

LRCM

Rights and justice for all

The background features a pair of scales of justice, a symbol of law and equity, rendered in a dark blue color. Behind the scales, the year '2023' is displayed in large, glowing blue-outlined numbers. The entire scene is set against a dark blue background with faint, classical architectural elements like columns and a bell visible.

ACTIVITY REPORT

LEGAL RESOURCES CENTRE FROM MOLDOVA



IDENTITY

The Centre for Legal Resources from Moldova (LRCM) is a non-governmental, non-profit, independent, politically unaffiliated organisation consolidating democracy and the rule of law in the Republic of Moldova through research, monitoring and advocacy activities.



VISION

We live in a prosperous, democratic country where people are free and accountable, live safely, enjoy equal opportunities, are protected by law, trust the judiciary and are confident in their future.



MISSION

The LRCM promotes an independent, efficient, and accountable judiciary, efficient anticorruption mechanisms, observance of human rights, and an enabling environment for civil society and democracy. To that end, we identify problems with systemic impact, propose solutions, bring them onto the public agenda, address misconduct, and mobilise partners to bring change.



VALUES

The LRCM believes in democracy, the rule of law, human rights, and the values of an open society.



PRINCIPLES

The LCRM is guided by the following principles:

- Professionalism and respect for professional ethics,
- Integrity and transparency,
- Human rights approach,
- Gender balance,
- Proactive and constructive attitude to changing things for the better,
- Team spirit and participatory approach in strategic decision-making,
- Political non-affiliation,
- Complying with regulations to ensure a sustainable environment.

A MESSAGE FROM THE EXECUTIVE DIRECTOR



Dear colleagues and partners,

On behalf of the LRCM team, I am honoured to reflect on a year full of challenges and significant achievements for our organisation and society. Our achievements are a reflection of the team's commitment to promoting the rule of law, integrity and the fight against corruption, as well as to defending human rights and strengthening democracy and civil society in the Republic of Moldova, principles assumed by the [LRCM Strategy for 2022-2025](#).

Against the background of a crisis exacerbated by war and economic instability, in 2023, the LRCM carried out significant activities to promote the rule of law, integrity and the fight against corruption, including the organisation of the fifth edition of the [Justice and Anticorruption Reforms Forum](#) – the leading inclusive national platform for professional debates on justice and the fight against corruption.

Together with civil society partners, we analysed the progress of [implementing Moldova's EU accession commitments](#). We carried out [a legislative audit](#) identifying problematic laws that fuel corruption risks in justice, health, the economy and the environment. The LRCM team monitored the work of a key institution – the Superior Council of Prosecutors – and we published [a report](#) presenting our recommendations for improving its transparency.

In 2023, the [LRCM's expertise](#) was frequently requested, which resulted in an unprecedented number of legal opinions – 26 analytical papers and legislative proposals were sent to the authorities for the development of procedures aimed at major reforms, such as the reform of the Supreme Court of Justice, legislation on external evaluation of justice, procedures aimed at civil confiscation, de-oligarchization and the fight against corruption within the judiciary, thus contributing to increasing the authorities' resilience to fight against corruption.

In addition to justice and anticorruption initiatives, the LRCM also focused on promoting human rights and strengthening democracy and civil society. For the 13th consecutive year, we analysed the violations found by the ECtHR in the previous year, [summarised all convictions](#) over the last 26 years and looked at [domestic violence cases](#) in Moldova examined at the Strasbourg Court. We organised [public lectures](#) on human rights, supported the training of [Human Rights Defenders](#) and civil society representatives in matters of [personal and digital security](#), and successfully implemented a [national awareness-raising campaign](#) on the 2% Mechanism to strengthen the financial sustainability of civil society organisations. These actions were complemented by capacity-building efforts for journalists, as well as contributions to vitalising a platform for dialogue between Parliament and civil society.

In all these achievements, we have not been alone. Your contribution as partners and supporters has been crucial to our success. We are deeply grateful for your constant support and fruitful collaboration this year. It has been a year in which we have strengthened the foundations for future progress and put into practice the principles that guide our work: transparency, accountability and dedication to improving our society.

