were directed mainly towards the completion of projects initiated in 2015 and earlier. This explains the 4.9% budget reduction in 2015 compared to 2014.

Balance Sheet of the LRCM: 2015¹

	2014	2015
Non-current assets		
<i>Intangible assets</i>		
Intangible assets	85,101	85,141
Amortization of intangible assets	(25,570)	(43,240)
Net book value of intangible assets	41,901	59,531
<i>Property, plant and equipment</i>		
Property, plant and equipment	222,540	472,119
Depreciation of property, plant and equipment	(95,249)	(146,181)
Net book value of PP&E	325,938	127,291
TOTAL NON-CURRENT ASSETS	186,822	367,839
<i>Current assets</i>		
Accounts receivable	709,196	950,059
Cash and cash equivalent	1,711,520	1,759,409
Other current assets	-	21,522
TOTAL CURRENT ASSETS	2,420,716	2,730,990
TOTAL ASSETS	2,607,538	3,098,829
Equity and Liabilities		
<i>Equity</i>		
Net surplus	-	48,851
Fixed assets fund	186,822	367,839
Own financing fund	62,752	289,422
TOTAL EQUITY	249,574	706,112
<i>Current liabilities</i>		
Special purpose financing and receipts	1,648,768	1,419,258
Other current liabilities	709,196	973,459
TOTAL CURRENT LIABILITIES	2,357,964	2,392,717
TOTAL EQUITY AND LIABILITIES	2,607,538	3,098,829

¹ Excerpt from the LRCM Audit Report for 2015

Summary of Sources of Financing and the Use of Funds by the LRCM: 2015²

	CCY	Year 2015		Cumulative		Budget
		MDL	USD/EUR	MDL	USD/EUR	
SOURCES OF FINANCING						
Soros-Moldova Foundation – grant contract no.14030 (FSM Discr)	USD	-	-	372,724	27,600	27,600
Soros-Moldova Foundation – grant contract no.14077 (FSM JI)	USD	-	-	1,055,244	76,284	76,284
Open Society Institute (Human Rights Initiative) Foundation – grant contract no. OR2015-20623 (HRI 2015)	USD	486,292	24,798	486,292	24,798	49,596
Open Society Institute (Human Rights Initiative) Foundation – grant contract no. OR2014-12242 (A/2014)	USD	-	-	703,375	50,000	50,000
ROLIPS – grant contract no.08 (Rolisp2)	USD	1,588,627	81,913	1,588,627	81,913	92,913
ROLISP – grant contract no.01	USD	372,000	20,000	1,004,993	69,165	69,165
Est-European Foundation – grant contract no. 171 (EEF Institutional)	USD	35,740	2,000	794,848	57,057	57,057
Soros-Moldova Foundation – grant contract no. 14155 (FSM FtF)	USD	246,010	13,380	1,258,782	84,000	84,000
Delegation of the European Union to the RM – grant contract no. EIDHR 2013/334-003	EUR	2,410,526	113,004	4,585,950	229,425	270,000
US EMBASSY – grant contract no. SMD700-14-GR085 (USAM CC)	USD	-	-	327,409	23,986	23,986
Netherlands Embassy - grant contract no. BKR/15/HR/13	EUR	536,342	24,965	536,342	24,965	24,965
US EMBASSY – grant contract no. SMD700-15-GR048 (USAM EFOR)	USD	487,458	26,792	487,458	26,792	26,792
Soros-Moldova Foundation – grant contract no.G14403 (FSM FtF2)	USD	506,126	26,000	506,126	26,000	84,000
USAID/MPSCS FHI 360 – grant contract no. 4572-CRJ-01	MDL	550,025	-	550,025	-	1,890,000
Checchi and Company Consulting – contract for the provision of services no.102/C (Rolisp CO)	USD	126,118	6,600	126,118	6,600	6,600
Other sources*		135,422	6,419	199,174	10,989	-
Sources of financing USD		3,983,811	208,372	8,911,188	565,184	
Sources of financing EUR		2,946,867	137,969	5,122,292	254,390	
Sources of financing MDL		550,025		550,025		
Total sources of financing equivalent MDL		7,480,703		14,583,504		

Note: Total funds for 2015 - **USD 397,569**. Total cumulative funds – **USD 886,963**
(The official average exchange rate for 2015 – 18,8161 MDL/USD)

² Excerpt from the LRCM Audit Report for 2015

2015

LRCM Activity



320

MASS MEDIA APPEARANCES



12

PUBLIC EVENTS



22

TRAININGS



16

PUBLICATIONS



14

PUBLIC REACTIONS



8

JUDICIAL OPINIONS



Facebook
LIKES

+96%



Twitter
IMPRESSIONS

+ 16%



Web
UNIQUE SITE VISITORS

+604%

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