

Activity report for 2013

Identity | The Centrul de Resurse Juridice din Moldova (CRJM) / Legal Resources Centre from Moldova (LRCM) is a not-for profit non-governmental organization based in Chișinău, Republic of Moldova. LRCM strives to ensure a qualitative, prompt and transparent delivery of justice and effective observance of civil and political rights in Moldova. In achieving these aims, LRCM combines policy research and advocacy in an independent and non-partisan manner.

Goal | LRCM seeks to achieve the following goals:

- A responsible and efficient justice system in Moldova
- Effective application of ECHR 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 expertise. 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 processes and open society values.

Principles | LRCM is guided by the following principles:

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

LRCM TEAM

Vladislav GRIBINCEA, Executive Director
Nadejda HRIPTIEVSCHI, Program director
Cristina TURCU, Director of Administrative and Communication Service
Aurelia CELAC, Accounting and Financial Manager
Ion GUZUN, Legal Officer
Sorina MACRINICI, Legal Officer
Pavel GRECU, Legal Officer
Mihaela CIBOTARU, Public relations Officer

LRCM ADMINISTRATION BOARD

Before July 2013

Elena BELEI, Chairwoman; Head of Department "Civil Procedure Law", MSU
Alexandru CANȚÎR, Editor, Radio Free Europe
Igor GROSU, DFID Project, Support to implement the National Development Strategy
Valeriu PROHNIȚCHI, Executive Director, Independent Analytical Center EXPERT-GRUP
Nicolae ROȘCA, Head of Department "Entrepreneurship Law", MSU

From September 2013

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Elena BELEI, Head of Department "Civil Procedure Law", MSU
Corina CEPOL, Project director, Internews Kyrgyzstan
Peter-Vlad IANUȘEVICI, Founder of the Nicolae Dumitrescu Academy, trainer
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LRCM SUPPORTERS AND DONORS

American Bar Association Rule of Law Initiative (ABA ROLI Moldova)
Delegation of the European Union to Moldova
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Open Society Foundations
Soros Foundation-Moldova
The Norwegian Mission of Rule of Law Advisers to Moldova (NORLAM)
USAID Rule of Law Institutional Strengthening Program (ROLISP)

ON BEHALF OF THE LRCM MANAGEMENT

In 2013, a significant part of the efforts of the Legal Resource Center of Moldova (LRCM) was focused on strengthening the organization's institutional capacities. The following activities were carried out: The LRCM Strategy for 2013-2017 was developed and adopted; the LRCM organizational chart was amended; work on the LRCM communication strategy was started; work started on codifying and adapting the LRCM internal policies; development of a new website started, etc. All fundraising efforts made in 2013 were successful.

The year 2013 was marked in Moldova by a number of initiatives aimed at reforming the justice sector. The review, research, and advocacy activities of the LRCM were mainly focused on the court and prosecution reforms. At the request of the authorities, the LRCM developed three studies crucial for the Moldovan justice sector reform: on optimization of the judicial map (**streamlining the court map**); on the specialization of judges and feasibility of creating administrative courts system (**timeliness to create an administrative review court system**); and on streamlining the structure of prosecution bodies and the number of prosecutors. According to the Justice Sector Reform Strategy (JSRS), these studies will serve as basis for the state policies in these areas.

The LRCM was involved in developing the draft law on the disciplinary liability of judges and on improving the legal framework of the Superior Council of Magistracy (SCM) on appointing, promoting, and evaluating judges and the SCM transparency. The LRCM was actively involved in developing the new draft law on Prosecution, which reflects the best European practices on prosecution.

The LRCM continued monitoring the work of the SCM and published a report with recommendations for enhancing the SCM efficiency and transparency. The LRCM, together with over ten nongovernmental organizations (NGOs) and experts, started a campaign for ensuring the transparency and fairness of the appointment by the Parliament of SCM and Constitutional Court members, which was supposed to take place in the second half of 2013. This campaign led to amendments to the legislation requiring transparent selection of SCM and Superior Council of Prosecutors (SCP) members by the Parliament.

The LRCM was involved in improving the national mechanism of enforcement of judgments of the European Court of Human Rights (ECtHR). In this sense, the LRCM contributed to developing a draft law on the government agent and a draft parliament decision on the parliamentary control of the enforcement of ECtHR judgments. Also, the LRCM continued training attorneys and prosecutors on the European Convention on Human Rights (ECHR) and developing analytical materials about the ECtHR case law. The LRCM also filed three complaints related to such systemic issues in Moldova as the non-uniform judicial practice and the low level of compensations granted by national courts for ECHR violations.