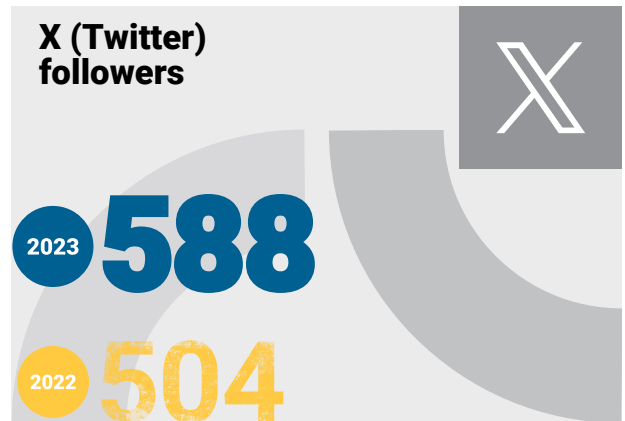
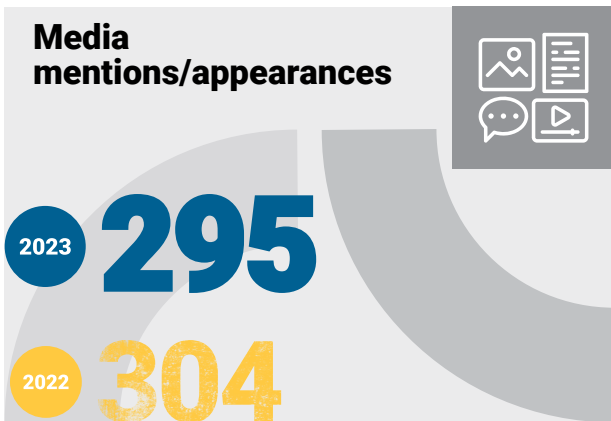
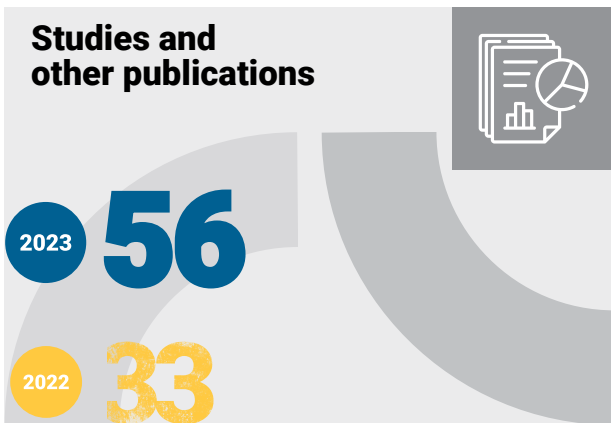
We end this year with a sense of accomplishment and recognition that the journey towards independent justice, integrity, and respect for human rights is ongoing. We look forward to 2024 with determination and hope to face the challenges together and continue to drive positive change in the Republic of Moldova.

Thank you for supporting the LRCM and our mission.

Ilio Chirtoacă



LRCM IN FIGURES



INDEPENDENT, ACCOUNTABLE, AND EFFICIENT JUSTICE

HIGHLIGHT

REFORMING THE SUPREME COURT OF JUSTICE

In 2023, the Parliament adopted an ambitious legislative package to reform the Supreme Court of Justice. It includes a new [Law on the Supreme Court of Justice \(SCJ\)](#), legislation on amending the procedure for the [examination of cases by the Supreme Court](#) and a [Law on the external evaluation or vetting of SCJ judges](#).

The new legislation radically changes the composition and internal organisation of the SCJ in line with the Finnish model, emphasises that its primary role is to ensure even application of the law, narrows the grounds for appeal, considerably changes the procedure for considering appeals, and requires external evaluation of the financial and ethical integrity of all SCJ judges and candidates running for a seat at SCJ.

In 2022-2023, LRCM legal officers were part of the expert group that drafted the package of laws on the Supreme Court of Justice reform. Additionally, the LRCM submitted written opinions on [the external evaluation of SCJ judges](#) and [the appeal in cassation procedure](#). Among the recommendations of the LRCM that the legislators accepted are the standardisation of the grounds of appeal

in the Civil Procedure Code, the Criminal Procedure Code and the Administrative Code, the limitation of the competence of the SCJ to challenge facts established in lower courts, the video recording and publication of the SCJ hearings, the reduction of the role of the President of the SCJ, the creation of the position of a jurisconsult who will be responsible for the harmonisation of the practice of the SCJ and the introduction of additional safeguards against abuse for vetted SCJ judges.

