

Justice Sector Reform Strategy Progress Conference Conclusions



A conference on the topic „Progress in the implementation of the Justice Sector Reform Strategy after

three years since its launch” was held on 18 September 2014. The conference was organized by the Promo-LEX Association and the Association for Efficient and Responsible Governance (AGER).

Representatives of civil society and government institutions, invited to the event, tried to jointly assess the progress of the justice sector reform.

36 national Promo-LEX observers throughout Moldova were involved in the monitoring effort on the implementation of the Justice Sector Reform Strategy, and our conclusions and recommendations were presented in six quarterly reports, which were based on a methodology specially developed for this purpose, mentioned Ion Manole, executive director of Promo-LEX. “While the findings of our reports were quite consistent, the authorities did not always agree with our figures and

findings; however this is a democratic exercise to be further intensified. I think it is the duty of civil society and authorities to work together to have a fair, open and transparent justice”, added Ion Manole. You can find all the reports [here](#).

According to Wicher Slagter, Head of Political and Economic Section of the EU Delegation in Moldova, “the justice reform is the mother of all reforms”, that is, other reforms cannot be implemented without a functioning justice system. While □ some progress has been made, not all goals were achieved, and there are areas, such as prosecution reform, where additional efforts should be made, and the fight against corruption in the judiciary needs to intensify, Mr. Slagter added.

Erik Svanidze, team leader of the EU project “Support to the coordination of the justice reform in Moldova”, emphasized the contribution of Promo-LEX and AGER in the implementation of the justice sector reform, noting in particular the monitoring component of the overall coordination mechanism for the implementation of the reform, and thanked the organizations for their constructive criticism□□.

Referring to the progress in the implementation of the reform strategy, Olesea Stamate, AGER executive director, noted: “We expected progress to be more expedient. In the last report we presented, the number of implemented actions is 60%, while those not implemented is 40%, which is not a bad figure. However, more than these figures, we are interested in the level of implementation of actions that have been deemed implemented within this strategy. We will continue our monitoring effort until the completion of the strategy, and we will try to focus on assessing the effects of the reform.”

Cristina Tarna, deputy director of the National Anti-Corruption Center, noted that some progress in fighting corruption, though perhaps modest, has been achieved. She compared the state of completion of corruption before the

launch of the reform and after its launch. "Approximately 80% of defendants admitted their guilt in court, which in 2010-2012 led to a conviction rate of 90%; however 30% of those convicted were drawn to administrative liability, and only the rest faced criminal charges. With regard to disqualification from corruption-prone positions, two out of three convicts returned to the positions held. Only 1.5% of the total number of persons convicted for corruption actually went to jail. For comparison, in the first half of 2014, the conviction rate remained at 90%, of which 2% faced administrative liability, in 55% of cases the defendants received criminal sanctions and were deprived of the right to hold office, and deprivation of liberty applied to as many as 17% of cases."

The results of the implementation of the JSRS were presented during the event, including two studies on court map optimization and specialization of judges. Ion Guzun, LRCM legal adviser, said that while the action pertaining to court map optimization has not yet started, certain preparatory activities have already been carried out.

Discussing alternative dispute resolution mechanisms, the participants emphasized the need to increase public confidence in mediation services, which is what the Mediation Council has been actively working on.

A number of challenges remain in achieving a child-friendly justice system, and these include the lack of specialists for hearing child victims, absence of judges specialized in such cases, and lengthy examinations of these cases.

The prosecution reform remains the most important arrear of the JSRS. The extensive delay in the discussion of the concept of the reform and adoption of the respective law shows that there was no strong commitment to reforming this institution, concluded LRCM chairman, Vladislav Gribincea.

With regard to the judicial enforcement system reform, one of the issues highlighted by the chairman of Bailiffs Union was the independence of bailiffs, and the fact that the Ministry of Justice delayed the adoption of legislation to facilitate the work of the profession.

One of the goals of the monitoring effort conducted by Promo-LEX and AGER was the observation of the conduct of court hearings from a procedural point of view. After monitoring a total of 1,800 hearings, a positive trend has been noted with regard to the solemnity of trials. Another used testing mechanism was a court satisfaction survey. The analysis of 2,643 court users' satisfaction surveys, which focused on elements of a fair trial, showed a positive dynamic in that respect.

The conference was the final event of the project "Monitoring the Justice Sector Reform for Increased Government Responsibility", implemented by Promo-LEX and the Association for Efficient and Responsible Governance between 19 September 2012 and 18 September 2014. The project was implemented with the financial support from the European Union. The project was also financed by the East European Foundation from funds provided by the Government of Sweden through its Swedish International Development Cooperation (Sida), and the Danish Ministry of Foreign Affairs/DANIDA.

For more details, contact: Carolina Bondarciuc, Press Officer:
GSM: (+373/0) 696-37-849, tel/tax: (+373 22) 450-024,
email: pr@promolex.md