In 2013, the LRCM also focused its efforts on improving the legislation on ensuring equality; strengthening prosecutor capacities of investigating cases of torture; unifying pretrial detention practices from the perspective of the best European standards; and amending the legislation on the **activities** and status of the ombudsman.

A comentat [u1]: Traducerea initiala. Inlocuit aici si mai departe in text

A comentat [u2]: Varianta tradusa de ea

Although many of the LRCM efforts were successful in 2013, a real challenge for the LRCM was the high number of activities to be carried out in 2014 and the limited possibilities of extending the LRCM team.

Using this occasion, on behalf of the LRCM team, I would to thank once again the LRCM partners and donors for their efforts in supporting our activities. Also, the LRCM team would like to thank its partners, supporters and friends for their cooperation. We are open to new cooperation opportunities in the future.

Vladislav GRIBINCEA
Executive Director,
Legal Resource Center of Moldova

ENHANCING THE EFFICIENCY, TRANSPARENCY, AND INDEPENDENCE OF THE JUDICIAL SYSTEM AND OF THE PROSECUTION

i. Enhancing Court Efficiency

In view of enhancing the efficiency of courts, at the request of the Ministry of Justice (MoJ), the LRCM developed two studies: a [Study on optimization of the judicial map in the Republic of Moldova](#) and the [Study on Specialization of Judges and feasibility of creating administrative courts system in Moldova](#). These are the main such reviews ever conducted in Moldova. They should underlie the state policies on reforming the organization of the judicial system and on specialization of judges. The studies consist in the following:

a. Study on optimization of the judicial map in the Republic of Moldova: optimizing **streamlining** the court map aims at enhancing the quality of the act of justice and the administrative and financial efficiency of courts. This paper is prescribed in the JSRS (intervention area 1.1.1). The study recommends optimizing the number of judges and administrative staff in courts of appeal and **district** courts, and eliminating district courts with a low number of judges by merging them with other **district** courts. The study focuses on the reallocation of judicial positions/**offices** so that to ensure a comparable workload for all Moldovan judges. The recommendations of the study are mainly based on socio-demographic data and the type of cases examined by district and appellate courts in the period from 2010 to 2012. As to the merging of **district** courts, the study comes up with three scenarios, depending on the minimum number of **judges per court**: 5, 7 or 9 judges. The study was conducted with the involvement of the MoJ and the SCM and addresses first of all the decision makers (Parliament, Government and SCM) in view of making a decision on the opportunity of optimization/**timeliness of streamlining** the court map. The recommendations for the allocation of judges and court staff refer first of all to the SCM and MoJ. They can be used for allocating positions/**offices** among courts and planning the necessary costs for the judicial system. The study was launched in 2014.

b. Study on the Specialization of Judges and feasibility of creating administrative courts system in Moldova: The specialization of courts is usually regarded as a **means** to enhance the quality of the act of justice. This study is prescribed by the JSRS (intervention area 1.3.3). The study presents a short description of the best international practices and recommendations based on research on the specialization of judges. It presents the legal context and reviews the legal framework and judge specialization practices in Moldova. For this study, there was reviewed the work amount during/**of** 2010-2012 of the country's two specialized courts (economic and military), of investigative judges, and the work amount done/**required** to examine administrative **review** cases. The study presents the results of a survey on the specialization of judges, conducted among Moldovan courts of all levels. At the end, the study examines the opportunity/**timeliness** of creating administrative review courts in Moldova. The **study's conclusions and recommendations** refer to the judge specialization options, additional ways of improving court performance and reducing judge workload, and the timeliness of implementing judge specialization in the administrative **review** area. The study's recommendations are mainly addressed to the SCM, the Government and the Parliament, for making decisions both on the manner of specialization of judges in courts and on the opportunity /**timeliness** of creating administrative **review** courts. The study was launched in 2014.

ii. Enhancing the Efficiency and Transparency of the SCM

A comentat [u3]: Lateral: In 2013, the LRCM developed 3 studies that will serve as basis for the state policies on justice reform. They refer to **optimizing** the court map; specialization of judges; and **optimizing** the structure of the prosecution.