The SCJ reform started in April 2023. On the eve of this reform, 20 of the 25 judges of the SCJ resigned, effectively blocking the Court's functioning. In August 2023, two other judges resigned after invalidating 21 decisions of the [Pre-vetting Commission](#) in a single day. To unblock the functioning of the SCJ, the SCJ temporarily transferred more than ten judges to the SCJ. At the same time, the SCJ started filling the 17 vacant positions of SCJ judges, for which less than 30 candidates applied by the end of 2023.

LRCM ACHIEVEMENTS IN 2023 / INDEPENDENT, ACCOUNTABLE, AND EFFICIENT JUSTICE

The Legal Resource Centre from Moldova continued its efforts in 2023 to push forward judicial reforms, providing qualitative legal analysis and expertise, monitoring processes and reacting to systemic problems.

In the first half of the year, an essential part of the organisation's efforts was devoted to the most detailed and representative [survey of legal professionals ever conducted](#). More than 600 judges, prosecutors, and lawyers across the country were asked about the state of justice, the profession's self-administration, reforms, and corruption in the judiciary. The questions were formulated to identify areas for legislative intervention, public policy and law enforcement practices.





One of the products resulting from the LRCM's monitoring of justice was [the report covering the transparency of the work of the Superior Council of Prosecutors](#), published in December 2023. The research was based on 40 months of monitoring and presented several recommendations to increase the SCP's transparency. The new composition of the SCP has already partially implemented some of the report's recommendations, such as waiving deliberations.

For the fifth consecutive year, the LRCM, in partnership with the Government of the Republic of Moldova, organised the [Forum on Reforming Justice and Fighting Corruption](#) – an inclusive platform for professional discussion and debate on justice and anticorruption. More than 200 key justice actors, policymakers, development partners



and civil society experts engaged in discussions on the external evaluation of justice and the investigation and sanctioning of high-level corruption, optimising the judicial map and the justice of the future. The LRCM drafted a document that included [the main ideas](#) launched at the Forum.

At the same time, in 2023, we presented legal opinions to the Ministry of Justice and the Parliament on [streamlining the criminal procedure, improving the Criminal Code and the procedure of conducting special investigative measures, selection, evaluation and disciplinary liability of prosecutors, civil forfeiture](#) and other areas where LRCM legal officers have expertise. At the request of the Constitutional Court, the LRCM submitted several amicus curiae on legislation concerning the functioning of justice.

In the context of accession to the European Union, the LRCM contributed, together with other civil society organisations, to developing [two Alternative Reports](#) on implementing the commitments undertaken by the Republic of Moldova to open accession negotiations.

INTEGRITY AND THE FIGHT AGAINST CORRUPTION

HIGHLIGHT

EXTERNAL EVALUATION OF JUSTICE: FIRST RESULTS

The year 2023 brought to the forefront the implementation in practice of the first stage of the mechanism for verifying the ethical and financial integrity of sitting judges and prosecutors and candidates running for such office, also called vetting. Opinions on this exercise remain divided to this day. Some argue that the existing mechanisms are sufficient to ensure that there are no compromised individuals in the judiciary, contradicting the need for external vetting, while others, on the contrary, argue that the measure is a light one, as it does not go beyond integrity checks to professionalism checks and does not extend to all judges and prosecutors.

The survey published by the LRCM in 2023, conducted among professionals in the system (judges, prosecutors, lawyers), shows that about 60% of respondents support or do not oppose vetting measures, indicating a significant change in mindset since the previous survey. Another telling indicator relates to the results of the 2023 evaluation, namely the threshold for promoting the pre-vetting exercise. Only 18% of judges, 41% of prosecutors and 50% of lay candidates passed the assessment for positions in the SCM or SCP. These data suggest a clear need for external intervention to ensure the integrity of the body of judges and prosecutors.