A comentat [u4]: Varianta initiala. Inlocuit aici si mai departe

A comentat [u5]: Aici si mai jos de eliminat?

A comentat [u6]: Pe imaginea adaugata lateral sa fie link: http://crjm.org/app/webroot/uploaded/2014%20Study%20Optimis%20Jud%20Map%20MD_en.pdf

A comentat [u7]: Pe imaginea adaugata lateral sa fie link: http://crjm.org/app/webroot/uploaded/2014%20Study%20Specialis%20Judges%20MD_en.pdf

Starting with 2011, the LRCM has been monitoring most of the SCM meetings and closely studied its decisions. In 2013, the LRCM monitored 26 of the 37 SCM meetings. The LRCM will continue monitoring the SCM meetings in 2014. Monitoring the SCM meetings enables the LRCM to know the SCM activities in detail, be up-to-date with the most important issues tackled thereby, and be able to inform the public, formulate recommendations and plan activities to enhance the efficiency of the judicial system and of the SCM.

As a result of the monitoring, the LRCM issued and published a [Report on the SCM Transparency and Efficiency](#). The report reviewed the SCM activities in the period from 2010 to 2012 from the point of view of its transparency and interaction with the media and the civil society as well as its efficiency from the perspective of its own administration and that of the judicial system. The LRCM also reviewed the activities of the Qualification and Disciplinary Boards, of the Judicial Inspection, and of the SCM Secretariat. The report lists a series of strengths and weaknesses in the SCM work and its related entities, and makes recommendations on how to improve the weaknesses identified. In order to contribute to eliminating the weaknesses identified in the monitoring report, in 2014, the LRCM will cooperate with the SCM in improving its internal work and the system of **holding judges disciplinarily liable**.

A comentat [u8]: Lateral: Recommendations were made to the SCM on how to improve its internal procedures and enhance transparency

The LRCM submitted to the SCM [recommendations](#) related to the development of the Regulation on the Procedure and Criteria of Evaluation of Judge Performance. In the autumn of 2013, the LRCM made [recommendations to improve](#) this Regulation. The LRCM also made [recommendations](#) related to the development of the Regulation on Organizing the Activities of the Board for the Evaluation of Judge Performance and of the Regulation on the Public and Media Relations Service of the SCM. The SCM accepted many of the LRCM proposals and transposed them in its regulations.

A comentat [u9]: Lateral: The LRCM contributed to creating a new mechanism of evaluating judge performance

iii. Evaluation and Accountability of Judges

In 2012, the Parliament passed the Law no.153 that *inter alia* implied reforming the institution of the judges responsible for authorizing certain investigation measures and for supervising the observance of the law at the criminal investigation stage, called investigative judges. This reform aims to evaluate all the investigative judges in the country and, if the evaluation was positive, to reconfirm them in the position/**their office** of common law judges. In December 2013, the LRCM launched the policy paper [Reforming the Investigating Judge Institution: Challenges, Risks and Solutions](#). This mainly refers to the impact and risks of the institution's of investigative judges reform, introduced by Law no.153. The LRCM made recommendations on the future fulfillment of **duties/duties** and training of investigative judges. In December 2013, the LRCM submitted to the MoJ a draft law on improving the mechanism introduced by the Law no.153. In 2014, the LRCM will prepare a report on the monitoring of the activities of the SCM and of the Board for the Evaluation of Judge Performance, in regard to the implementation of the reform of the investigative judge institution, introduced by the Law no.153.

The LRCM was involved in developing the draft law on the disciplinary liability of judges. The working group established at the MoJ accepted many of the LRCM proposals but did not accept some of the important ideas, such as simplified initiation of disciplinary proceedings. Subsequently, in February 2013, in the context of the public consultations on the draft law, the LRCM again submitted to the MoJ proposals for improving the draft law developed by the working group. Some of the proposals were accepted.

A comentat [u10]: Lateral: Through the efforts made, the LRCM contributed to enhancing the mechanisms for holding judges accountable.

In the spring of 2013, in the context of examination by the Constitutional Court (CC) of the constitutionality of legislative amendments that simplified the immunity of judges, the LRCM developed a [compared law review of judicial immunity](#), regarding/looking at the criminal proceedings of 18 European countries. The review led to the conclusion that generally the guarantees granted for/safeguards enjoyed by judges against prosecution are not a custom/common law at the European level. They exist in 14 out of the 18 legal systems considered. In the 14 countries where judges benefit from/enjoy additional guarantees/safeguards, the level of guarantees/safeguards granted/provided by law largely depended on the discretion of the legislator. On the other hand, the guarantees/safeguards granted to judges against prosecution did not necessarily result in better/broader independence for the judicial system. The review was sent to the CC for examination.

iv. Enhancing the Independence and Efficiency of Prosecution

The structure of Moldovan prosecution bodies, especially of the General Prosecutor's Office, is not totally logical. Hence, the internal hierarchy thereof and its confusing structure seriously affect the efficiency of the prosecution and independence of prosecutors. On the other hand, the amount of prosecutor work varies significantly in different prosecutor's office. In the context of the JSRS (intervention area 2.2.6), at the request of the MoJ, the LRCM worked on the *Study on optimization/Streamlining the Structure of Prosecution Bodies and the Number of Prosecutors in Moldova*. The study comes with recommendations for adjusting the structure of prosecution in view of enhancing its efficiency. Also, the study contains recommendations on the reallocation of prosecutors in each prosecutor's office in view of ensuring a comparable work amount for all prosecutors in district prosecutor's offices and at the court of appeal level. The recommendations are based on the experience of other countries, the prosecutor work amount in 2010 to 2012, and on the results of a survey conducted among prosecutors/prosecutor survey. The study's recommendations are mainly addressed to/aimed at the General Prosecutor, the SCP, and the Parliament. The study was launched in 2014.

In the summer of 2013, the MoJ and the General Prosecutor appointed the President of LRCM as head of the group of experts to develop draft laws on the activities of the prosecution system. The group was made up of foreign experts, MoJ and Prosecution staff, and civil society representatives. The group had the task to prepare a Concept on prosecution reform in accordance with the best European practices and the draft laws on amending the legislation necessary for implementing the concept. The Concept was made public in October 2013. It prescribes reducing the involvement of the political factor in the election of the General Prosecutor; enhancing the independence of prosecutors; narrowing down the competences of prosecution in non-criminal areas; strengthening the prosecutor self-administration bodies; and introducing clear and efficient rules for the selection, evaluation, promotion and holding prosecutors disciplinarily liable. The draft law for implementing the Concept was completed in November 2013 and was submitted to the members of the Parliament to register it as legislative initiative and adopt it. The implementation of the Concept implies the most serious reformation of the prosecution that has ever happened in Moldova.

v. Monitoring the Implementation of the Justice Sector Reform Strategy

The President of the LRCM is member of the National Council for Law Enforcement Bodies Reform – the highest body responsible for monitoring the implementation of the JSRS. The LRCM representatives are members of the working groups monitoring the JSRS in the implementation of Pillars I (Court System), II

(Criminal Justice), III (Access to Justice and **Enforcement** of Court Judgments) and IV (Observance of Human Rights in the Justice Sector). In 2013, the LRCM representatives participated in over 20 meetings of the monitoring groups. The participation in such meetings contributes to better informing of the LRCM about the unfolding of reforms. Also, within the monitoring groups, the members can express their opinions about the problems in the implementation of the JSRS.

vi. Selection of Superior Council of Magistracy and Superior Council of Prosecutors Members

The SCM and SCP are made up of 12 members each. Three members of the SCM and three of the SCP are appointed by the Parliament from among law professors. The law was not stipulating that their selection should be transparent and fair. The mandate of the SCM and SCP members is 4 years. The mandates of SCM members expired in 2013 and those of the SCP members – at the beginning of/in 2014. The LRCM started an **advocacy campaign** aimed at ensuring the transparent and fair character of the selection of the SCM members. As a result, on 21 November 2013, the Parliament amended the Law on the SCM and the Law on Prosecution in the sense of having SCM and SCP members selected by the Parliament based on a public competition to be organized in an open and transparent manner. This campaign was supported by over 20 Moldovan nongovernmental organizations and law experts of Moldova.