The overall 20% promotion threshold for judges aligns with another key indicator – public confidence in the judiciary. Over the last decade, this figure has remained consistently around 20%. Under these circumstances, it can be argued that the camp in favour of the external evaluation process (80%) is larger than the camp against it. At the same time, it cannot be ruled out that people in the system will increasingly resist the vetting process in the coming years, given the consequences and prospects for many of them.

The hearings of judges and prosecutors closely monitored by the LRCM in 2023 brought up old issues related to hard-to-account-for property and wealth but also newer ones, such as professional and (un)ethical behaviour, such as managing conflicts of interest and ensuring independence in decision-making. The exposure and public knowledge of these systemic weaknesses would not have been possible without the publicity and transparency of the evaluation process. Even though it is a crucial element of the vetting mechanism, the authorities were on the verge of closing public access to hearings.

In 2023, the LRCM successfully contributed to improving the vetting laws and made a public plea, asking Parliament to keep hearings of judges and prosecutors open. In this way, the general public will continue to have the opportunity to follow the work of the vetting commissions, observe its concerns and questions about the subjects being vetted, appreciate the candidates' rigorous responses, and follow the performance of the evaluators. This will go a long way towards increasing the level of confidence in the assessment process and the work of vetting commissions both in society and the justice system.



LRCM ACHIEVEMENTS IN 2023 / INTEGRITY AND THE FIGHT AGAINST CORRUPTION

In 2023, together with civil society partners, the LRCM [analysed the legislation adopted in 2015-2020](#), which identified the most problematic legal provisions fuelling corruption risks in the justice, health, economy and environment sectors.

As a result of these efforts, a comprehensive paper was presented and sent to the Parliament of the Republic of Moldova aiming to eliminate corruption risks in these sectors, and several legal risks identified by the LRCM in the justice field have already been mitigated through legislative interventions.

Advocacy activities in the field of integrity and anticorruption also included a series of legal opinions issued to the authorities, through which LRCM contributed to developing a robust regulatory framework on [civil forfeiture procedures](#), [de-oligarchization](#) and [the anticorruption judiciary](#).

One of the key reforms in 2023 sought to strengthen the powers of the Anticorruption Prosecutor's Office. In the process, the LRCM recommended that the powers of this institution be delineated from the National Anticorruption Centre so that the passing of responsibilities, leaks of information and the delaying of investigations are limited.

LRCM legal officers presented objective alternative information to that provided by the authorities on Moldova's progress in the fight against corruption during the fifth monitoring round of the Istanbul Anticorruption Action Plan, developed by the Organization for Economic Cooperation and Development (OECD).

At the same time, the LRCM presented a report on corruption in the Republic of Moldova and within the Group of States Against Corruption (GRECO). As a result, the international organisation put forward 25 recommendations that the Moldovan authorities must implement in future to ensure the effectiveness of the fight against corruption.

In 2023, the LRCM team assisted the National Integrity Authority (NIA) in developing Standard Operating Procedures (SOPs) and updating the methodology for verifying assets and interests. As a result of this effort, the single control methodology was adopted in a new draft. In addition, the LRCM identified several aspects of the legislative framework covering NIA's activity that require improvement.

HUMAN RIGHTS

HIGHLIGHT

ECTHR: 26 YEARS' WORTH OF VIOLATIONS ADMITTED BY THE REPUBLIC OF MOLDOVA

12 September 2023 marked 26 years since the Republic of Moldova acceded to the European Convention on Human Rights (ECHR). Since then, the European Court of Human Rights (ECtHR) has examined applications filed against our state. The LRCM [summarised in a paper all the violations committed by the Republic of Moldova](#), reviewing their typology and the Court's judgments.

Professionals in the field highly appreciate this paper because it allows them to navigate more easily through the Strasbourg Court case law and will enable them to apply the ECtHR standards at the national level. The more than 5,000 pages of ECtHR case law in cases against the Republic of Moldova have been summarised in a 21-page paper. The violations were systematised in a table according to the ECHR articles and the type of violations found by the ECtHR. All judgments in which a violation of the same type was found are listed by category in the table.

As of September 2023, the Republic of Moldova has been convicted in more than 590 judgments, in which the ECtHR found 764 human rights violations. Most findings concern violations of the right to a fair trial. National authorities violated this right, protected by Article 6 of the ECHR, 239 times. This is followed by violations of Article 3, which prohibits torture. State officials violated this provision in 180 cases. The right to liberty and security was violated 113 times, and the right to an effective remedy was violated 65 times. The ECtHR ordered Moldova to pay damages of more than €22 million.