A comentat [u11]: Lateral: The LRCM efforts led to introducing into the legislation of a mechanism for the transparent selection of the members of self-regulation bodies of judges and prosecutors

In 2013, four of the 6 judge positions/offices at the CC became vacant. Two vacancies were to be filled in by the SCM and two – by the Parliament. The LRCM, together with other about/circa 20 NGOs and experts, started a campaign to request the SCM and the Parliament to organize transparent competition and pass reasoned decisions on the selection of CC judges. The SCM was the only public institution that responded to the civil society recommendations and organized a competition for the appointment of a CC judge. Unfortunately, the same cannot be said about the Parliament, which neglected the LRCM campaign and appointed the two judges without a competition or transparency.

ALIGNING MOLDOVAN LEGISLATION AND PRACTICES TO INTERNATIONAL HUMAN RIGHTS STANDARDS

i. European Convention on Human Rights

As a result of the report prepared by the LRCM in 2012 on the enforcement of ECtHR judgments by Moldova, the main efforts of the LRCM in this area in 2013 were focused on strengthening the national mechanism for enforcing the ECtHR judgments. As a result of the efforts made by the LRCM and the disposition issued by the Deputy Speaker of the Parliament Mrs Liliana PALIHOVICI, was created a working group composed of the representatives of the Parliament administration, MoJ, Ministry of Foreign Affairs and European Integration, and LRCM. The working group had the task to prepare the necessary draft legal acts for improving the national mechanism for enforcing the ECtHR judgments and for parliamentary oversight of the implementation of such judgments. In November 2013, the working group completed a new Draft law on the government agent. **The Draft law introduces clear competences related to the enforcement of ECtHR judgments.** The working group also prepared a draft parliamentary decision on the parliamentary oversight of the enforcement of ECtHR judgments. The latter draft establishes the right of the Parliament to propose general measures and to request periodically information from the authorities on the enforcement of ECtHR judgments as well as the obligation to organize annual public hearings in the

A comentat [u12]: Lateral: The LRCM contributed to the start of work on a new national mechanism for enforcing and supervising the enforcement of ECtHR judgments

Parliament on this subject. According to the estimations, these drafts will be voted in the Parliament in spring 2014.

In February 2013, the LRCM made public an [analytical paper on the Moldovan cases at the ECtHR in 2012](#). The **paper** analyzes the statistics from the ECtHR 2012 Activity Report and presents a synthesis of all the judgments made by the ECtHR in Moldovan cases in 2012. This **paper** was issued in view of enhancing the level of information of the society in general and of lawyers in particular about the ECtHR work. Similar **papers** were issued for 2010 and 2011.

In August 2013, the LRCM made public an [informative paper on guiding principles of the ECtHR when deciding on moral damages](#). This **paper** contains also a synthesis of moral damages granted by the ECtHR in Moldovan cases. In October 2013, the LRCM issued an informative **paper** on the ECtHR practice on legal fees. **The paper** presents the main ECtHR standards in this area and synthesizes its practice in the cases against Moldova that were decided until October 2013. Both **papers** were issued to facilitate the work of Moldovan judges and attorneys.

In view of facilitating the application of the ECHR at national level and changing the incompatible court practices, in 2013, the LRCM, in cooperation with the National Institute of Justice, held 3 seminars on repair of damages caused by violating the rights guaranteed by the ECHR that was attended by 61 judges and prosecutors. The issue of insufficient moral damages granted by Moldovan judges was especially tackled as it is a rather sharp problem in the country. For the same purpose, at the beginning of 2013, the LRCM selected 17 attorneys and intern attorneys who in 2013-2014 were to benefit from in-depth training on ECHR enforcement at national level. In 2013, they benefited from 2 two-days seminars that discussed in-depth the ECtHR procedure and admissibility conditions, prohibition of torture and the right to a fair trial. Lawyers from the ECtHR Secretariat participated as trainers in two such seminars. Other three meetings were held with the 17 attorneys to discuss the new ECtHR caselaw in a specific area.

In 2013, the LRCM lawyers filed three complaints with the ECtHR on systematic problems in the Moldovan legal system. A case refers to the non-uniform Supreme Court of Justice (SCJ) practice; the second case refers to the insufficient compensations granted at the national level for the violation of rights guaranteed by the ECtHR; and the third case refers to the eviction, without plausible justification, of a family from their state apartment in which they had lived for 25 years, without giving them another place to live.