”

“This paper is an analytical effort aimed at informing society about the need to observe human rights and raise awareness of human rights. This assessment of caselaw aims to facilitate the application of the ECtHR standards at the national level and to contribute to the prevention of similar violations.”

LRCM continued in 2023 to analyse the caselaw of the Republic of Moldova at the European Court of Human Rights. Traditionally, at the beginning of the year, the LRCM published an analytical note assessing [all violations found against the Republic of Moldova by the ECtHR in the previous year](#).



[An analytical note](#) on domestic violence cases for which our country has been convicted before the Court and to increase legal professionals' awareness of the work of the ECtHR, LRCM lawyers put together [a summary of all convictions](#) since the Court has been examining applications against the Republic of Moldova.

Some 30 employees of the Office of the People's Advocate and civil society representatives strengthened their knowledge of international standards and practices on protecting Human Rights Defenders in a two-day training program organised by the LRCM in partnership with the International Commission of Jurists from Geneva.

Subsequently, the LRCM signed a [Collaboration Agreement with the Office of the People's Advocate](#), agreeing on joint activities and research projects to protect and promote human rights in our country.

Together with international experts, the LRCM contributed to training Moldovan Human Rights Defenders and civil society representatives in [personal security](#) and provided individual assistance in cybersecurity.

In 2023, the LRCM continued to advocate with other civil society organisations for the enforcement of the ECtHR judgments in [the expulsion of Turkish teachers](#) and in the [Şarban](#) (on unjustified arrests) and [Levința](#) (on the investigation of torture) clusters of cases, as well as for [the limitation of the powers of the Security and Intelligence Service](#) to interfere in people's private life.

The authorities accepted several recommendations made by the LRCM to improve [the new access to information legislation](#) and the [whistleblower law](#), which subsequently entered into force.

The LRCM also developed a series of information materials to promote [the work of Human Rights Defenders in Moldova](#), highlight the importance of monitoring court cases in which they are involved and show how they can be referred to the UN Special Rapporteur on Human Rights Defenders.



In December 2023, the LRCM organised a study visit to Finland and Estonia for ten experts from the Republic of Moldova (judges, prosecutors, lawyers and parliamentary staff). They had meetings with representatives of the justice system of the two countries to discuss various solutions for better observance of human rights in the criminal justice process. Some of the discussed issues were mechanisms to ensure transparency in criminal prosecutions, fairness in the administration of evidence in court and streamlining the investigation and prosecution of criminal cases.



DEMOCRACY AND CIVIL SOCIETY

HIGHLIGHT

HOW CAN WE CONTRIBUTE TO AN ENABLING ENVIRONMENT FOR HUMAN RIGHTS DEFENDERS AND CIVIL SOCIETY?

To ensure that human rights are not mere declarations on paper, that the judiciary is independent, and that corruption is effectively eradicated, there are Human Rights Defenders (HRDs), civil society and media outlets who ring the alarm when violations are committed. The voice of those who defend and promote human rights is vital in a democracy, but by being vocal in society, HRDs and representatives of the non-governmental sector also become targets of attacks and smear campaigns, including online or as threats to personal security.

Against this background, in 2023, the LRCM team and international trainers organised training sessions on personal security for HRDs and members of civil society organisations (CSOs), as well as one-to-one assistance sessions in digital and cybersecurity. This [gave them the skills](#) to identify and assess the risks they may face while performing their duties.

Through exercises aimed at analysing and simulating possible risks to them, HRDs and CSOs learnt how to assess their vulnerability in situations that could endanger their safety, such as attempts to break into the organisation's office, stealing information and digital materials held by activists, or being subjected to verbal threats, intimidation over the phone and on social networks, etc.

The training sessions organised by the LRCM provided a safe space to discuss how to plan for protection and use of personal and digital security techniques, both at the individual and organisational levels. The participants created their organisations' security plans and discussed what stakeholders could support them in crisis and what institutions could be hostile to them. As a result, we and our colleagues in civil society and HRDs became better prepared to counter specific challenges in promoting democracy and the rule of law.