ii. Prevention and Elimination of Discrimination

In 2013, the LRCM, together with other several NGOs, made 4 public calls addressed at the Parliament by which it requested a transparent and fair selection of members of the Council for Preventing and Eliminating Discrimination and Ensuring Equality. Most of the requests were accepted by the Parliament. Nonetheless, no reasoned advisory opinions on each candidate were issued, although it is impossible to know without them the reasons for selecting one candidate or another and this was expressly requested in the public calls. Also, the LRCM together with other NGOs requested the Parliament to abrogate Art.90¹para.(2) of the Code for Contraventions, introduced on 23 May 2013 that basically incriminated "dissemination of information or commission of other acts aimed at propagating relations other than those related to marriage or family." On 8 November 2013, the Parliament amended Art.90¹para.(2) of the Code

A comentat [u13]: Lateral: The LRCM team provided assistance to judges, prosecutors and attorneys on the adequate enforcement of ECtHR standards

for Contraventions, limiting its applicability only to the dissemination of public information or commission of acts aimed at propagating prostitution, pedophilia, or pornography.

iii. Prevention of Torture

As a result of the efforts made by the LRCM and other NGOs, in November 2012, the Parliament amended the Criminal Code (Law no.252/2012) to harden the sanctions for acts of torture or ill- or degrading treatment. This amendment is a precondition for combating torture. Another problem in combating torture is the deficient investigation of torture cases by prosecutors. In view of unifying the practice and enhancing the work of prosecutors in examining cases of torture, ill- and degrading treatment, the LRCM coordinated a group of experts that developed methodological recommendations for an efficient investigation by prosecutors of torture, inhuman or degrading treatment crimes. These recommendations synthesize the best international and national practices on combating torture. The paper was approved by Order of the Prosecutor General no.76/8 of 30 December 2013 and is mandatory for all prosecutors in the country.

A comentat [u14]: Lateral: The LRCM contributed to developing internal rules for prosecutors on investigation of torture

iv. The Right to Liberty

During 2012-2013, the President of the LRCM was member of a working group responsible for preparing a draft decision of the SCJ Plenum on the pretrial detention and home arrest. The working group included SCJ and CC judges and university lecturers. The paper prepared by the working group for the most part is based on the ECtHR standards on the right to liberty and comes with recommendations on their practical enforcement. On 15 April 2013, the draft prepared by the working group was voted by the SCJ without major changes. This paper should serve as a catalyzer for changing the problematic practices at the pretrial detention stage.

In 2012-2013, the President of the LRCM was part of a group of experts coordinated by Soros Foundation Moldova that reviewed pretrial detention cases in the country. A study was developed based on this information, which was launched in October 2013. The study is based on an analysis of 652 cases in the period from 1 July to 31 December 2011, which accounts for 25% of the total number of such cases examined in the mentioned/said period. Each case was examined based on 54 criteria. The study revealed systemic problems related to the poor performance of attorneys and prosecutors and the poor reasoning of court judgments on arrests. Studies of such type and scope had not been conducted in Moldova before. The findings of the study can serve as reliable benchmarks for legislative amendments to pretrial detention.

A comentat [u15]: Lateral: LRCM experts disclosed serious systematic problems in enforcing pretrial detention

v. Amending the Legislation on Ombudsman Activities

The Government started amending the legislation on the ombudsman. In this sense, the MoJ created a working group to draft a new law on the ombudsman. The LRCM representatives participated in the meetings of the working group and made recommendations for improving the draft law. Although the draft law prepared by the working group encompassed most of the LRCM recommendations, the paper was substantially amended in the Parliament. The public competition for selecting an ombudsman was excluded; provisions were introduced that seriously affect the independence of the ombudsman; and the ombudsman's competences of examining certain categories of complaints were limited. The draft law was

voted by the Parliament and sent to the President for promulgation. On 24 December 2013, at the LRCM initiative, [over 40 NGOs and coalitions requested the Moldovan President to not promulgate the Law](#). On 20 February 2014, the Moldovan President refused promulgating the Law, sent it back to the Parliament, and recommended it to consult the foreign partners and the civil society.

STRENGTHENING INSTITUTIONAL CAPACITIES AND ENHANCING VISIBILITY OF THE LRCM

The year 2013 marked major institutional changes in the LRCM. The main achievements in this sense were as follows:

I. External evaluation of the LRCM by the USAID Rule of Law Institutional Strengthening Program

(ROLISP): In the evaluation conducted by the ROLISP experts, the LRCM scored 91 of 120 possible points. During 2013, the LRCM worked on implementing the evaluator recommendations, as follows:

- a) The organization's strategy was developed and adopted;
- b) Work was started on a communication strategy;
- c) Work was started on an internal evaluation mechanism;
- d) Work was started on consolidated internal policy manual.