LRCM ACHIEVEMENTS IN 2023 / DEMOCRACY AND CIVIL SOCIETY

A robust civil society that contributes to promoting democracy is another strategic objective to which LRCM consistently strives. In 2023, a successful [nationwide awareness-raising campaign](#) on the [2% mechanism](#) was implemented, showcasing [success stories](#) of beneficiaries of the income tax designation mechanism and encouraging taxpayers to contribute to strengthening civil society.



These efforts, along with the individual campaigns of each beneficiary of the 2% Mechanism, helped maintain positive momentum in both the number of taxpayers who chose to designate a portion of their income tax to a non-commercial organisation and the total amount of these designations. In total, 38 651 individuals designated over 12 million MDL.

Together with tax experts, the LRCM published [a guide on tax control of non-commercial organisations](#) to help civil society be resilient and more prepared to engage with tax authorities.

For the sixth consecutive year, together with other organisations, the LRCM documented [the attacks the civil society organisations endured](#) to highlight and deter hostile behaviour.



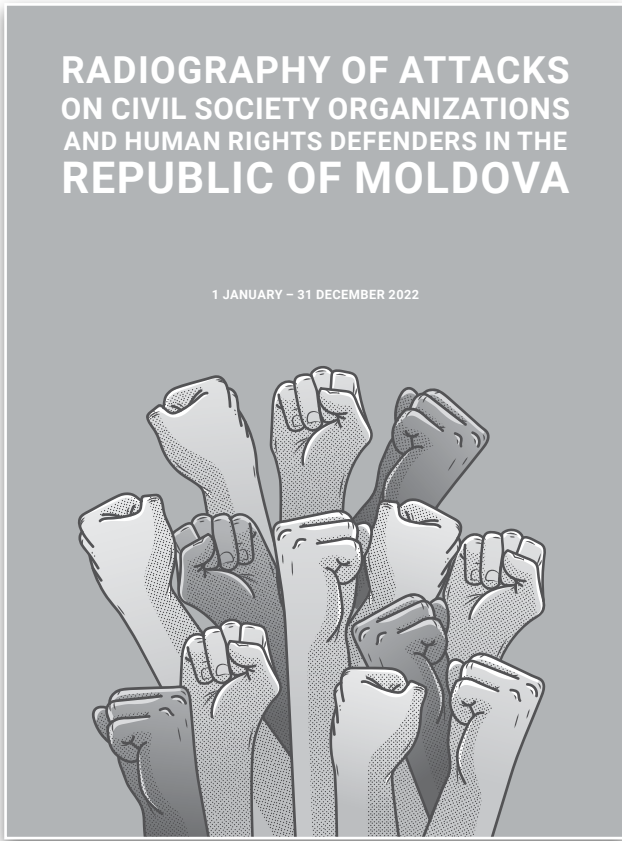
After participating in the annual conference titled "[Cooperation between Parliament and Civil Society](#)", the LRCM contributed to creating a reliable Platform for dialogue and civic participation in Parliament's decision-making process.

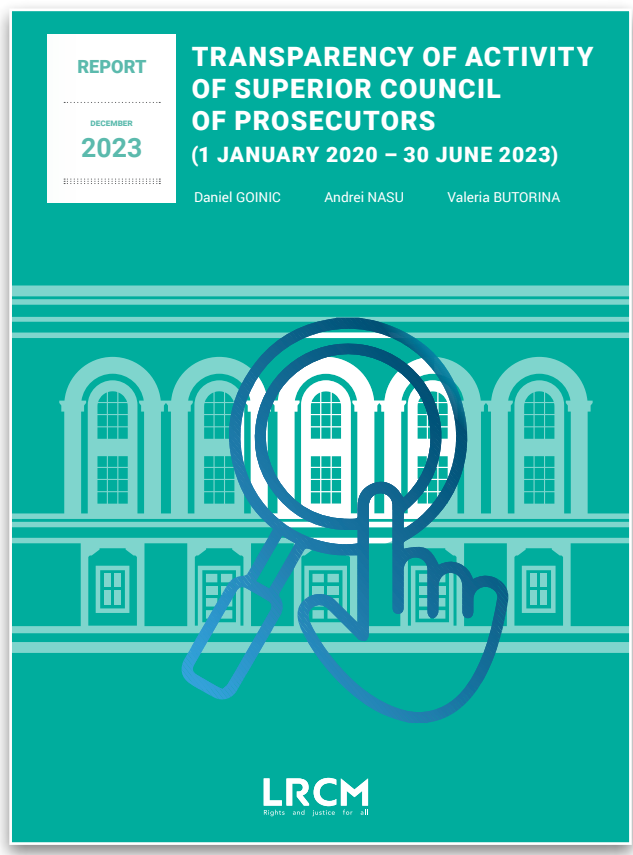
In 2023, LRCM's legal officers contributed to the capacity building of journalists by informing and explaining the processes behind judicial reforms, democracy and the rule of law.