II. LRCM Strategy for 2013-2017: The LRCM Strategy for 2013-2017 was adopted by the LRCM Board of Administration in October 2013. According to the Strategy, the LRCM aimed to achieve the following goals:

- a) Accountable and efficient judicial system in Moldova;
- b) Effective enforcement of the ECHR in Moldova;
- c) Moldova legislation and practice in line with the international standards on certain rights;
- d) LRCM developed as a visible think tank and as a sustainable organization.

III. The LRCM received from the East Europe Foundation a grant that mostly aims at the institutional strengthening of the organization.

IV. Fundraising and Perspectives: All fundraising proposals made by the LRCM in 2013 were accepted. This made it possible to cover about 90% of the LRCM budget for 2014. Also, the LRCM budget for 2014 will increase by more than 100% as compared to its 2013 budget. Moreover, the grants received in 2013 covered a period larger than 9 months and allow extending the cooperation with the same donors after the implementation of the respective projects.

V. The transfer from project-based activities to activities based on annual action plans allowed for a better planning of activities for 2014 and for developing a realistic budget for the organization.

A comentat [u16]: Lateral: According to the situation as of February 2014, the organization's budget doubled as compared to 2013, and is covered with funds at a rate of 90%

LRCM balance sheet: 2012 și 2013¹

	Note	2012	2013
Long-term assets			
<i>Intangible assets</i>			
Intangible assets		18,528	20,768
Amortisation of intangible assets		<u>(3,666)</u>	<u>(10,402)</u>
Net book value of intangible assets	2	14,862	10,366
<i>Tangible assets</i>			
Tangible assets		71,994	123,042
Depreciation of tangible assets		<u>(14,508)</u>	<u>(42,875)</u>
Net book value of tangible assets	3	57,486	80,167
Total long-term assets		72,348	90,533
Current assets			
Short term receivables	4	46,795	19,073
Cash and bank	5	638,130	1,103,112
Other current assets		<u>2,388</u>	<u>2,520</u>
Total current assets		687,313	1,124,705
Total assets		759,661	1,215,238
Equity and liabilities			
Capital			
Subvention		<u>72,348</u>	<u>90,533</u>
Total equity		72,348	90,533
Liabilities			
Long-term liabilities	6	638,130	1,103,112
Short-term liabilities	7	<u>49,183</u>	<u>21,593</u>
Total liabilities		687,313	1,124,705
Total equity and liabilities		759,661	1,215,238

¹ Extras from the CRJM Audit report for 2013

Summary of sources and uses of funds by LRCM: 2013²

	Note	Year 2013		Cumulative		Budget
		MDL	USD	MDL	USD	
Opening balance						
Account in (MDL)		334,205				
Account in (EUR)		-				
Account in (USD)		303,925				
Total		638,130				
Plus: Sources of financing						
SOROS Foundation – grant contract no. 13637(FSM CSM)	10			695,272	58,000	\$ 58,000
SOROS Foundation - grant contract no. 14030 (FSM Discriminare)	11	130,536	10,000	130,536	10,000	\$ 27,600
SOROS Foundation - grant contract no. 14077 (FSM JI)	12	326,665	25,000	326,665	25,000	\$ 76,284
USA Embassy – grant contract no. SMD700-13-CA002-A003	13	1,792,875	142,595	2,342,200	187,789	\$ 187,789
Ludwig Boltzmann - Institute of Human Rights	14	133,157	10,576*	348,933	28,391	€ 21,922
Foundation Open Society Institute Travel Grant	15	22,658	1,750	22,658	1,750	\$ 1,750
Foundation Open Society Institute (Human Rights Initiative) - grant contract no.OR2013-04095	16	624,750	50,000	624,750	50,000	\$ 50,000
ROLISP- grant contract no. 01	17	277,072	22,000	387,633	31,165	\$ 69,165
East European Foundation- grant no. 171 (EEF Institutional)	18	221,340	17,000	221,340	17,000	\$ 18,650
Other sources		200	16	1,000	82	-
Total Sources		3,529,253	278,937	5,100,987	409,177	

² Extras from the CRJM Audit report for 2013