LRCM PUBLICATIONS IN 2023









LRCM TEAM



**ILIE
CHIRTOACĂ**
Executive Director



**VLADISLAV
GRIBINCEA**
Programme Director



**DANIEL
GOINIC**
Programme Director



**SORINA
MACRINICI**
Programme Director
suspended activity



**OXANA
BRIGHIDIN**
Legal Officer
until August 2023



**VICTORIA
MEREUȚĂ**
Legal Officer

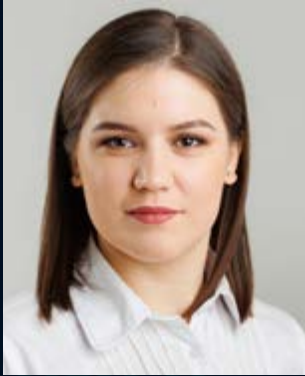


**ANDREI
NASU**
Legal Officer



**VALERIA
BUTORINA**
Junior Legal Officer





**OLGA
CORTAC**
Director of Administrative
Service



**AURELIA
CELAC**
Accounting and Financial
Manager



**ALINA
FRIMU**
Assistant of Financial
Administrative Service



**DUMITRU
JOMIR**
Communication
Coordinator



**DANIEL
STANCIU**
Communication Specialist
until February 2023



**NATALIA
ROTARU**
Communication Specialist

LRCM ACTIVITY REPORT 2023

LRCM BOARD

ADRIAN IONESCU, CHAIRPERSON
VICTOR GOTIȘAN
DIANA LAZĂR
GHENADIE BARBĂ
CRISTINA PERETEATCU (resigned in March 2023)
ION GUZUN (resigned in March 2023)

LRCM MEMBERS

ANDREI BRIGHIDIN
ARCADIE BARBĂROȘIE
CORNELIU RUSNAC (resigned in July 2023)
CRISTINA MARTIN
ELENA LEȘAN (resigned in July 2023)
ION GUZUN
NADEJDA HRIPTIEVSCHI
PETER-VLAD IANUȘEVICI
RAISA BOTEZATU
SORINA MACRINICI
VLADISLAV GRIBINCEA



DONATORII CRJM



EMBASSY OF THE UNITED STATES OF AMERICA (INL)



SOROS FOUNDATIONS MOLDOVA



Kingdom of the Netherlands

EMBASSY OF THE KINGDOM OF THE NETHERLANDS



EMBASSY OF FINLAND IN BUCHAREST



FRIEDRICH EBERT FOUNDATION

Activity supported by the Canada Fund for Local Initiatives
Activité réalisée avec l'appui du Fonds canadien d'initiatives locales



CANADA FUND FOR LOCAL INITIATIVES



GERMAN INTERNATIONAL COOPERATION AGENCY



EUROPEAN UNION, REPRESENTED BY THE DELEGATION OF THE EUROPEAN UNION IN THE REPUBLIC OF MOLDOVA



EASTERN PARTNERSHIP CIVIL SOCIETY FACILITY, FUNDED BY THE EU AND IMPLEMENTED BY A CONSORTIUM LED BY GDSI LIMITED.

THE LEGAL RESOURCES CENTRE FROM MOLDOVA



Str. A. Şciusev 33, MD-2001
Chişinău, Republica Moldova



+373 22 84 36 01 / +373 22 84 36 02



contact@crjm.org



www.crjm.org



[crjm.org](https://www.facebook.com/crjm.org)



[crjmolдова](https://twitter.com/crjmolдова)

